



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Extension of Performance Period

HEARING DATE: JUNE 23, 2011

*Date:* June 10, 2011  
*Case No.:* **2011.0089CVX**  
*Project Address:* **55 9th STREET**  
*Zoning:* C-3-G (Downtown, General Commercial) District  
200-S Height and Bulk District  
*Block/Lot:* 3701/066  
*Project Sponsor:* Robert Barnes  
Macquarie 55 Ninth Street Inc.  
1420 Fifth Avenue, Suite 2200  
Seattle, WA 98101  
*Staff Contact:* Kevin Guy– (415) 558-6163  
kevin.guy@sfgov.org  
*Recommendation:* **Approval with Conditions**

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Suite 400  
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CA 94103-2479

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Planning  
Information:  
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### PROJECT DESCRIPTION

The project sponsor requests an amendment to the conditions of approval for a previously approved project in order to extend the performance period for three years (to June 23, 2014). The project was originally approved by the Planning Commission and the Zoning Administrator on December 13, 2007, and would construct a new 17-story building containing approximately 260 dwelling units, 3,000 square feet of ground-floor retail space, 98 off-street residential parking spaces, and 15 off-street commercial parking spaces (Case No. 2006.1248EKXC). No modifications are proposed to the design or intensity of the project as originally approved. The project sponsor has proposed an interim landscaping plan that would plant a mix of trees and understory along the 9th Street frontage, in order to soften and screen views of the site from the public right-of-way.

### SITE DESCRIPTION AND PRESENT USE

The project site is located on the east side of 9th Street, between Market and Mission Streets, Assessor's Block 3701, Lot 063. The site is also accessible from Laskie Street, an alley stub that connects to Mission Street east of 9th Street. The property is located within the C-3-G Zoning District and the 200-S Height and Bulk District. The project site is currently vacant.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The C-3-G District covers the western portions of downtown San Francisco and is composed of a variety of uses, including hotels, offices, entertainment, dwelling units, and retail establishments. The intensity of development is generally lower within the C-3-G District than within the downtown core. Residential uses are principally permitted within the C-3-G District.

The scale of development varies greatly in the vicinity of the project site, with the current height limits in the area ranging from 50 to 320 feet. Permitted heights and the prevailing scale of development generally decrease with distance from Market Street. Two buildings in the area, Fox Plaza (1390 Market Street) and the AAA Building (100 Van Ness Avenue), approach heights of 400 feet. Other taller buildings include the 17-story SCIF Building (1275 Market Street), the 23-story SOMA Grand (1160 Mission Street), the 18-story Federal Building (1100 Mission Street), and the 20-story Argenta (One Polk). Currently, office and retail uses predominate on Market Street, but substantial residential development is proposed or approved. Other uses near the project site include tourist and residential hotels, institutional and cultural uses, and government offices.

## ENVIRONMENTAL REVIEW

On March 4, 2004, the Planning Commission certified a Final Environmental Impact Report (EIR) for a 12-story building containing 268,000 square feet of office uses at the project site. This office development did not occur, and the project sponsor changed the proposal to a residential development. On October 24, 2007, the Department prepared and published an Addendum to the previously-certified Final EIR which determined that the revised project would not cause and new significant impacts not identified in the original Final EIR. Since the Addendum was published, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to the Final EIR, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR.

## HEARING NOTIFICATION \*

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	June 3, 2011	April 13, 2011	71 days
Posted Notice	20 days	June 3, 2011	May 25, 2011	29 days
Mailed Notice	10 days	June 13, 2011	April 13, 2011	71 days

\* Item was continued from the May 5, 2011 Planning Commission hearing.

## PUBLIC COMMENT

- As of the date of publication, staff has received no comments on the requested extension of entitlements.

## ISSUES AND OTHER CONSIDERATIONS

- At the hearing on December 13, 2007, the Planning Commission granted exceptions for the Project under Planning Code Section 309, including separation of towers, bulk, rear yard, ground-level wind currents, residential accessory parking. The Planning Commission also granted Conditional Use authorization to exceed the base Floor Area Ratio (FAR) of 6.0:1 for the construction of units affordable for 20 years to households whose incomes are within 150 percent of the median income. At the same hearing on December 13, 2007, the Zoning Administrator



granted Variances from Planning Code requirements regarding usable open space, dwelling unit exposure, and limits on the number of vehicular entries for parking and loading.

- The projects have not been constructed following the original 2004 approval, due to the continuing weakness in the real estate market and the associated difficulties in securing financing. The sponsor wishes to preserve the opportunity to construct the projects pending future improvements in the national and global economic outlook.

## **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant an amendment to the conditions of approval for the original Conditional Use authorization and Section 309 Determination of Compliance (per Planning Code Sections 303(e) and 309(j)) to extend the performance period for three years (to June 23, 2014). In addition, the Zoning Administrator would need to grant an amendment to the conditions of approval for the original Variance for the project.

## **BASIS FOR RECOMMENDATION**

- The requested extension is appropriate given the present economic downturn, which is beyond the control of the project sponsor.
- The project would bolster efforts to revitalize the Central Market Street area by adding residents and ground-floor retail services, within an area that is well-served by transit.
- The project would present a more active streetscape (with ground-floor retail uses) compared with the existing vacant lot.
- The project is desirable for, and compatible with the surrounding neighborhood.

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

- Block Book Map
- Sanborn Map
- Aerial Photograph
- Zoning Map
- Draft Motions to Extend Performance Period
- Memo from Environmental Planning, dated June 7, 2011
- Project Sponsor Submittal Package:
  - Project Sponsor Submittal Letter, dated May 31, 2011
  - Previous Variance Decision Letter
  - Previous Approval Motions
  - Approved Plans
  - Interim Landscape Plan

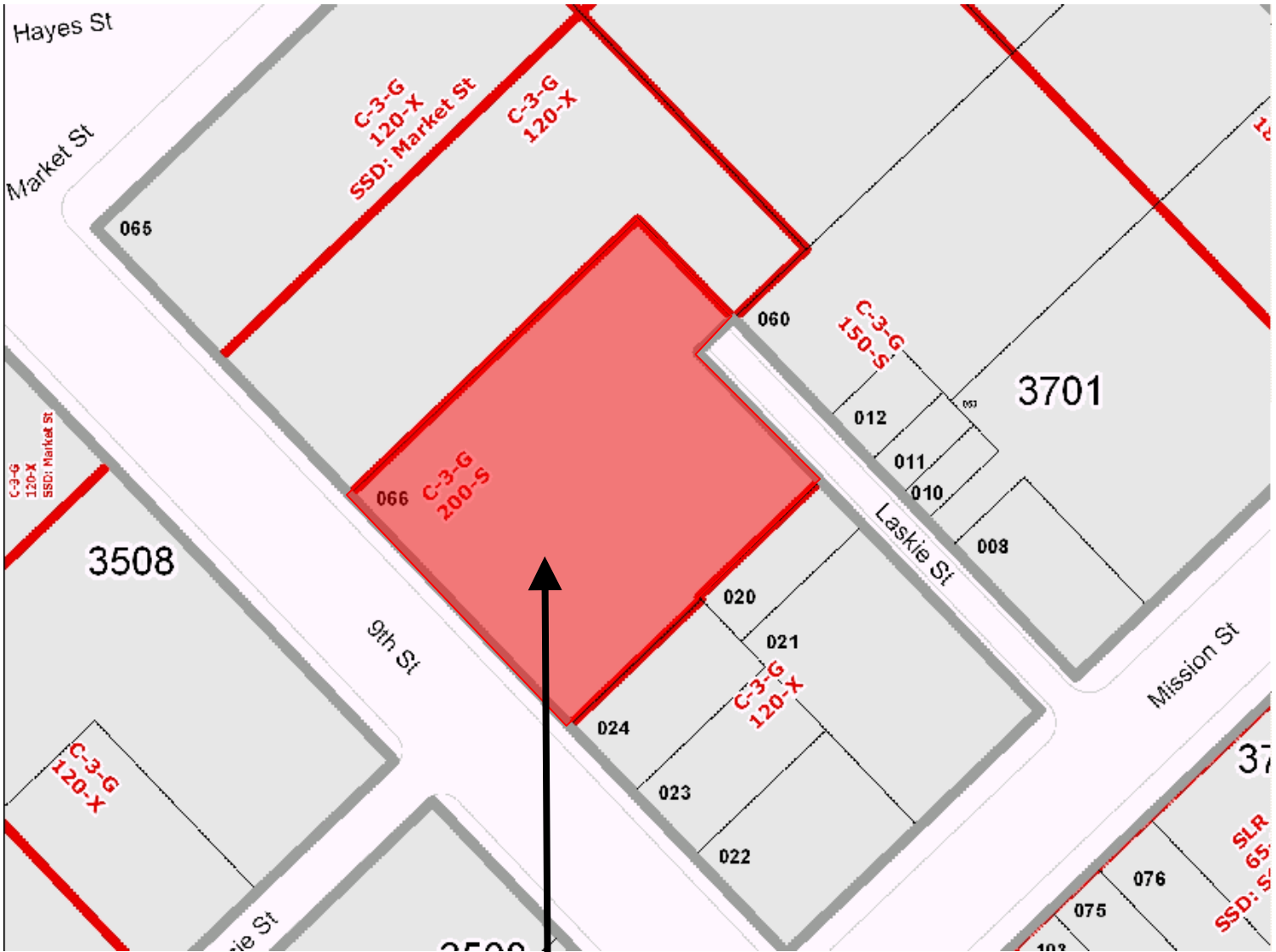
Attachment Checklist

- |   |   |
|---|---|
| <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 type="checkbox"/> Inclusionary Affordable Housing Program:<br>Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos         |   |

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

\_\_\_\_\_  
Planner's Initials

# Parcel Map



PROJECT SITE



Extension of Entitlements  
Case Number 2011.0089CVX  
55 9th Street

# Sanborn Map\*



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



Extension of Entitlements  
Case Number 2011.0089CVX  
55 9th Street



# Aerial Photo



PROJECT SITE



Extension of Entitlements  
Case Number 2011.0089CVX  
55 9th Street



# Aerial Photo



Looking North

PROJECT SITE

Extension of Entitlements  
Case Number 2011.0089CVX  
55 9th Street

# Zoning Map



Extension of Entitlements  
Case Number 2011.0089CVX  
55 9th Street



# 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 Draft Motion

HEARING DATE: JUNE 23, 2011

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*Recommendation:* **Approval with Conditions**

**ADOPTING FINDINGS TO AMEND THE CONDITIONS OF APPROVAL FOR A DETERMINATION OF COMPLIANCE UNDER PLANNING CODE SECTION 309 TO EXTEND THE PERFORMANCE PERIOD FOR THREE YEARS FOR A PREVIOUSLY APPROVED PROJECT, TO ALLOW CONSTRUCTION OF A 17-STORY BUILDING CONTAINING APPROXIMATELY 260 DWELLING UNITS, 3,000 SQUARE FEET OF GROUND-FLOOR RETAIL USES, 98 OFF-STREET RESIDENTIAL PARKING SPACES, AND 15 OFF-STREET COMMERCIAL PARKING SPACES ON A SITE THAT IS CURRENTLY VACANT WITHIN THE C-3-G ZONING DISTRICT AND THE 200-S HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

### PREAMBLE

On January 19, 2011, Gino Altomirano, acting on behalf of Macquarie 55 Ninth Street Inc. ("Project Sponsor"), submitted a request (Case No. 2011.0089CVX) with the City and County of San Francisco Planning Department ("Department") for an amendment to the conditions of approval for a previously approved project in order to extend the performance period for three years. The project was originally approved by the Planning Commission ("Commission") on December 13, 2007 (Case No. 2006.1248EKXC), and would construct a 17-story building containing approximately 260 dwelling units,



3,000 square feet of ground-floor retail uses, 98 off-street residential parking spaces, and 15 off-street commercial parking spaces, located at 55 Ninth Street ("Project Site"), within the C-3-G Zoning District and the 200-S Height and Bulk District (collectively, "Project").

At the hearing on December 13, 2007, the Commission granted exceptions for the Project under Planning Code Section 309, including separation of towers, bulk, rear yard, ground-level wind currents, residential accessory parking. The Commission also granted Conditional Use authorization to exceed the base Floor Area Ratio (FAR) of 6.0:1 for the construction of units affordable for 20 years to households whose incomes are within 150 percent of the median income. At the same hearing on December 13, 2007, the Zoning Administrator granted Variances from Planning Code requirements regarding usable open space, dwelling unit exposure, and limits on the number of vehicular entries for parking and loading.

On December 13, 2003, a Draft Environmental Impact Report was prepared and published that analyzed a proposal for a 12-story building containing 268,000 square feet of office uses at the Project Site. On March 4, 2004, the Planning Commission reviewed and considered the Final EIR ("FEIR") and found that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). The Commission found the FEIR was adequate, accurate and objective, reflected the independent analysis and judgment of the Department and the Commission, and approved the FEIR for the proposed office development in compliance with CEQA, the CEQA Guidelines and Chapter 31. The Planning Department, Linda Avery, is the custodian of records, located in the File for Case No. 2001.1039E, at 1650 Mission Street, Fourth Floor, San Francisco, California. Department staff prepared a Mitigation Monitoring and Reporting program, which material was made available to the public and the Commission for the Commission's review, consideration, and action.

On October 24, 2007, the Department prepared and published an Addendum to the previously-certified Final EIR which determined that the project, as revised to propose the residential Project, would not cause and new significant impacts not identified in the original Final EIR (Case No. 2006.1248E).

Since the FEIR was finalized, and the Addendum to the FEIR was published, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to the FEIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the FEIR.

On June 23, 2011, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case No. 2011.0089CVX.

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 approves the three-year extension of the performance period requested in Application No. 2011.0089CVX, subject to the conditions of Motion No. 17521 and the conditions contained in "EXHIBIT A" of this motion, 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 sponsor requests an amendment to the conditions of approval for a previously approved project in order to extend the performance period for three years (to June 23, 2014). The project was originally approved by the Planning Commission and the Zoning Administrator on December 13, 2007, and would construct a new 17-story building containing approximately 260 dwelling units, 3,000 square feet of ground-floor retail space, 98 off-street residential parking spaces, and 15 off-street commercial parking spaces (Case No. 2006.1248EKXC). No modifications are proposed to the design or intensity of the project as originally approved. The Project Sponsor has proposed an interim landscaping plan that would plant a mix of trees and understory along the 9th Street frontage, in order to soften and screen views of the site from the public right-of-way.
3. **Site Description and Present Use.** The project site is located on the east side of 9th Street, between Market and Mission Streets, Assessor's Block 3701, Lot 063. The site is also accessible from Laskie Street, an alley stub that connects to Mission Street east of 9th Street. The property is located within the C-3-G Zoning District and the 200-S Height and Bulk District. The project site is currently vacant.
4. **Surrounding Properties and Neighborhood.** The C-3-G District covers the western portions of downtown San Francisco and is composed of a variety of uses, including hotels, offices, entertainment, dwelling units, and retail establishments. The intensity of development is generally lower within the C-3-G District than within the downtown core. Residential uses are principally permitted within the C-3-G District.

The scale of development varies greatly in the vicinity of the project site, with the current height limits in the area ranging from 50 to 320 feet. Permitted heights and the prevailing scale of development generally decrease with distance from Market Street. Two buildings in the area, Fox Plaza (1390 Market Street) and the AAA Building (100 Van Ness Avenue), approach heights of 400 feet. Other taller buildings include the 17-story SCIF Building (1275 Market Street), the 23-story SOMA Grand (1160 Mission Street), the 18-story Federal Building (1100 Mission Street), and the 20-story Argenta (One Polk). Currently, office and retail uses predominate on Market Street, but substantial residential development is proposed or approved. Other uses near the project site include tourist and residential hotels, institutional and cultural uses, and government offices.

5. **Public Comment.** To date, the Department has received no correspondence regarding the requested extension.
6. This Commission adopts the findings of the previous Planning Commission Motion No. 17521, as though fully set forth herein.
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 finds that, given the continuing weakness in the real estate market and the associated difficulties in securing financing, which is beyond the control of the Project Sponsor, and given the merits of the proposed Project, it is appropriate to amend condition of approval No. 2(F) of Planning Commission Motion No. 17521 to extend the performance period of the Project to June 23, 2014.
9. On balance, the Commission hereby finds that approval of the proposed amendment to condition of approval No. 2(F) of Planning Commission Motion No. 17521 in this case 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 Determination of Compliance under Planning Code Section 309 No. 2011.0089CVX**, subject to the following conditions attached hereto as "EXHIBIT A", and subject to the Conditions of Approval of Planning Commission Motion No. 17521, as amended by this approval to modify Condition 2(F) to extend the performance period of the project to June 23, 2014.

The Planning Commission further finds that since the FEIR was finalized, and the Addendum to the FEIR was published, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to the FEIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the FEIR.

**APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 309 Determination of Compliance to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals in person at 1650 Mission Street, Room 304 or call (415) 575-6880.**

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on June 23, 2011

Linda Avery  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: June 23, 2011

## EXHIBIT A

### AUTHORIZATION

This authorization is extend the performance period under Motion No. 17521 until June 23, 2014, for a project located at 55 9th Street, Block 3701, Lot 066, within the C-3-G District and the 200-S Height and Bulk District to construct a 17-story building containing approximately 260 dwelling units, 3,000 square feet of ground-floor retail uses, 98 off-street residential parking spaces, and 15 off-street commercial parking spaces, and subject to conditions of approval reviewed and approved by the Commission on December 13, 2007 under Motion No. 17521, as amended by the Planning Commission on June 23, 2011 under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on December 13, 2007 under Motion No. 17521, as amended by the Planning Commission on June 23, 2007 under Motion No. XXXXX.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Planning Code Section 309 Determination of Compliance and any subsequent amendments or modifications.

### SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

### CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Planning Code Section 309 Determination of Compliance.

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

### PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion, amending the expiration date of the performance specified the approval granted per Motion No. 17521 (until June 23, 2014). A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Planning Code Section 309 Determination of Compliance is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained 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 diligently to completion. The Commission may also consider revoking the approvals 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.

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

2. **Interim Landscape Plan.** The project sponsor shall install the landscaping and irrigation shown in the Interim Landscape Plan, attached hereto as 'Exhibit B', within three (3) month of the date of this Motion No. XXXXXX. This landscaping shall be maintained in an attractive manner, and any dead plant material shall be promptly replaced and maintained by the Project Sponsor. The landscaping shall be maintained on the subject property until construction commences on the subject property.

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# SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- |   |   |
|---|---|
| <input type="checkbox"/> Inclusionary Housing (Sec. 315)                    | <input checked="" type="checkbox"/> First Source Hiring (Admin. Code) |
| <input checked="" type="checkbox"/> Jobs Housing Linkage Program (Sec. 313) | <input checked="" 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

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commercial parking spaces, located at 55 Ninth Street ("Project Site"), within the C-3-G Zoning District and the 200-S Height and Bulk District (collectively, "Project").

At the hearing on December 13, 2007, the Commission granted exceptions for the Project under Planning Code Section 309, including separation of towers, bulk, rear yard, ground-level wind currents, residential accessory parking. The Commission also granted Conditional Use authorization to exceed the base Floor Area Ratio (FAR) of 6.0:1 for the construction of units affordable for 20 years to households whose incomes are within 150 percent of the median income. At the same hearing on December 13, 2007, the Zoning Administrator granted Variances from Planning Code requirements regarding usable open space, dwelling unit exposure, and limits on the number of vehicular entries for parking and loading.

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Since the FEIR was finalized, and the Addendum to the FEIR was published, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to the FEIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the FEIR.

On June 23, 2011, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case No. 2011.0089CVX.

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 approves the three-year extension of the performance period requested in Application No. 2011.0089CVX, subject to the conditions of Motion No. 17522 and the conditions contained in "EXHIBIT A" of this motion, 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 sponsor requests an amendment to the conditions of approval for a previously approved project in order to extend the performance period for three years (to June 23, 2014). The project was originally approved by the Planning Commission and the Zoning Administrator on December 13, 2007, and would construct a new 17-story building containing approximately 260 dwelling units, 3,000 square feet of ground-floor retail space, 98 off-street residential parking spaces, and 15 off-street commercial parking spaces (Case No. 2006.1248EKXC). No modifications are proposed to the design or intensity of the project as originally approved. The Project Sponsor has proposed an interim landscaping plan that would plant a mix of trees and understory along the 9th Street frontage, in order to soften and screen views of the site from the public right-of-way.
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The scale of development varies greatly in the vicinity of the project site, with the current height limits in the area ranging from 50 to 320 feet. Permitted heights and the prevailing scale of development generally decrease with distance from Market Street. Two buildings in the area, Fox Plaza (1390 Market Street) and the AAA Building (100 Van Ness Avenue), approach heights of 400 feet. Other taller buildings include the 17-story SCIF Building (1275 Market Street), the 23-story SOMA Grand (1160 Mission Street), the 18-story Federal Building (1100 Mission Street), and the 20-story Argenta (One Polk). Currently, office and retail uses predominate on Market Street, but substantial residential development is proposed or approved. Other uses near the project site include tourist and residential hotels, institutional and cultural uses, and government offices.

5. **Public Comment.** To date, the Department has received no correspondence regarding the requested extension.
6. This Commission adopts the findings of the previous Planning Commission Motion No. 17522, as though fully set forth herein.
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 finds that, given the continuing weakness in the real estate market and the associated difficulties in securing financing, which is beyond the control of the Project Sponsor, and given the merits of the proposed Project, it is appropriate to amend condition of approval No. 2(F) of Planning Commission Motion No. 17522 to extend the performance period of the Project to June 23, 2014.
9. On balance, the Commission hereby finds that approval of the proposed amendment to condition of approval No. 2(F) of Planning Commission Motion No. 17522 in this case 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. 2011.0089CVX**, subject to the following conditions attached hereto as "EXHIBIT A", and subject to the Conditions of Approval of Planning Commission Motion No. 17522, as amended by this approval to modify Condition 2(F) to extend the performance period of the project to June 23, 2014.

The Planning Commission further finds that since the FEIR was finalized, and the Addendum to the FEIR was published, there have been no substantial project changes and no substantial changes in project circumstances that would require major revisions to the FEIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the FEIR.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this approval of a Conditional Use Authorization application 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 June 23, 2011

Linda Avery  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: June 23, 2011

## EXHIBIT A

### AUTHORIZATION

This authorization is extend the performance period under Motion No. 17522 until June 23, 2014, for a project located at 55 9th Street, Block 3701, Lot 066, within the C-3-G District and the 200-S Height and Bulk District to construct a 17-story building containing approximately 260 dwelling units, 3,000 square feet of ground-floor retail uses, 98 off-street residential parking spaces, and 15 off-street commercial parking spaces, and subject to conditions of approval reviewed and approved by the Commission on December 13, 2007 under Motion No. 17522, as amended by the Planning Commission on June 23, 2011 under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on December 13, 2007 under Motion No. 17522, as amended by the Planning Commission on June 23, 2007 under Motion No. XXXXX.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

### SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

### CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

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

### PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion, amending the expiration date of the performance specified the approval granted per Motion No. 17521 (until June 23, 2014). A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained 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 diligently to completion. The Commission may also consider revoking the approvals 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.

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

2. **Interim Landscape Plan.** The project sponsor shall install the landscaping and irrigation shown in the Interim Landscape Plan, attached hereto as 'Exhibit B', within three (3) month of the date of this Motion No. XXXXXX. This landscaping shall be maintained in an attractive manner, and any dead plant material shall be promptly replaced and maintained by the Project Sponsor. The landscaping shall be maintained on the subject property until construction commences on the subject property.

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



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** June 7, 2011

**TO:** File No. 2006.1248E: 55 Ninth Street

**FROM:** Irene Nishimura

**C:** Kevin Guy, Planner III

**RE:** Note to File for Extension of Approval for 55 Ninth Street Residential  
Building Project

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

The Project Sponsor has requested a three-year extension of the Conditional Use Authorization and Planning Code Section 309 entitlement granted by the Planning Commission, and the variances granted by the Zoning Administrator on December 13, 2007. The Project Sponsor does not propose any change to the 2007-approved project, which consists of a 17-story residential building with 260 dwelling units, 3,000 square feet of ground-floor retail, 98 residential parking spaces, and 15 commercial parking spaces.

In October 2007, the Planning Department issued an Addendum to the Final EIR (FEIR) for the residential building project. The FEIR had been certified in March 2004 for an office building project. In accordance with the California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15164, changes to projects that already have a certified Environmental Impact Report (EIR) or an adopted Negative Declaration, may be evaluated in an Addendum to the Final EIR (FEIR) if the project would not result in any new environmental impacts; or there would not be an increase in the severity of any previously-identified impacts. The analysis contained in the Addendum determined that the residential building would not result in a new impact and would not increase the severity of an impact as analyzed in the FEIR; and hence under CEQA, an EIR for the changed project would not be required.

The request for extension of the Conditional Use Authorization, Section 309 approval, and variances approval is for the same residential building project that was analyzed in the October 2007-issued Addendum. Therefore, the residential building project that was approved by the Planning Commission and the Zoning Administrator in December 2007, for which an Addendum was published in October 2007, does not require further evaluation under CEQA.

Memo

**Macquarie 55 Ninth St Inc.**  
A Member of the Macquarie Group of Companies

1420 Fifth Ave  
Suite 2220  
Seattle WA 98101  
UNITED STATES

Telephone +1 206 674 3383  
Fax +1 206 674 5841  
Internet [www.macquarie.com](http://www.macquarie.com)

May 31, 2011

**BY HAND DELIVERY**

President Christina Olague and Members,  
San Francisco Planning Commission  
Scott Sanchez, Zoning Administrator  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103-2479



Re: 55 9th Street; Amendment of Conditions of Approval to Extend  
Performance Periods (2011.0089CVX)

Dear President Olague, Commissioners, and Zoning Administrator Sanchez:

We write on behalf of the project sponsor, Macquarie 55 Ninth Street, Inc. ("Macquarie"), to request that you amend the conditions of approval for the 55 9<sup>th</sup> Street project (the "Project") to extend the performance periods. The Project was approved as the real estate market was beginning its decline in late 2007, and Macquarie was required to foreclose in 2009. We have proceeded diligently and spent considerable time and money to identify a feasible development strategy during a very challenging economic time. Over the past several months, with the improvement of the economy and renewed investment interest in the mid-Market area, the Project has now become viable. Given its size and prominent location, successful development of this site is central to the City's economic development strategy for mid-Market, and the existing entitlements are crucial to the Project's feasibility. We ask for your support in preserving the existing entitlements and providing the certainty that is necessary to allow a transformative project to move forward.

**Brief Chronology and Current Status of the Project**

The Project was approved in late 2007. The property owner, Anka Development, defaulted on its loan, and Macquarie took the property back two years later, in the fall of 2009. In late 2009, Macquarie began to conduct due diligence regarding the site and entitlements. In 2010, we assembled a team of architects, consultants, and construction experts to analyze our options for development of the site. The outlook for the real estate market was improving slowly but remained very challenging, and interest in the site was limited. Our

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Macquarie 55 Ninth St Inc. is not an authorised deposit-taking institution for the purposes of the Banking Act 1959 (Commonwealth of Australia), and its obligations do not represent deposits or other liabilities of Macquarie Bank Limited ABN 46 008 583 542. Macquarie Bank Limited does not guarantee or otherwise provide assurance in respect of the obligations of Macquarie 55 Ninth St Inc.

team analyzed a range of options, including preserving the existing entitlements or pursuing alternative schemes. We finished our review in the late fall of 2010, and concluded that the most promising route was through the existing entitlements. Since that time we proceeded diligently, working with staff, to comply with new application requirements and move forward with the extension request.

Things have changed substantially in mid-Market since Macquarie took over the property in 2009, and markedly so over the past several months. The real estate market in San Francisco continues a slow but steady improvement, and the mid-Market payroll tax exemption has created investment interest in the area and the site. We are very pleased to announce that the site is now under contract, and the buyer is in the process of completing its due diligence, including meeting with Planning Department staff regarding the existing entitlements. We have received other interest in the site as well. The feedback that we have received from the buyer and others is consistent with our own analysis--that this is a very good residential site, and that the existing entitlements are what makes timely development feasible.

#### Ongoing Maintenance and Interim Landscape Plan

Macquarie became the owner of the site during a difficult time when there were no prospects for its development. We have been a responsible steward, both in actively working on development options, and in maintaining the site. We have implemented a maintenance program that includes trimming/mowing the groundcover and cleaning the site, including removing weeds and any debris, approximately every two weeks.

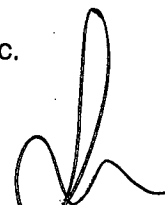
We have also worked with the Department to develop a landscaping plan to improve the interim condition of the site. We will continue the existing maintenance program, and in addition, will install and maintain substantial new landscaping along the 9<sup>th</sup> Street frontage as requested by staff, and as indicated in the attached landscape plan.

Thank you for your consideration.

Very truly yours,  
Macquarie 55 Ninth St, Inc.



Robert Barnes  
Director



Jabin Henderson  
Director

cc: Kevin Guy, San Francisco Planning Department  
Tay Via, Coblenz, Patch, Duffy & Bass





# SAN FRANCISCO PLANNING DEPARTMENT

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## Variance Decision

*Date:* March 19, 2008  
*Case No.:* 2006.1248V  
*Project Address:* 55 NINTH STREET  
*Zoning:* Zoning: C-3-G (Downtown General Commercial)  
200-S Height and Bulk District  
*Block/Lot:* 3701/063  
*Project Sponsor:* Anka Developments. Inc. c/o Daniel Frattin of Reuben & Junius LLP  
One Bush Street, Suite 600  
San Francisco, CA 94104  
*Staff Contact:* Dan DiBartolo – (415) 558-6291  
*dan.dibartolo@sfgov.org*

1650 Mission St.  
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San Francisco,  
CA 94103-2479

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### DESCRIPTION OF VARIANCES – DWELLING UNIT EXPOSURE; OPEN SPACE DIMENSIONS AND EXPOSURE; VEHICULAR ENTRY

#### VARIANCE FROM SECTION 140 DWELLING UNIT EXPOSURE REQUIREMENTS.

Section 140 requires at least one room at least 120 square feet in area within a dwelling unit to face directly on an open area that is either (1) a public street or alley that is at least 25 feet in width, or a side yard or rear yard that meets the requirements of the Planning Code, or (2) an open area that is unobstructed and is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor.

The units that face onto Ninth Street and Laskie Street will comply fully with Section 140. However, 107 units that face the southern, eastern and northern property lines, including the inner courtyards near the southern and northern property lines, will not comply.

#### VARIANCE FROM SECTION 135 RESIDENTIAL OPEN SPACE REQUIREMENTS.

In C-3 Districts, Section 135(d)(2) requires that each dwelling unit be provided with 36 square feet of private usable open space or 48 square feet of common usable open space. Private open space shall have a minimum area of 36 square feet. If located on a balcony, private open space must have a depth of at least six feet and at least 30 percent of the perimeter must be unobstructed except for necessary railings.

The Project will provide a code-complying amount of open space for each residential unit. However, in 104 units, the private open space will be 3'-8" in depth, rather than the six feet required by the Planning Code. In another 26 units, less than 30 percent of the perimeter of the balconies will be exposed.

## VARIANCE FROM SECTION 155 VEHICULAR ENTRY LIMITS

Section 155(s)(5)(A) limits the number and width of façade openings for access to off-street parking and loading. In any single development, there may be no more than two façade openings of no more than 11-foot wide each or one opening of no more than 22-foot side for access to off-street parking and one façade opening of no more than 15-foot wide for access to loading. Shared parking and loading entrances may be no more 27 feet wide.

The project will provide a 24-foot wide entry on Ninth Street. On Laskie Street, there will be two entries. The first will be for automobiles and service vehicles and will be 24-foot wide. A second 13'-6" wide entry on Laskie Street will provide access to the Project's full-size loading bay.

### PROCEDURAL BACKGROUND:

1. On October 25, 2001, a previous project sponsor, State Compensation Insurance Fund ("SCIF"), filed an application for environmental review related to an office development (Office Project) at the Project Site. The Office Project consisted of a 12-story, 203-foot-high (including mechanical penthouse), 268,000-square-foot building for occupancy by SCIF. Environmental review of the Office Project was conducted pursuant to the California Environmental Quality Act (CEQA) and Chapter 31 of the San Francisco Administrative Code.
2. On March 4, 2004, the Planning Commission certified the Final Environmental Impact Report (FEIR) for the Office Project. On March 25, 2004, the Planning Commission approved the Office Project with conditions.
3. On October 25, 2006, the current Project Sponsor, 55 Ninth, LLC, filed an application for an environmental addendum.
4. On September 27, 2006, Project Sponsor filed application 2006.1248X for a Section 309 Determination of Compliance and Request for Exceptions from parking, bulk, separation of towers, comfort-level wind and rear yard requirements.
5. On June 29, 2007, the Project Sponsor filed application 2006.1248C for conditional use authorization to increase the permitted base FAR by the square footage of the Project's on-site affordable units.
6. On June 29, 2007, the Project Sponsor filed application 2006.1248V for a variance. As subsequently amended, the variance application requested relief from the following standards: the Section 155 limits on the number and width of garage doors; the minimum depth and exposure rules for Section 135 residential open space; and the dwelling unit exposure requirement of Section 140.
7. On October 13, 2007, the Planning Department published an environmental addendum, which was subsequently amended and republished on October 24, 2007. The addendum indicated that the current Project will not cause significant new impacts not identified in the FEIR, and that no new mitigation measures were necessary to reduce significant impacts.
8. On November 8, 2007, and December 13, 2007, the Zoning Administrator held public hearings on Variance Application No. 2006.1248V. Said hearings were concurrent with the Planning Commission

hearings on Project Sponsor's request for Section 309 (Downtown Permit Review) and Section 303 (Conditional Use) approval.

## **DECISION:**

**GRANTED**, to construct a new approximately 205' tall building (including mechanical penthouse) containing 260 dwelling units above ground-floor retail space and garages with up to 113 independently accessible parking spaces, in general conformity with the plans on file with this application, shown as Exhibit A, and dated December 6, 2007, subject to the Conditions of Approval in Planning Commission Motion No. 17521 and 17522 as well as the following conditions below:

1. Minor modifications as determined by the Zoning Administrator may be permitted if it is demonstrated that such modifications are necessary in order to comply with Department of Building Inspection requirements.
2. The proposed project must meet these conditions and all applicable City Codes, and the conditions of Planning Commission Motion No. 17521 and 17522. In the case of conflict, the more restrictive controls shall apply.
3. The Project Sponsor shall restrict the use of the Project's ground-floor commercial space to neighborhood-serving retail and/or personal service uses that are open to the general public and enliven the sidewalk due to the intensity of use. Such uses shall include but not be limited to cafes, restaurants, delis, convenience stores, grocers, video stores, newsstands, bookstores, stationary/card shops, and nail or hair salons. Such uses shall not include destination or boutique retail intended to serve a citywide or regional market, or uses intended to primarily serve residents of the building.
4. The owners of the subject property shall record on the land records of the City and County of San Francisco the conditions attached to this variance decision as a Notice of Special Restrictions in a form approved by the Zoning Administrator.

## **FINDINGS**

Section 305(c) of the Planning Code states that in order to grant a variance, the Zoning Administrator must determine that the facts of the case are sufficient to establish the following five findings.

### **FINDINGS FOR DWELLING UNIT EXPOSURE:**

Section 305(c) of the Planning Code states that in order to grant a variance, the Zoning Administrator must determine that the facts of the case are sufficient to establish the following five findings:

#### **FINDING 1:**

That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district. (Section 305(c)(1)).

**REQUIREMENT MET.**

- A. The Project is located on a large, nearly square lot and would use the building envelope of the previously approved 2004 Office Project. Both the approved and proposed projects were specially designed to preserve and enhance sun and daylight penetration into the public open space around the adjacent State Compensation Insurance Fund ("SCIF") Building and to sidewalks in the vicinity. To accomplish this, the Project's open areas are located around the northern and southern edges of the lot, rather than a rear yard. The dimensions of these open areas, along with the large percentage of the exterior which is composed of glass, provide adequate exposure for the dwelling units.
- B. Other projects in the same zoning district may be able to comply with the dwelling unit exposure requirement to the extent they are not located on large square lots and are not specially designed to maximize sun and daylight penetration to nearby open spaces and sidewalks.

**FINDING 2:**

That owing to such exceptional and extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property. (Section 305(c)(1)).

**REQUIREMENT MET.**

- A. Literal enforcement of the dwelling unit exposure requirement would result in a smaller building with much larger open areas at the upper floors. The overall result would be a substantial reduction in the number of dwelling units, including on-site affordable units, and a design lacking cohesion. Reducing the amount of housing included in the Project would result in hardship on the Project Sponsor and reduce the amount of housing available for City residents. The change would not bring any significant public benefits, nor would it necessarily improve light and air to the affected units.

**FINDING 3**

That such variance is necessary for preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district. (Section 305(c)(3)).

**REQUIREMENT MET.**

- A. Many residential buildings in the area do not strictly comply with the dwelling unit exposure requirement. The C-3-G District has many dense, multi-family buildings that predate the Planning Code, but nonetheless provide quality living environments. Like these other buildings, the Project would provide attractive residences with adequate natural light and ventilation. Strict application of the dwelling unit exposure requirement would diminish the property's development potential and reduce the amount of housing that could be built. This result would deny the Project Sponsor a substantial property right enjoyed by others in this same zoning district.



#### FINDING 4

That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity. (Section 305(c)(3)).

#### REQUIREMENT MET.

- A. Granting the limited relief requested in this variance application will not be materially detrimental to the public welfare or materially injurious to nearby land or improvements. The Project fulfills the intent of the dwelling unit exposure requirement by incorporating large setbacks, courtyards, and large windows that provide each unit with adequate light and air. Without the variance, the Project would require a substantial redesign that would likely reduce the number of units in the project and/or reduce sunlight to adjacent streets and properties. These results would be contrary to public policy and would be material detrimental to the public welfare and to property and improvements in the area. By contrast, granting the variance will serve the paramount goal of increasing the City's housing supply and will not injure nearby property.
- B. No neighboring property owner opposes the Project or granting this variance.

#### FINDING 5

The granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan. (Section 305(c)(4)).

#### REQUIREMENT MET.

- A. Section 101.1(b) establishes eight priority policies and requires review of variance applications for consistency with said policies. Review of the relevant priority planning policies yielded the following determinations: (1) the Project includes approximately 3,000 sq. ft. of ground-floor retail space that will provide ownership and employment opportunities for San Francisco residents; (2) the Project will bring upward of 400 new residents of varied backgrounds into the area and will enhance its cultural and economic diversity; (3) the Project will enhance the City's supply of affordable housing by constructing 31 affordable units on site; (4) the Project will not adversely impact public transit service or overburden parking; (5) the Project will be built on a vacant site and will not displace industrial or service sector uses; (6) the Project will comply with current seismic safety standards; (7) the site is not occupied by historic or architecturally significant buildings, nor is it within a historic district; (8) the Project will not shade any parks or protected public open spaces.

#### FINDINGS FOR RESIDENTIAL OPEN SPACE VARIANCE:

Section 305(c) of the Planning Code states that in order to grant a variance, the Zoning Administrator must determine that the facts of the case are sufficient to establish the following five findings:

#### FINDING 1:

That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district. (Section 305(c)(1)).

**REQUIREMENT MET.**

The Project includes a total of 35,482 square feet of private open space, an average of 136 square feet per unit. Each unit will have between 52 square feet and 556 square feet of private open space—well over the 36 sq. ft. required by the Planning Code. The Project Sponsor has agreed to make the ground-level open space in the Project available for limited public use. Other residential properties in the district generally do not provide public open space, nor do they provide as much private open space as does the Project.

**FINDING 2:**

That owing to such exceptional and extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property. (Section 305(c)(1)).

**REQUIREMENT MET.**

Compliance with the minimum depth requirement for open space would require a corresponding reduction in living space in the units. In order to offer competitive pricing and serve a diverse cross-section of the housing market, the Project includes a number of units with modestly sized bedrooms. Further reductions in interior space would impair the usability and desirability of many bedrooms and result in practical difficulty for future residents. Compliance with the exposure requirement in all units would similarly result in practical difficulty. The structural element that encloses these balconies cannot feasibly be relocated.

**FINDING 3**

That such variance is necessary for preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district. (Section 305(c)(3)).

**REQUIREMENT MET.**

Many buildings in the area do not strictly comply with the open space requirement. The C-3-G District has many dense, multi-family buildings that predate any open space requirement and provide little or no usable open space. This Project will provide a large amount of private and public open space for resident use. Strict application of the usable open space requirement to this Project would require significant alterations to the proposed plans, would diminish the size and usability of the residential units, and thereby deny the Project Sponsor a substantial property right enjoyed by others in this same zoning district.

**FINDING 4**

That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity. (Section 305(c)(3)).

**REQUIREMENT MET.**

The Project satisfies the intent of the Code by providing each unit with a code-complying amount of private usable open space. The two common open areas at ground level will be open to the public and have been designed to complement the adjacent SCIF Plaza. Granting the limited relief requested in this variance application will not be materially detrimental to the public welfare or materially injurious to nearby land or improvements.

**FINDING 5**

The granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan. (Section 305(c)(4)).

**REQUIREMENT MET.**

A. Section 101.1(b) establishes eight priority policies and requires review of variance applications for consistency with said policies. Review of the relevant priority planning policies yielded the following determinations: (1) the Project includes approximately 3,000 sq. ft. of ground-floor retail space that will provide ownership and employment opportunities for San Francisco residents; (2) the Project will bring upward of 400 new residents of varied backgrounds into the area and will enhance its cultural and economic diversity; (3) the Project will enhance the City's supply of affordable housing by constructing 31 affordable units on site; (4) the Project will not adversely impact public transit service or overburden parking; (5) the Project will be built on a vacant site and will not displace industrial or service sector uses; (6) the Project will comply with current seismic safety standards; (7) the site is not occupied by historic or architecturally significant buildings, nor is it within a historic district; (8) the Project will not shade any parks or protected public open spaces.

**FINDINGS FOR GARAGE ENTRY VARIANCE:**

Section 305(c) of the Planning Code states that in order to grant a variance, the Zoning Administrator must determine that the facts of the case are sufficient to establish the following five findings:

**FINDING 1:**

That there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district. (Section 305(c)(1)).

**REQUIREMENT MET.**

The Property is a large, through lot that abuts a narrow, dead-end alley on one side and major automobile thoroughfare on the other. The alley is too narrow to feasibly accommodate all the Project's traffic. A sensitive land use, the Quaker Meetinghouse, adjoins the Property to the south. Silent religious services are held in the Quaker Meetinghouse, and its congregants often gather on the Ninth Street sidewalk before and after services.

**FINDING 2:**

That owing to such exceptional and extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property. (Section 305(c)(1)).

**REQUIREMENT MET.**

The initial proposal was for a single garage that provided access to all the Project's parking and service vehicle spaces via an entrance near the southern property line on Ninth Street. However, the Meetinghouse expressed concern that the noise of the garage door would disrupt religious services and that vehicles crossing the sidewalk would pose a potential risk to congregants gathered on the sidewalk. The Project Sponsor considered numerous alternatives to resolve neighbors' concerns on Laskie Street. Due to the physical limitations on Laskie Street, it was not feasible to relocate all parking there. Instead, the Project was revised to include two garages: a primary garage accessible from Ninth Street and an approximately 20 space garage with two service vehicle spaces accessible from Laskie Street. Literal enforcement of the Code would preclude this configuration, which is necessary to mitigate the effects of the Project on an adjacent sensitive use while providing access to parking and service vehicle spaces.

**FINDING 3**

That such variance is necessary for preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district. (Section 305(c)(3)).

**REQUIREMENT MET.**

Many buildings in the area do not strictly comply with the limits of Section 155(s)(5)(A). In particular, many large properties with frontage on more than one street have multiple entries for vehicular access. These include the CSAA Building at Fell and Van Ness, the State Building at Golden Gate and Polk, and the Marriot Hotel at Fourth and Mission. By limiting the Project to access from only one street, Section 155(s)(5)(A) deprives the Property of the same type of accessibility enjoyed by numerous other properties in the C-3 and other nearby zoning districts

**FINDING 4**

That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity. (Section 305(c)(3)).

**REQUIREMENT MET.**

Granting the variance will not be materially injurious to the Property or improvements in the vicinity. It is an integral part of reducing the Project's potential effects on neighboring properties. Because Laskie Street is a back alley that is primarily used for commercial parking and loading for surrounding businesses, the secondary garage entry will not disrupt the pedestrian realm or conflict with the character of the street.

**FINDING 5**

The granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the General Plan. (Section 305(c)(4)).

**REQUIREMENT MET.**

A. Section 101.1(b) establishes eight priority policies and requires review of variance applications for consistency with said policies. Review of the relevant priority planning policies yielded the following determinations: (1) the Project includes approximately 3,000 sq. ft. of ground-floor retail space that will provide ownership and employment opportunities for San Francisco residents; (2) the



Project will bring upward of 400 new residents of varied backgrounds into the area and will enhance its cultural and economic diversity; (3) the Project will enhance the City's supply of affordable housing by constructing 31 affordable units on site; (4) the Project will not adversely impact public transit service or overburden parking; (5) the Project will be built on a vacant site and will not displace industrial or service sector uses; (6) the Project will comply with current seismic safety standards; (7) the site is not occupied by historic or architecturally significant buildings, nor is it within a historic district; (8) the Project will not shade any parks or protected public open spaces.

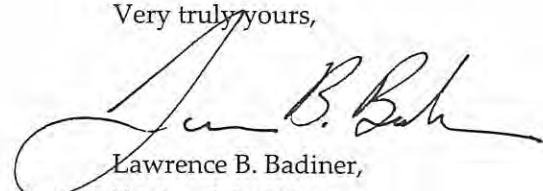
The effective date of this decision shall be either the date of this decision letter if not appealed or the date of the Notice of Decision and Order if appealed to the Board of Appeals.

Once any portion of the granted Variances is utilized, all specifications and conditions of the Variance authorizations become immediately operative.

The Zoning Administrator may, in a public hearing, consider the revocation of this variance if a site or building permit has not been issued within three (3) years of the date of this letter. 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 Zoning Administrator may also consider revoking this variance if a permit for the project has been issued but is allowed to expire and more than three (3) years have passed since this letter was issued. This authorization may be extended at the discretion of the Zoning Administrator when the issuance of necessary permit or other City action is delayed by a City, state or federal agency or by appeal of the issuance of such permit.

**RIGHT OF APPEAL:** Any aggrieved person may appeal this variance decision to the Board of Appeals within ten (10) days after the date of the issuance of this Variance Decision. For further information, please contact the Board of Permit Appeals in person at 1660 Mission Street, Third Floor, San Francisco, CA 94103, or call 575-6880.

Very truly yours,



Lawrence B. Badiner,  
Zoning Administrator

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THIS IS NOT A PERMIT TO COMMENCE ANY WORK OR CHANGE OCCUPANCY. PERMITS FROM APPROPRIATE DEPARTMENTS MUST BE SECURED BEFORE WORK IS STARTED OR OCCUPANCY IS CHANGED.

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# SAN FRANCISCO PLANNING DEPARTMENT

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Subject to: (Select only if applicable)

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Inclusionary Housing | <input type="checkbox"/> Public Open Space                            |
| <input type="checkbox"/> Childcare Requirement           | <input checked="" type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program    | <input type="checkbox"/> Transit Impact Development Fee               |
| <input type="checkbox"/> Downtown Park Fee               | <input type="checkbox"/> Other  |
| <input checked="" type="checkbox"/> Public Art           |   |

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

Reception:  
**415.558.6378**

Fax:  
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Planning  
Information:  
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## Planning Commission Motion No. 17521

Hearing Date: December 13, 2007  
Case No.: 2006.1248KXCV  
Project Address: 55 NINTH STREET  
Zoning: C-3-G (Downtown General Commercial)  
200-S Height and Bulk District  
Block/Lot: 3701/063  
Project Sponsor: Anka Developments. Inc. c/o Daniel Frattin of Reuben & Junius LLP  
One Bush Street, Suite 600  
San Francisco, CA 94104  
Staff Contact: Dan DiBartolo – (415) 558-6291  
[dan.dibartolo@sfgov.org](mailto:dan.dibartolo@sfgov.org)

**ADOPTING FINDINGS RELATED TO THE APPROVAL OF A SECTION 309 DETERMINATION OF COMPLIANCE AND REQUEST FOR EXCEPTIONS FOR THE CONSTRUCTION OF A MIXED-USE STRUCTURE CONTAINING APPROXIMATELY 260 DWELLING UNITS, APPROXIMATELY 3,000 SQUARE FEET OF GROUND LEVEL RETAIL SPACE, AND A GARAGE WITH A CAPACITY OF UP TO 113 INDEPENDENTLY ACCESSIBLE PARKING SPACES AT 55 NINTH STREET (ASSESSOR'S BLOCK 3701, LOT 063), LOCATED WITHIN THE C-3-G (DOWNTOWN GENERAL COMMERCIAL) DISTRICT AND 200-S HEIGHT AND BULK DISTRICT.**

### RECITALS

1. On October 25, 2001, State Compensation Insurance Fund (SCIF) filed an application for environmental review related to an office development (Office Project) at the Project Site. The Office Project consisted of a 12-story, 203-foot-high (including mechanical penthouse), 268,000-square-foot building for occupancy by SCIF. Environmental review of the Office Project was conducted pursuant to the California Environmental Quality Act (CEQA) and Chapter 31 of the San Francisco Administrative Code.
2. On March 4, 2004, the Planning Commission certified the Final Environmental Impact Report (FEIR) for the Office Project.

3. On March 25, 2004, the Planning Commission approved the Office Project with conditions. Construction of the office project did not occur as the project sponsor pursued alternative plans to construct a mixed-use structure with 260 residential units and ground level retail.
4. On October 25, 2006, the Project Sponsor requested that the Department review the current residential project in accordance with CEQA.
5. On September 27, 2006, the current Project Sponsor, Anka Developments, Inc., applied for a Section 309 Determination of Compliance and Request for Exceptions, Application No. 2006.1248X, on the property at 55 Ninth Street, Lot 063 in Assessor's Block 3701 (Project Site), to revise the previously approved project by proposing to construct a mixed-use structure containing approximately 260 dwelling units, approximately 3,000 square feet of ground level retail/personal service space, and a garage with a capacity of up to 113 independently accessible parking spaces (Project), in general conformity with plans reviewed on November 8, 2007 and labeled Exhibit B. The Project Site is within the C-3-G District and 200-S Height and Bulk District.
6. On October 24, 2007, the Department published an Addendum to the FEIR, which determined that the current project would not cause new significant impacts not identified in the FEIR and no new mitigation measures would be necessary to reduce significant impacts.
7. On November 8, 2007, and December 13, 2007, the Commission conducted duly noticed public hearings at regularly scheduled meeting on the Section 309 application.
8. **MOVED**, that the Commission hereby approves the Section 309 Determination of Compliance and Request for Exceptions requested in Application No. 2006.1248X for the Project, subject to conditions contained in Exhibit A attached hereto and incorporated 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 also constitute findings of this Commission.
2. **Project Site:** The subject site with a total area of approximately 35,800 square feet is an irregularly shaped parcel that approximates a square. It is located on the east side of Ninth Street between Mission and Market Streets. A small alley, Laskie Street, abuts the eastern side of the site. The site is within the C-3-G District and a 200-S Height and Bulk District. The site is also within a larger area that is proposed for designation as the Mid-Market Special Use District (SUD).

The subject lot is currently vacant. It was most recently used as a 138-space surface parking facility.

3. **Surrounding Area:** The C-3-G District covers the western portions of downtown San Francisco and is composed of a variety of uses: hotels, offices, places of entertainment, residential buildings, and retail establishments. Many of these uses serve a citywide or regional clientele, but the intensity of development is lower than in the downtown core. Residential uses are principally permitted within the C-3-G District.

The scale of development in the vicinity of the project site is very diverse, with the current height limits in the area ranging from 50 to 320 feet. Permitted heights and the prevailing scale of development generally decrease with distance from Market Street. Two buildings in the area, Fox Plaza (1390 Market Street) and the AAA Building (100 Van Ness Avenue), approach heights of 400 feet. Other taller buildings include the 17-story SCIF Building (1275 Market Street), the 23-story Soma Grand (1160 Mission Street), the 18-story Federal Building (1100 Mission Street), and the 20-story Argenta (One Polk; under construction). Currently, office and retail uses predominate on Market Street, but substantial residential development is approved or underway. Other uses near the project site include tourist and residential hotels, institutional and cultural uses, and government offices.

The adjacent parcel to the north is occupied by the 17-story, 266-foot-high SCIF Building. To the south on Ninth Street is the two-story San Francisco Religious Society of Friends. The adjacent parcel to the south on Laskie Street is vacant. Opposite the project site on Laskie Alley is the 14-story Holiday Inn Civic Center (50 Eighth Street). On the west side of Ninth Street, the northern half of the block is occupied by the 11-story, 130-foot-high San Francisco Merchandise Mart. The Civic Center lies two blocks to the north.

4. **Proposed Project:** The proposed project entails the construction of a new 204'-10"-tall (including mechanical penthouse), 17-story mixed-use building containing 260 dwelling units, approximately 3,000 square feet of ground level retail/personal service space, and a garage with a capacity of up to 113 independently accessible parking spaces (98 residential spaces and 15 commercial spaces), one full-size loading space, and two service-vehicle spaces on two below-grade levels and a partial level at grade.
5. The Project requires the authorization of a Section 309 Determination of Compliance and Request for Exceptions, including exceptions for separation of towers, rear yard, comfort-level wind, parking, and bulk. Other required entitlements include conditional use authorization and variances from certain requirements of the Planning Code.
6. The Office Project that was analyzed in the FEIR consisted of a 12-story, 203-foot-high (including mechanical penthouse) office building for occupancy by SCIF. The FEIR did not identify any significant and unavoidable environmental impacts.
7. On October 24, 2007, the Department published an Addendum to the FEIR. The Addendum analyzed the current Project, as generally described herein. The Addendum also discussed the following variants to the Project: (a) a valet-parking variant that included up to 214 valet spaces in the proposed garage; (b) a parking garage variant with the entrance on Laskie Street and the exit on Ninth Street; and (c) a parking garage variant with the entrance on Ninth Street and the exit on Laskie Street. In reviewing the proposed Project, the Commission has reviewed and considered the Addendum and the FEIR.
8. As discussed in the Addendum, construction of the current Project would not result in any significant and unavoidable environmental impacts, nor will it result in any new or substantially more severe environmental impacts other than those previously identified and discussed in the FEIR. There are no substantial changes in the Project, substantial changes to circumstances under which the Project is being undertaken, or new information of substantial importance from that analyzed and considered in the FEIR that will result in any new or substantially increased

environmental impacts. Mitigations proposed as part of the original development and its FEIR remain feasible and have been agreed to by the project proponent. Thus, preparation of the Addendum to the FEIR was appropriate, and no further environmental review is required under Public Resource Code Section 21116 or CEQA Guidelines Section 15162 and 15164.

The Planning Department is the custodian of the documents and other materials that constitute the record of the proceedings upon which all CEQA findings set forth herein are based. Such documents and other materials are available for review by this Commission and the public at the Department's offices at 1650 Mission Street.

9. The FEIR and the Addendum include mitigation measures that would reduce the potential environmental impacts of the Project to a less-than-significant level. The Commission has reviewed and considered the mitigation and improvement measures, collectively identified as Exhibit C, attached hereto.
10. The Planning Department has heard from the owner of the adjacent property to the south (65 Ninth Street, a two-story commercial structure operated as a religious meeting facility). While he is generally supportive of the project, he is opposed to the location of the curb cut and garage entry at the Ninth Street frontage, adjacent to his property. He cites disturbances to worship and meeting services, traffic and pedestrian circulation issues, and believes that the entry would be more appropriately located at the Laskie Street frontage.
11. **Planning Code Compliance.** The Commission finds that the Project meets the provisions of the Planning Code as follows:
  - a. **Section 124:** Section 124 establishes basic floor area ratios (FAR) for all zoning districts. FAR is the ratio of the gross floor area of all the buildings on a lot to the total area of the lot. As set forth in Section 124(a), the FAR for the C-3-G District is 6.0 to 1. Under Sections 123 and 128, the FAR can be increased to a maximum of 9.0 to 1 with the purchase of transferable development rights (TDR). Section 124(f) provides that in C-3-G Districts, additional square footage above the base FAR of 6.0 to 1 may be approved by conditional use for the construction of dwelling units affordable for 20 years to households whose incomes are within 150 percent of the median income, as defined in Section 124(f).

*With a lot area of 35,800 square feet, up to 214,800 gross square feet can be developed on the Project Site without TDR, and up to 322,200 gross square feet can be developed with TDR. The Project Sponsor is seeking conditional use authorization to develop approximately 31,416 square feet above the 6.0 to 1 base FAR for dwelling units that will be affordable for a minimum of 20 years to households whose incomes are within 150 percent of the median income as defined in Section 124(f). In addition, the Project Sponsor has purchased 30,000 square feet of TDR. "Together, the conditional use authorization and TDR would increase the total FAR limit at the site to approximately 7.7-to-1, which would allow up to 276,216 gross square feet of development at the site."*
  - b. **Section 132.1(b): Setbacks in C-3 Districts.** In order to preserve the openness of the street to the sky and avoid the perception of overwhelming mass, or to maintain the predominant street wall, an upper-level setback may be required pursuant to Section 132.1(b).

*An upper-level setback is not necessary. Ninth Street is 82.5-foot wide and will not be overwhelmed by the addition of the approximately 205-foot tall Project. The subject block is occupied by buildings ranging from two- to 17-stories in height and lacks a predominant street wall. Through the use of side setbacks and a tapered building form, the building avoids the perception of overwhelming mass and preserves the openness of Ninth Street to the sky.*

- c. **Section 132.1(c): Separation of Towers.** In order to provide light between structures, Section 132.1(c) requires all structures within an S Bulk District to be set back from an interior property line which does not abut a public sidewalk and from the property line abutting the right-of-way of a public street or alley. The setback shall be a minimum of 15 horizontal feet from the interior property line or the center of a public right-of-way, as the case may be, beginning at a height which is 1.25 times the width of the principal street on which the building faces, and increasing to the widths indicated in Chart A of Section 132.1 as the building increases in height.

*The principal street on which the building fronts is Ninth Street, which is 82.5 feet wide. Above a height of 103 feet, the building must be set back 15 feet from the center of Ninth Street, Laskie Street, and from all interior property lines. The building will be set back more than 15 feet from the centerline of Ninth Street and from the interior lot lines. However, on the Laskie Street façade, the proposed building would be set back approximately 13.25 feet from the centerline of Laskie Street and would therefore require an exception pursuant to Sections 132.1(c)(2) and 309(a)(1).*

Pursuant to Sections 132.1(c)(2) and 309(a)(1), exceptions to the separation of towers requirement may be allowed pursuant to one of the following provisions:

- (A) Encroachments of building volume on the setback may be approved as follows:
- (i) For the portion of the building over 300 feet from the ground, encroachments may be allowed provided that (1) there are compensating recesses beyond the required setback below and within approximately 100 vertical feet of the encroachment, which recesses are at least equal in volume to the volume of the encroachment and (2) it is found that, overall, access to light and air and the appearance of separation between buildings will not be impaired.

*This criterion is not applicable. The Project is less than 300 feet in height.*

- (ii) Between the top of the base and 300 feet above the ground, encroachments may be allowed provided that: (1) there are compensating recesses beyond the required setback at the same level or within approximately 50 vertical feet above or below the encroachment, which recesses are at least equal in volume to the volume of the encroachment, (2) that the encroachment extends no more than five feet horizontally into the area otherwise required for a setback, (3) the encroachment extends for less than 1/3 of the horizontal length of the structure, and (4) it is found that, overall, access to light and air and the appearance of separation between buildings will not be impaired.

*The project satisfies some but not all of these criteria.*

(1) *The design of the building tapers back as it rises in height providing greater true separation towards the north and east.*

(2) *From the 10<sup>th</sup> through the 16<sup>th</sup> floor, the Project encroaches roughly 1.75 feet into the required setback area.*

(3) *The length of the encroachment is roughly 73 feet, or approximately 2/5 of the structure's horizontal length.*

(4) *The majority of the encroachment consists of residential balconies, many of which are enclosed by clear glass that will not block light or significantly block air. Because additional development is unlikely to occur on the fully built-out Holiday Inn Civic Center property opposite the Project on Laskie Street (the Holiday Inn rear building wall, above the full lot three story podium, is separated from the subject lot by approximately 80 feet). Thus, the appearance of separation between buildings will be maintained.*

- (B) Exceptions may be allowed to the extent that it is determined that restrictions on adjacent properties make it unlikely that development will occur at a height or bulk which will, overall, impair access to light and air or the presence of separation between buildings, thereby making setbacks unnecessary.

*The Project is eligible for this exception, because additional development is unlikely to impair access to light and air or the presence of separation between buildings. The parcel located immediately across Laskie Street is improved with the Holiday Inn Civic Center. Only the first three floors of the Holiday Inn abut Laskie Street; the upper levels of the hotel are set back from the alley. It is unlikely that additional development will occur on the Holiday Inn property, or on Laskie Street itself. Thus, an additional 1.75-foot set back on the subject property is unnecessary.*

- (C) Exceptions may be allowed on lots with a frontage of less than 75 feet provided that (i) it is found that, overall, access to light and air will not be impaired and (ii) the granting of the exception will not result in a group of buildings the total street frontage of which is greater than 125 feet without a separation between buildings which meets the requirements of Chart A.

*This criterion is not applicable, because the Project Site does not have a street frontage that is less than 75 feet.*

- d. **Section 134: Rear Yard.** Section 134 establishes minimum required rear yards in all zoning districts. The rear yard is a function of lot depth. Under Section 134(a)(1), the required rear yard for properties in C-3 Districts is 25 percent of the total depth of the lot on which the building is situated, but in no case less than 15 feet. Section 134(a) (1) (C) states that in C-3 Districts, "rear yards shall be provided at the lowest story containing a dwelling unit and at each succeeding level or story of the building."

Pursuant to Sections 134(d) and 309(a)(1), an exception to the rear yard requirement is allowed in C-3 Districts, provided that the building location and configuration assure adequate light and air to windows within the residential units and to the usable open space provided.

*The purpose of the rear yard requirement is to preserve mid-block open space and provide usable open space for residential uses. At the residential levels, the Project is composed of two back-to-back "C" shapes: one oriented to the north and the other to the south with the spine of both "C's" running down the center of the property. Rather than a standard rear yard, this configuration provides three large open areas.*

*The first open area is located along the southern portion of the lot. At the second floor, the south-facing portion of the Project is set back between 23'-5" and 64'-5" from the southern property line for a total open area of 6,179 square feet.*

*The two remaining open areas are located on the northern portion of the property. At the northeastern corner of the property at the terminus of Laskie Street, the Project is setback approximately 26.5 feet from the rear property line, creating an open area of 2,002 square feet. A second open area, which measures 3,325 square feet at the first residential level, is located in an inner court. As the building tapers upward, these open areas become larger and eventually merge into a single open area that runs the length of the northern property line. At the 17<sup>th</sup> floor, the total open area on the north side of the building is 9,622 square feet.*

*Providing a code-complying rear yard would necessitate a bulkier building along Ninth Street and reduce sunlight to sidewalks on that street. The sloping façade and side setbacks along the northern side of the Project harmonize well with the open space at the adjacent SCIF building and ensure that the north-facing units and open space receive adequate light and air. Because sunlight comes mainly from the south, the south-facing orientation of many units and the setback from the southern property line will provide more sunlight than a standard rear yard configuration. The total open area provided, which ranges from 45 percent of the total lot area at the second floor to 68 percent of the total lot area at the 17<sup>th</sup> floor, and the building's configuration and location will assure that all of the dwelling units will receive adequate light. Furthermore, there is no existing pattern of mid-block open space on the subject block. For these reasons, a rear yard exception is appropriate.*

- e. **Section 135:** Usable open space is required for dwelling units in all zoning districts. Under Section 135(d)(2), the minimum amount of usable open space for dwelling units in C-3 Districts is as follows: 36 square feet per unit if private and 48 square feet per unit if common.

*The Project will provide a combination of private usable open space (balconies and decks) and common usable open space (an inner courtyard and a yard at the northeast corner of the Project Site). In total, the Project will have 28,982 square feet of private open space, an average of 111 square feet per unit. Each unit will have between 52 square feet and 556 square feet of private open space.*

*However, in 104 units, the private open space will be 3'-6" in depth, rather than the six feet required by the Planning Code. The Project Sponsor has elected to seek and justify a variance from the minimum depth requirement.*

Section 135(g)(2) requires that any area of an inner court that is credited as common usable open space must not be less than 20 feet in every horizontal dimension and 400 feet in area; and the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any



such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.

*The Project includes 5,030 square feet of common open space in two areas at the ground floor. The first area is a 3,481-square-foot north inner courtyard that would be adjacent to and connect with the plaza on the adjacent SCIF property. This inner courtyard is surrounded on three sides by the proposed Project and would not meet the requirements of Section 135(g)(2). An additional code-complying common open space is provided at the northeastern corner of the Project Site.*

*As aforementioned, all of the residential units would have private open space; however 104 of these units would not contain code compliant open space due to the minimum depth of such space.*

- f. **Section 138.1(b): Streetscape Improvements.** Section 138.1(b) requires that when there is a substantial alteration to an existing building in the C-3 District, street trees and sidewalk paving must be provided. Under Section 138.1(c), the Commission may also require the Project Sponsor to install additional sidewalk improvements such as lighting, special paving, seating and landscaping in accordance with the guidelines of the Downtown Streetscape Plan if it finds that these improvements are necessary to meet the goals and objectives of the General Plan.

*Subject to approval by the Department of Public Works, the Project will provide the following streetscape improvements as determined appropriate by the Director of Planning, along Ninth and Laskie Streets: benches, bicycle racks, landscaping, lighting, sidewalk paving, and street trees. The Project Sponsor will be responsible for making necessary repairs to and maintaining the sidewalks abutting the Project Site.*

- g. **Section 139: Downtown Park Fund.** A project in a C-3 District that proposes a net addition of office space is required to pay a fee which will be deposited in the Downtown Park Fund. The fee is jointly established by the Planning Commission and the Recreation and Park Commission. The purpose of the Downtown Park Fund is to provide the City with the financial resources to develop public park and recreation facilities for the enjoyment of employees and visitors in downtown San Francisco.

*The provisions of Section 139 are not applicable, because the Project does not include the net addition of office space.*

- h. **Section 140: Dwelling Unit Exposure.** Every dwelling unit in every use district is required to face either a public street, a public alley at least 25 feet in width, a rear yard meeting the requirements of this Code, or an open area at least 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase in five feet in every horizontal dimension at each subsequent floor.

*The units that face onto Ninth Street and Laskie Street would comply fully with Section 140. The configuration and size of open spaces on the Project Site would provide all units with adequate light and air. However, a total of 107 units that face the southern, eastern and northern property lines, including the inner courtyards near the southern and northern property lines, would not strictly comply with the dwelling unit exposure requirement as they do not face onto a required rear yard, street, or open area of the requisite horizontal dimension. The Project Sponsor has elected to seek and justify a variance, which will be considered by the Zoning Administrator.*

- i. **Section 143: Street Trees.** Section 143 requires the installation of street trees in the case of the construction of a new building. 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.

*Subject to approval by the Department of Public Works, the Project Sponsor shall comply with the requirements set forth in Section 143 by providing street trees along Ninth and Laskie Streets.*

- j. **Section 146: Shadows on Public Sidewalks.** In order to maintain direct sunlight on public sidewalks in certain downtown areas during critical use periods, Section 146(a) requires new structures to avoid penetrating a sun access plane defined by an angle sloping away from the street above a stipulated height at the property line as set forth in Table 146. Section 146(c) requires new buildings and additions to existing buildings in C-3 Districts to be shaped, if it can be done without creating an unattractive design and without unduly restricting the development potential of the site in question, to reduce substantial shadow impacts on public sidewalks other than those protected by Section 146(a).

*The requirements of Section 146(a) are not applicable, because the Project Site is not located on any of the streets designated in Table 146. Although the Project would cast new shadows on nearby sidewalks and streets, these new shadows would not be above levels that are common in dense urban environments and were not found to be significant impacts in the prior EIR or as part of the supplemental shadow analysis conduct for the current Project. The Project's design, with its sloping glass façade on the north elevation and a setback on the south elevation ranging from 23'-5" to 64'-5", minimizes shadows to the extent feasible. Additional shadow reduction is not possible without unduly restricting the development potential of the Project Site. For these reasons, the Project complies with the requirements of Section 146(c).*

- k. **Section 147: Shadows on Public Open Spaces.** Section 147 sets forth certain requirements and determinations regarding shadows being cast on public or publicly accessible open space. Section 147 seeks to reduce substantial shadow impacts on public plazas and other publicly accessible spaces other than those protected under Section 295.

*A shadow analysis determined that the Project would not cast net new shadow on Civic Center Plaza or any other open space under the jurisdiction of, or designated to be acquired by the Recreation and Park Commission. No other significant public open spaces not protected by Section 295 would be impacted by shadows from the Project.*

*The Project will cast new shadow on the existing plaza at the adjacent property at 1275 Market Street. However, the Project's sloping northern façade was designed to minimize new shadow to the maximum feasible extent. The Project's courtyards will enhance the plaza by adding new landscaping and open areas adjacent to it.*

- l. **Section 148: Ground-Level Wind Currents.** In C-3 Districts, buildings and additions to existing buildings shall be shaped, or other wind-baffling measures shall be adopted, so that the developments will not cause ground-level wind currents to exceed more than 10 percent of the time year round, between 7:00 a.m. and 6:00 p.m., the comfort level of 11

miles per hour equivalent wind speed in areas of substantial pedestrian use and seven miles per hour equivalent wind speed in public seating areas.

When preexisting ambient wind speeds exceed the comfort level, or when a proposed building or addition may cause ambient wind speeds to exceed the comfort level, the building shall be designed to reduce the ambient wind speeds to meet the requirements. An exception may be granted, in accordance with the provisions of Section 309, allowing the building or addition to add to the amount of time that the comfort level is exceeded by the least practical amount if (1) it can be shown that a building or addition cannot be shaped and other wind-baffling measures cannot be adopted to meet the foregoing requirements without creating an unattractive and ungainly building form and without unduly restricting the development potential of the building site in question, and (2) it is concluded that, because of the limited amount by which the comfort level is exceeded, the limited location in which the comfort level is exceeded, or the limited time during which the comfort level is exceeded, the addition is insubstantial.

No exception shall be granted and no building or addition shall be permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 miles per hour for a single hour of the year.

*Existing conditions in the area are among the windiest in San Francisco. Wind tunnel testing for the prior Office Project indicated that 21 of 30 test locations exceeded the 11 mph comfort criterion. Updated wind analysis for the Fox Plaza project noted that 27 locations out of 33 test locations exceed the pedestrian comfort criterion of 11 mph. However, the wind study found that the prior Office Project would improve overall wind conditions:*

- *Average wind speeds at all 30 locations would decrease slightly to 14 mph.*
- *The amount of time that the comfort criterion would be exceeded would decrease by 10 percent from existing conditions.*
- *The total number of locations where the wind hazard criterion would be exceeded would be reduced from seven to five.*
- *The total amount of time that the hazard criterion would be reduced is by 22 hours per year.*

*As part of the environmental review process for the current Project, the effect of the Project's revised design was evaluated in light of other, more recent wind studies conducted for proposed developments in the area. This subsequent wind evaluation found that changes in the design of the current Project would have little effect on existing-plus-project conditions at street level and that the wind test results for the Office Project can be used to represent existing-plus-project wind conditions with the current Project.*

*Because the Project will cause an additional exceedance of the comfort standard, the Project Sponsor has requested an exception pursuant to Section 148(a). The wind studies conducted for the current and prior project both concluded that, given existing wind conditions, it may not be possible to design a structure that meets the Project Sponsor's goals and reduces wind impacts at all locations without creating an unattractive and ungainly design. Because of this, and because the Project will improve wind conditions overall, the exception is granted.*

- m. **Section 149: Public Art.** In the case of construction of a new building or addition of floor area in excess of 25,000 square feet to an existing building in a C-3 District, Section 149 requires a project to include works of art costing an amount equal to one percent of the construction cost of the building and requires the Commission to approve the type and location of the artwork, but not the artistic merits of the specific artwork proposed. The types of permitted artwork include sculptures, bas-reliefs, murals, mosaics, decorative water features, or other work permanently affixed to the building or site.

*With an estimated construction cost of approximately \$82.189 million, the Project is required to provide artwork equal in value to approximately \$821,890 or to one percent of the revised applicable construction cost if modified by the Director of the Department of Building Inspection.*

- n. **Section 151.1: Parking.** Pursuant to Section 151.1, residential uses in C-3 Districts are not required to provide off-street parking, but up to one space for every four dwelling units can be provided as of right. Pursuant to Section 309, residential parking that exceeds one space for every four dwelling units, up to a maximum of three spaces for every four dwelling units and one space for every dwelling unit with at least two bedrooms and at least 1,000 square feet of occupied floor area, can be provided with the granting of an exception. Section 161 exempts commercial uses in C-3 Districts from providing parking. Pursuant to Section 204.5(c), up to 15 spaces or seven percent of the total floor area of the retail/personal service use, whichever is greater, can be devoted to commercial parking as of right.

*With 260 dwelling units, a maximum of 65 residential spaces can be provided without an exception. With approximately 3,000 square feet of commercial space proposed for the Project Site, a maximum of 15 spaces can be devoted to commercial parking as of right.*

*In total, the Project includes 113 independently accessible parking spaces. Of these spaces, 98 would be for residential use. The remaining 15 spaces would be permitted by right for the commercial use. Because more than 65 residential spaces are proposed, an exception is required. The exception is addressed below.*

Pursuant to Section 151.1(e), in C-3 Districts, any request for residential parking in excess of what is permitted by right in Table 151.1 shall be reviewed on a case-by-case basis by the Planning Commission subject to the procedures set forth in Section 309. In granting approval for residential parking above that permitted by right in Table 151.1, the Commission shall make the following affirmative findings:

- (1) For projects with 50 or more units, all residential accessory parking in excess of 0.5 spaces for each dwelling unit shall be stored and accessed by mechanical stackers or lifts, valet, or other space-efficient means that allows more space above grade for housing, maximizes space efficiency, and discourages use of vehicles for commuting or daily errands. The Commission may authorize the request for additional parking notwithstanding that the project sponsor cannot fully satisfy this requirement provided that the project sponsor demonstrates hardship or practical infeasibility (such as for retrofit of existing buildings) in the use of space-efficient parking given the configuration of the parking floors within the building and the number of independently accessible spaces above 0.5 spaces per dwelling unit is *de minimis* and subsequent valet operation or other

form of parking space management could not significantly increase the capacity of the parking spaces above the maximum limits in Table 151.1.

*With 260 dwelling units, any residential parking spaces in excess of 130 spaces shall be space efficient. The Project is proposing 98 residential parking spaces, so the space efficiency requirement does not apply.*

- (2) For any project with residential accessory parking in excess of 0.375 spaces per dwelling unit, the project complies with the housing requirements of Sections 315 through 315.9 except as follows: the inclusionary housing requirements that apply to projects seeking conditional use authorization as designated in Section 315.3(a)(2) shall apply to the project.

*The Project Sponsor does not propose residential accessory parking in excess of 0.375 spaces per dwelling unit.*

- (3) The findings of Sections 151.1(d)(2), 151.1(d)(3), and 151.1(d)(5) are satisfied.

**Section 151.1(d)(2).** Vehicle movement on or around the project site associated with the excess accessory parking does not unduly impact pedestrian spaces or movement, transit service, bicycle movement, or the overall traffic movement in the district.

*The proposed parking will not adversely impact traffic congestion. The traffic analysis prepared for the Project concluded that under the Existing Plus Project conditions, Level of Service (LOS) will not be degraded at any of the study intersections. All study intersections will continue to operate at LOS D or better. Given the proximity of downtown and numerous public transit alternatives, it is expected that most residents who own automobiles will either walk or take public transit to and from their places of employment and limit their driving to evenings and weekends.*

*The proposed garage entrance/exit and related curb cuts will be located on Ninth Street. Because this segment of Ninth Street is not a Transit Preferential Street, Citywide Pedestrian Network Street, Neighborhood Commercial Street, or an official bicycle route, it is not a protected street frontage under Section 155(r) and new curb cuts are permitted. The traffic analysis for the Project found that pedestrian conditions on Ninth Street would remain acceptable, and that the Project would not have a substantial impact on transit service or bicycle movement.*

*The traffic analysis also evaluated several alternatives that would provide ingress and/or egress to the automobile and/or service-vehicle spaces via Laskie Street. These alternatives were rejected because for the following reasons:*

- *The alternatives would increase traffic on Mission Street. Laskie Street is accessible only from Mission Street, a Transit Preferential and Pedestrian Network Street that carries large volumes of transit passengers. A Laskie Street entrance/exit would necessarily increase traffic on Mission Street and could thereby slow transit service.*
- *The alternatives would require reconfiguration of Laskie Street. Currently, Laskie Street is 16 feet wide and operates in two directions, with no on-street parking. With the limited activity on the street, there is a low potential for*

*conflict, and therefore no major problems in its current low volume of traffic. Adding all inbound or outbound traffic to Laskie Street would necessitate converting the street to one-way operations.*

- *One-way use of Laskie Street would cut off access to existing land uses. Parcels currently use Laskie Street for inbound and outbound vehicular access, including a small parking lot on the east side and a larger parking lot on the west side. If Laskie Street was converted to one-way operation, access to these parcels would be restricted. Restoring access would require new curb cuts on Mission Streets, which could affect transit operations.*
- *Unsafe exit from Laskie Street. The Laskie-egress configuration would result in vehicles making a southbound right and left turn onto Mission Street. This left-turn movement would require exiting vehicles to cross both lanes of westbound Mission Street traffic and merge into eastbound Mission Street traffic. Due to the high volume of traffic in each direction, limited sight distances, and a lack of gaps in traffic flows, the left-turn from Laskie Street to eastbound Mission Street would be a potentially unsafe maneuver and a source of recurring congestion. As a result, this situation could result in conflicts between vehicles and substantial queuing on Laskie Street for vehicles waiting to make the turn.*

**Section 151.1(d)(3).** Accommodating excess accessory parking does not degrade the overall urban design quality of the project proposal.

*The overall urban design quality of the Project will not be degraded by the additional accessory parking. Much of the proposed parking will be below grade. With the exception of the approximately 24 foot wide parking entrance, the ground level of the project at Ninth Street will be lined with active uses, such as the retail space and residential lobby area.*

**Section 151.1(d)(5).** Excess accessory parking does not diminish the quality and viability of existing or planned streetscape improvements.

*The excess accessory parking will not diminish the quality and viability of existing or planned streetscape improvements. The segment of Ninth Street adjacent to the Project has treeless, unimproved sidewalks. Of the Project Site's approximately 175 feet of street frontage on Ninth Street, only 16 percent will be devoted to parking entrances/exits. The remaining 84 percent of the Project's frontage on Ninth Street will be devoted to active uses, and streetscape improvements will be installed concurrently with construction.*

- (4) All parking meets the active use and screening requirements in Sections 155(s)(1)(B) and 155(s)(1)(C) and the project sponsor is not requesting any exceptions or variances requiring such treatments elsewhere in the Code.

**Section 155(s)(1)(B).** Parking at the ground level to the full height of the ground-level parking shall be lined with active uses, as defined by Section 145.4(e) to a depth of at least 25 feet along all street frontages, except for space allowed for parking and loading access, building egress, and access to mechanical systems. So as not to preclude conversion of parking space to other uses in the future, parking at the ground level shall not be sloped and shall have a minimum clear ceiling height of nine feet.

*Most of the proposed parking will be below grade. The portion of the garage that will be at grade will be lined with active uses that are at least 25 feet deep. The proposed parking will not be sloped and will have a minimum floor-to-ceiling height of nine feet.*

**Section 155(s)(1)(C).** Parking allowed above the ground level in accordance with an exception under Section 309 or a conditional use in accordance with Section 303 as authorized by Sections 155(s)(2) or 155(s)(3) shall be entirely screened from public rights-of-way in a manner that accentuates ground-floor retail and other uses, minimizes louvers and other mechanical features, and shall be in keeping with the overall massing and architectural vocabulary of the building's lower floors. So as not to preclude conversion of parking space to other uses in the future, parking allowed above the ground level shall not be sloped and shall have a minimum clear ceiling height of nine feet.

*The provisions of Section 155(s)(1)(C) are not applicable, because the Project will not provide parking above the ground level.*

Section 155(s)(5)(A) establishes standards for the width of openings for off-street parking and loading facilities. Any single development is limited to a total of two façade openings of no more than 11 feet wide each or one opening of no more than 22 feet wide for access to off-street parking and one façade opening of no more than 15 feet wide for access to off-street loading. Shared openings for parking and loading are encouraged. The maximum permitted width of a shared parking and loading garage opening is 27 feet.

*The Project includes two façade openings for parking and loading access: a shared parking/loading vehicle entrance on Ninth Street and a loading vehicle entrance on Ninth Street. The 24-foot-wide façade opening on Ninth Street provides access to the Project's automobile parking spaces and to two service-vehicle loading spaces. Access to the full-size freight-loading space is located on Laskie Street via a 12-foot wide opening.*

- o. **Section 152.1: Loading.** Section 152.1 establishes minimum requirements for off-street loading. In C-3 Districts, the loading requirement is based on the total gross floor area of the structure or use. Residential uses exceeding 500,000 square feet are required to provide three off-street loading spaces plus one space for each additional 400,000 square feet. Retail uses between 10,001 square feet and 30,000 square feet are required to provide one off-street loading space. Two service-vehicle spaces may be provided in place of one full-sized loading space.

*With a floor area of approximately 275,933 square feet, the residential component of the Project is required to provide two off-street loading spaces. No off-street loading is required for the approximately 3,000-square-foot retail/personal service space. The Project is providing one full-sized loading space and two service-vehicle spaces in compliance with the requirements of Section 152.1.*

- p. **Section 155.5: Bicycle Parking.** In all zoning districts, residential uses containing four or more dwelling units are required to provide bicycle parking at no cost or fee to the building occupants or tenants. For projects containing 50 or more dwelling units, the requirement is as follows: 25 Class 1 spaces plus one Class 1 space for every four dwelling units over 50, with a maximum requirement of 400 spaces.

*With 260 dwelling units, the Project is required to provide 78 spaces. The Project will continuously provide 108 Class 1 bicycle parking spaces in the garage.*

- q. **Section 166: Car Sharing.** In Section 166, in all zoning districts, residential uses that provide parking shall also provide car share parking. For projects containing 201 or more dwelling units, the requirement is as follows: one car share space plus one car share space for every 200 dwelling units over 200.

*With 260 dwelling units, the Project is required to and will provide one independently accessible car share space.*

- r. **Section 215(a): Dwelling Unit Density.** Section 215(a) establishes density ratios for residential uses. In C-3 Districts, the maximum dwelling unit density ratio shall not exceed one unit for every 125 square feet of lot area.

*With a lot area of 35,800 square feet, 286 dwelling units are permitted on the Project Site. With 260 dwelling units, the Project complies with the principally permitted density limit.*

- s. **Section 260: Height Limit.** Section 260 requires that the height of buildings not exceed the limits specified in the Zoning Map and defines rules for the measurement of height. The Project Site is within a 200-foot Height District. Section 260(b)(1)(B) exempts the top 16 feet of elevator, mechanical, and stair penthouses from the height limit where the height limit is more than 65 feet.

*The Project complies. The average height of the sloping rooftop is approximately 193'-3". The highest point of the mechanical and elevator penthouses is 204'-10". However, the top 16 feet of these features are exempt from the height limit.*

- t. **Section 270: Bulk Limits.** Section 270 establishes bulk limits applicable to all buildings. The Project Site is within an S Bulk District. The bulk limits for an S Bulk District as set forth in Section 270(d) are as follows:

- (1) **Base.** The base is the lowest portion of the building extending vertically to a street wall height up to 1.25 times the width of the widest abutting street or 50 feet, whichever is more. There are no length or diagonal dimension limitations applicable to the base. The building base shall be delineated from the lower and upper tower and related to abutting buildings by a setback, cornice line or equivalent projection or other appropriate means.

*The widest abutting street is Ninth Street, which is 82.5 feet wide, meaning that the base is that portion of the building extending vertically from grade up to a height of 103 feet. Because there is no prevailing street wall, the Project was designed to bridge the gap between the 266-foot SCIF Building to the north and the two-story building to its south. The base therefore consists of the lower two floor thereby relating to its smaller neighbors to the south.*

- (2) **Lower Tower.** Bulk controls for the lower tower apply to that portion of the building height above the base as shown on Chart B in Section 270. The bulk controls for the lower tower are a maximum length of 160 feet, a maximum diagonal dimension of 190 feet, a maximum floor size of 20,000 square feet, and a maximum average floor size of 17,000 square feet.



*The lower tower is the portion of the building extending vertically from a height of 103 feet to a height of 160 feet. From the tenth to the 15<sup>th</sup> floor, the Project will have a maximum length of 192'-6", a maximum diagonal of 231'-5", a maximum floor size of 17,773 square feet, and an average floor size of 17,632 square feet. The lower tower would not comply with the lower tower bulk controls, and a bulk exception is required.*

- (3) **Upper Tower Dimensions.** Upper tower bulk controls apply to buildings taller than 160 feet. They apply to the upper tower portion of a building up to the height shown on Chart B, which height excludes the vertical attachment and other features exempted by Section 260 and excludes the extended upper tower height exceptions provided for in Section 263.7 of this Code. The bulk controls for the upper tower are: a maximum length of 130 feet; a maximum average floor size of 12,000 square feet; a maximum floor size for any floor of 17,000 square feet; and a maximum average diagonal measure of 160 feet. In determining the average floor size of the upper tower, areas with a cross-sectional area of less than 4,000 square feet may not be counted and sculptured architectural forms that contain large volumes of space but no usable floors shall be included in average floor size calculation by computing the cross section at 12.5-foot intervals.

*The upper tower is the portion of the building over 160 feet in height. Above 160 feet, i.e. at the 16<sup>th</sup> and 17<sup>th</sup> floors, the maximum length of the building is 196'-2", an average floor size of 8,046 square feet, a maximum average floor size of 11,593 square feet, and the maximum average diagonal is 210'-2". The upper tower requires an exception from the upper tower bulk controls.*

**Upper Tower Volume Reduction.** When the average floor size of the lower tower exceeds 5,000 square feet, the volume of the upper tower shall be reduced to a percentage of the volume that would occur if the average floor size of the lower tower were extended to the proposed building height. The percentage varies with the bulk of the lower tower and with whether or not a height extension is employed pursuant to Section 263.7 and is shown on Chart C. In achieving the required volume reduction, a setback or change in profile at a specific elevation is not required.

*Based on an average lower tower floor size of 16,769 square feet, the required volume reduction for the upper tower of the north tower would be approximately 28 percent or 4,695 square feet, which would translate to an upper tower floor size of 12,074 square feet. The upper tower complies with the volume reduction requirement, because it has a maximum floor size of 11,347 square feet.*

**Termination of the Tower.** The top of the tower shall be massed in a manner that will create a visually distinctive roof or other termination of the building façade. Modifications to a proposed project may be required, in the manner provided in Section 309, to achieve this purpose.

*The tower will terminate with a sculpted architectural screen that flanks the mechanical and elevator penthouses. In keeping with the materials used throughout the rest of the building, the screen will consist of pewter-colored aluminum mullions and glass.*

Pursuant to Section 272(a), the bulk limits prescribed by Section 270 have been carefully considered in relation to objectives and policies for conservation and change in C-3 Districts. However, there may be some exceptional cases in which these limits may properly be permitted to be exceeded to a certain degree, provided, however, that there are adequate compensating factors. Exceptions to the bulk limits may be approved in the manner provided in Section 309, provided that at least one of the following criteria is met:

- (1) Achievement of a distinctly better design, in both a public and a private sense, than would be possible with strict adherence to the bulk limits, avoiding an unnecessary prescription of building form while carrying out the intent of the bulk limits and the principles and policies of the Master Plan.

*Granting the requested bulk exceptions would result in a better overall design without compromising the intent of the bulk limits. The Project was designed to respond to its setting. Its sloping glass façade will allow sun to reach the public open space between it and the adjacent SCIF building at 1275 Market Street. Large open areas are provided in the central portion of the building, which reduces its true bulk and provides light and air to the residential units. The composition of the Ninth Street façade consists of two distinct building elements, each using different materials, which reduces the apparent bulk of the building.*

- (2) Development of a building or structure with widespread public service benefits and significance to the community at large, where compelling functional requirements of the specific building or structure make necessary such a deviation; and provided further that all of the following criteria are met:

*The Project will improve the vacant 1.5-acre site with approximately 260 dwelling units and approximately 3,000 square feet of retail/personal service use. Of the 260 dwelling units proposed for the Project Site, 31 will be affordable pursuant to the inclusionary housing requirements set forth in Section 315. Thus, the Project will provide needed housing, including affordable housing, and help revitalize the Mid-Market area.*

- (A) The added bulk does not contribute significantly to shading of publicly accessible open space.

*As stated in the findings of compliance with Sections 147 and 295, the Project will not result in adverse shadow impacts on any public open spaces or parks in the vicinity of the Project Site. Although it will shadow the adjacent publicly accessible open space to the north of the project site (as would virtually any building constructed on the Project Site), and the building's sloping north façade will minimize the shadow impacts sufficiently.*

- (B) The added bulk does not increase ground-level wind currents in violation of the provisions of Section 148 of this Code.

*As stated in finding 12(l) of this Motion, the Project is not expected to worsen overall wind conditions in the vicinity of the Project Site. The Project will decrease overall wind speeds and decrease the number of locations where violations of the wind hazard criterion occur.*

- (3) The added bulk does not significantly affect light and air to adjacent buildings.

*The Project does not significantly affect light and air to adjacent buildings. The Project was originally designed to complement, and provide additional office space for the adjacent headquarters of SCIF. The sloped glass façade that will face the SCIF Building will help preserve sunlight to the open space between the two buildings. In comparison to the approved Office Project, a large recess has been designed into the north façade of the current Project to increase the amount of light and air that will reach the adjacent building.*

- (4) If appropriate to the massing of the building, the appearance of bulk in the building, structure or development is reduced to the extent feasible by means of at least one and preferably a combination of the following factors, so as to produce the impression of an aggregate of parts rather than a single building mass:

- (A) Major variations in the planes of wall surfaces, in either depth or direction, that significantly alter the mass.

*The façade of the building is characterized by projecting balconies with glass panels.*

- (B) Significant differences in the heights of various portions of the building, structure or development that divide the mass into distinct elements.

*As observed from Ninth Street, the building will consist of two distinct elements. The southernmost element will be 160-feet high with a flat roof. The northern element will terminate in a sculpted form that rises to a total height of 204'-10". The varying heights and designs of the two portions of the building will divide the mass into distinct elements.*

- (C) Differences in materials, colors or scales of the façades that produce separate major elements.

*The use of materials and colors will reinforce the distinctive elements of the building. The southern portion of the Ninth Street façade will use more opaque materials while the northern portion will use a higher proportion of glass.*

- (D) Compensation for those portions of the building, structure or development that may exceed the bulk limits by corresponding reduction of other portions below the maximum bulk permitted.

*Both the upper and lower towers comply with the maximum floor area limitations of Section 270. They are noncompliant only with respect to the maximum length and diagonal requirements. There are no bulk controls for those portions of the building less than 103-feet in height. For that portion of the building above 103 feet, the recesses at the north and south facades reduce the true bulk of the building. These recesses compensate for the portions of the lower and upper towers that exceed the bulk limits.*

- (E) In cases where two or more buildings, structures or towers are contained within a single development, a wide separation between such buildings, structures or towers.

*This criterion is inapplicable because the Project consists of a single building.*

- (5) The building, structure or development is made compatible with the character and development of the surrounding area by means of all of the following factors:

- (A) A silhouette harmonious with natural land forms and building patterns, including the patterns produced by height limits.

*The Project will create a silhouette that is harmonious and compatible with the character of development in the area. The overall height and mass of the building will create a silhouette that contextually appropriate for its surroundings, particularly in light of developments that were recently approved or that are under construction. The Project will blend in with the 17-story SCIF Building (1275 Market Street), the 23-story SOMA Grand (1160 Mission Street), the 18-story Federal Building (1100 Mission Street), and the 20-story Argenta (One Polk; under construction). While the glass façade will create a prominent and individually distinct building, the design will also incorporate metal panel material to harmonize with the opaque appearance presented by the stone exterior of the SCIF Building. The compatible materials, building scale, and contextual response to existing conditions make the Project a good fit for its location. The building will provide an appropriate transition between Market Street and the smaller scale development of the South of Market area.*

- (B) Either maintenance of an overall height similar to that of surrounding development or a sensitive transition, where appropriate, to development of a dissimilar character.

*The tallest elements of the project are located on the portion of the site closest to Market Street and are approximately 204'-10" tall. The southern portion of the building steps down to a height of 160-feet and, above the first floor, is set back by more than 23'-8" feet from the southern property line. The height transition between different elements of the Project mirrors the overall transition of development from high-rise structures along Market Street to small-scale buildings in the South of Market neighborhood.*

- (C) Use of materials, colors and scales either similar to or harmonizing with those of nearby development.

*The scale of the Project is appropriate given the prevailing pattern of development in the surrounding neighborhood. The design will create a prominent building, while using materials and colors that relate well with the adjacent SCIF Building. Opaque façade elements, lend contextuality with other facades in the area such as the SCIF Building, are used on the podium walls and building corners.*

- (D) Preservation or enhancement of the pedestrian environment by maintenance of pleasant scale and visual interest.

*The Project will create a pleasantly scaled and visually interesting pedestrian environment on Ninth Street. Roughly 84 percent of the building's 175-foot frontage on Ninth Street will be devoted to active uses. There will be three entrances to the Project off of Ninth Street (two retail and one residential) and fully 64 percent of the retail and lobby frontage is transparent providing visual interest to pedestrians along Ninth Street. A metal panel surround will enclose the windows at the first floor and a recessed balcony at the second floor*

- u. **Section 295: Shadows on Parks.** 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 Park Department.

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

*The revised project is nearly the same size and shape as the previously approved office project. However, the shadow effects of the revised project have been analyzed and it has been found that the shadow impacts the revised project would not be more severe than the original project and would have no shadow impact on public spaces, within the meaning of Section 295.*

- v. **Section 313: Jobs-Housing Linkage Program.** Large-scale development projects that contain entertainment, hotel, office, research and development, or retail uses create jobs as well as an increased demand for housing. Under Section 313, these large-scale development projects are required to pay a fee to a designated housing developer or to the City in order to help offset the cost of building additional housing.

*Any development that proposes 25,000 or more square feet of retail space is subject to the requirements of Section 313. The provisions of Section 313 are not applicable, because the Project will not include the development of more than 25,000 square feet of retail space, nor will the project provide any other use requiring payment under the JHLP.*

- w. **Section 314: Childcare Requirement.** Large-scale office and hotel developments create jobs as well as an increased demand for childcare services for the employees who fill those jobs. Under Section 314, these large-scale development projects are required to (1) provide on-site childcare, (2) provide off-site childcare, (3) pay an in-lieu fee, or (4) combine the provision of on-site or off-site childcare with the payment of an in-lieu fee.

*The provisions of Section 314 are not applicable, because the Project does not include the net addition of office or hotel space.*

- x. **Section 315: Inclusionary Housing.** Projects proposing five or more dwelling units are required to comply with the inclusionary housing ordinance set forth in Section 315. The specific requirement depends upon the entitlements being sought, the date the required applications were filed, and whether the affordable units are being provided on-site or off-site or through the payment of an in-lieu fee.

Section 315.4(c) states that in general, affordable units shall be comparable in number of bedrooms, exterior appearance, and overall quality of construction to market-rate units in the principal project.

*Buildings over 120 feet in height are subject to an on-site inclusionary housing requirement of 12 percent. Thus, of the 260 dwelling units proposed for the Project Site, 12 percent will be subject to the on-site inclusionary housing requirements. The units will be comparable in number of bedrooms, exterior appearance and overall quality of construction to market rate units in the Project.*

12. **General Plan Conformity.** The Project will affirmatively promote the following objectives and policies of the General Plan:

The **Housing and Residence Element** of the General Plan contains the following relevant objectives and policies:

OBJECTIVE 1 (Objective 1 of Residence Element)

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 (Objective 2: Policy 2 of Residence Element)

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 neighborhood support.

*The Project Site is on the western edge of the downtown core. It is designated C-3-G. The General Plan encourages the development of high-density housing within the C-3-G District. Given the size of the Project Site, the Project will be compatible in scale and density with similar new and existing projects in the neighborhood.*

Policy 1.4 (Objective 1: Policy 4 of Residence Element)

Locate infill housing on appropriate sites in established residential neighborhoods.

*The Project Site is an infill site within the Mid-Market neighborhood, which is appropriate for high density housing. This neighborhood currently contains high-density housing developments with many more under construction or planned for the near future. With approximately 260 dwelling units, the Project will create a necessary and desirable residential use on the Project Site, which is currently an unpaved, vacant lot.*



- OBJECTIVE 4 (Objective 7 of Residence Element)  
SUPPORT AFFORDABLE HOUSING PRODUCTION BY INCREASING SITE AVAILABILITY AND CAPACITY.
- Policy 4.2 (Objective 7: Policy 2 of Residence Element)  
Include affordable units in larger housing projects.  
*Of the 260 dwelling units proposed for the Project Site, 12 percent will be subject to the on-site inclusionary housing requirements set forth in Section 315.*

The **Transportation Element** of the General Plan contains the following relevant objectives and policies:

- OBJECTIVE 2: USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

- Policy 2.1: Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

*The Project will provide new multifamily housing, including affordable housing, in a well-designed building in an existing high-density downtown neighborhood with a multitude of transportation options. It is less than one block from the Civic Center BART/MUNI Station and the numerous local and regional bus lines on Market and Mission Streets.*

- OBJECTIVE 34 RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.

- Policy 34.3 Permit minimal or reduced off-street parking for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

*In keeping with the reduced parking requirements for C-3 Districts, the Project is proposing 98 residential parking spaces for 260 dwelling units and 15 spaces for the retail space. The Project Site is well-served by public transit, with BART, Golden Gate Transit, MUNI, and SamTrans all providing service within the immediate vicinity.*

The **Urban Design Element** of the General Plan contains the following relevant objectives and policies:

- OBJECTIVE 3 MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 1 Promote harmony in the visual relationships and transitions between new and older buildings.

*The Project will be harmonious, both in height and bulk, with the existing scale of development in the vicinity of the Project Site. The Project will step down in height from 204'-10" to 160 feet and provide a visual transition from high-rise structures along Market Street to smaller-scale buildings in the South of Market neighborhood.*

Policy 3 Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

*The Project will feature glass, metal, and high-quality stone. The massing, distinctive elements and sculpted form will give texture to the building, relate well to surrounding development, and create a unique and interesting architectural expression.*

OBJECTIVE 4 IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE, AND OPPORTUNITY.

Policy 10 Encourage or require the provision of recreation space in private development.

*The Project will include usable open space for its residents in the form of private balconies, decks, and two common yards at the ground floor. The central courtyard will have a direct connection to plaza at the adjacent SCIF building, providing a convenient shortcut to the Civic Center BART/MUNI Station on Market Street. In addition to these outdoor spaces, residents will have access to an exercise room, wine tasting room, game room and business center.*

Policy 13 Improve pedestrian areas by providing human scale and interest.

*In order to generate pedestrian activity and interest, the Project will include approximately 3,000 square feet of retail/personal service space on the ground floor. Sixty-four percent of the street frontage on Ninth Street will be transparent, allowing passersby to observe activities in the building. The Project will also improve the pedestrian experience on Ninth Street by installing street trees and other required improvements.*

The **Downtown Area Plan** of the General Plan contains the following relevant objectives and policies:

OBJECTIVE 7 EXPAND THE SUPPLY OF HOUSING IN AND ADJACENT TO DOWNTOWN.

Policy 2 Facilitate the conversion of underused industrial and commercial areas to residential use.

*The Project will provide a high-density residential development of approximately 260 dwelling units, including 31 on-site affordable units, on a vacant lot.*

13. **Priority Policy Findings.** Section 101.1(b) establishes eight priority planning policies and requires the review of permits for consistency with said policies:

- (1) That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

*The Project Site is a vacant lot that was most recently used as a surface parking facility. The Project will include approximately 3,000 square feet of retail/personal service use, which will provide local residents with employment and ownership opportunities. The residential component of the Project will strengthen the customer base of existing businesses in the area.*

- (2) That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

*The Project Site is currently vacant and was most recently used as a surface parking facility. Thus, the Project will have no adverse impact on existing housing. With 260 new dwelling units, including 31 affordable units, intended for a wide range of ages and incomes, the Project will bring an influx of residents with different cultural and economic backgrounds into the area and enhance the character and diversity of the neighborhood.*

- (3) That the City's supply of affordable housing be preserved and enhanced.

*The Project Site is currently vacant and was most recently used as a surface parking lot. There is no existing affordable housing on the Project Site. Competition for existing housing generates the greatest pressure on the supply of affordable housing. By providing 260 dwelling units, including 31 affordable units, the Project will enhance the supply of affordable housing and potentially relieve competitive pressure on the housing market.*

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

*With numerous public transit alternatives in the immediate vicinity of the Project Site, it is anticipated that many residents of and visitors to the Project will use public transit instead of driving. Given the proximity of multiple public transit alternatives (BART, Golden Gate Transit, MUNI, and SamTrans), the Project will provide an adequate amount of parking (98 residential spaces for 260 units). (There will be no curb cuts on a protected street frontage, and the transportation analysis indicates there will be no significant adverse impacts on pedestrians, bicyclists, motorists, or public transit).*

- (5) 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, which includes a mix of residential and retail/personal service uses, will not displace any industrial or service sector uses. The Project Site is currently vacant and was most recently used as a surface parking lot.*

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

*The Project will comply with all current seismic safety standards.*

- (7) That landmarks and historic buildings be preserved.

*The Project Site is not within an existing historic district and does not contain historic or landmark buildings.*

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

*A shadow study was conducted and found that there would be no net new shadow from the Project on any property under the jurisdiction of the Department of Recreation and Parks. Other public parks and open space would not be adversely impacted, although an adjacent publicly-accessible open space would be impacted. The sloped design of the north façade of the building is designed to potentially mitigate this impact.*

14. The Commission hereby finds that approval of the Section 309 Determination of Compliance and Request for Exceptions would promote the health, safety, and welfare of the City.

**DECISION**

Based upon the whole record, the submissions by the Project Sponsor, the staff of the Department, and other interested parties, the oral testimony presented to the Commission at the public hearing, and all other written materials submitted by all parties, the Commission hereby APPROVES Section 309 Application No. 2006.1248X for the Project subject to the following conditions attached hereto as Exhibit A which are incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Section 309 Determination of Compliance and Request for Exceptions to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals in person at 1660 Mission Street, Room 3036 or call (415) 575-6880.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting on December 13, 2007.

Linda D. Avery  
Commission Secretary

AYES: President Dwight Alexander, Vice President: Christina Olague

Commissioners: Michael J. Antonini, Sue Lee, William L. Lee, Kathrin Moore, & Hisashi Sugaya

NOES: None

ABSENT: None

ADOPTED: December 13, 2007

**EXHIBIT A**  
**CONDITIONS OF APPROVAL**

Wherever "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 and the granting of certain exceptions pursuant to Section 309 is for a proposed residential and retail/personal-service project located on the vacant property at 55 Ninth Street, Lot 063 in Assessor's Block 3701, in a C-3-G (Downtown General Commercial) District and a 200-S Height and Bulk District, in general conformity with the plans stamped Exhibit B and reviewed on December 13, 2007. The proposed Project would contain approximately 260 dwelling units, approximately 3,000 square feet of ground level retail/personal service space, and a garage with a capacity of up to 113 independently accessible parking spaces in a 17-story, 204'-10" tall (including mechanical penthouse) building.

1. COMPLIANCE WITH OTHER REQUIREMENTS

This decision conveys no right to construct. The Project Sponsor must also obtain a Conditional Use authorization from the Planning Commission, a variance from the Zoning Administrator (for dwelling unit exposure and open space), and a building permit. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply. The conditions set forth below shall remain in effect for the life of the Project, unless specifically noted otherwise.

2. GENERAL CONDITIONS

A. Mitigation Measures

Mitigation Measures identified in the Project's Final Addendum (2006.1248) shall be conditions of approval and are accepted by the Project Sponsor or its successor in interest, as shown in Exhibit "C," attached.

B. 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.

C. Recordation

Prior to the issuance of any building 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.

D. Reporting

The Project Sponsor shall submit to the Zoning Administrator two copies of a written report describing the status of compliance with the conditions of approval contained within this Motion every six months from the date of this approval through the issuance of the first temporary certificate of occupancy. Thereafter, the submittal of the report shall be on an annual basis. This requirement shall lapse when the Zoning Administrator determines that all the conditions of approval have been satisfied or that the report is no longer required for other reasons.

E. Construction

- (1). The Project Sponsor shall ensure the construction contractor will coordinate with the City and other construction contractor(s) for any concurrent nearby projects that are planned for construction so as to minimize, to the extent possible, negative impacts on traffic and nearby properties caused by construction activities.
- (2). Truck movements shall be limited to the hours between 9:00 a.m. and 3:30 p.m. to minimize disruption of the general traffic flow on adjacent streets.
- (3). The contractor shall arrange for off-street parking for construction workers until workers can park at the proposed project's parking garage
- (4). The project sponsor and construction contractor(s) shall meet with the Traffic Engineering Division of the Department of Parking and Traffic, the Fire Department, MUNI, and the Planning Department to determine feasible traffic mitigation measures to reduce traffic congestion and pedestrian circulation impacts during construction of the proposed project.

F. Performance

- (1). A site permit or building permit for the herein-authorized Project shall be obtained within three years of the date of this action, and construction, once commenced, shall be thenceforth pursued diligently to completion or the said authorization may become null and void
- (2). 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 to construct the proposed building is delayed by a City, state or federal agency or by appeal of issuance of such permit. Failure to begin work within that period, or thereafter to carry the development diligently to completion, shall be grounds to revoke approval of the authorized development.

G. Severability

If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other of the remaining provisions, clauses, sentences, or sections of these conditions. It is hereby declared to be the intent of the Commission that these conditions of approval would have been adopted had such invalid sentence, clause, or section or part thereof not been included herein.

3. CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF A BUILDING (OR SITE) PERMIT

A. Design

The Project Sponsor and the Project architects shall continue to work on aspects of design development with the Department.

B. Signage

The Project Sponsor shall develop a signage program for the Project, which shall be subject to review and approval by Planning Department staff. All subsequent sign permits shall conform to the approved signage program. Once approved by Department staff, the signage program information shall be submitted and approved as part of the first building or site permit for the project.

C. Lighting

The Project Sponsor shall develop a lighting program for the Project, which shall be subject to review and approval by Planning Department staff. The lighting program shall include any lighting required or proposed within the public right-of-way as well as lighting attached to the building. Once approved by Department staff, the lighting program information shall be submitted and approved as part of the first building or site permit for the project.

D. Transferable Development Rights (TDR):

The Project Sponsor shall purchase the required number of TDR and secure a Notice of Use of TDR.

E. Inclusionary Affordable Housing Program.

- (1) The project shall comply with the inclusionary housing requirements set forth in Section 315 et seq. of the Planning Code by providing 12% (31) on-site, Below-Market-Rate (BMR) units
- (2) The BMR units shall be designated on the building plans prior to approval of any building permit. BMR units shall (1) reflect the unit size mix of the market rate units, (2) shall be reasonably evenly distributed throughout the project as determined by the Mayor's Office of Housing and the Zoning Administrator, (3) shall be constructed and marketed concurrently with the construction and sale of the market rate units, and (4) shall be of the same quality and materials as the market rate units in the project.
- (3) Based on the proposed mix of 260 dwelling units (82 one-bedrooms and 178 two-bedrooms), the Project shall provide the following unit mix in satisfaction of Section 315 requirements:
  - 11 one-bedroom units
  - 20 two-bedroom units
- (4) The Project Sponsor shall record a Notice of Special Restriction on the property that records a copy of this approval and identifies the BMR units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded



Notice of Special Restriction to the Department and to the Mayor's Office of Housing or its successor (MOH), the monitoring agency for the BMR unit, at 25 Van Ness Avenue, Suite 600, San Francisco, California, 94102.

F. Pedestrian Streetscape Improvements

A final pedestrian streetscape improvement plan including landscaping and paving materials and patterns, shall be submitted for review by, and shall be satisfactory to the Director of the Department, in consultation with staff from the Department of Public Works and the Department of Parking and Traffic. Other agencies shall be contacted as appropriate. The Project shall include pedestrian streetscape improvements as described in this Motion and in conformance with Planning Code Section 138.1, Section 143, and the Downtown Streetscape Plan.

4. CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF A FIRST SUPERSTRUCTURE ADDENDUM TO A BUILDING (OR SITE) PERMIT

A. Design

- (1). Final detailed building plans shall be reviewed and approved by the Planning Department before issuance of the first addendum to the site permit. Detailed building plans shall include a final site plan, parking plan, open space and landscaping plans, floor plans, elevations, sections, specifications of finish materials and colors, and details of construction. The on-site inclusionary housing units required under Section 315 shall be identified on the floor plans.
- (2). Final architectural and decorative detailing, materials, glazing, color, and texture of exterior finishes shall be submitted for review by, and shall be satisfactory to the Director of the Department. The Project architect shall submit dimensional design drawings for building details with specifications and samples of materials to ensure a high design quality is maintained.
- (3). Highly reflective glass, mirror glass, or deeply tinted glass shall not be permitted. Only clear glass shall be permitted at pedestrian levels.
- (4). Per Section 141, rooftop mechanical equipment is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

B. Usable Open Space

A final plan showing location and area of common usable open space shall be submitted for review by, and shall be satisfactory to, the Director of the Department. The Project shall include the common usable open space and private usable open space balconies generally as described in this Motion, as shown in Exhibit B. Trees, other landscaping and/or windscreens may be provided in the common open space areas to reduce wind speeds and provide sheltered areas that meet the usability requirement of Section 135.

C. Public Artwork

- (1). Pursuant to Section 149, the Project shall include the work(s) of art valued at an amount equal to one percent of the hard construction costs for the Project as determined by the

Director of the Department of Building Inspection. The Project Sponsor shall provide to the Director necessary information to make the determination of construction cost hereunder.

- (2). The Project Sponsor and the Project artist shall consult with the Planning Department during design development regarding the height, size, and final type of the art. The final art concept shall be submitted for review for consistency with this Motion by, and shall be satisfactory to, the Director of the Planning Department in consultation with the Commission.

D. Garbage and Recycling

The building design shall provide adequate space designated for trash compactors and trash loading. Space for the collection and storage of recyclable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program, shall also be provided at the ground level of the project. Enclosed trash areas with provisions for separating recyclable and non-recyclable materials shall be provided for Project residents on each floor of the residential tower. These areas shall be indicated on the building plans.

5. CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATION OF OCCUPANCY.

A. Pedestrian Streetscape Improvements

- (1). The Project Sponsor shall complete the City's standard pedestrian streetscape improvements as required by the Department of Public Works and shall be responsible for the upkeep and maintenance of such improvements if they exceed City standards.
- (2). Street trees shall be installed pursuant to the requirements set forth in Section 143. However, a greater number of trees than so specified and in alternative configurations may be required in conjunction with an approved streetscape improvement plan at Laskie Street. The species and locations shall be subject to approval by the Department of Public Works.
- (3). The Project Sponsor shall make good-faith efforts in working with the Planning Department, DPW, DPT, and the Mayor's Office to establish a mid-block pedestrian connection between Laskie and Market Streets. Such connection may require the State Compensation Insurance Fund ("SCIF") to allow the installation of a gate between its plaza and the open area at the northeast corner of the Property, as well as granting a right to access this area. If such access is determined to be feasible by the City and SCIF, and necessary easements or licenses over the SCIF Plaza area are obtained by the Project Sponsor from SCIF, the project sponsor shall also construct any necessary public right of way improvements to provide public pedestrian access between the two properties, thereby providing access between Market and Laskie Street during reasonable business hours, as determined by SCIF and the City.
- (4). If in the event the project sponsor has been unable to come to an agreement with SCIF, the project sponsor must demonstrate to the satisfaction of the Planning Department that diligent efforts have been made with regard to the satisfaction of the above condition.

Under no circumstances shall refusal by the Project Sponsor to make monetary payment to SCIF be construed as a lack of diligence.

- (5) In addition to the improvements cited in 5(A)3 above, the project sponsor shall actively and diligently participate in any city-led efforts to plan for future public improvements to Laskie Street. If the City approves a streetscape improvement plan for Laskie Street prior to the issuance of a Certificate of Final Completion and Occupancy for the Project, the Project Sponsor shall contribute its proportionate share of the cost to construct the streetscape improvement plan based on the Zoning Administrator's determination of the project's share of total vehicle and pedestrian trips generated on Laskie Street. Such proportionate share shall not exceeded 21.8 percent of the total cost of constructing streetscape improvements made pursuant to the plan.

B. Public Artwork

- (1). The Project Sponsor shall install the public art generally as described in this Motion and in a location visible to the public. If the Zoning Administrator concludes that it is not feasible to install the work(s) of art within the time herein specified and the Project Sponsor provides adequate assurances that such works will be installed in a timely manner, the Zoning Administrator may extend the time for installation for a period of not more than twelve (12) months.
- (2). The Project Sponsor shall comply with Code Section 149(b) by providing a plaque or cornerstone identifying the Project architect, the artwork creator and the Project completion date in a publicly conspicuous location on the Project Site. The design and content of the plaque shall be approved by Department staff prior to its installation

C. Garbage and Recycling

The Project Sponsor shall provide the garbage and recycling areas above, and contract for recycling pickup.

D. Emergency Preparedness Plan

An evacuation and emergency response plan shall be developed by the Project Sponsor or building management staff, in consultation with the Mayor's Office of Emergency Services, to ensure coordination between the City's emergency planning activities and the Project's plan and to provide for building occupants in the event of an emergency. The Project's plan shall be reviewed by the Office of Emergency Services and implemented by the building management insofar as feasible before issuance of the final certificate of occupancy by the Department of Public Works. A copy of the transmittal and the plan submitted to the Office of Emergency Services shall be submitted to the Department. To expedite the implementation of the City's Emergency Response Plan, the Project Sponsor shall post information (with locations noted on the final plans) for building occupants concerning actions to take in the event of a disaster.

6. OTHER CONDITIONS:

A. Parking

- (1). The residential parking shall not exceed the following ratio: 0.375 independently accessible spaces per unit or a total of 113 independently accessible parking spaces per the approved parking layout.
- (2). The parking area shall not be reconfigured for valet parking or any other type of parking layout variation that would result in greater than 113 parked vehicles.
- (3). All residential parking spaces shall be "unbundled" from the dwelling units in the project, that is, sold, rented, or leased separately from the dwelling units, with an option to buy, rent, or lease parking spaces on a first-come first-served basis. If Section 315 BMR units are provided on-site, 12 percent of the parking spaces shall be offered to occupants or buyers of the BMR units for right of first refusal. The parking so designated shall be priced below the market-rate parking spaces in the same proportion as the dwelling unit prices.
- (4). The commercial parking shall be limited to a maximum of 15 independently accessible spaces.
- (5). The Project shall provide parking one independently accessible car-share parking space.
- (6). The Project shall provide Class 1 bicycle parking as follows: 25 spaces plus one space for every four dwelling units over 50.

B. Ground Level Storefront Design

Ground-level storefronts in general conformity with Exhibit B shall be maintained in an attractive manner, providing transparency into the tenancy behind. Visibility of the commercial interiors and activity through all storefront windows shall be maintained in order to ensure that the ground level of the building remains visually active, provides visual interest to pedestrians, and enhances sidewalk security. Commercial interior layouts should be designed with these requirements in mind. Generally, storefront windows should not be visually obscured with the following: blinds, shades or curtains; shelving; equipment; darkly tinted, translucent or opaque film; painted, stenciled or adhesive signage applied to individual window surfaces that has an overall transparency of less than 50%, or any signage that covers more than 1/3 of the area of any individual window; full or partial height interior partition walls placed directly against or within 10 feet from the window glazing; or any other items that significantly block the vision of pedestrians through the storefront windows into the occupiable commercial space. Solid roll-down security gates shall not be installed in storefront openings. The property owner shall ensure that this condition of approval is incorporated into all commercial leases.

C. Ground Level Commercial Use

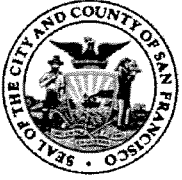
The Project Sponsor shall restrict the use of the Project's ground-floor commercial space to neighborhood-serving retail and/or personal service uses that are open to the general public and enliven the sidewalk due to the intensity of use. Such uses shall include but not be limited to cafes, restaurants, delis, convenience stores, grocers, video stores, newsstands, bookstores, stationary/card shops, and nail or hair salons. Such uses shall not include destination or boutique retail intended to serve a citywide or regional market, or uses intended to primarily serve residents of the building.

D. First Source Hiring

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.

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# SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Inclusionary Housing
- Childcare Requirement
- Jobs Housing Linkage Program
- Downtown Park Fee
- Public Art
- Public Open Space
- First Source Hiring (Admin. Code)
- Transit Impact Development Fee
- Other

1650 Mission St.  
Suite 400  
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Reception:  
**415.558.6378**

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Planning  
Information:  
**415.558.6377**

## Planning Commission Motion No. 17522

*Hearing Date:* December 13, 2007  
*Case No.:* **2006.1248KXCV**  
*Project Address:* **55 NINTH STREET**  
*Zoning:* C-3-G (Downtown General Commercial)  
 200-S Height and Bulk District  
*Block/Lot:* 3701/063  
*Project Sponsor:* Anka Developments. Inc. c/o Daniel Frattin of Reuben & Junius LLP  
 One Bush Street, Suite 600  
 San Francisco, CA 94104  
*Staff Contact:* Dan DiBartolo – (415) 558-6291  
[dan.dibartolo@sfgov.org](mailto:dan.dibartolo@sfgov.org)

**ADOPTING FINDINGS RELATED TO THE APPROVAL OF A CONDITIONAL USE TO ALLOW ADDITIONAL SQUARE FOOTAGE ABOVE THE BASE FLOOR AREA RATIO (FAR) OF 6.0 TO 1 FOR DWELLING UNITS THAT WILL BE AFFORDABLE FOR A MINIMUM OF 20 YEARS TO HOUSEHOLDS WHOSE INCOMES ARE WITHIN 150 PERCENT OF THE MEDIAN INCOME ON THE PROPERTY AT 55 NINTH STREET (ASSESSOR'S BLOCK 3701, LOT 063) LOCATED WITHIN THE C-3-G (DOWNTOWN GENERAL COMMERCIAL) DISTRICT AND A 200-S HEIGHT AND BULK DISTRICT.**

### RECITALS

- On October 25, 2001, State Compensation Insurance Fund (SCIF) filed an application for environmental review related to an office development (Office Project) at the Project Site. The Office Project consisted of a 12-story, 203-foot-high (including mechanical penthouse), 268,000-square-foot building for occupancy by SCIF. Environmental review of the Office Project was conducted pursuant to the California Environmental Quality Act (CEQA) and Chapter 31 of the San Francisco Administrative Code.



2. On March 4, 2004, the Planning Commission certified the Final Environmental Impact Report (FEIR) for the Office Project. On March 25, 2004, the Planning Commission approved the Office Project with conditions.
3. On October 25, 2006, the current project sponsor, Anka Developments, Inc., requested that the Department review the current mixed-use project in accordance with CEQA.
4. On June 29, 2007, the Project Sponsor applied for a Conditional Use, Application No. 2006.1248C, on the property at 55 Ninth Street, Lot 063 in Assessor's Block 3701 (Project Site), to allow additional square footage above the base FAR of 6.0 to 1 for dwelling units that will be affordable for a minimum of 20 years to households whose incomes are within 150 percent of the median income, in general conformity with plans reviewed on November 8, 2007 and labeled Exhibit B. The Project Site is within the C-3-G District and a 200-S Height and Bulk District.
5. On October 24, 2007, the Department published an Addendum to the FEIR, which determined that the current project would not cause new significant impacts not identified in the FEIR and no new mitigation measures would be necessary to reduce significant impacts.
6. On November 8, 2007, and December 13, 2007, the Commission conducted duly noticed public hearings at regularly scheduled meetings on the application for a conditional use.
7. **MOVED**, that the Commission hereby approves the conditional use requested in Application No. 2006.1248C for the Project, subject to conditions contained in Exhibit A attached hereto and incorporated 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 also constitute findings of this Commission.
2. **Project Site:** The subject site with a total area of approximately 35,800 square feet, is an irregularly shaped parcel that approximates a square. The Project Site is located on the east side of Ninth Street between Mission and Market Streets. A small alley, Laskie Street, abuts the eastern side of the Project Site. The Project Site is within the C-3-G District and a 200-S Height and Bulk District. The Project Site is also within a larger area that is proposed for designation as the Mid-Market Special Use District (SUD).

The Project Site is currently vacant. It was most recently used as a 138-space surface parking facility.

3. **Surrounding Area:** The C-3-G District covers the western portions of downtown San Francisco and is composed of a variety of uses: hotels, offices, places of entertainment, residential buildings, and retail establishments. Many of these uses serve a citywide or regional clientele,

but the intensity of development is lower than in the downtown core. Residential uses are principally permitted within the C-3-G District.

The scale of development in the vicinity of the project site is very diverse, with the current height limits in the area ranging from 50 to 320 feet. Permitted heights and the prevailing scale of development generally decrease with distance from Market Street. Two buildings in the area, Fox Plaza (1390 Market Street) and the AAA Building (100 Van Ness Avenue), approach heights of 400 feet. Other taller buildings include the 17-story SCIF Building (1275 Market Street), the 23-story SOMA Grand (1160 Mission Street), the 18-story Federal Building (1100 Mission Street), and the 20-story Argenta (One Polk; under construction). Currently, office and retail uses predominate on Market Street, but substantial residential development is approved or underway. Other uses near the project site include tourist and residential hotels, institutional and cultural uses, and government offices.

The adjacent parcel to the north is occupied by the 17-story, 266-foot-high SCIF Building. To the south on Ninth Street is the two-story San Francisco Religious Society of Friends. The adjacent parcel to the south on Laskie Street is vacant. Opposite the project site on Laskie Alley is the 14-story Holiday Inn Civic Center (50 Eighth Street). On the west side of Ninth Street, the northern half of the block is occupied by the 11-story, 130-foot-high San Francisco Merchandise Mart. The Civic Center lies two blocks to the north.

4. **Proposed Project:** The proposed Project entails the construction of a new 204'-10"-tall (including mechanical penthouse), 17-story mixed-use building containing 260 dwelling units, approximately 2,999 square feet of retail/personal service space, and a garage with a capacity of up to 113 independently accessible parking spaces (98 residential spaces and 15 commercial spaces), one full-size loading space, and two service-vehicle spaces on two below-grade levels and a partial level at grade.
5. Conditional use authorization is required to develop additional square footage above the base FAR of 6.0 to 1 for dwelling units that will be affordable for a minimum of 20 years to households whose incomes are within 150 percent of the median income pursuant to Section 124(f).
6. The Office Project that was analyzed in the FEIR consisted of a 12-story, 203-foot-high (including mechanical penthouse) office building for occupancy by SCIF. The FEIR did not identify any significant and unavoidable environmental impacts.
7. On October 24, 2007, the Department published an Addendum to the FEIR. The Addendum analyzed the current Project, as generally described herein. The Addendum also discussed the following variants to the Project: (a) a valet-parking variant that included up to 214 valet spaces in the proposed garage; (b) a parking garage variant with the entrance on Laskie Street and the exit on Ninth Street; and (c) a parking garage variant with the entrance on Ninth Street and the exit on Laskie Street. In reviewing the proposed Project, the Commission has reviewed and considered the Addendum and the FEIR.

8. As discussed in the Addendum, construction of the current Project would not result in any significant and unavoidable environmental impacts, nor will it result in any new or substantially more severe environmental impacts other than those previously identified and discussed in the FEIR. There are no substantial changes in the Project, substantial changes to circumstances under which the Project is being undertaken, or new information of substantial importance from that analyzed and considered in the FEIR that will result in any new or substantially increased environmental impacts. Mitigations proposed as part of the original development and its FEIR remain feasible and have been agreed to by the project proponent. Thus, preparation of the Addendum to the FEIR was appropriate, and no further environmental review is required under Public Resource Code Section 21116 or CEQA Guidelines Section 15162 and 15164.

The Planning Department is the custodian of the documents and other materials that constitute the record of the proceedings upon which all CEQA findings set forth herein are based. Such documents and other materials are available for review by this Commission and the public at the Department's offices at 1650 Mission Street.

9. The FEIR and the Addendum include mitigation measures that would reduce the potential environmental impacts of the Project to a less-than-significant level. The Commission has reviewed and considered the mitigation and improvement measures, collectively identified as Exhibit C, attached hereto.
10. The Planning Department has heard from the owner of the adjacent property to the south (65 Ninth Street, a two-story commercial structure operated as a religious meeting facility). While he is generally supportive of the project, he is opposed to the location of the curb cut and garage entry at the Ninth Street frontage, adjacent to his property. He cites disturbances to worship and meeting services, traffic and pedestrian circulation issues, and believes that the entry would be more appropriately located at the Laskie Street frontage.
11. **Planning Code Compliance.** The Commission finds that the Project meets the provisions of the Planning Code as follows:

**Section 124:** Section 124 establishes basic floor area ratios (FAR) for all zoning districts. FAR is the ratio of the gross floor area of all the buildings on a lot to the total area of the lot. As set forth in Section 124(a), the FAR for the C-3-G District is 6.0 to 1. Under Sections 123 and 128, the FAR can be increased to a maximum of 9.0 to 1 with the purchase of transferable development rights (TDR). Section 124(f) provides that in C-3-G Districts, additional square footage above the base FAR of 6.0 to 1 may be approved by conditional use for the construction of dwelling units affordable for 20 years to households whose incomes are within 150 percent of the median income, as defined in Section 124(f).

*With a lot area of 35,800 square feet, up to 214,800 gross square feet can be developed on the Project Site without TDR, and up to 322,200 gross square feet can be developed with TDR. The Project Sponsor is seeking conditional use authorization to develop approximately 31,416 square feet above the 6.0 to 1 base FAR for dwelling units that will be affordable for a minimum of 20 years to households whose incomes are within 150 percent of the median income as defined in Section 124(f). In addition, the Project Sponsor has*

*purchased 30,000 square feet of TDR. "Together, the conditional use authorization and TDR would increase the total FAR limit at the site to approximately 7.7-to-1, which would allow up to 276,216 gross square feet of development at the site."*

*On December 13, 2007, the Commission, in reviewing and approving a Section 309 Determination of Compliance and Request for Exceptions, adopted findings related to the Project's compliance with the applicable Planning Code requirements as set forth in Motion No.17522, which findings are incorporated herein by this reference thereto as if fully set forth in this Motion.*

12. **Conditional Use Findings.** Under Section 303(c), the Commission may authorize a conditional use after finding that:

(1) 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 is necessary and desirable for the neighborhood, because it will revitalize a vacant site with a compatible mixed-use development. Severe competition for existing housing is creating the greatest pressure on the supply of housing affordable to households of lower and moderate income. Providing dwelling units in the Mid-Market area will assist in alleviating the City's housing shortage.*

*With approximately 260 units and approximately 3,000 square feet of commercial space, the Project will bring a substantial number of people to the neighborhood and provide employment opportunities for local residents. The influx of residents will strengthen the customer base of other retail uses in the neighborhood and generate a substantial amount of pedestrian activity throughout the area.*

*The conditional use for additional floor area for affordable units will allow the Project to meet its inclusionary housing requirement on-site as opposed to off-site or through the payment of an in-lieu fee. Section 124(f) requires the units to be affordable for a minimum of 20 years to households whose incomes are within 150 percent of the median income. The on-site affordable units authorized by this motion will satisfy the inclusionary housing requirements of Section 315, which require inclusionary rental units to be permanently affordable to households whose incomes are within 60 percent of the median income and ownership units to be permanently affordable to households whose incomes are within 100 percent of the median income. Thus, the units will exceed the requirements set forth in Section 124(f).*

(2) 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:

(A) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures:

*The size and shape of the site are adequate for accommodating a high-density residential development. The height and overall massing of the Project are appropriate for the site and the*

*neighborhood. The building has been carefully designed to provide adequate light and air to each of the proposed dwelling units. With conditional use authorization for additional square footage and dwelling unit density, the size, shape, and arrangement of the structures on the site will be able to accommodate the Project as proposed.*

- (B) 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:

*Given the proximity of multiple public transit alternatives (BART, Golden Gate Transit, MUNI, and SamTrans), the Project will provide an adequate amount of parking (98 residential spaces for 260 dwelling units). The transportation study for the Project found that it would not result in significant impacts related to the movement of pedestrians, cyclists, transit, or automobiles.*

- (C) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor:

*The Project, which is primarily residential in nature, will not emit any noxious odors or other offensive emissions. All window glazing will comply with the Planning Code and relevant design guidelines to eliminate or reduce glare. During construction, appropriate measures will be taken to minimize dust and noise as much as possible.*

- (D) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs:

*All proposed lighting and signage will comply with the requirements of the Planning Code. The full-size vehicle loading space will be located on Laskie Street and screened from view. Most of the proposed parking will be below grade. Any parking that is at grade will be wrapped by active uses and will not be visible from any public right-of-way. All of the proposed open space will include appropriate landscaping and other improvements (canopies and trellises for shade, seating areas, windscreens, etc.).*

- (3) That such use or feature as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

*Pursuant to Sections 305 and 309, the Project Sponsor is seeking variances and exceptions from several Planning Code requirements. The Project is consistent with and will not adversely affect the General Plan.*

13. **General Plan Conformity.** The Project will affirmatively promote the following objectives and policies of the General Plan:

*On December 13, 2007, the Commission, in reviewing and approving a Section 309 Determination of Compliance and Request for Exceptions, adopted findings related to the Project's conformity with the applicable objectives and policies of the General Plan as set forth in Motion No.17522, which findings are incorporated herein by this reference thereto as if fully set forth in this Motion.*

14. **Priority Policy Findings.** Section 101.1(b) establishes eight priority planning policies and requires the review of permits for consistency with said policies:

*On December 13, 2007, the Commission, in reviewing and approving a Section 309 Determination of Compliance and Request for Exceptions, adopted findings related to the Project's consistency with the eight priority planning policies of Section 101.1(b) as set forth in Motion No.17522, which findings are incorporated herein by this reference thereto as if fully set forth in this Motion.*

15. The Commission hereby finds that approval of the conditional use authorization will 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 the Commission at the public hearing, and all other written materials submitted by all parties, the Commission hereby APPROVES Conditional Use Application No. 2006.1248C for the Project subject to the following conditions attached hereto as Exhibit A which are 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. 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 foregoing Motion was ADOPTED by the Planning Commission at its regular meeting on December 13, 2007.

Linda D. Avery  
Commission Secretary

AYES: President: Dwight Alexander, Vice President: Christina Olague  
Commissioners: Michael J. Antonini, Sue Lee, William L. Lee, Kathrin Moore  
NOES: Hisashi Sugaya  
ABSENT: None  
ADOPTED: December 13, 2007

EXHIBIT A

**CONDITIONS OF APPROVAL**

Wherever "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 conditional use authorization is to allow additional square footage above the base FAR of 6.0 to 1 for dwelling units that will be affordable for a minimum of 20 years to households whose incomes are within 150 percent of median income, and is granted in connection with a proposed residential and retail/personal-service project located on the vacant property at 55 Ninth Street, Lot 063 in Assessor's Block 3701, in a C-3-G (Downtown General Commercial) District and a 200-S Height and Bulk District, in general conformity with the plans stamped Exhibit B and reviewed on December 13, 2007. The proposed Project would contain approximately 260 dwelling units, approximately 3,000 square feet of ground level retail/personal service space, and a garage with a capacity of up to 113 independently accessible parking spaces in a 17-story, 204'-10" tall (including mechanical penthouse) building.

1. COMPLIANCE WITH OTHER REQUIREMENTS

This decision conveys no right to construct. The Project Sponsor must also obtain a Section 309 Determination of Compliance with exceptions, a variance from the Zoning Administrator (for dwelling unit exposure and open space), and a building permit. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply. The conditions set forth below shall remain in effect for the life of the Project, unless specifically noted otherwise.

2. GENERAL CONDITIONS

A. Mitigation Measures

Mitigation Measures identified in the Project's Final Addendum (2006.1248) shall be conditions of approval and are accepted by the Project Sponsor or its successor in interest, as shown in Exhibit "C," attached.

B. 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.

C. Recordation



Prior to the issuance of any building 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.

D. Reporting

The Project Sponsor shall submit to the Zoning Administrator two copies of a written report describing the status of compliance with the conditions of approval contained within this Motion every six months from the date of this approval through the issuance of the first temporary certificate of occupancy. Thereafter, the submittal of the report shall be on an annual basis. This requirement shall lapse when the Zoning Administrator determines that all the conditions of approval have been satisfied or that the report is no longer required for other reasons.

E. Construction

- (1). The Project Sponsor shall ensure the construction contractor will coordinate with the City and other construction contractor(s) for any concurrent nearby projects that are planned for construction so as to minimize, to the extent possible, negative impacts on traffic and nearby properties caused by construction activities.
- (2). Truck movements shall be limited to the hours between 9:00 a.m. and 3:30 p.m. to minimize disruption of the general traffic flow on adjacent streets.
- (3). The contractor shall arrange for off-street parking for construction workers until workers can park at the proposed project's parking garage.
- (4). The project sponsor and construction contractor(s) shall meet with the Traffic Engineering Division of the Department of Parking and Traffic, the Fire Department, MUNI, and the Planning Department to determine feasible traffic mitigation measures to reduce traffic congestion and pedestrian circulation impacts during construction of the proposed project.

F. Performance

- (1). A site permit or building permit for the herein-authorized Project shall be obtained within three years of the date of this action, and construction, once commenced, shall be thenceforth pursued diligently to completion or the said authorization may become null and void
- (2). 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 to construct the

proposed building is delayed by a City, state or federal agency or by appeal of issuance of such permit. Failure to begin work within that period, or thereafter to carry the development diligently to completion, shall be grounds to revoke approval of the authorized development.

G. Severability

If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other of the remaining provisions, clauses, sentences, or sections of these conditions. It is hereby declared to be the intent of the Commission that these conditions of approval would have been adopted had such invalid sentence, clause, or section or part thereof not been included herein.

3. CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF A BUILDING (OR SITE) PERMIT

A. Design

The Project Sponsor and the Project architects shall continue to work on aspects of design development with the Department.

B. Signage

The Project Sponsor shall develop a signage program for the Project, which shall be subject to review and approval by Planning Department staff. All subsequent sign permits shall conform to the approved signage program. Once approved by Department staff, the signage program information shall be submitted and approved as part of the first building or site permit for the project.

C. Lighting

The Project Sponsor shall develop a lighting program for the Project, which shall be subject to review and approval by Planning Department staff. The lighting program shall include any lighting required or proposed within the public right-of-way as well as lighting attached to the building. Once approved by Department staff, the lighting program information shall be submitted and approved as part of the first building or site permit for the project.

D. Transferable Development Rights (TDR):

The Project Sponsor shall purchase the required number of TDR and secure a Notice of Use of TDR.

E. Inclusionary Affordable Housing Program.

- (1) The project shall comply with the inclusionary housing requirements set forth in Section 315 et seq. of the Planning Code by providing 12% (31) on-site, Below-Market-Rate (BMR) units.
- (2) The BMR units shall be designated on the building plans prior to approval of any building permit. BMR units shall (1) reflect the unit size mix of the market rate units, (2) shall be reasonably evenly distributed throughout the project as determined by the Mayor's Office of Housing and the Zoning Administrator, (3) shall be constructed and marketed concurrently with the construction and sale of the market rate units, and (4) shall be of the same quality and materials as the market rate units in the project.
- (3). Based on the proposed mix of 260 dwelling units (82 one-bedrooms and 178 two-bedrooms), the Project shall provide the following unit mix in satisfaction of Section 315 requirements:
  - 11 one-bedroom units
  - 20 two-bedroom units
- (4) The Project Sponsor shall record a Notice of Special Restriction on the property that records a copy of this approval and identifies the BMR units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to the Mayor's Office of Housing or its successor (MOH), the monitoring agency for the BMR unit, at 25 Van Ness Avenue, Suite 600, San Francisco, California, 94102.

F. Pedestrian Streetscape Improvements

A final pedestrian streetscape improvement plan including landscaping and paving materials and patterns, shall be submitted for review by, and shall be satisfactory to the Director of the Department, in consultation with staff from the Department of Public Works and the Department of Parking and Traffic. Other agencies shall be contacted as appropriate. The Project shall include pedestrian streetscape improvements as described in this Motion and in conformance with Planning Code Section 138.1, Section 143, and the Downtown Streetscape Plan.

4. CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF A FIRST SUPERSTRUCTURE ADDENDUM TO A BUILDING (OR SITE) PERMIT

A. Design

- (1). Final detailed building plans shall be reviewed and approved by the Planning Department before issuance of the first addendum to the site permit. Detailed building plans shall include a final site plan, parking plan, open space and landscaping plans, floor plans, elevations, and sections, specifications of finish materials and colors, and details of construction. The on-site inclusionary housing units required under Section 315 shall be identified on the floor plans.

- (2). Final architectural and decorative detailing, materials, glazing, color, and texture of exterior finishes shall be submitted for review by, and shall be satisfactory to the Director of the Department. The Project architect shall submit dimensional design drawings for building details with specifications and samples of materials to ensure a high design quality is maintained.
- (3). Highly reflective glass, mirror glass, or deeply tinted glass shall not be permitted. Only clear glass shall be permitted at pedestrian levels.
- (4). Per Section 141, rooftop mechanical equipment is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

B. Usable Open Space

A final plan showing location and area of common usable open space shall be submitted for review by, and shall be satisfactory to, the Director of the Department. The Project shall include the common usable open space and private usable open space balconies generally as described in this Motion, as shown in Exhibit B. Trees, other landscaping and/or windscreens may be provided in the common open space areas to reduce wind speeds and provide sheltered areas that meet the usability requirement of Section 135.

C. Public Artwork

- (1). Pursuant to Section 149, the Project shall include the work(s) of art valued at an amount equal to one percent of the hard construction costs for the Project as determined by the Director of the Department of Building Inspection. The Project Sponsor shall provide to the Director necessary information to make the determination of construction cost hereunder.
- (2). The Project Sponsor and the Project artist shall consult with the Planning Department during design development regarding the height, size, and final type of the art. The final art concept shall be submitted for review for consistency with this Motion by, and shall be satisfactory to, the Director of the Planning Department in consultation with the Commission.

D. Garbage and Recycling

The building design shall provide adequate space designated for trash compactors and trash loading. Space for the collection and storage of recyclable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program, shall also be provided at the ground level of the project. Enclosed trash areas with provisions for separating recyclable and non-recyclable materials shall be provided for Project residents on each floor of the residential tower. These areas shall be indicated on the building plans.

5. CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATION OF OCCUPANCY.
- A. Pedestrian Streetscape Improvements
- (1). The Project Sponsor shall complete the required pedestrian streetscape improvements and shall be responsible for the upkeep and maintenance of such improvements if they exceed City standards.
  - (2). Street trees shall be installed pursuant to the requirements set forth in Section 143. The species and locations shall be subject to approval by the Department of Public Works.
  - (3). The Project Sponsor shall make good-faith efforts in working with the Planning Department, DPW, DPT, and the Mayor's Office to establish a mid-block pedestrian connection between Laskie and Market Streets. Such connection may require the State Compensation Insurance Fund ("SCIF") to allow the installation of a gate between its plaza and the open area at the northeast corner of the Property, as well as granting a right to access this area. If such a gate is determined as feasible by the City and SCIF, and necessary easements or licenses are obtained, the Project Sponsor shall make provisions for public pedestrian access between the gate, to ensure access between Market and Laskie Street during appropriate hours, as determined by SCIF and the City.
  - (4). If in the event the project sponsor has been unable to come to an agreement with SCIF, the project sponsor must demonstrate to the satisfaction of the Planning Department that diligent efforts have been made with regard to the satisfaction of the above condition. Under no circumstances shall refusal by the project sponsor to make monetary payment to SCIF be construed as a lack of diligence.
  - (5). In addition to the improvements cited in 5(A) 3 above, the project sponsor shall actively and diligently participate in any city-led efforts to plan for future public improvements to Laskie Street. If the City approves a streetscape improvement plan for Laskie Street prior to the issuance of a Certificate of Final Completion and Occupancy for the Project, the Project Sponsor shall contribute its proportionate share of the cost to construct the streetscape improvement plan based on the Zoning Administrator's determination of the project's share of total vehicle and pedestrian trips generated on Laskie Street. Such proportionate share shall not exceed 21.8 percent of the total cost of constructing streetscape improvements made pursuant to the plan.
- B. Public Artwork
- (1). The Project Sponsor shall install the public art generally as described in this Motion and in a location visible to the public. If the Zoning Administrator concludes that it is not feasible to install the work(s) of art within the time herein specified and the Project Sponsor provides adequate assurances that such works will be installed in a timely manner, the Zoning Administrator may extend the time for installation for a period of not more than twelve (12) months.
  - (2). The Project Sponsor shall comply with Code Section 149(b) by providing a plaque or cornerstone identifying the Project architect, the artwork creator and the Project completion date in a publicly conspicuous location on the Project Site. The design and content of the plaque shall be approved by Department staff prior to its installation

C. Garbage and Recycling

The Project Sponsor shall provide the garbage and recycling areas above, and contract for recycling pickup.

D. Emergency Preparedness Plan

An evacuation and emergency response plan shall be developed by the Project Sponsor or building management staff, in consultation with the Mayor's Office of Emergency Services, to ensure coordination between the City's emergency planning activities and the Project's plan and to provide for building occupants in the event of an emergency. The Project's plan shall be reviewed by the Office of Emergency Services and implemented by the building management insofar as feasible before issuance of the final certificate of occupancy by the Department of Public Works. A copy of the transmittal and the plan submitted to the Office of Emergency Services shall be submitted to the Department. To expedite the implementation of the City's Emergency Response Plan, the Project Sponsor shall post information (with locations noted on the final plans) for building occupants concerning actions to take in the event of a disaster.

6. OTHER CONDITIONS:

A. Parking

- (1). The residential parking shall not exceed the following ratio: 0.375 independently accessible spaces per unit or a total of 113 independently accessible parking spaces per the approved parking layout.
- (2). The parking area shall not be reconfigured for valet parking or any other type of parking layout variation that would result in greater than 113 parked vehicles.
- (3). All residential parking spaces shall be "unbundled" from the dwelling units in the project, that is, sold, rented, or leased separately from the dwelling units, with an option to buy, rent, or lease parking spaces on a first-come first-served basis. If Section 315 BMR units are provided on-site, 12 percent of the parking spaces shall be offered to occupants or buyers of the BMR units for right of first refusal. The parking so designated shall be priced below the market-rate parking spaces in the same proportion as the dwelling unit prices.
- (4). The commercial parking shall be limited to a maximum of 15 independently accessible spaces.
- (5). The Project shall provide parking one independently accessible car-share parking space.
- (6). The Project shall provide Class 1 bicycle parking as follows: 25 spaces plus one space for every four dwelling units over 50.

B. Ground Level Storefront Design

Ground-level storefronts in general conformity with Exhibit B shall be maintained in an attractive manner, providing transparency into the tenancy behind. Visibility of the commercial interiors and activity through all storefront windows shall be maintained in order to ensure that the ground level of the building remains visually active, provides visual interest to pedestrians, and enhances sidewalk security. Commercial interior layouts should be designed with these requirements in mind. Generally, storefront windows should not be visually obscured with the following: blinds, shades or curtains; shelving; equipment; darkly tinted, translucent or opaque film; painted, stenciled or adhesive signage applied to individual window surfaces that has an overall transparency of less than 50%, or any signage that covers more than 1/3 of the area of any individual window; full or partial height interior partition walls placed directly against or within 10 feet from the window glazing; or any other items that significantly block the vision of pedestrians through the storefront windows into the occupiable commercial space. Solid roll-down security gates shall not be installed in storefront openings. The property owner shall ensure that this condition of approval is incorporated into all commercial leases.

C. Ground Level Commercial Use

The Project Sponsor shall restrict the use of the Project's ground-floor commercial space to neighborhood-serving retail and/or personal service uses that are open to the general public and enliven the sidewalk due to the intensity of use. Such uses shall include but not be limited to cafes, restaurants, delis, convenience stores, grocers, video stores, newsstands, bookstores, stationary/card shops, and nail or hair salons. Such uses shall not include destination or boutique retail intended to serve a citywide or regional market, or uses intended to primarily serve residents of the building.

D. First Source Hiring

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.

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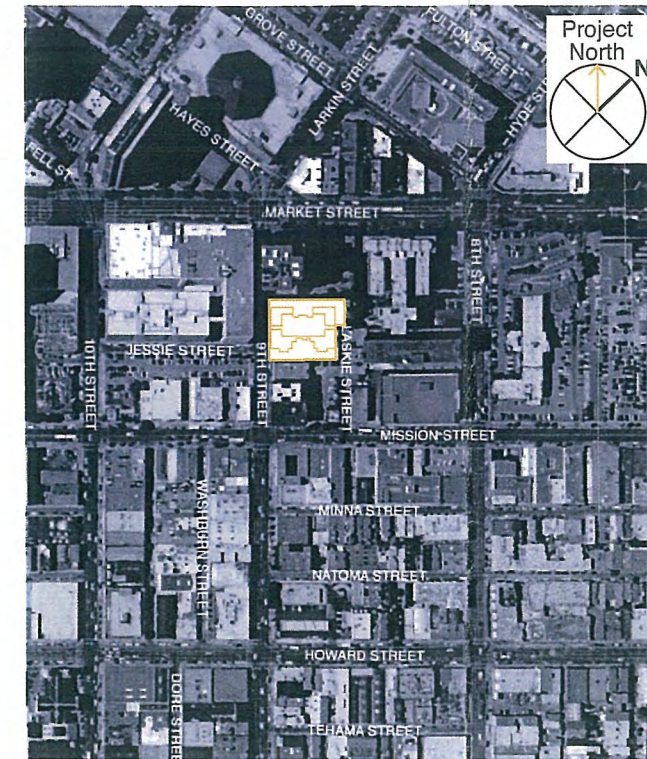
# 55 NINTH STREET - San Francisco

SITE AREA: 35,800 sq.ft., DISTRICT ZONING C-3-G

BLOCK 3701, LOT 63  
 CROSS STREETS: MARKET AND MISSION STREETS  
 HEIGHT/BULK DISTRICT: 200-S  
 BASE FAR 6:1/ GROSS ALLOWABLE FAR 214,800 sq. ft.

## CONTACTS

CLIENT	ANKA DEVELOPMENTS INC.	425 MARKET STREET, LEVEL 22, SUITE 2232	SAN FRANCISCO CA, USA	PH. (415) 912-2859	FAX. (415) 912-2867
ARCHITECT	PERKINS & COMPANY	1498 WEST FIFTH AVENUE	VANCOUVER, BC, CANADA	PH. (604) 685-2428	FAX. (604) 685-2467
LOCAL ARCHITECT	FILLON SOLIS ARCHITECTS	401 TERRY A FRANCOIS BLVD, SUITE 208	SAN FRANCISCO CA, USA	PH. (415) 541-0288	FAX. (415) 541-0188
LANDSCAPE	CLIFF LOWE ASSOCIATES	1175 FOLSOM STREET	SAN FRANCISCO CA, USA	PH. (415) 431-0394	FAX. (415) 431-0396
LAND USE ATTORNEY	REUBEN & JUNIUS, LLP	235 PINE STREET, SUITE 1600	SAN FRANCISCO CA, USA	PH. (415) 567-9000	FAX. (415) 399-9480
TRANSPORTATION	DMJM HARRIS AECOM	155 GRAND AVENUE, SUITE 700	OAKLAND CA, USA	PH. (510) 763-2929	FAX. (510) 763-2796



VICINITY MAP (N.T.S.)

## ARCHITECTURAL DRAWING LIST

- AC.01 COVER PAGE
- AC.02 PROJECT STATISTICS
  
- M1.01 SAN FRANCISCO FULL CITY MAP
- M1.02 ZONING USE DISTRICTS MAP
- M1.03 ZONING USE DISTRICTS MAP (LINE VERSION)
- M1.04 HEIGHT AND BULK DISTRICTS MAP
- M1.05 PRESERVATION DISTRICTS MAP
- M1.06 SANBORN MAP
- M1.07 COMPARISON APPROVED TOWER/  
PROPOSED RESIDENTIAL TOWER DESIGN
  
- A0.01 SITE PLAN
- A0.02 PARKING 2 PLAN
- A0.03 PARKING 1 PLAN
  
- A1.01 LEVEL 1 FLOOR PLAN
- A1.02 LEVEL 2 FLOOR PLAN
- A1.03 LEVEL 3 FLOOR PLAN
- A1.04 LEVEL 4 TO 5 FLOOR PLAN
- A1.05 LEVEL 6 TO 7 FLOOR PLAN
- A1.06 LEVEL 8 TO 10 FLOOR PLAN
- A1.07 LEVEL 11 TO 13 FLOOR PLAN
- A1.08 LEVEL 14 FLOOR PLAN
- A1.09 LEVEL 15 FLOOR PLAN
- A1.10 LEVEL 16 FLOOR PLAN
- A1.11 LEVEL 17 FLOOR PLAN
- A1.12 MECHANICAL ROOF PLAN
- A1.13 UPPER ROOF PLAN
- A1.14 TYPICAL UNIT LAYOUT
  
- A2.01 WEST ELEVATION
- A2.02 NORTH ELEVATION
- A2.03 EAST ELEVATION
- A2.04 SOUTH ELEVATION
- A2.05 WEST ELEVATION  
CLOSE-UP OF NORTH-WEST CORNER
  
- A3.01 SECTION AA
- A3.02 SECTION BB
  
- A4.01 PHOTOMONTAGE I
- A4.02 PHOTOMONTAGE II
- A4.03 PHOTOMONTAGE III
- A4.04 LASKIE STREET IMAGES NORTH-EAST SIDE
- A4.05 LASKIE STREET IMAGES SOUTH-WEST SIDE
- A4.06 NINTH STREET IMAGES NORTH-EAST SIDE
- A4.07 NINTH STREET IMAGES SOUTH-WEST SIDE
- A4.08 AREA IMAGES
  
- A5.01 LANDSCAPE PLAN
  
- A6.01 MATERIALS
- A6.02 LANDSCAPE MATERIALS

<b>Project North</b>															
VICINITY MAP (N.T.S.)															
<b>ARCHITECTURAL DRAWING LIST</b>															
<ul style="list-style-type: none"> <li>AC.01 COVER PAGE</li> <li>AC.02 PROJECT STATISTICS</li>   <li>M1.01 SAN FRANCISCO FULL CITY MAP</li> <li>M1.02 ZONING USE DISTRICTS MAP</li> <li>M1.03 ZONING USE DISTRICTS MAP (LINE VERSION)</li> <li>M1.04 HEIGHT AND BULK DISTRICTS MAP</li> <li>M1.05 PRESERVATION DISTRICTS MAP</li> <li>M1.06 SANBORN MAP</li> <li>M1.07 COMPARISON APPROVED TOWER/ PROPOSED RESIDENTIAL TOWER DESIGN</li>   <li>A0.01 SITE PLAN</li> <li>A0.02 PARKING 2 PLAN</li> <li>A0.03 PARKING 1 PLAN</li>   <li>A1.01 LEVEL 1 FLOOR PLAN</li> <li>A1.02 LEVEL 2 FLOOR PLAN</li> <li>A1.03 LEVEL 3 FLOOR PLAN</li> <li>A1.04 LEVEL 4 TO 5 FLOOR PLAN</li> <li>A1.05 LEVEL 6 TO 7 FLOOR PLAN</li> <li>A1.06 LEVEL 8 TO 10 FLOOR PLAN</li> <li>A1.07 LEVEL 11 TO 13 FLOOR PLAN</li> <li>A1.08 LEVEL 14 FLOOR PLAN</li> <li>A1.09 LEVEL 15 FLOOR PLAN</li> <li>A1.10 LEVEL 16 FLOOR PLAN</li> <li>A1.11 LEVEL 17 FLOOR PLAN</li> <li>A1.12 MECHANICAL ROOF PLAN</li> <li>A1.13 UPPER ROOF PLAN</li> <li>A1.14 TYPICAL UNIT LAYOUT</li>   <li>A2.01 WEST ELEVATION</li> <li>A2.02 NORTH ELEVATION</li> <li>A2.03 EAST ELEVATION</li> <li>A2.04 SOUTH ELEVATION</li> <li>A2.05 WEST ELEVATION CLOSE-UP OF NORTH-WEST CORNER</li>   <li>A3.01 SECTION AA</li> <li>A3.02 SECTION BB</li>   <li>A4.01 PHOTOMONTAGE I</li> <li>A4.02 PHOTOMONTAGE II</li> <li>A4.03 PHOTOMONTAGE III</li> <li>A4.04 LASKIE STREET IMAGES NORTH-EAST SIDE</li> <li>A4.05 LASKIE STREET IMAGES SOUTH-WEST SIDE</li> <li>A4.06 NINTH STREET IMAGES NORTH-EAST SIDE</li> <li>A4.07 NINTH STREET IMAGES SOUTH-WEST SIDE</li> <li>A4.08 AREA IMAGES</li>   <li>A5.01 LANDSCAPE PLAN</li>   <li>A6.01 MATERIALS</li> <li>A6.02 LANDSCAPE MATERIALS</li> </ul>															
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>REVISED PLAN COMM. SUBM. Case # 2006.1248</td> <td>DEC 06, 2007</td> </tr> <tr> <td>PLANNING COMMISSION SUBMISSION Case # 2006.1248</td> <td>NOV 01, 2007</td> </tr> <tr> <td>FINAL REVIEW DRAFT</td> <td>OCT 12, 2007</td> </tr> <tr> <td>3RD DRAFT FOR PLAN. COMM. SUBM.</td> <td>SEP 28, 2007</td> </tr> <tr> <td>2ND DRAFT FOR PLAN. COMM. SUBM.</td> <td>SEP 11, 2007</td> </tr> <tr> <td>PLANNING COMMISSION SUBMISSION</td> <td>AUG 16, 2007</td> </tr> <tr> <td>ISSUE</td> <td>DATE</td> </tr> </table>		REVISED PLAN COMM. SUBM. Case # 2006.1248	DEC 06, 2007	PLANNING COMMISSION SUBMISSION Case # 2006.1248	NOV 01, 2007	FINAL REVIEW DRAFT	OCT 12, 2007	3RD DRAFT FOR PLAN. COMM. SUBM.	SEP 28, 2007	2ND DRAFT FOR PLAN. COMM. SUBM.	SEP 11, 2007	PLANNING COMMISSION SUBMISSION	AUG 16, 2007	ISSUE	DATE
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<b>ANKA DEVELOPMENTS INC.</b>															
1498 WEST 5 <sup>TH</sup> AVENUE      T 604 685 2428 VANCOUVER, BC V6H 4G3      F 604 685 2467 PERKINS & COMPANY ARCHITECTURE & URBAN DESIGN INC. WWW.PERKINSANDCOMPANY.COM															
PROJECT TITLE <b>55 NINTH STREET</b> SAN FRANCISCO, CA															
DRAWING TITLE <b>COVER PAGE</b>															
PROJECT NO. <b>2645</b>	FILE / DATE 2645 AC.01 Cover 12-05a														
DRAWN JE	CHECKED JP III														
SCALE															
DRAWING NO. <b>AC.01</b>															



# 55 NINTH STREET - San Francisco

SITE AREA: 35,800 sq.ft., DISTRICT ZONING C-3-G

BLOCK 3701, LOT 63  
CROSS STREETS: MARKET AND MISSION STREETS  
HEIGHT/BULK DISTRICT: 200-S  
BASE FAR 6:1/GROSS ALLOWABLE FAR 214,800 sq. ft.

## Area Count

LEVEL	NO. LEVELS	GROSS AREA (PER LEVEL)	TOTAL GROSS AREA	COUNTABLE GFA (PER SEC 102.9)**	NET RESIDENTIAL (PER LEVEL)	NET AFFORDABLE	NET MARKETABLE	RETAIL AREA	LOBBY/AMENITY AREA *
P2	1	32,845	32,845	-	-	-	-	-	-
P1	1	32,845	32,845	-	-	-	-	-	-
GROUND	1	28,937	28,937	3,792	-	-	-	2,999	8,007
2	1	18,864	18,864	14,915	16,778	3,433	13,345	-	-
3	1	18,863	18,863	14,834	16,778	3,522	13,256	-	-
4 & 5	2	18,863	37,726	32,219	16,778	5,157	28,399	-	-
6 & 7	2	18,706	37,412	31,782	16,617	5,127	28,107	-	-
8 TO 10	3	17,494	52,482	45,706	15,494	6,736	39,746	-	-
11 TO 13	3	17,300	51,900	49,749	15,298	2,674	43,220	-	-
14	1	17,445	17,445	17,727	15,444	-	15,444	-	-
15	1	17,265	17,265	17,546	15,262	-	15,262	-	-
16	1	11,474	11,474	11,593	9,057	-	9,057	-	-
17	1	5,649	4,498	4,498	4,986	-	4,986	-	-
<b>TOTAL</b>	<b>17</b>		<b>362,556</b>	<b>244,361</b>	<b>237,471</b>	<b>26,649</b>	<b>210,822</b>	<b>2,999</b>	<b>8,007</b>

\* Not included in Net to Gross

\*\* As defined by Sec 102.9 of the SF Planning Code

## Unit Statistics

LEVEL	UNIT TYPE		MARKET TOTAL UNITS	NO. AFFORDABLE UNITS/FLOOR	TOTAL GROSS AREA (SF)	AFFORDABLE GROSS AREA (SF)
	1 BED	2 BED				
P2*	0	0	0	0	0	0
P1*	0	0	0	0	0	0
GROUND*	0	0	0	0	3,792	0
2	7	12	15	4	18,864	3,947
3	7	12	15	4	18,863	4,050
4	7	12	16	3	18,863	2,999
5	7	12	16	3	18,863	2,932
6	7	12	16	3	18,706	2,926
7	7	12	16	3	18,706	2,973
8	5	12	15	2	17,494	1,849
9	5	12	14	3	17,494	3,257
10	5	12	14	3	17,494	2,642
11	5	12	14	3	17,300	3,191
12	5	12	17	0	17,300	0
13	5	12	17	0	17,300	0
14	5	12	17	0	17,445	0
15	5	12	17	0	17,265	0
16	0	10	10	0	11,474	0
17	0	0	0	0	5,649	0
<b>TOTAL</b>	<b>82</b>	<b>178</b>	<b>229</b>	<b>31</b>	<b>272,872</b>	<b>30,766</b>

\*\*Total GFA\* represents countable GFA for these floors. See Area Stats for Total GFA before deductions.

68.46%	2 bdrm
31.54%	1 bdrm
11.92%	affordable

272,872 total Gross Floor Area  
(-) 30,766 total affordable GFA  
(=) 242,106 countable GFA

214,800 allowable FAR  
(-) 242,106 countable GFA  
(=) 27,306 TDR required

## Open Area Calculation

LEVEL	NO. OF UNITS PER LEVEL	NO. OF UNITS W/ PRIVATE OPEN SPACE COMPLYING W/ CODE		NO. UNITS W/ PRIVATE OPEN SPACE NON-COMPLYING W/ CODE*		TOTAL SF OF P.O.S.
		W/ CODE	SF	W/ CODE*	SF	
2	19	13	3254	6	502	3756
3	19	9	2054	10	694	2748
4	19	9	1878	10	758	2636
5	19	9	1686	10	758	2444
6	19	9	1668	10	758	2426
7	19	9	1492	10	758	2250
8	17	9	1966	8	498	2484
9	17	9	1828	8	498	2326
10	17	9	1650	8	498	2148
11	17	9	1668	8	498	2166
12	17	9	1490	8	498	1988
13	17	5	766	12	1048	1814
14	17	7	968	10	746	1714
15	17	7	968	10	746	1714
16	10	8	2620	2	248	2868
<b>TOTAL</b>	<b>260</b>	<b>130</b>	<b>25976</b>	<b>130</b>	<b>9506</b>	<b>35482</b>

CODE-COMPLYING COMMON OPEN SPACE: 2,227 SF  
NON-COMPLYING COMMON OPEN SPACE: 3,481 SF

\* 104 UNITS HAVE 69 TO 133 SQFT OF PRIVATE OPEN SPACE, MORE THAN THE 36 SQFT REQUIRED. HOWEVER, THE DEPTH OF THE OPEN SPACE OF THOSE UNITS IS 3'-8", NOT 6'-0" AS REQUIRED BY CODE. AN ADDITIONAL 26 UNITS DO NOT MEET THE EXPOSURE REQUIREMENT FOR PRIVATE OPEN SPACE. A VARIANCE HAS BEEN REQUESTED.

## Parking Count Calculation

No. of Units	No. of Units 2 Bed and >1000 ft2	Parking Permitted by Right (Ratio 1:4)	Max Parking w/ Exemption	No. of Resident Stalls	No. of Retail Stalls 1	TOTAL Parking Allowed 2	TOTAL Parking Provided
260	74	65	214	214	15	229	113

1. As per SF Planning Code Sec. 204.5  
2. 1:25 accessible stalls required

## Bicycle Count

No. of Required Stalls	No. of Stalls Provided
78	108

LEVEL	NO. REG STALLS	NO. HC STALLS	NO. CARSHARE STALLS 1	NO. BIKE STALLS	NO. MC STALLS
P2	49	0	0	54	0
P1	44	3	0	54	6
GROUND	15	2	1	0	0
<b>TOTAL</b>	<b>108</b>	<b>5</b>	<b>1</b>	<b>108</b>	<b>6</b>

3. Not included in total number of stalls

## Affordable Unit Breakdown

LEVELS	L2		L3		L4		L5		L6		L7		L8		L9		L10		L11		TOTAL NET	TOTAL GROSS
	N	G (x1.15)	N	G (x1.15)	N	G (x1.15)	N	G (x1.15)	N	G (x1.15)	N	G (x1.15)	N	G (x1.15)	N	G (x1.15)	N	G (x1.15)				
	922	1,060	745	857	922	1,060	882	1,015	882	1,015	745	857	957	1,101	1,170	1,348	922	1,060	957	1,101		
	745	857	883	1,015	729	838	745	857	1,011	1,163	882	1,015	650	748	1,011	1,163	729	838	1,070	1,346		
	883	1,015	883	1,015	957	1,101	882	1,015	650	748	957	1,101	650	748	650	748	647	744	647	744		
<b>TOTAL</b>	<b>3,433</b>	<b>3,947</b>	<b>3,522</b>	<b>4,050</b>	<b>2,608</b>	<b>2,999</b>	<b>2,549</b>	<b>2,932</b>	<b>2,543</b>	<b>2,926</b>	<b>2,564</b>	<b>2,973</b>	<b>1,607</b>	<b>1,849</b>	<b>2,831</b>	<b>3,257</b>	<b>2,298</b>	<b>2,642</b>	<b>2,674</b>	<b>3,191</b>	<b>26,649</b>	<b>30,766</b>

N = NET [sqft]  
G = GROSS [sqft]

TOTAL GROSS AREA = 272,872 SF  
TOTAL NET RESIDENTIAL = 237,471 SF = 1.15

1 Bed	2 Bed	TOTAL
11	20	31
35%	65%	100%

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ANKA DEVELOPMENTS INC.

PERKINS & COMPANY

1438 WEST 3<sup>RD</sup> AVENUE VANCOUVER, BC V6H 4G3  
T 604 683 2428 F 604 683 2467  
PERKINS & COMPANY ARCHITECTURE & URBAN DESIGN INC.  
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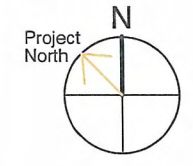
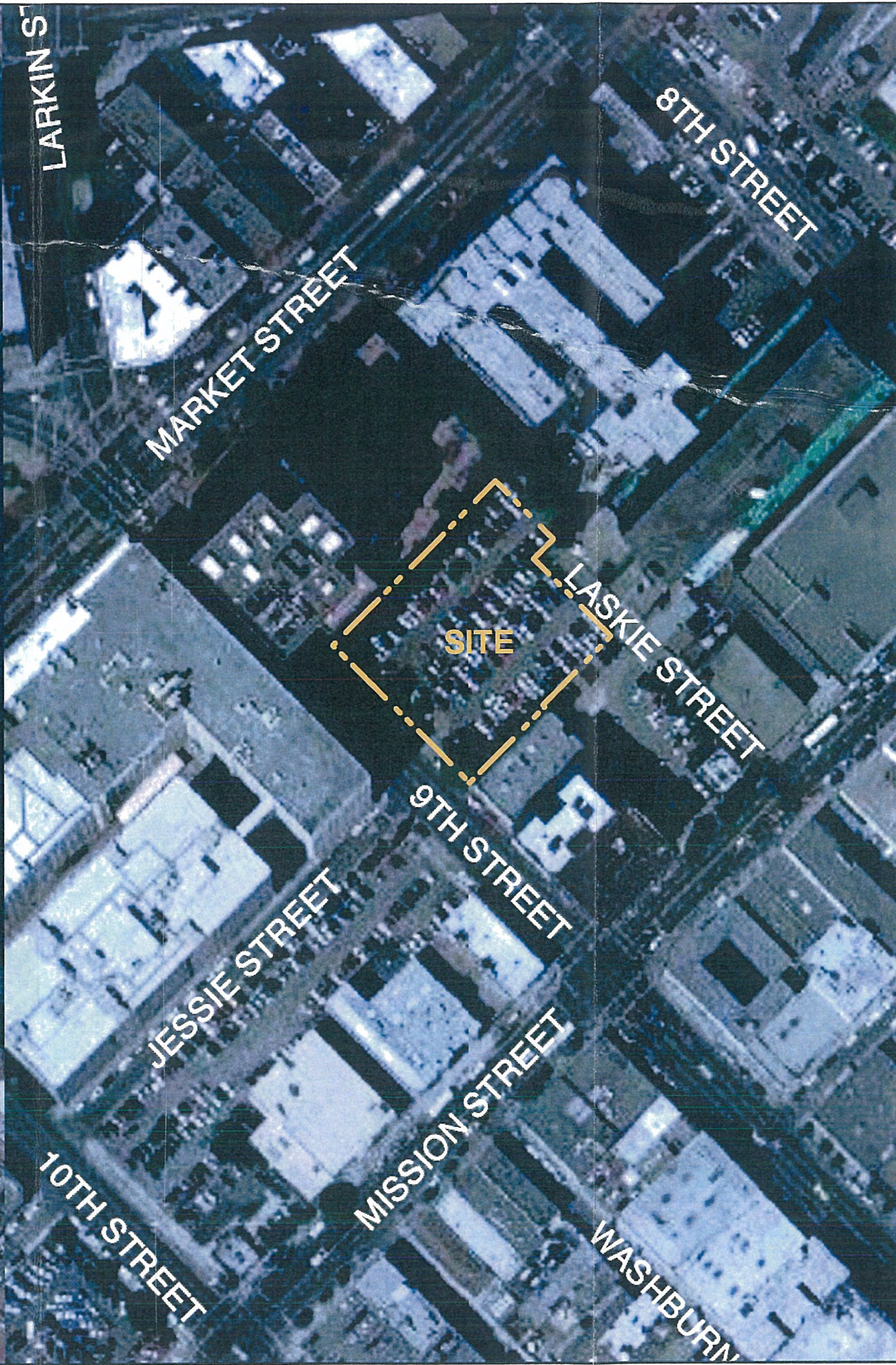
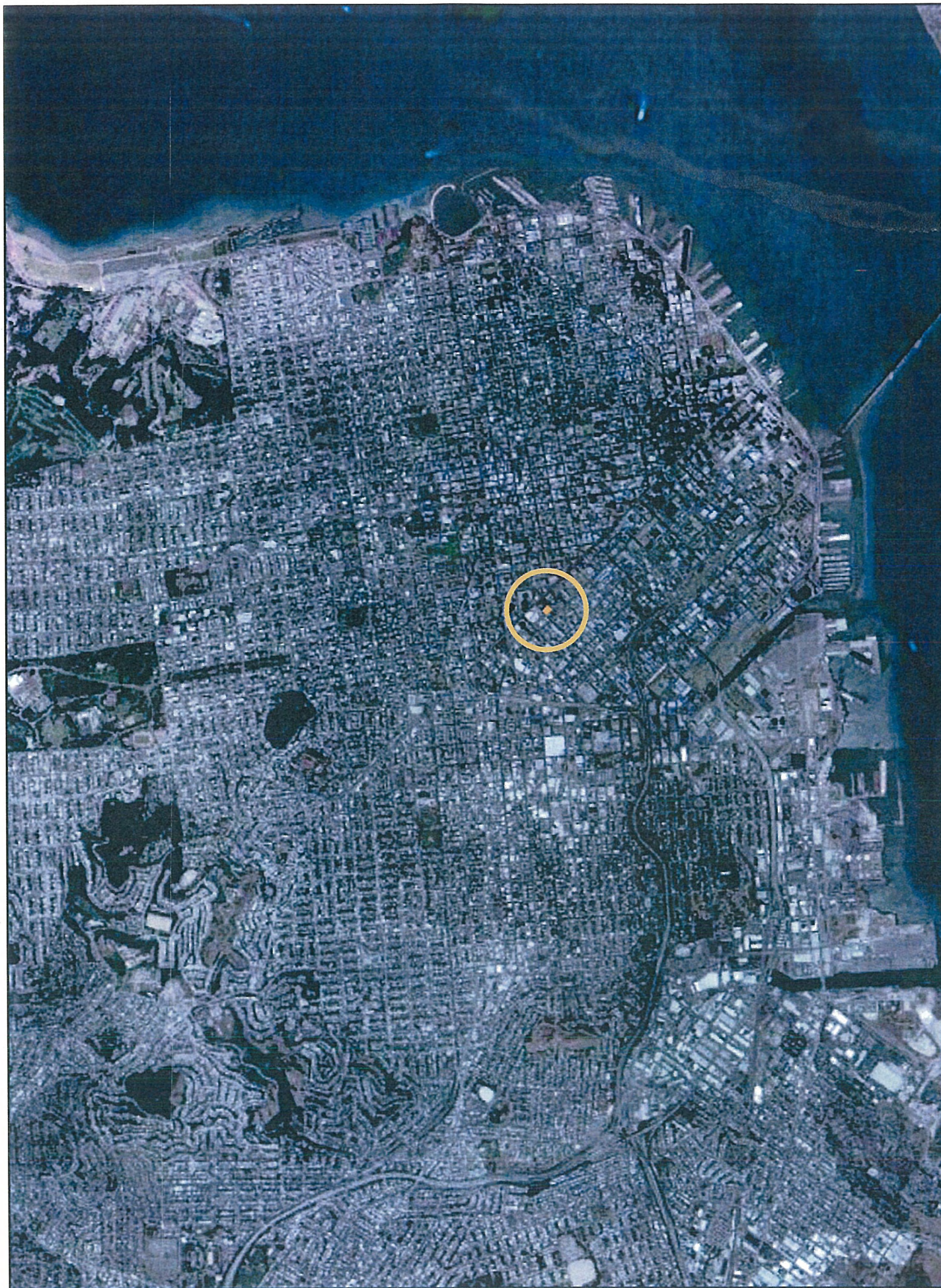
PROJECT TITLE  
55 NINTH STREET  
SAN FRANCISCO, CA

PROJECT STATISTICS

PROJECT NO. 2645 FILE / DATE 2645 AC/02 Statistics 12-09a  
DRAWN CL, JE CHECKED JP III SCALE

DRAWING NO. AC.02  
CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL BE INFORMED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWINGS.





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**ANKA DEVELOPMENTS INC.**

**PERKINS & COMPANY**

1408 WEST 5TH AVENUE | 408 683 2428  
VANCOUVER, BC V6H 4G3 | 604 683 2467

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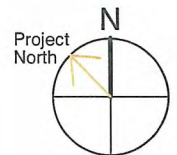
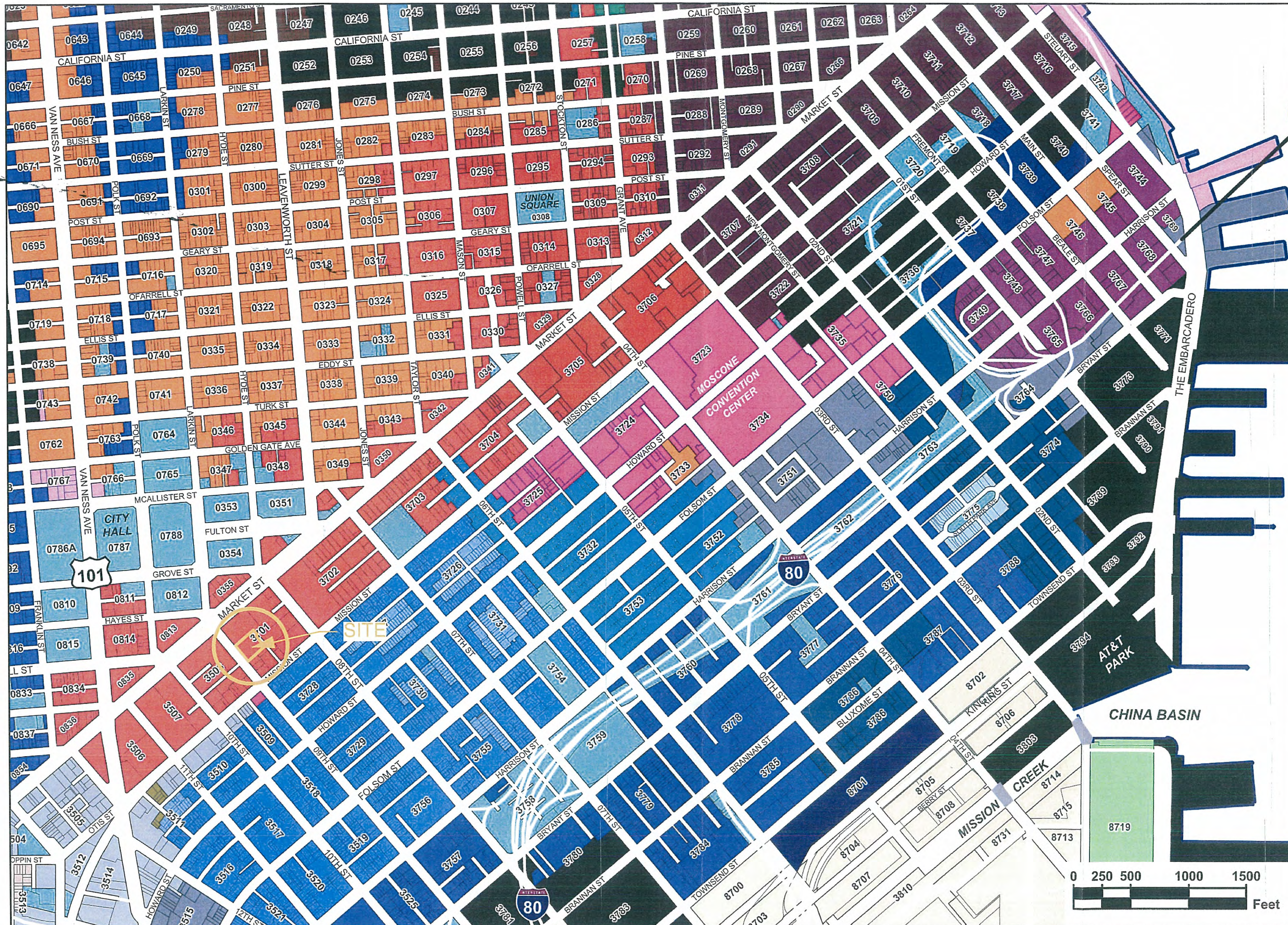
PROJECT TITLE  
**55 NINTH STREET**  
SAN FRANCISCO, CA

DRAWING TITLE  
**SAN FRANCISCO**  
FULL CITY MAP

PROJECT NO. 2645	FILE/DATE 2645 M1.01 CITY MAP 12-05a
DRAWN JE	CHECKED JFP III
SCALE N.T.S.	DRAWING NO. M1.01

PERKINS & COMPANY ARCHITECTURE AND URBAN DESIGN INC. ARCHITECTURE AND URBAN DESIGN INC. 408 WEST 5TH AVENUE VANCOUVER, BC V6H 4G3





- ZONING USE DISTRICTS**
- CHINATOWN MIXED USE DISTRICTS: CHM, CHC, CHB, CHD
  - RESIDENTIAL-COMMERCIAL DISTRICTS: RC-1, RC-2, RC-3, RC-4, RC-5, RC-6, RC-7, RC-8, RC-9, RC-10, RC-11, RC-12, RC-13, RC-14, RC-15, RC-16, RC-17, RC-18, RC-19, RC-20, RC-21, RC-22, RC-23, RC-24, RC-25, RC-26, RC-27, RC-28, RC-29, RC-30, RC-31, RC-32, RC-33, RC-34, RC-35, RC-36, RC-37, RC-38, RC-39, RC-40, RC-41, RC-42, RC-43, RC-44, RC-45, RC-46, RC-47, RC-48, RC-49, RC-50, RC-51, RC-52, RC-53, RC-54, RC-55, RC-56, RC-57, RC-58, RC-59, RC-60, RC-61, RC-62, RC-63, RC-64, RC-65, RC-66, RC-67, RC-68, RC-69, RC-70, RC-71, RC-72, RC-73, RC-74, RC-75, RC-76, RC-77, RC-78, RC-79, RC-80, RC-81, RC-82, RC-83, RC-84, RC-85, RC-86, RC-87, RC-88, RC-89, RC-90, RC-91, RC-92, RC-93, RC-94, RC-95, RC-96, RC-97, RC-98, RC-99, RC-100
  - RESIDENTIAL MIXED USE DISTRICTS: RM-1, RM-2, RM-3, RM-4, RM-5, RM-6, RM-7, RM-8, RM-9, RM-10, RM-11, RM-12, RM-13, RM-14, RM-15, RM-16, RM-17, RM-18, RM-19, RM-20, RM-21, RM-22, RM-23, RM-24, RM-25, RM-26, RM-27, RM-28, RM-29, RM-30, RM-31, RM-32, RM-33, RM-34, RM-35, RM-36, RM-37, RM-38, RM-39, RM-40, RM-41, RM-42, RM-43, RM-44, RM-45, RM-46, RM-47, RM-48, RM-49, RM-50, RM-51, RM-52, RM-53, RM-54, RM-55, RM-56, RM-57, RM-58, RM-59, RM-60, RM-61, RM-62, RM-63, RM-64, RM-65, RM-66, RM-67, RM-68, RM-69, RM-70, RM-71, RM-72, RM-73, RM-74, RM-75, RM-76, RM-77, RM-78, RM-79, RM-80, RM-81, RM-82, RM-83, RM-84, RM-85, RM-86, RM-87, RM-88, RM-89, RM-90, RM-91, RM-92, RM-93, RM-94, RM-95, RM-96, RM-97, RM-98, RM-99, RM-100
  - RESIDENTIAL APARTMENT HOUSE DISTRICTS: RAH-1, RAH-2, RAH-3, RAH-4, RAH-5, RAH-6, RAH-7, RAH-8, RAH-9, RAH-10, RAH-11, RAH-12, RAH-13, RAH-14, RAH-15, RAH-16, RAH-17, RAH-18, RAH-19, RAH-20, RAH-21, RAH-22, RAH-23, RAH-24, RAH-25, RAH-26, RAH-27, RAH-28, RAH-29, RAH-30, RAH-31, RAH-32, RAH-33, RAH-34, RAH-35, RAH-36, RAH-37, RAH-38, RAH-39, RAH-40, RAH-41, RAH-42, RAH-43, RAH-44, RAH-45, RAH-46, RAH-47, RAH-48, RAH-49, RAH-50, RAH-51, RAH-52, RAH-53, RAH-54, RAH-55, RAH-56, RAH-57, RAH-58, RAH-59, RAH-60, RAH-61, RAH-62, RAH-63, RAH-64, RAH-65, RAH-66, RAH-67, RAH-68, RAH-69, RAH-70, RAH-71, RAH-72, RAH-73, RAH-74, RAH-75, RAH-76, RAH-77, RAH-78, RAH-79, RAH-80, RAH-81, RAH-82, RAH-83, RAH-84, RAH-85, RAH-86, RAH-87, RAH-88, RAH-89, RAH-90, RAH-91, RAH-92, RAH-93, RAH-94, RAH-95, RAH-96, RAH-97, RAH-98, RAH-99, RAH-100
  - RESIDENTIAL APARTMENT HOUSE WITH COMMERCIAL DISTRICTS: RAHC-1, RAHC-2, RAHC-3, RAHC-4, RAHC-5, RAHC-6, RAHC-7, RAHC-8, RAHC-9, RAHC-10, RAHC-11, RAHC-12, RAHC-13, RAHC-14, RAHC-15, RAHC-16, RAHC-17, RAHC-18, RAHC-19, RAHC-20, RAHC-21, RAHC-22, RAHC-23, RAHC-24, RAHC-25, RAHC-26, RAHC-27, RAHC-28, RAHC-29, RAHC-30, RAHC-31, RAHC-32, RAHC-33, RAHC-34, RAHC-35, RAHC-36, RAHC-37, RAHC-38, RAHC-39, RAHC-40, RAHC-41, RAHC-42, RAHC-43, RAHC-44, RAHC-45, RAHC-46, RAHC-47, RAHC-48, RAHC-49, RAHC-50, RAHC-51, RAHC-52, RAHC-53, RAHC-54, RAHC-55, RAHC-56, RAHC-57, RAHC-58, RAHC-59, RAHC-60, RAHC-61, RAHC-62, RAHC-63, RAHC-64, RAHC-65, RAHC-66, RAHC-67, RAHC-68, RAHC-69, RAHC-70, RAHC-71, RAHC-72, RAHC-73, RAHC-74, RAHC-75, RAHC-76, RAHC-77, RAHC-78, RAHC-79, RAHC-80, RAHC-81, RAHC-82, RAHC-83, RAHC-84, RAHC-85, RAHC-86, RAHC-87, RAHC-88, RAHC-89, RAHC-90, RAHC-91, RAHC-92, RAHC-93, RAHC-94, RAHC-95, RAHC-96, RAHC-97, RAHC-98, RAHC-99, RAHC-100
  - NEIGHBORHOOD COMMERCIAL DISTRICTS: NC-1, NC-2, NC-3, NC-4, NC-5, NC-6, NC-7, NC-8, NC-9, NC-10, NC-11, NC-12, NC-13, NC-14, NC-15, NC-16, NC-17, NC-18, NC-19, NC-20, NC-21, NC-22, NC-23, NC-24, NC-25, NC-26, NC-27, NC-28, NC-29, NC-30, NC-31, NC-32, NC-33, NC-34, NC-35, NC-36, NC-37, NC-38, NC-39, NC-40, NC-41, NC-42, NC-43, NC-44, NC-45, NC-46, NC-47, NC-48, NC-49, NC-50, NC-51, NC-52, NC-53, NC-54, NC-55, NC-56, NC-57, NC-58, NC-59, NC-60, NC-61, NC-62, NC-63, NC-64, NC-65, NC-66, NC-67, NC-68, NC-69, NC-70, NC-71, NC-72, NC-73, NC-74, NC-75, NC-76, NC-77, NC-78, NC-79, NC-80, NC-81, NC-82, NC-83, NC-84, NC-85, NC-86, NC-87, NC-88, NC-89, NC-90, NC-91, NC-92, NC-93, NC-94, NC-95, NC-96, NC-97, NC-98, NC-99, NC-100
  - SOUTH OF MARKET MIXED USE DISTRICTS: SM-1, SM-2, SM-3, SM-4, SM-5, SM-6, SM-7, SM-8, SM-9, SM-10, SM-11, SM-12, SM-13, SM-14, SM-15, SM-16, SM-17, SM-18, SM-19, SM-20, SM-21, SM-22, SM-23, SM-24, SM-25, SM-26, SM-27, SM-28, SM-29, SM-30, SM-31, SM-32, SM-33, SM-34, SM-35, SM-36, SM-37, SM-38, SM-39, SM-40, SM-41, SM-42, SM-43, SM-44, SM-45, SM-46, SM-47, SM-48, SM-49, SM-50, SM-51, SM-52, SM-53, SM-54, SM-55, SM-56, SM-57, SM-58, SM-59, SM-60, SM-61, SM-62, SM-63, SM-64, SM-65, SM-66, SM-67, SM-68, SM-69, SM-70, SM-71, SM-72, SM-73, SM-74, SM-75, SM-76, SM-77, SM-78, SM-79, SM-80, SM-81, SM-82, SM-83, SM-84, SM-85, SM-86, SM-87, SM-88, SM-89, SM-90, SM-91, SM-92, SM-93, SM-94, SM-95, SM-96, SM-97, SM-98, SM-99, SM-100
  - COMMERCIAL DISTRICTS: C-1, C-2, C-3, C-4, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, C-16, C-17, C-18, C-19, C-20, C-21, C-22, C-23, C-24, C-25, C-26, C-27, C-28, C-29, C-30, C-31, C-32, C-33, C-34, C-35, C-36, C-37, C-38, C-39, C-40, C-41, C-42, C-43, C-44, C-45, C-46, C-47, C-48, C-49, C-50, C-51, C-52, C-53, C-54, C-55, C-56, C-57, C-58, C-59, C-60, C-61, C-62, C-63, C-64, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72, C-73, C-74, C-75, C-76, C-77, C-78, C-79, C-80, C-81, C-82, C-83, C-84, C-85, C-86, C-87, C-88, C-89, C-90, C-91, C-92, C-93, C-94, C-95, C-96, C-97, C-98, C-99, C-100
  - INDUSTRIAL DISTRICTS: I-1, I-2, I-3, I-4, I-5, I-6, I-7, I-8, I-9, I-10, I-11, I-12, I-13, I-14, I-15, I-16, I-17, I-18, I-19, I-20, I-21, I-22, I-23, I-24, I-25, I-26, I-27, I-28, I-29, I-30, I-31, I-32, I-33, I-34, I-35, I-36, I-37, I-38, I-39, I-40, I-41, I-42, I-43, I-44, I-45, I-46, I-47, I-48, I-49, I-50, I-51, I-52, I-53, I-54, I-55, I-56, I-57, I-58, I-59, I-60, I-61, I-62, I-63, I-64, I-65, I-66, I-67, I-68, I-69, I-70, I-71, I-72, I-73, I-74, I-75, I-76, I-77, I-78, I-79, I-80, I-81, I-82, I-83, I-84, I-85, I-86, I-87, I-88, I-89, I-90, I-91, I-92, I-93, I-94, I-95, I-96, I-97, I-98, I-99, I-100
  - PUBLIC DISTRICTS: P-1, P-2, P-3, P-4, P-5, P-6, P-7, P-8, P-9, P-10, P-11, P-12, P-13, P-14, P-15, P-16, P-17, P-18, P-19, P-20, P-21, P-22, P-23, P-24, P-25, P-26, P-27, P-28, P-29, P-30, P-31, P-32, P-33, P-34, P-35, P-36, P-37, P-38, P-39, P-40, P-41, P-42, P-43, P-44, P-45, P-46, P-47, P-48, P-49, P-50, P-51, P-52, P-53, P-54, P-55, P-56, P-57, P-58, P-59, P-60, P-61, P-62, P-63, P-64, P-65, P-66, P-67, P-68, P-69, P-70, P-71, P-72, P-73, P-74, P-75, P-76, P-77, P-78, P-79, P-80, P-81, P-82, P-83, P-84, P-85, P-86, P-87, P-88, P-89, P-90, P-91, P-92, P-93, P-94, P-95, P-96, P-97, P-98, P-99, P-100

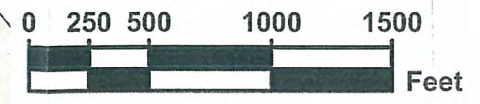
REVISED PLAN, COMM. SUBM.	DEC 06, 2007
PLANNING COMMISSION SUBMISSION	NOV 01, 2007
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN, COMM. SUBM.	SEP 28, 2007
2ND DRAFT FOR PLAN, COMM. SUBM.	SEP 11, 2007
PLANNING COMMISSION SUBMISSION	AUG 16, 2007
ISSUE	DATE

ANKA DEVELOPMENTS INC.

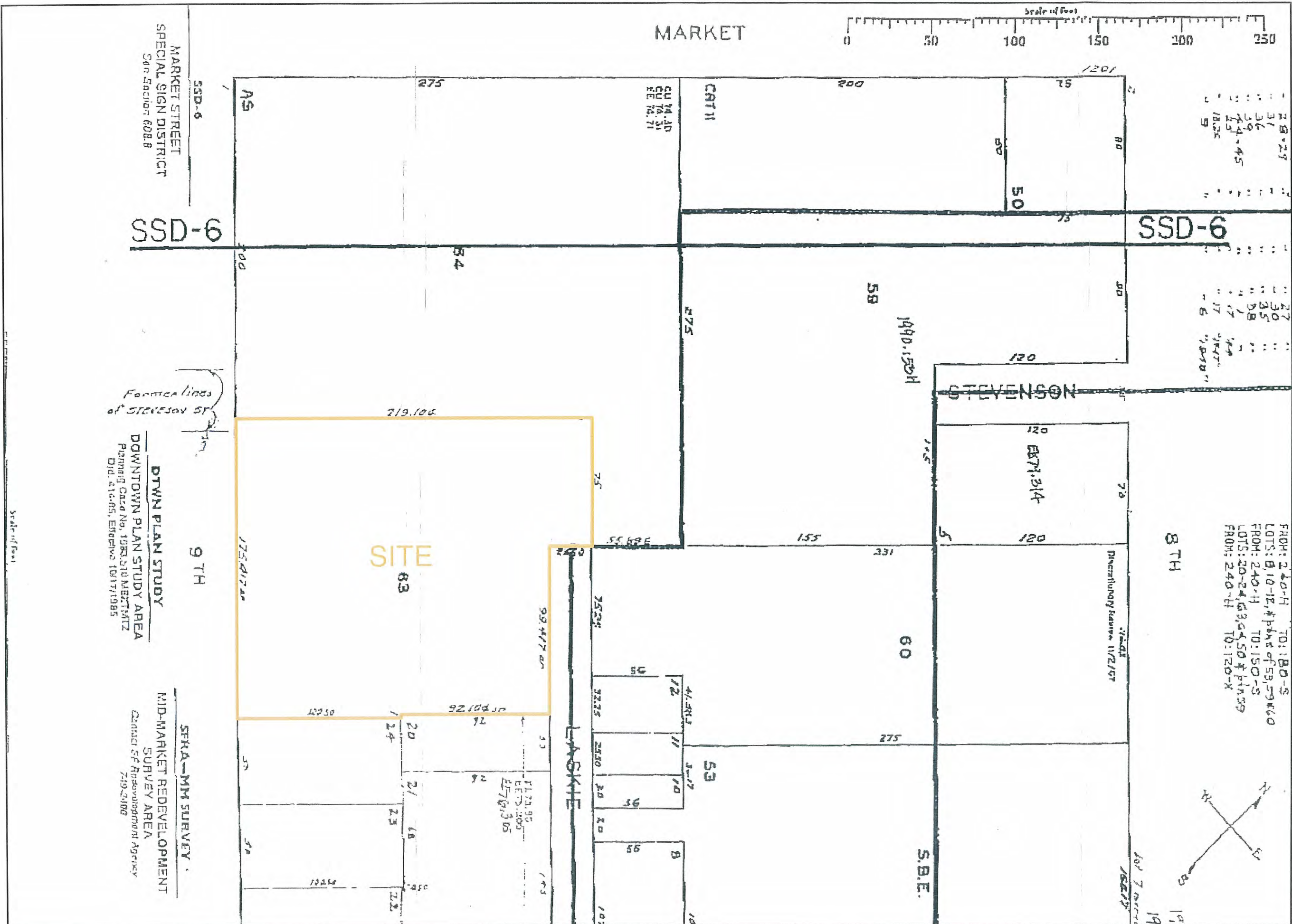
**PERKINS & COMPANY**  
 1198 WEST 5TH AVENUE | 408 685 2428  
 VANCOUVER, BC V6H 4G3 | 604 685 2467  
 PERKINS & COMPANY ARCHITECTURE & URBAN DESIGN INC.  
 WWW.PERKINSANDCOMPANY.COM

PROJECT TITLE  
 55 NINTH STREET  
 SAN FRANCISCO, CA  
 DRAWING TITLE  
 ZONING USE DISTRICT MAP

PROJECT NO.	2645	FILE / DATE	2645 M1.02 Zoning Use 12-09a
DRAWN	JIE	CHECKED	JP III
SCALE	N.T.S.	DRAWING NO.	M1.02







MARKET STREET  
SPECIAL SIGN DISTRICT  
Sdr. Section 60B.8

SSD-6

Former lines  
of STEVENSON ST

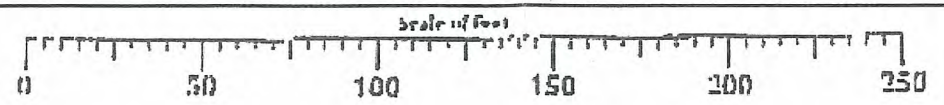
DTWN PLAN STUDY  
DOWNTOWN PLAN STUDY AREA  
Planning Code No. 10BRS.010 MENT.01Z  
D.D. 41.6.05, Effective 10/17/1985

9TH

SEKA-MM SURVEY

MID-MARKET REDEVELOPMENT  
SURVEY AREA  
Contract SF Redevelopment Agency  
719.34100

MARKET

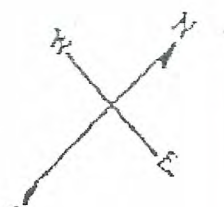


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FROM: 240-H TO: 150-S  
LOT 5: 240-H, 150-S  
LOT 6: 240-H, 150-S  
FROM: 240-H TO: 120-X

8TH



REVISED PLAN COMM. SUBM.	DEC 06, 2007
PLAN. COMMISSION SUBMISSION	NOV 01, 2007
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN. COMM. SUBM.	SEP 28, 2007
2ND DRAFT FOR PLAN. COMM. SUBM.	SEP 11, 2007
ISSUE	DATE

ANKA DEVELOPMENTS INC.

PERKINS & COMPANY

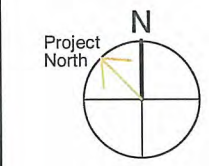
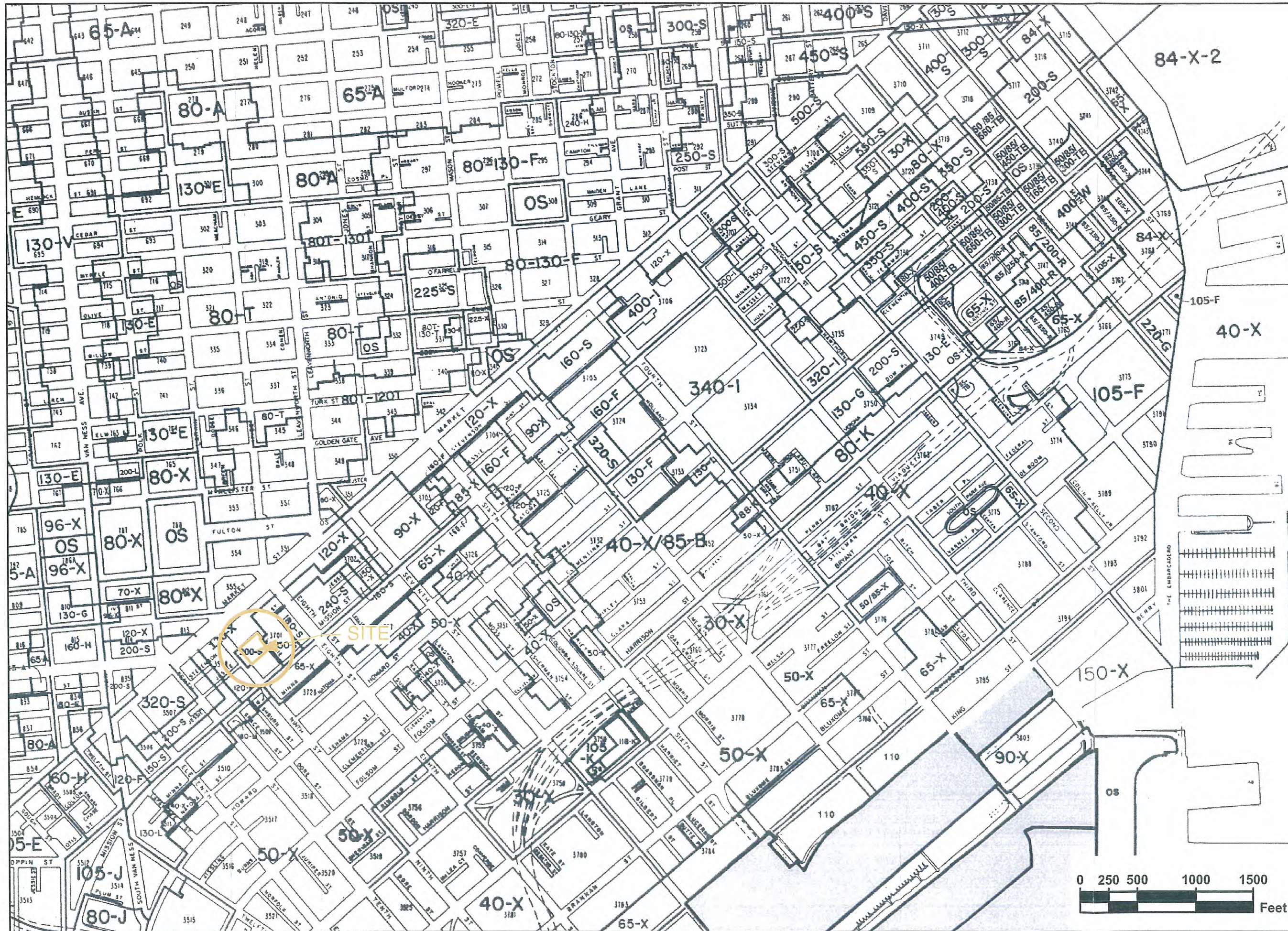
1498 WEST 1<sup>st</sup> AVENUE  
VANCOUVER, BC V6H 4G3  
PERKINS & COMPANY ARCHITECTURE & URBAN DESIGN INC.  
WWW.PERKINSANDCOMPANY.COM

PROJECT TITLE  
55 NINTH STREET  
SAN FRANCISCO, CA  
DRAWING TITLE  
ZONING USE DISTRICT MAP  
(LINE VERSION)

PROJECT NO. 2645	FILE/DATE 2645 M1.03 ZoningUse L12-05a
DRAWN JE	CHECKED JP III
SCALE 1" = 50'-0"	

DRAWING NO.  
M1.03





**HEIGHT AND BULK DISTRICTS**

- OS "Open Space" District
- "Numbers" are Height Limits in feet. See Planning Code Section 250 and following.
- "Letters" refer to Bulk Limits. See Planning Code Section 270.
- "Suffix Numbers" identify districts in which special regulations apply. See Planning Code Sections 263 and following.

REVISED PLAN, COMM. SUBM.	DEC 06, 2007
PLAN 2005.123	
PLANNING COMMISSION SUBMISSION	NOV 01, 2007
PLAN 2006.128	
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN, COMM. SUBM.	SEP 28, 2007
2ND DRAFT FOR PLAN, COMM. SUBM.	SEP 11, 2007
PLANNING COMMISSION SUBMISSION	AUG 16, 2007
ISSUE	DATE

ANKA DEVELOPMENTS INC.

**PERKINS & COMPANY**  
 1498 WEST 5TH AVENUE T 415 445 2428  
 VANCOUVER, BC V6H 4G3 F 604 655 2467  
 PERKINS & COMPANY ARCHITECTURE & URBAN DESIGN INC.  
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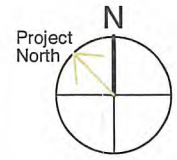
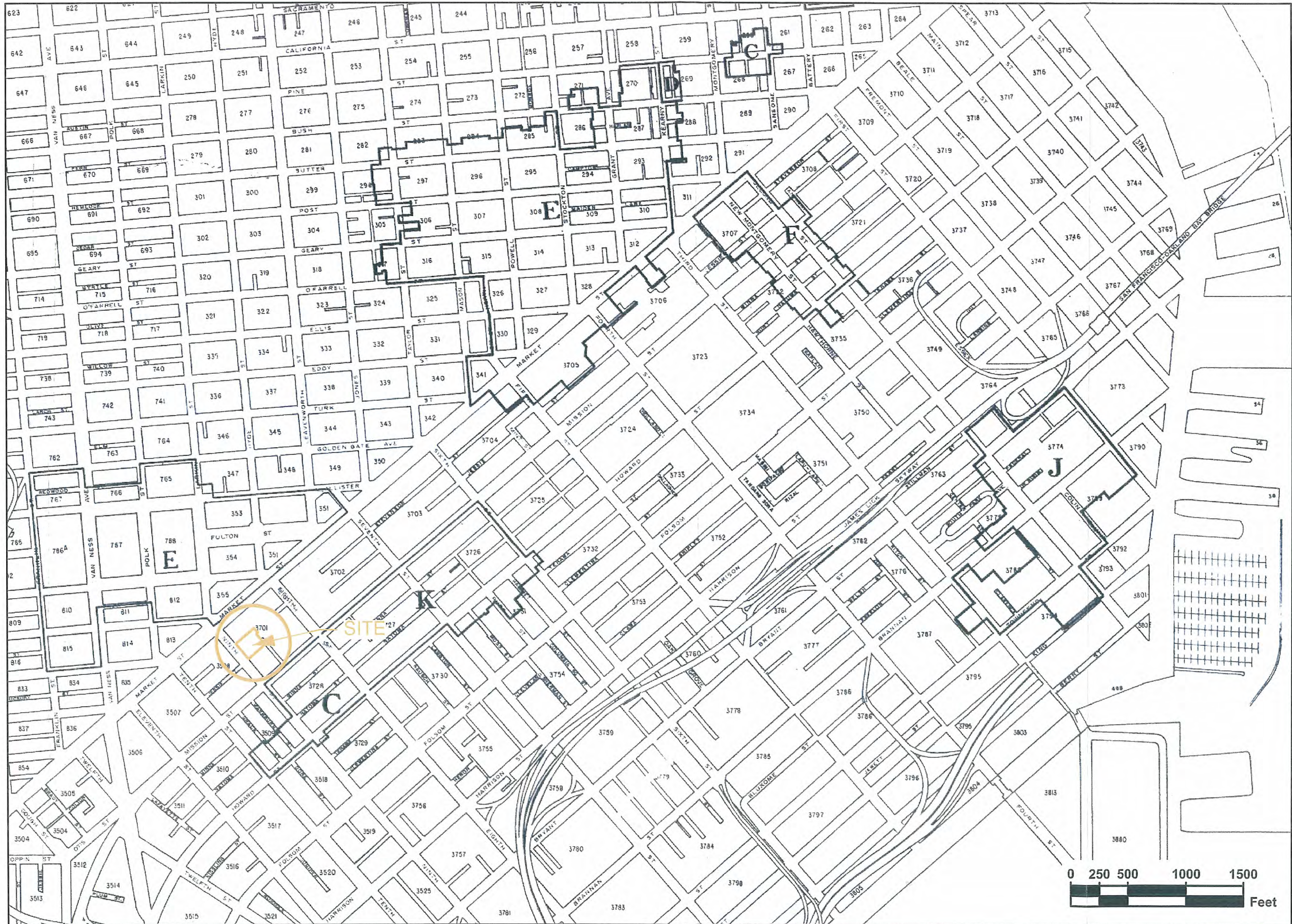
PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA  
 DRAWING TITLE  
**HEIGHT AND BULK DISTRICTS MAP**

PROJECT NO.	FILE / DATE
2645	2645 M1.04 Height Bk. 12-05a
DRAWN	CHECKED
JE	JP III
SCALE	N.T.S.

DRAWING NO.  
**M1.04**







**PRESERVATION DISTRICTS**  
 A: Buena Vista North Historic District \* (Proposed)  
 B: Liberty/Hill Historic District  
 C: South of Market Extended Preservation District

REVISED PLAN COMM. SUBM.	DEC 06, 2007
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2ND DRAFT FOR PLAN. COMM. SUBM.	SEP 11, 2007
PLANNING COMMISSION SUBMISSION	AUG 16, 2007
ISSUE	DATE

**ANKA DEVELOPMENTS INC.**

**PERKINS & COMPANY &**  
 1498 WEST 5TH AVENUE T 604 685 2428  
 VANCOUVER, BC V6H 4G3 F 604 685 2467  
 PERKINS & COMPANY ARCHITECTURE & URBAN DESIGN INC.  
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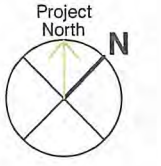
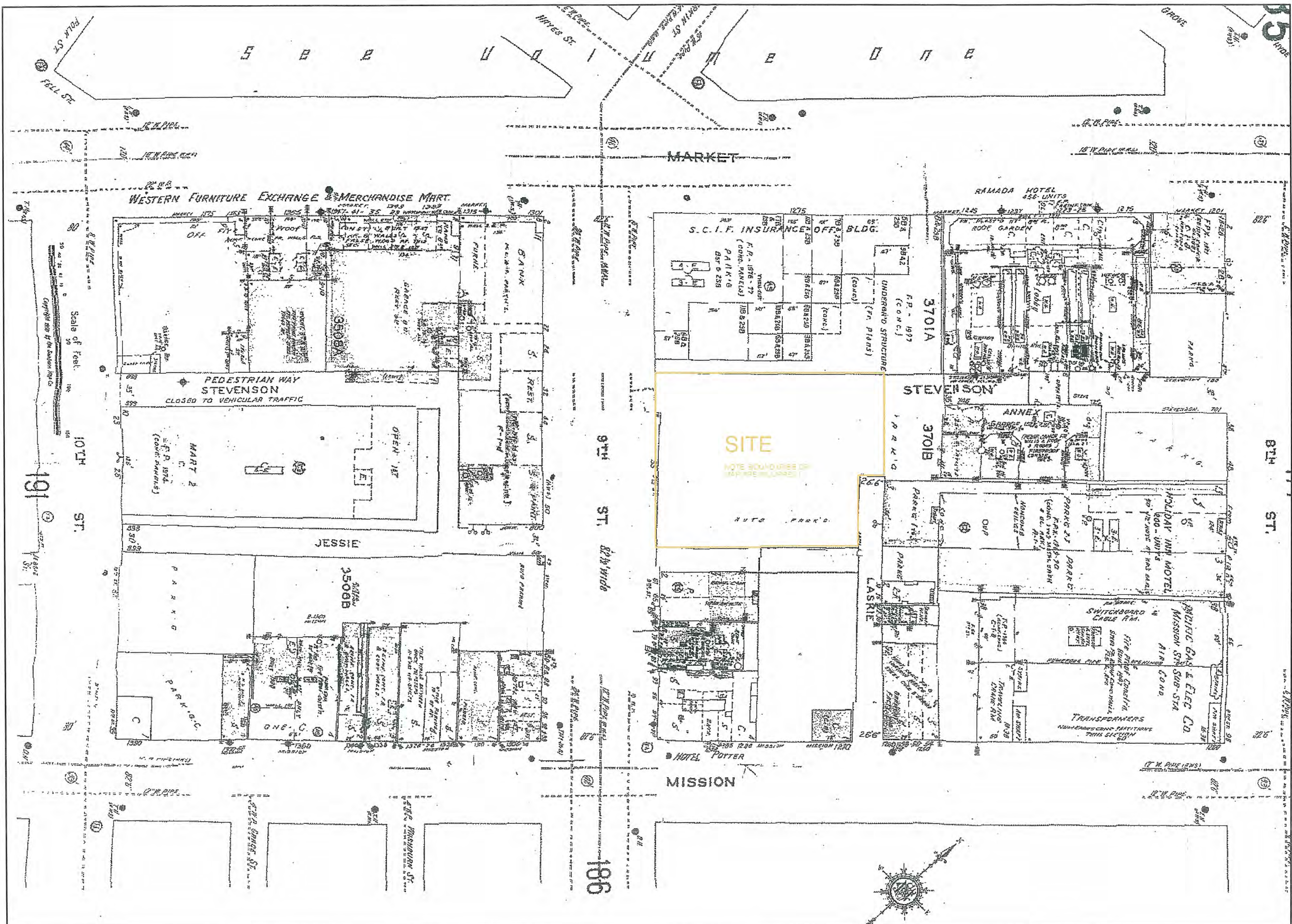
PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA  
 DRAWING TITLE  
**PRESERVATION DISTRICTS MAP**

PROJECT NO. 2645	FILE/DATE 2645 M1.05 Pres Dist 12-05a
DRAWN JE	CHECKED JP III
SCALE N.T.S.	DRAWING NO. <b>M1.05</b>



CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS SPACE SHALL BE PROVIDED TO ANY OTHER DRAWING FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWINGS.





NOTE:  
THE SANBORN MAPS IN SAN FRANCISCO HAVE NOT BEEN UPDATED SINCE 1998. THIS MAP MAY NOT ACCURATELY REFLECT EXISTING CONDITIONS.

REVISED PLAN COMM. SUBM.	DEC 06, 2007
PLANNING COMMISSION SUBMISSION	NOV 01, 2007
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN COMM. SUBM.	SEP 28, 2007
2ND DRAFT FOR PLAN COMM. SUBM.	SEP 11, 2007
ISSUE	DATE

ANKA DEVELOPMENTS INC.

**PERKINS & COMPANY**  
1400 WEST 5TH AVENUE | 1 415 435 7428  
VANCOUVER, BC V6H 4G3 | F 604 683 7447  
WWW.PERKINSANDCOMPANY.COM

PERKINS & COMPANY ARCHITECTURE & URBAN DESIGN INC.  
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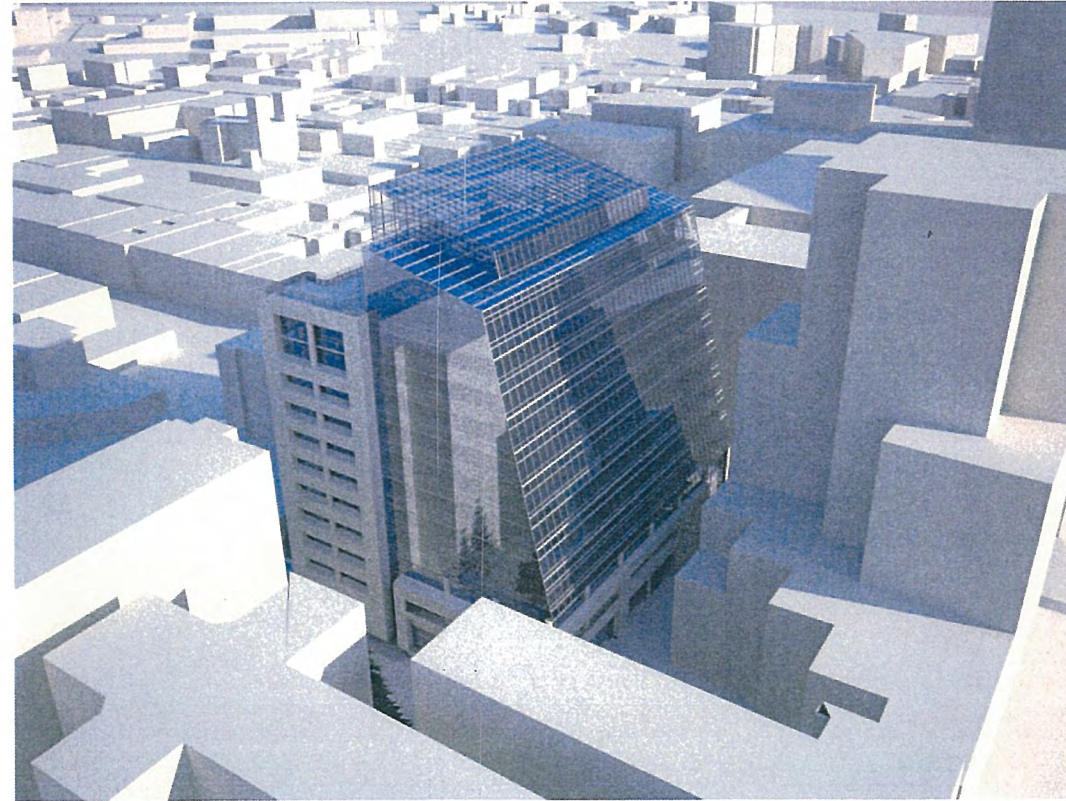
PROJECT TITLE  
55 NINTH STREET  
SAN FRANCISCO, CA

DRAWING TITLE  
SANBORN MAP

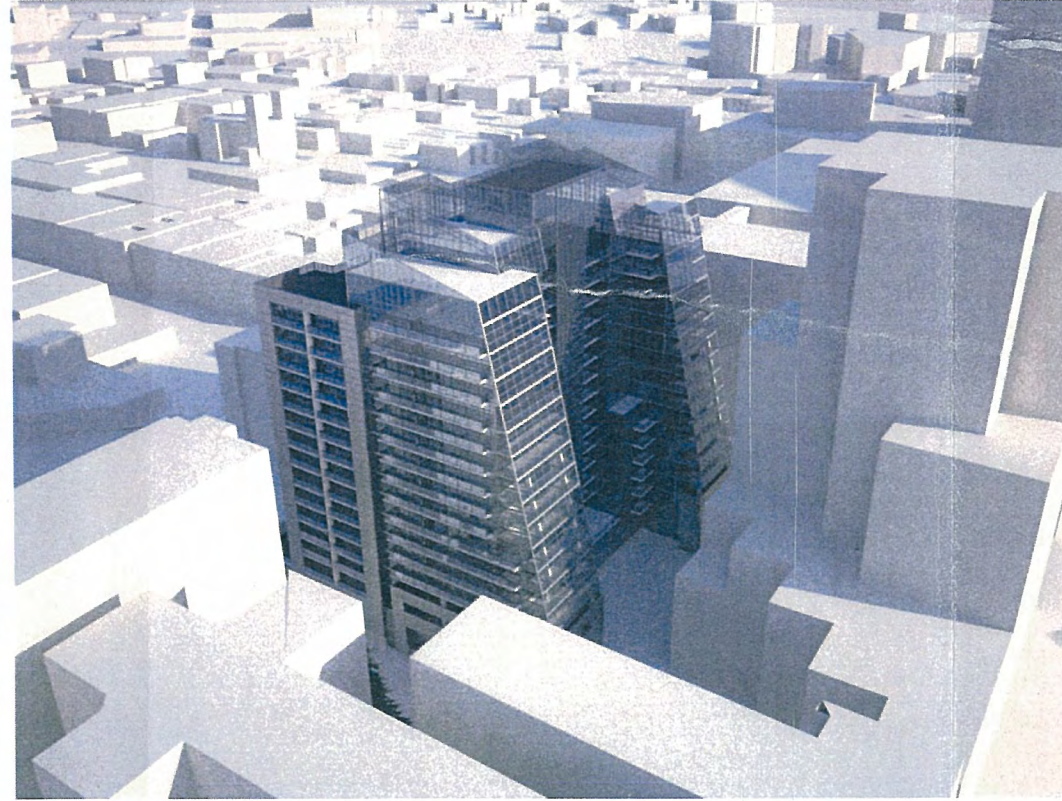
PROJECT NO. 2645	FILE / DATE 2645 M1.06 Sanborn Map 12-05a
DRAWN JE	CHECKED JP III
SCALE	N.T.S.

DRAWING NO.  
M1.06

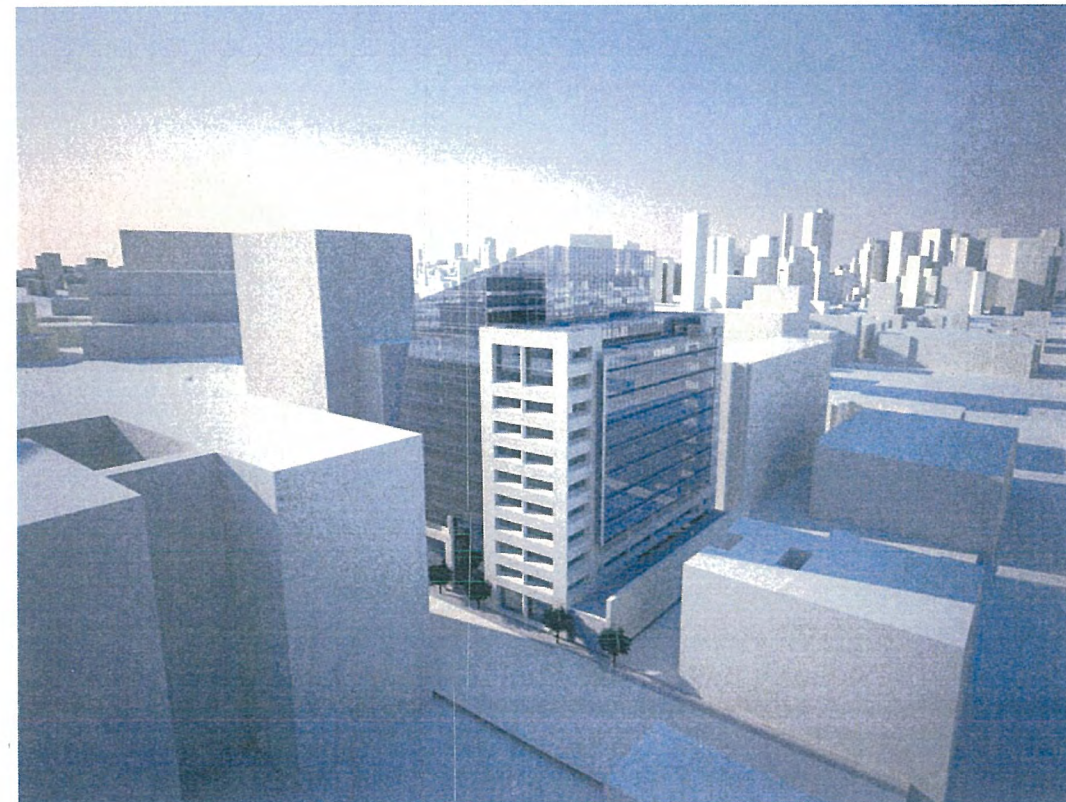




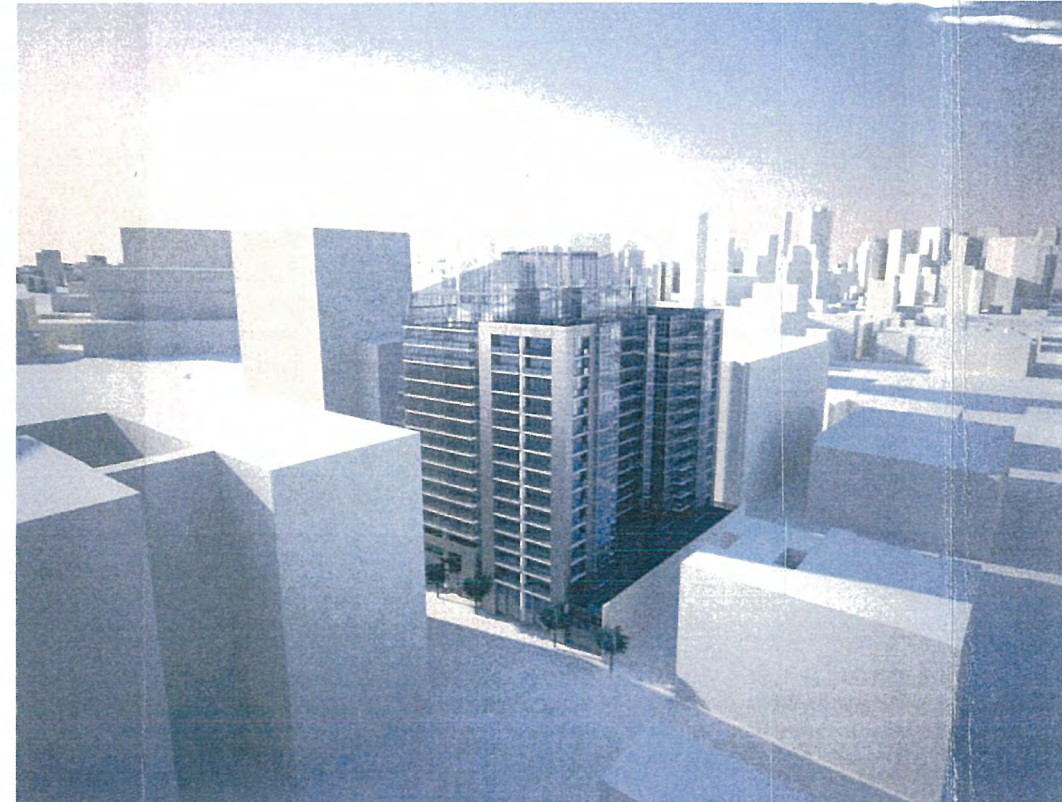
APPROVED OFFICE TOWER  
VIEW OF NORTH-EAST CORNER



PROPOSED RESIDENTIAL TOWER DESIGN  
VIEW OF NORTH-EAST CORNER



APPROVED OFFICE TOWER  
VIEW OF SOUTH-WEST CORNER



PROPOSED RESIDENTIAL TOWER DESIGN  
VIEW OF SOUTH-WEST CORNER

REVISED PLAN COMM. SUBM. Case # 2008-1248	DEC 06, 2007
PLANNING COMMISSION SUBMISSION Case # 2008-1248	NOV 01, 2007
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN. COMM. SUBM.	SEP 28, 2007
2ND DRAFT FOR PLAN. COMM. SUBM.	SEP 11, 2007
PLANNING COMMISSION SUBMISSION	AUG 16, 2007
ISSUE	DATE

CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL BE INFORMED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWINGS.

ANKA DEVELOPMENTS INC.

PERKINS &  
COMPANY

1458 WEST 5TH AVENUE T 604 485 2428  
VANCOUVER, BC V6H 4G3 F 604 485 2467

PERKINS & COMPANY ARCHITECTURE & URBAN DESIGN INC.  
WWW.PERKINSANDCOMPANY.COM

PROJECT TITLE  
55 NINTH STREET  
SAN FRANCISCO, CA

DRAWING TITLE  
COMPARISON APPROVED  
TOWER/PROPOSED  
RESIDENTIAL TOWER DESIGN

PROJECT NO.  
2645

FILE / DATE  
2645 M1.07 Comp 12-08a

DRAWN  
JE, CB

CHECKED  
JP III

SCALE  
N.T.S.

COPYING OR REPRODUCING THIS PLAN AND  
RENDERING IS STRICTLY PROHIBITED  
PERKINS & COMPANY  
Architecture and Urban Design Inc.  
NO PARTS BE USED IN ANY  
MANNER WITHOUT THE ARCHITECTS  
WRITTEN CONSENT.

DRAWING NO.  
M1.07



MARKET STREET

TO BART/MUNI CIVIC CENTER STATION

EXISTING BUILDING HEIGHT = 60'-0" MAX.

EXISTING BUILDING (1275 MARKET STREET) HEIGHT = 243'-5"

NOTE: SCIF COURTYARD IS SHOWN FOR INFORMATIONAL PURPOSES ONLY. THE SCIF PROPERTY IS NOT PART OF THE SUBJECT APPLICATION.

STEVENSON ST

NINTH STREET

LASKE STREET

EXISTING BUILDING HEIGHT = 60'-0" MAX.

EXISTING BUILDING HEIGHT = 28'-0"



REVISED PLAN COMM. SUBM.	DEC 06, 2007
Case # 2006.1248	
PLANNING COMMISSION SUBMISSION	NOV 01, 2007
Case # 2006.1248	
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN. COMM. SUBM.	SEP 28, 2007
2ND DRAFT FOR PLAN. COMM. SUBM.	SEP 11, 2007
PLANNING COMMISSION SUBMISSION	AUG 16, 2007
ISSUED FOR ENVIRONMENTAL STUDY	AUG 09, 2007
ISSUE	DATE

CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL BE INFORMED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWINGS.

ANKA DEVELOPMENTS INC.

PERKINS & COMPANY

1498 WEST 5TH AVENUE T 604 683 2428  
VANCOUVER, BC V6H 4G3 F 604 683 2467

PERKINS & COMPANY ARCHITECTURE & URBAN DESIGN INC.  
WWW.PERKINSANDCOMPANY.COM

PROJECT TITLE  
55 NINTH STREET  
SAN FRANCISCO, CA

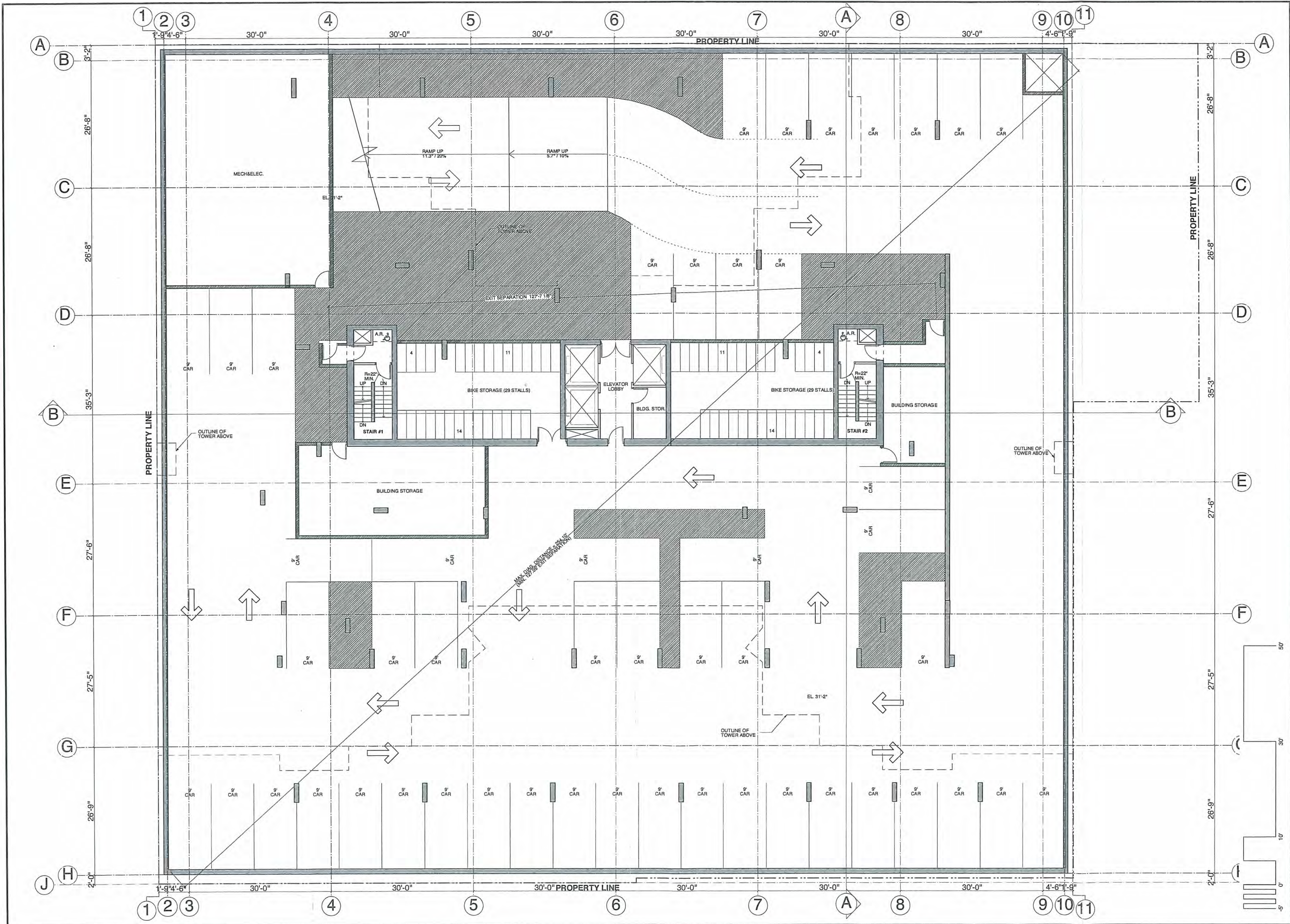
DRAWING TITLE  
SITE PLAN

PROJECT NO.	FILE / DATE	
2645	2645 AD.01 Site Plan 12-05a	
DRAWN	CHECKED	SCALE
CL, JE	JP III	1" = 30'-0"

CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL BE INFORMED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWINGS.

DRAWING NO.  
A0.01





	TOTAL
Regular Stalls	108
H/C Stalls	5
Car Share	1
Service Vehicle Stall	2
MC	6
Bicycle	108
<b>TOTAL (Countable Parking Stalls)</b>	<b>113</b>

REVISED PLAN COMM. SUBM.	DEC 06, 2007
PLAN COMM. SUBM.	NOV 01, 2007
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN. COMM. SUBM.	SEP 28, 2007
2ND DRAFT FOR PLAN. COMM. SUBM.	SEP 11, 2007
PLANNING COMMISSION SUBMISSION	AUG 16, 2007
ISSUE	DATE

**ANKA DEVELOPMENTS INC.**

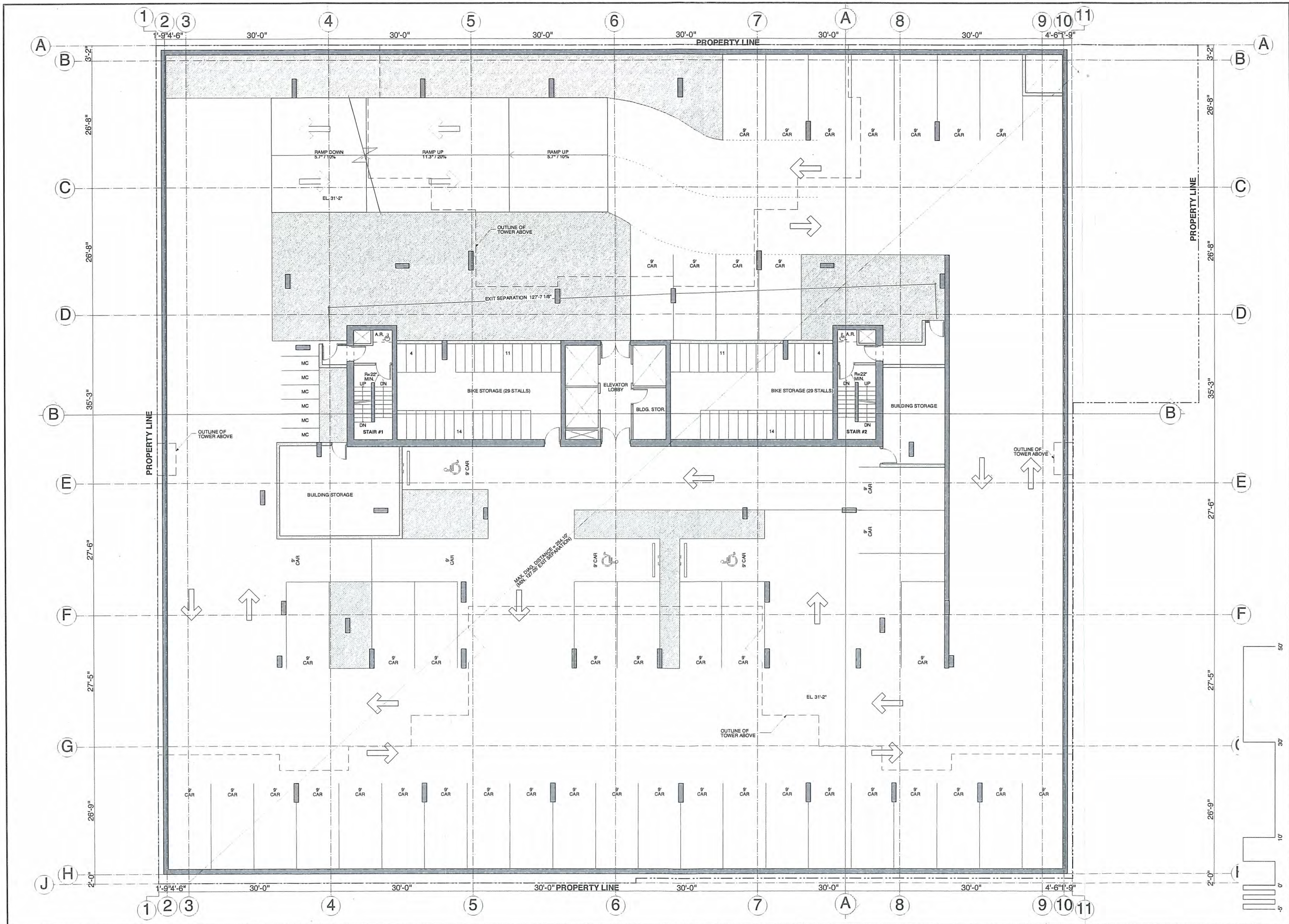
**PERKINS & COMPANY**  
 1498 WEST 1<sup>ST</sup> AVENUE | 415 445 7428  
 VANCOUVER, BC V6H 4G3 | 604 685 7467  
 PERKINS & COMPANY ARCHITECTURE + URBAN DESIGN INC.  
 WWW.PERKINSANDCOMPANY.COM

PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA  
 DRAWING TITLE  
**PARKING 2 PLAN**

PROJECT NO.	2645	FILE / DATE	2645 A0.02 P2 12-05a
DRAWN	CL, JE	CHECKED	JP III
SCALE	N.T.S.		

DRAWING NO.  
**A0.02**





	P2	P1	L1	TOTAL
Regular Stalls	49	44	15	108
H/C Stalls	0	3	2	5
Car Share	0	0	1	1
Service Vehicle Stall	0	0	2	2
MC	0	6	0	6
Bicycle	54	54	0	108
<b>TOTAL (Countable Parking Stalls)</b>	<b>49</b>	<b>47</b>	<b>17</b>	<b>113</b>

REVISED PLAN, COMM. SUBM.	DEC 06, 2007
PLAN # 2006-1258	
PLANNING COMMISSION SUBMISSION	NOV 01, 2007
PLAN # 2006-1258	
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN, COMM. SUBM.	SEP 28, 2007
2ND DRAFT FOR PLAN, COMM. SUBM.	SEP 11, 2007
PLANNING COMMISSION SUBMISSION	AUG 16, 2007
ISSUE	DATE

**ANKA DEVELOPMENTS INC.**

**PERKINS & COMPANY**  
 1492 WEST 5TH AVENUE F 604 685 2428  
 VANCOUVER, BC V6H 4G3 F 604 685 2467  
 PERKINS & COMPANY ARCHITECTURE & URBAN DESIGN INC.  
 WWW.PERKINSANDCOMPANY.COM

PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA  
 DRAWING TITLE  
**PARKING 1 PLAN**

PROJECT NO. 2645	FILE / DATE 2645 AD.03 P1 12-05a
DRAWN CL, JE	CHECKED JP III
SCALE N.T.S.	

DRAWING NO.  
**A0.03**





	P2	P1	L1	TOTAL
Regular Stalls	49	44	15	108
H/C Stalls	0	3	2	5
Car Share	0	0	1	1
Service Vehicle Stall	0	0	2	2
MC	0	6	0	6
Bicycle	54	54	0	108
<b>TOTAL</b>	<b>49</b>	<b>47</b>	<b>17</b>	<b>113</b>

(Countable Parking Stalls)

ISSUE	DATE
ISSUED FOR ENVIRONMENTAL STUDY	AUG 09, 2007
PLANNING COMMISSION SUBMISSION	AUG 16, 2007
2ND DRAFT FOR PLAN, COMM. SUBM.	SEP 11, 2007
3RD DRAFT FOR PLAN, COMM. SUBM.	SEP 27, 2007
FINAL REVIEW DRAFT	OCT 12, 2007
PLANNING COMMISSION SUBMISSION	NOV 01, 2007
PLAN # 2008.1248	DEC 06, 2007

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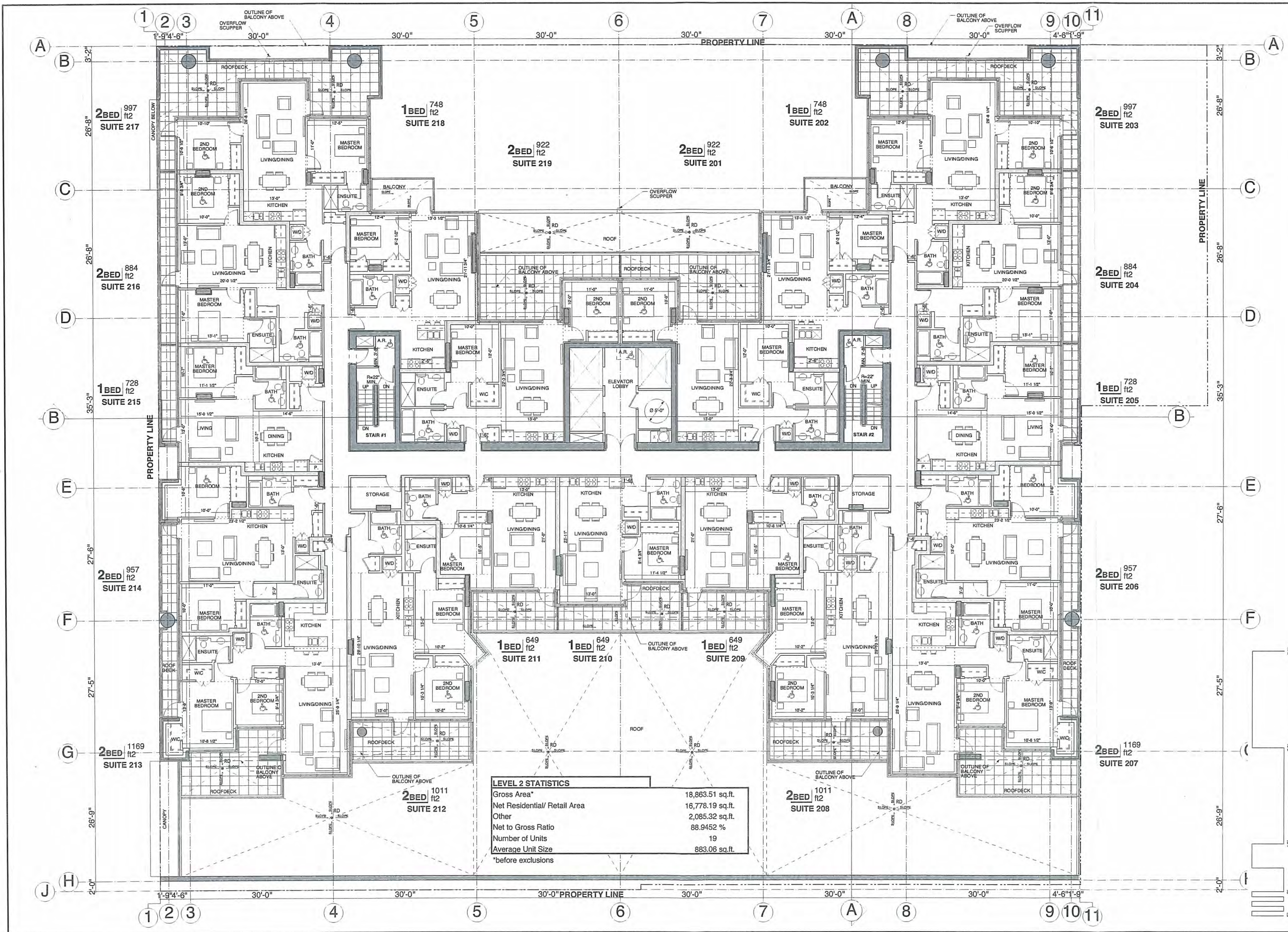
PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA  
 DRAWING TITLE  
**LEVEL 1 FLOOR PLAN**

PROJECT NO.	FILE/DATE
2645	2645 A1.01 L1 OP NW 12-05a

DRAWN	CHECKED	SCALE
CL, JE	JP III	N.T.S.

DRAWING NO.  
**A1.01**





**LEVEL 2 STATISTICS**

Gross Area*	18,863.51 sq.ft.
Net Residential/ Retail Area	16,778.19 sq.ft.
Other	2,085.32 sq.ft.
Net to Gross Ratio	88.9452 %
Number of Units	19
Average Unit Size	883.06 sq.ft.

\*before exclusions



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ISSUE	DATE

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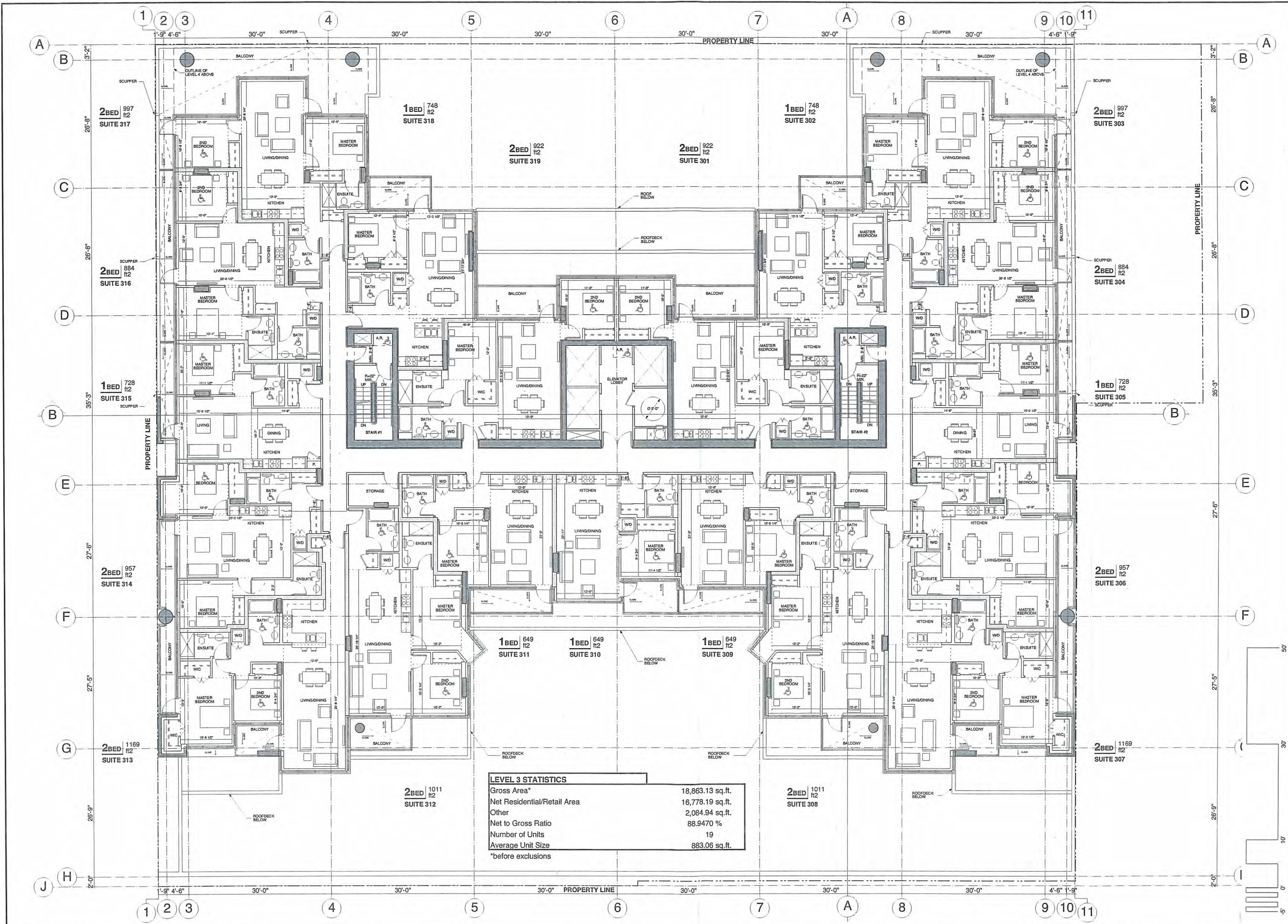
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PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA  
 DRAWING TITLE  
**LEVEL 2 FLOOR PLAN**

PROJECT NO.	FILE / DATE
2645	2645 A1.02 L2 12-05B
DRAWN	CHECKED
CL, JE, PW	JP III
SCALE	N.T.S.

DRAWING NO.  
**A1.02**





LEVEL 3 STATISTICS	
Gross Area*	18,863.13 sq.ft.
Net Residential/Retail Area	16,778.19 sq.ft.
Other	2,084.94 sq.ft.
Net to Gross Ratio	88.9470 %
Number of Units	19
Average Unit Size	883.06 sq.ft.
*before exclusions	

REVISED PLAN COMM. SUBM.	DEC 06, 2007
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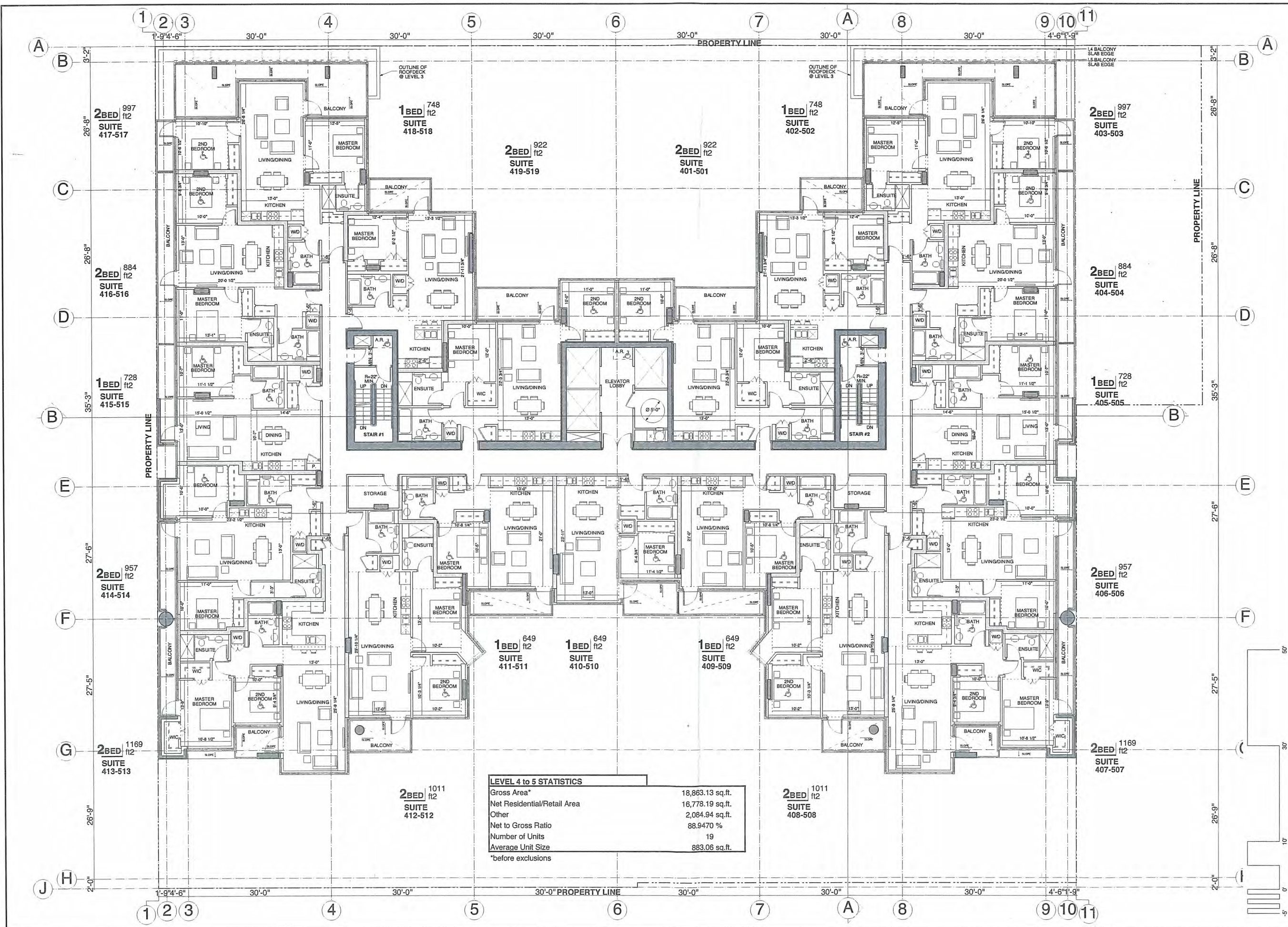
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PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA  
 DRAWING TITLE  
**LEVEL 3 FLOOR PLAN**

PROJECT NO. 2645	FILE / DATE 2645 A1.03 L3 12-09
DRAWN CL,JE,PW	CHECKED JP III
SCALE N.T.S.	
DRAWING NO. <b>A1.03</b>	

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LEVEL 4 to 5 STATISTICS	
Gross Area*	18,863.13 sq.ft.
Net Residential/Retail Area	16,778.19 sq.ft.
Other	2,084.94 sq.ft.
Net to Gross Ratio	88.9470 %
Number of Units	19
Average Unit Size	883.06 sq.ft.

\*before exclusions

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Case # 2006.1248	
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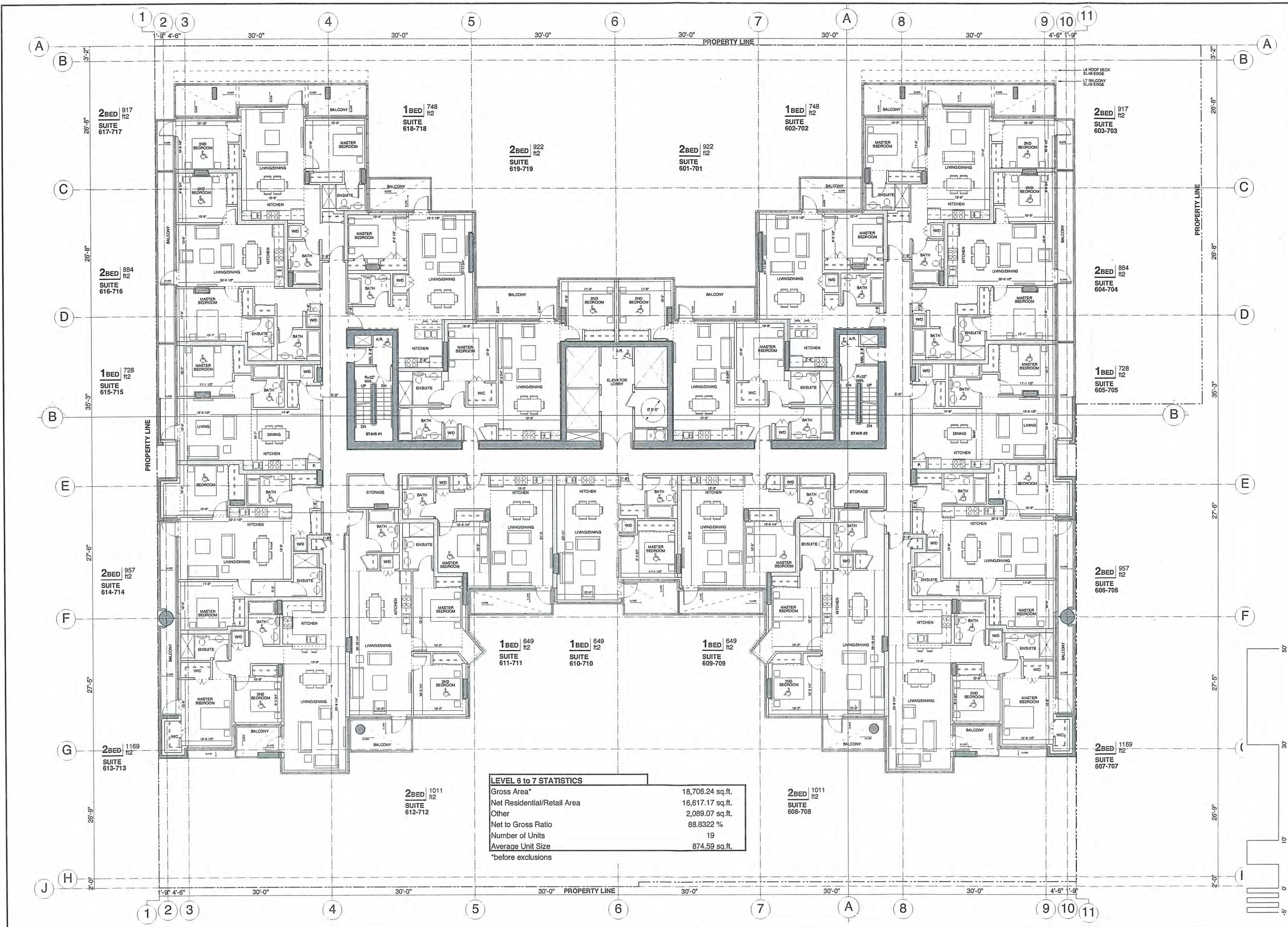
PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA

DRAWING TITLE  
**LEVEL 4 TO 5 FLOOR PLAN**

PROJECT NO. 2645	FILE / DATE 2645 A1.04 L4 to L5 10-05-08
DRAWN CL, JE, PW	CHECKED JP III
SCALE N.T.S.	DRAWING NO. A1.04

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LEVEL 6 to 7 STATISTICS	
Gross Area*	18,706.24 sq.ft.
Net Residential/Retail Area	16,617.17 sq.ft.
Other	2,089.07 sq.ft.
Net to Gross Ratio	88.8322 %
Number of Units	19
Average Unit Size	874.59 sq.ft.
*before exclusions	

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2ND DRAFT FOR PLAN. COMM. SUBM.	SEP 11, 2007
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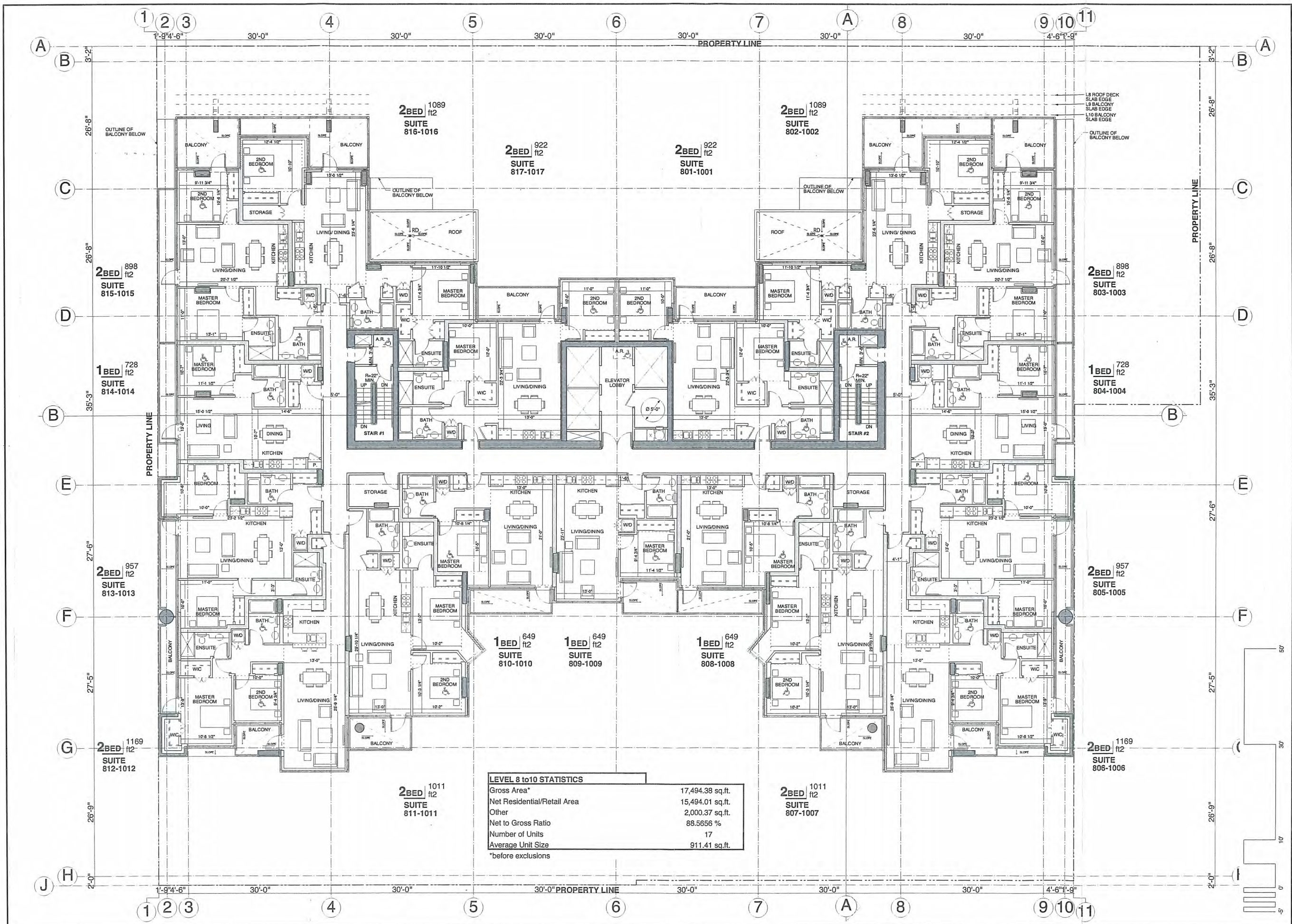
PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA

DRAWING TITLE  
**LEVEL 6 TO 7 FLOOR PLAN**

PROJECT NO. 2645	FILE / DATE 2645 A1.05 L6 to L7 12.05.08
DRAWN CL, JE, PW	CHECKED JP III
SCALE	N.T.S.

DRAWING NO.  
**A1.05**





LEVEL 8 to 10 STATISTICS	
Gross Area*	17,494.38 sq.ft.
Net Residential/Retail Area	15,494.01 sq.ft.
Other	2,000.37 sq.ft.
Net to Gross Ratio	88.5656 %
Number of Units	17
Average Unit Size	911.41 sq.ft.
*before exclusions	

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**LEVEL 8 TO 10 FLOOR PLAN**

PROJECT NO. 2645	FILE / DATE 2645 A.1.06 L8 to L10 12-05b
DRAWN CLJE, PW	CHECKED JP III
SCALE N.T.S.	DRAWING NO. <b>A1.06</b>
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LEVEL 11 to 13 STATISTICS	
Gross Area*	17,299.76 sq.ft.
Net Residential/Retail Area	15,298.00 sq.ft.
Other	2,001.76 sq.ft.
Net to Gross Ratio	88.4290 %
Number of Units	17
Average Unit Size	899.88 sq.ft.

\*before exclusions

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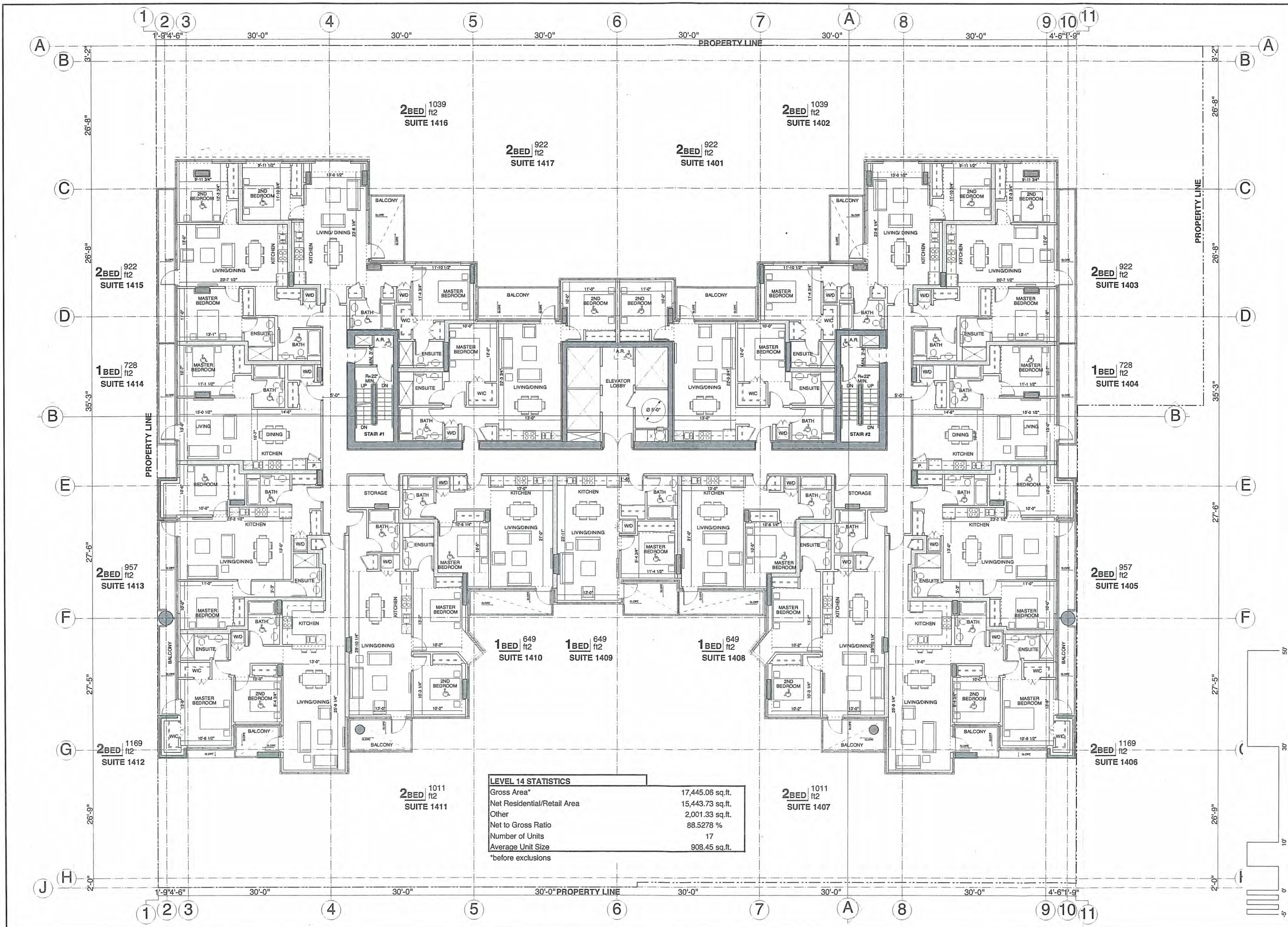
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**LEVEL 11 TO 13 FLOOR PLAN**

PROJECT NO.	FILE / DATE	
2645	2645 A1.07 L11 to 13 12-05b	
DRAWN	CHECKED	SCALE
CL,JE,PW	JP III	N.T.S.
DRAWING NO.	A1.07	





LEVEL 14 STATISTICS	
Gross Area*	17,445.06 sq.ft.
Net Residential/Retail Area	15,443.73 sq.ft.
Other	2,001.33 sq.ft.
Net to Gross Ratio	88.5278 %
Number of Units	17
Average Unit Size	908.45 sq.ft.
*before exclusions	

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2ND DRAFT FOR PLAN. COMM. SUBM.	SEP 11, 2007
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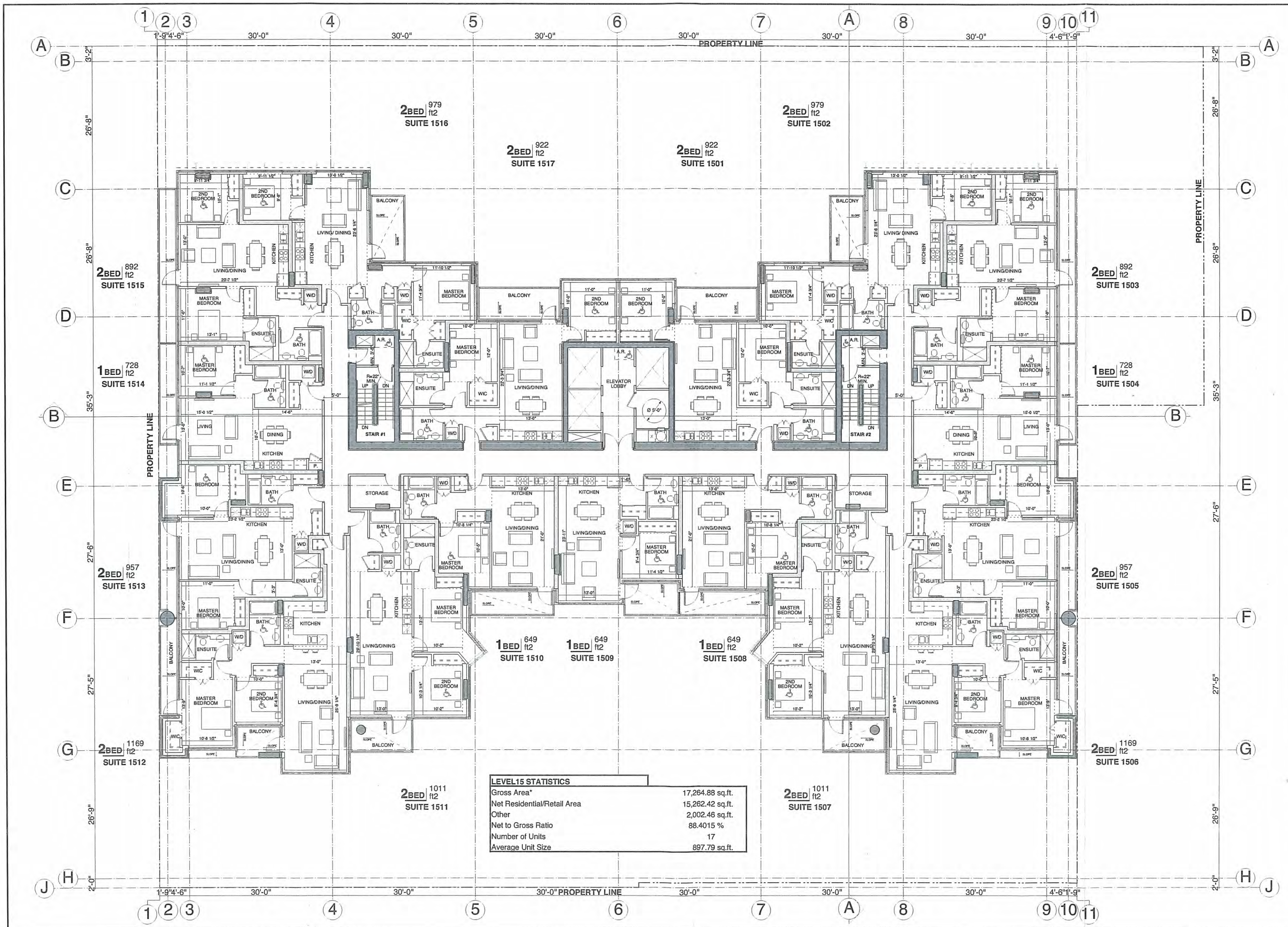
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PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA  
 DRAWING TITLE  
**LEVEL 14 FLOOR PLAN**

PROJECT NO.	FILE / DATE	
2645	2645 A1.08 L14 12-05b	
DRAWN	CHECKED	SCALE
CL,JE,PW	JP,III	N.T.S.

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 DRAWING NO.  
**A1.08**





LEVEL 15 STATISTICS	
Gross Area*	17,264.88 sq.ft.
Net Residential/Retail Area	15,262.42 sq.ft.
Other	2,002.46 sq.ft.
Net to Gross Ratio	88.4015 %
Number of Units	17
Average Unit Size	897.79 sq.ft.

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2ND DRAFT FOR PLAN. COMM. SUBM.	SEP 11, 2007
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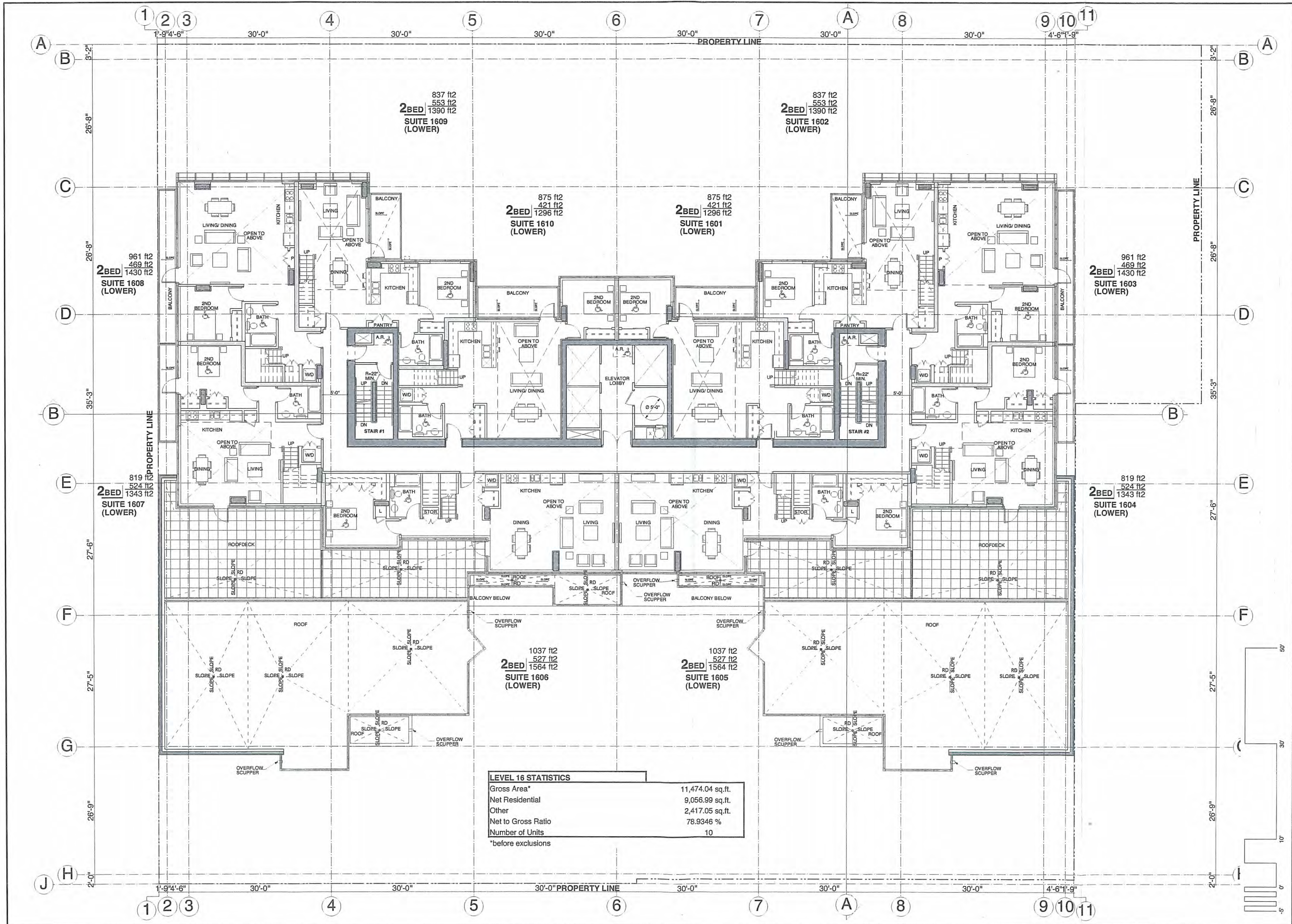
PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA

DRAWING TITLE  
**LEVEL 15 FLOOR PLAN**

PROJECT NO. 2645	FILE / DATE 2645 A1.09 L15 12-09b
DRAWN CL,JE,PW	CHECKED JP III
SCALE N.T.S.	DRAWING NO. A1.09

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LEVEL 16 STATISTICS	
Gross Area*	11,474.04 sq.ft.
Net Residential	9,056.99 sq.ft.
Other	2,417.05 sq.ft.
Net to Gross Ratio	78.9346 %
Number of Units	10
*before exclusions	

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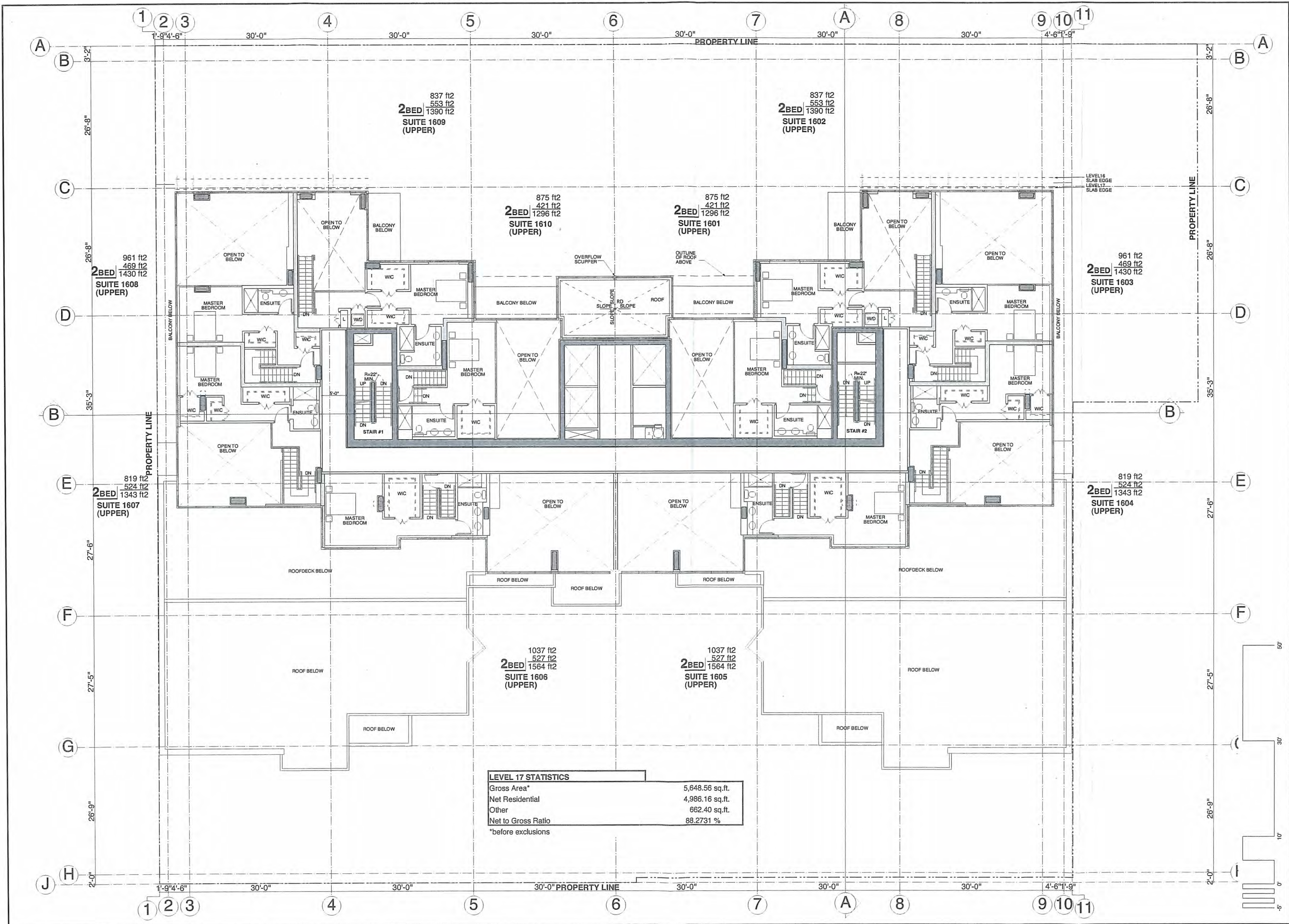
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 DRAWING TITLE  
**LEVEL 16 FLOOR PLAN**

PROJECT NO. 2645	FILE/DATE 2645 A1.10 16 12-06b
DRAWN CL,JE,PW	CHECKED JP III
SCALE N.T.S.	
DRAWING NO. <b>A1.10</b>	





LEVEL 17 STATISTICS	
Gross Area*	5,648.56 sq.ft.
Net Residential	4,986.16 sq.ft.
Other	662.40 sq.ft.
Net to Gross Ratio	88.2731 %
*before exclusions	



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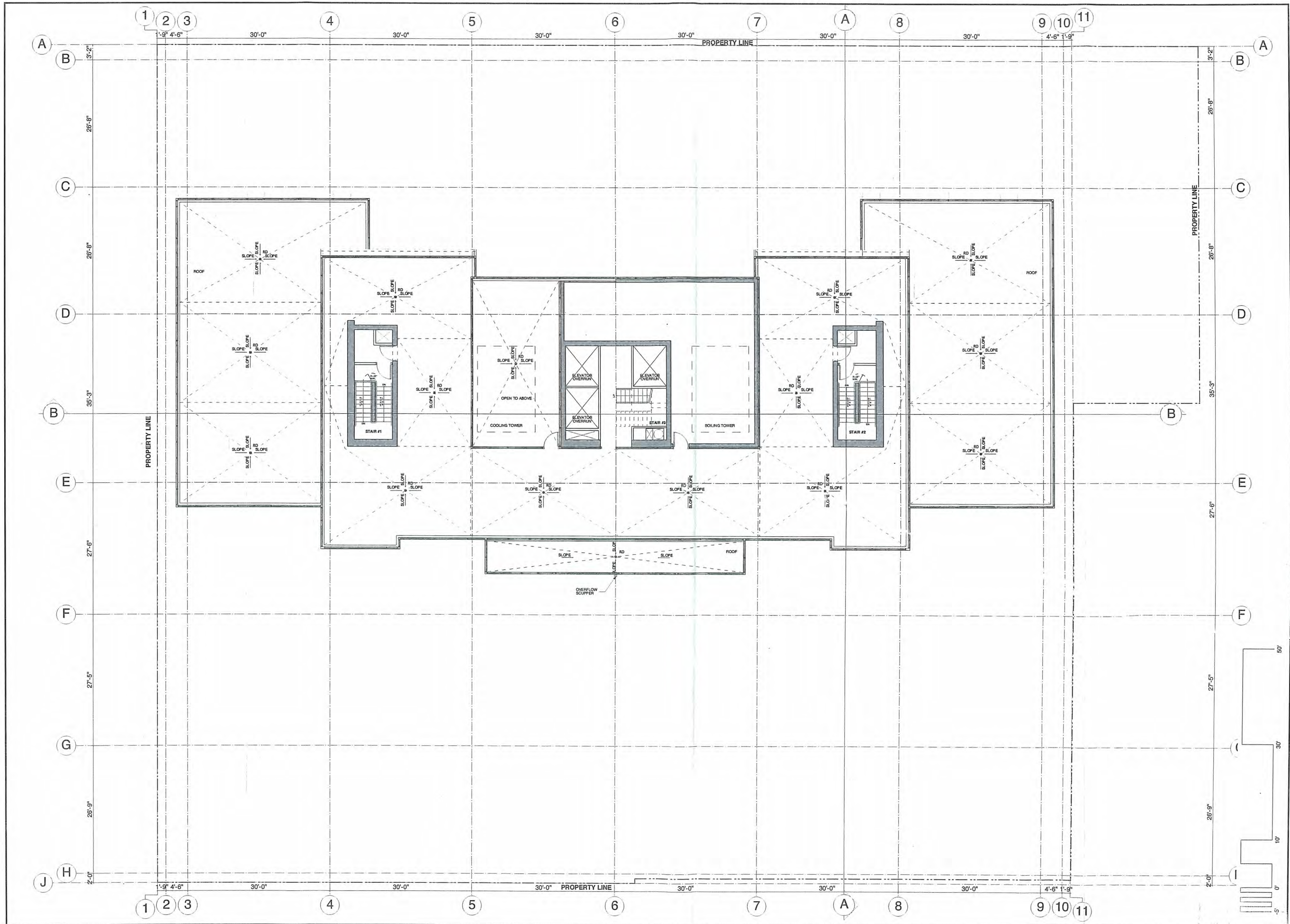
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DRAWING TITLE  
LEVEL 17 FLOOR PLAN

PROJECT NO. 2645	FILE/DATE 2645 A1.11 L17 10-05b
DRAWN CL,JE,PW	CHECKED JP III
SCALE N.T.S.	

DRAWING NO.  
**A1.11**





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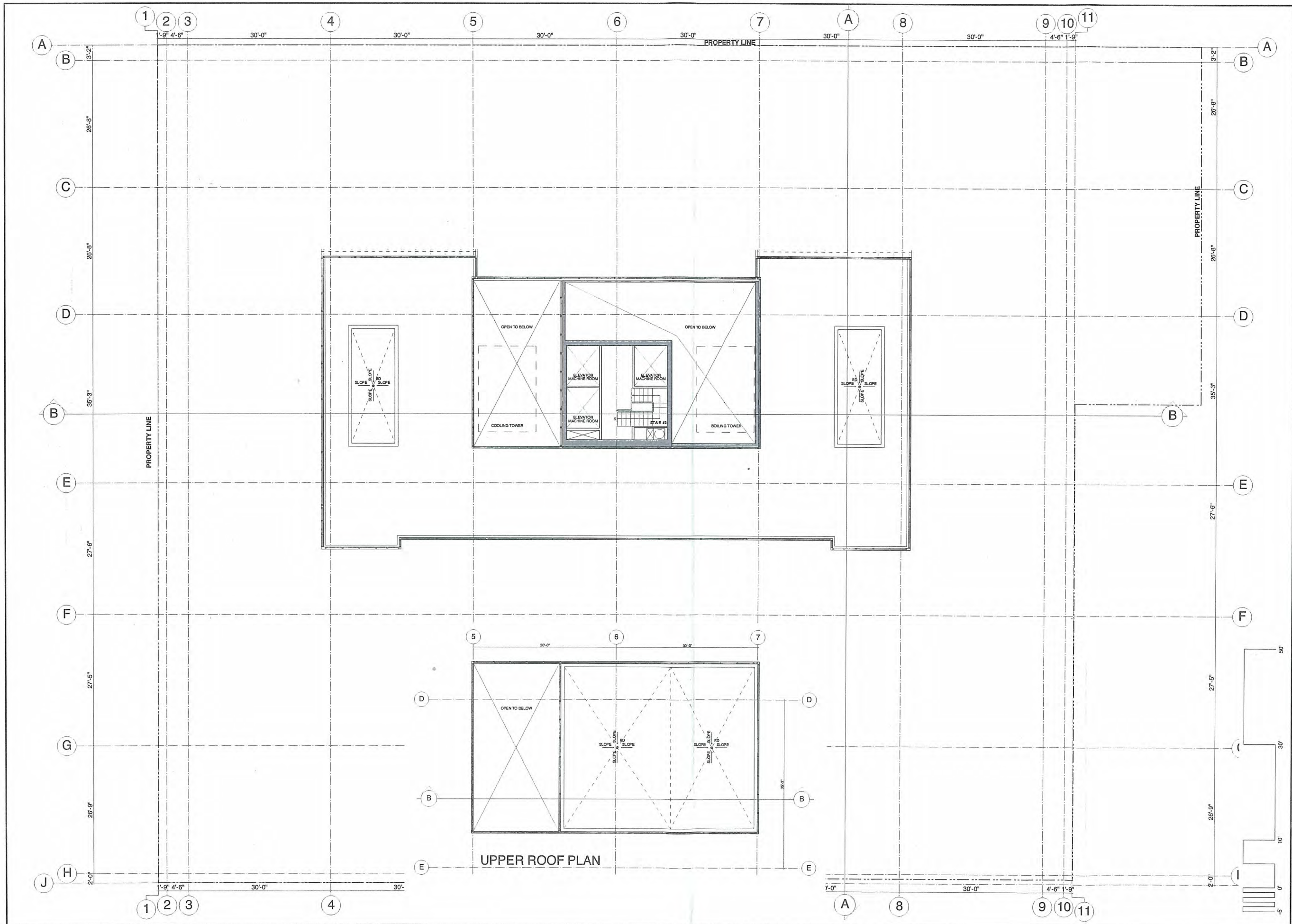
PROJECT TITLE  
**55 NINTH STREET**  
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DRAWING TITLE  
**MECHANICAL ROOF PLAN**

PROJECT NO. 2645	FILE/DATE 2645 A1.12 Mech Roof 12-05a
DRAWN CL, JE	CHECKED JP III
SCALE N.T.S.	DRAWING NO. <b>A1.12</b>

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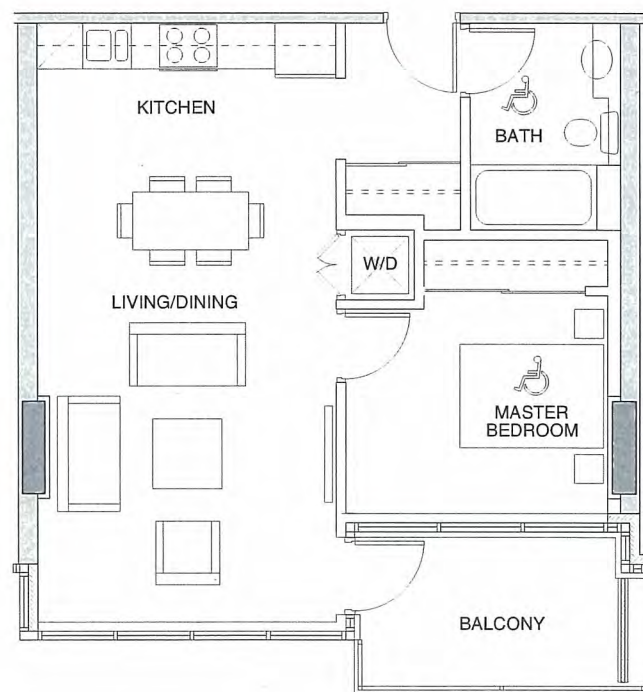
PROJECT TITLE  
**55 NINTH STREET**  
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DRAWING TITLE  
**UPPER ROOF PLAN**

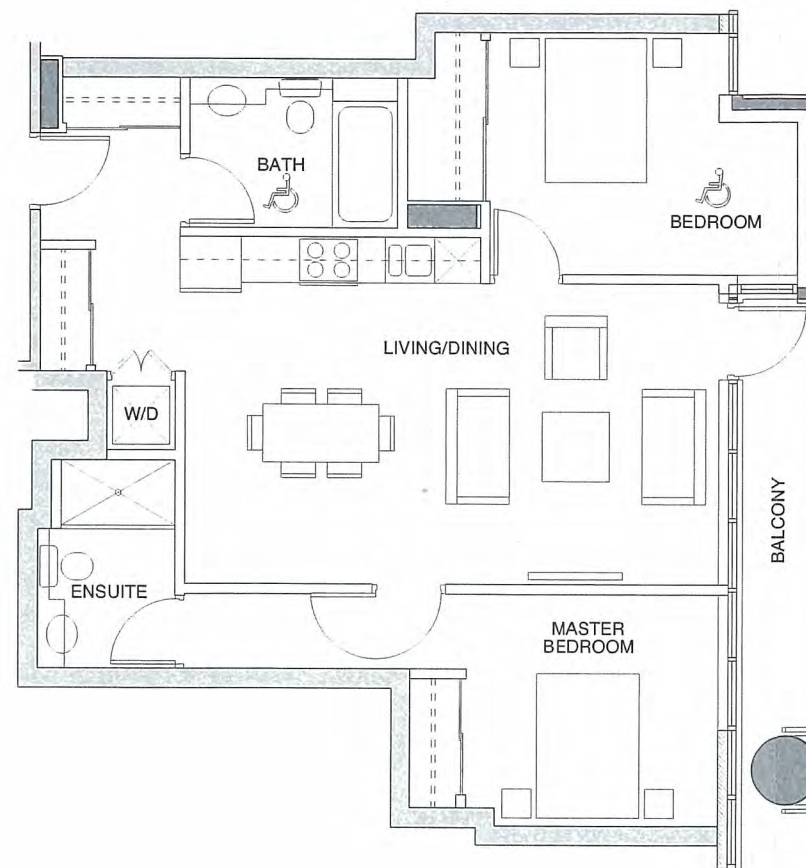
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DRAWN JJE	CHECKED JP III
SCALE N.T.S.	DRAWING NO. <b>A1.13</b>

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**1** TYPICAL 1 BEDROOM APARTMENT, 649 SF  
(SUITES 210-710, 809-1509)  
SCALE 1/8"=1'-0"



**2** TYPICAL 2 BEDROOM APARTMENT, 946 SF  
(SUITES 205-705, 804-1504, 215-715, 814-1514)  
SCALE 1/8"=1'-0"

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PLAN. # 2006.1214	
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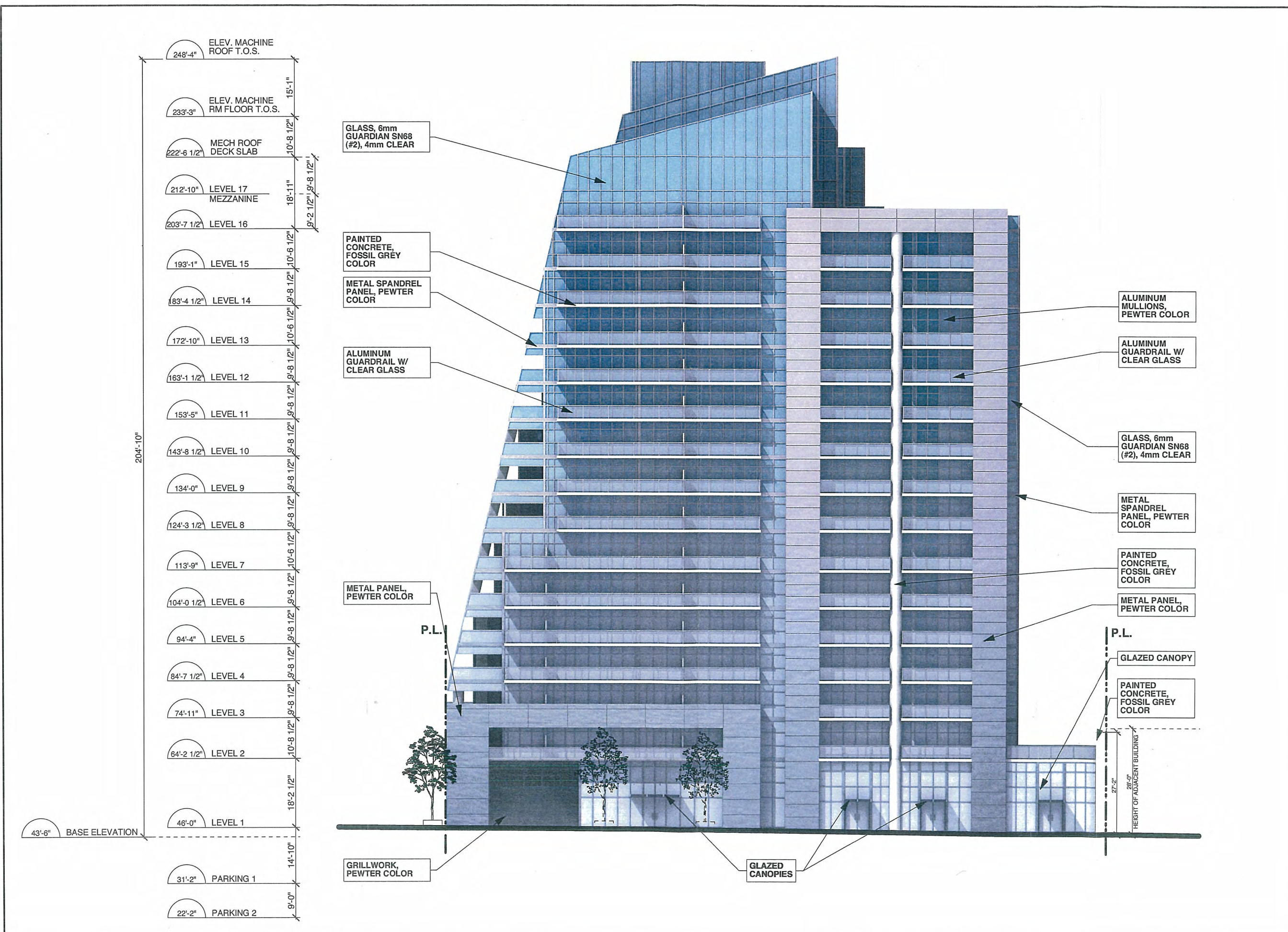
PROJECT TITLE  
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DRAWING TITLE  
TYPICAL UNIT LAYOUT

PROJECT NO. 2645	FILE / DATE 2645 A1.14 TYP UNIT 12-05a
DRAWN JE	CHECKED JP III
SCALE 1/8"=1'-0"	

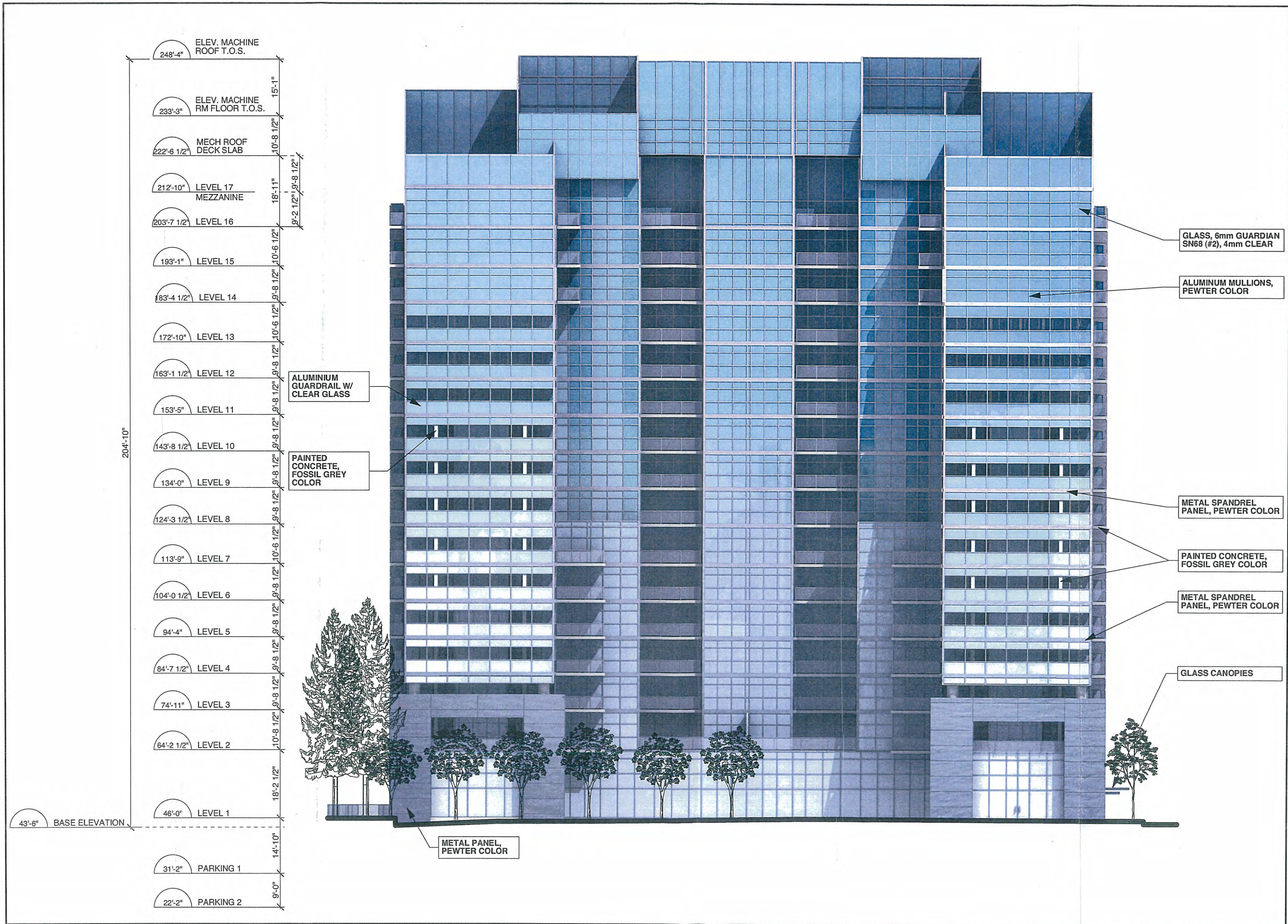
DRAWING NO.  
**A1.14**





REVISOR		DATE
REVISED PLAN COMM. SUBM.	Case # 2006.124	DEC 06, 2007
PLANNING COMMISSION SUBMISSION	Case # 2006.1248	NOV 01, 2007
FINAL REVIEW DRAFT		OCT 12, 2007
3RD DRAFT FOR PLAN. COMM. SUBM.		SEP 28, 2007
2ND DRAFT FOR PLAN. COMM. SUBM.		SEP 11, 2007
PLANNING COMMISSION SUBMISSION		AUG 16, 2007
ISSUED FOR ENVIRONMENTAL STUDY		AUG 09, 2007
ISSUE		DATE
<small>CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL BE INFORMED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWINGS.</small>		
<b>ANKA DEVELOPMENTS INC.</b>		
<b>PERKINS &amp; COMPANY</b>		
<small>1498 WEST 5<sup>TH</sup> AVENUE      T 604 685 2428  VANCOUVER, BC V6H 4G3      F 604 685 2447  PERKINS &amp; COMPANY ARCHITECTURE &amp; URBAN DESIGN INC.  WWW.PERKINSANDCOMPANY.COM</small>		
PROJECT TITLE		
55 NINTH STREET		
SAN FRANCISCO, CA		
DRAWING TITLE		
WEST ELEVATION		
PROJECT NO.	FILE / DATE	
2045	2045 A2.01 Elev W 12-06a	
DRAWN	CHECKED	SCALE
CLJE,CB	JP III	N.T.S.
<small>COPIES OF REVISED PLAN AND PLANNING COMMISSION SUBMISSIONS ARE THE PROPERTY OF PERKINS &amp; COMPANY. ARCHITECTURE AND URBAN DESIGN INC. AND CANNOT BE USED IN ANY MANNER WITHOUT THE ARCHITECT'S WRITTEN CONSENT.</small>		DRAWING NO.
		A2.01





REVISED PLAN COMM SUBMISSION	DEC 06, 2007
PLAN COMM SUBMISSION	NOV 01, 2007
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN COMM SLBM	SEP 28, 2007
2ND DRAFT FOR PLAN COMM SLBM	SEP 11, 2007
PLANNING COMMISSION SUBMISSION	AUG 16, 2007
ISSUED FOR ENVIRONMENTAL STUDY	AUG 09, 2007
ISSUE	DATE

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**ANKA DEVELOPMENTS INC.**

**PERKINS & COMPANY**

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PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA

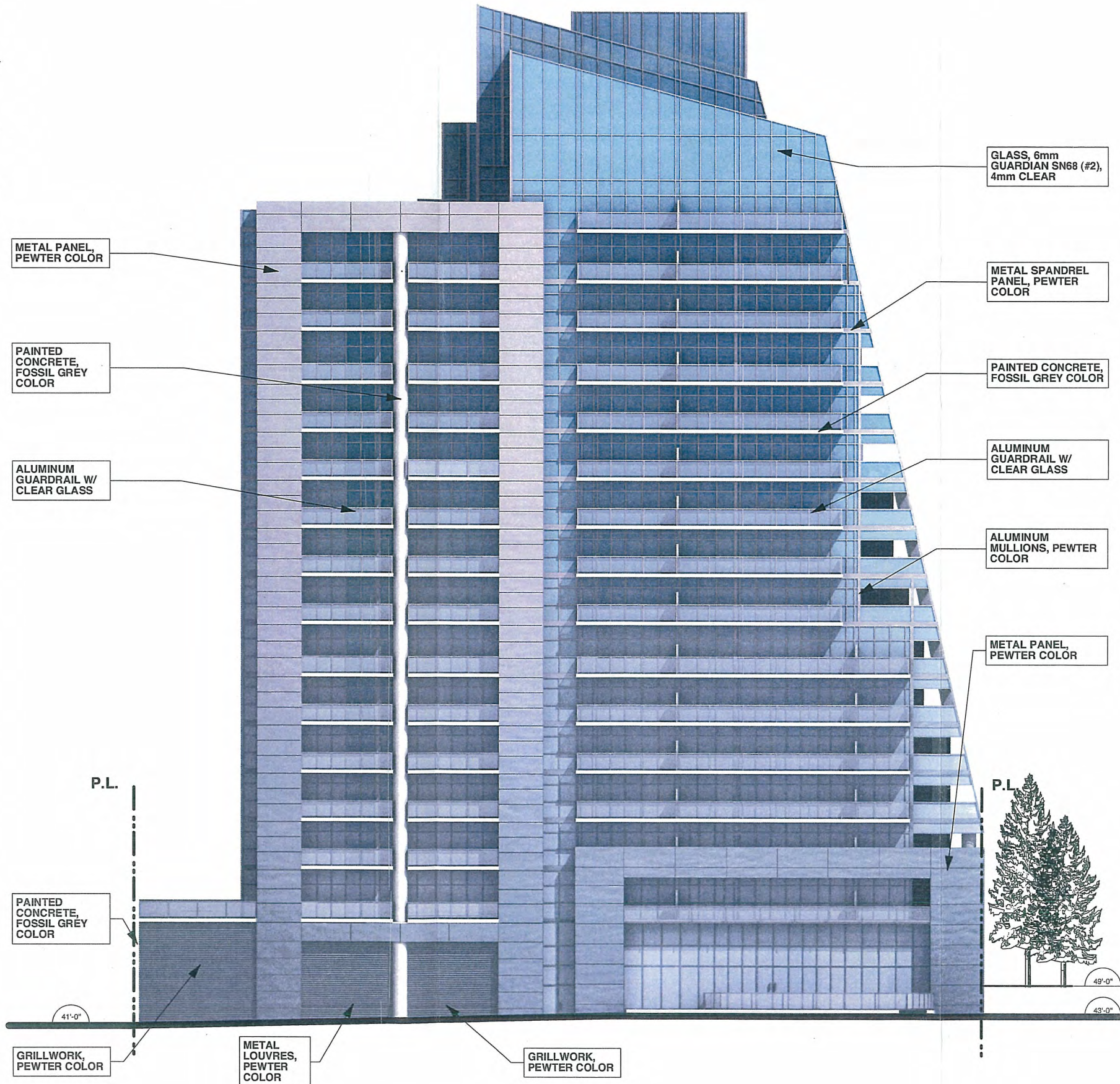
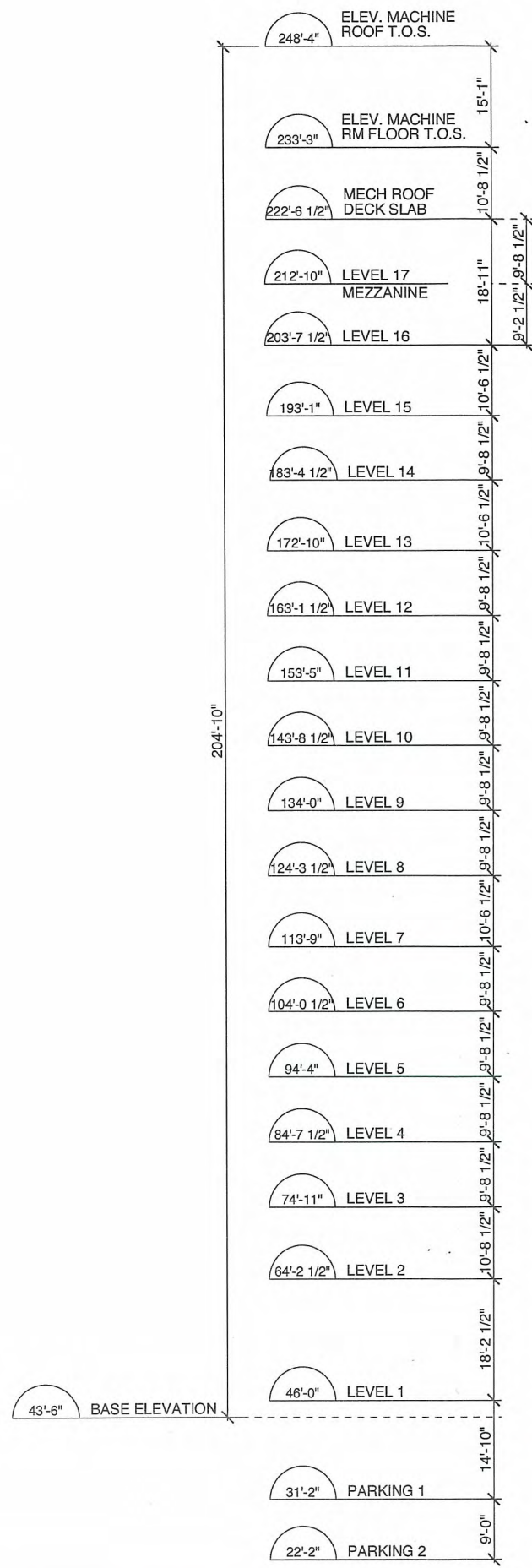
DRAWING TITLE  
**NORTH ELEVATION**

PROJECT NO.	FILE / DATE
2645	2645 A2.02 Elev N 12-05a
DRAWN	CHECKED
JE, CB	JP III
SCALE	N.T.S.

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DRAWING NO.  
**A2.02**





REVISED PLAN COMM. SUBMISSION	DEC 06, 2007
PLANNING COMMISSION SUBMISSION	NOV 01, 2007
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN. COMM. SUBM.	SEP 28, 2007
2ND DRAFT FOR PLAN. COMM. SUBM.	SEP 11, 2007
PLANNING COMMISSION SUBMISSION	AUG 16, 2007
ISSUED FOR ENVIRONMENTAL STUDY	AUG 09, 2007
ISSUE	DATE

ANKA DEVELOPMENTS INC.

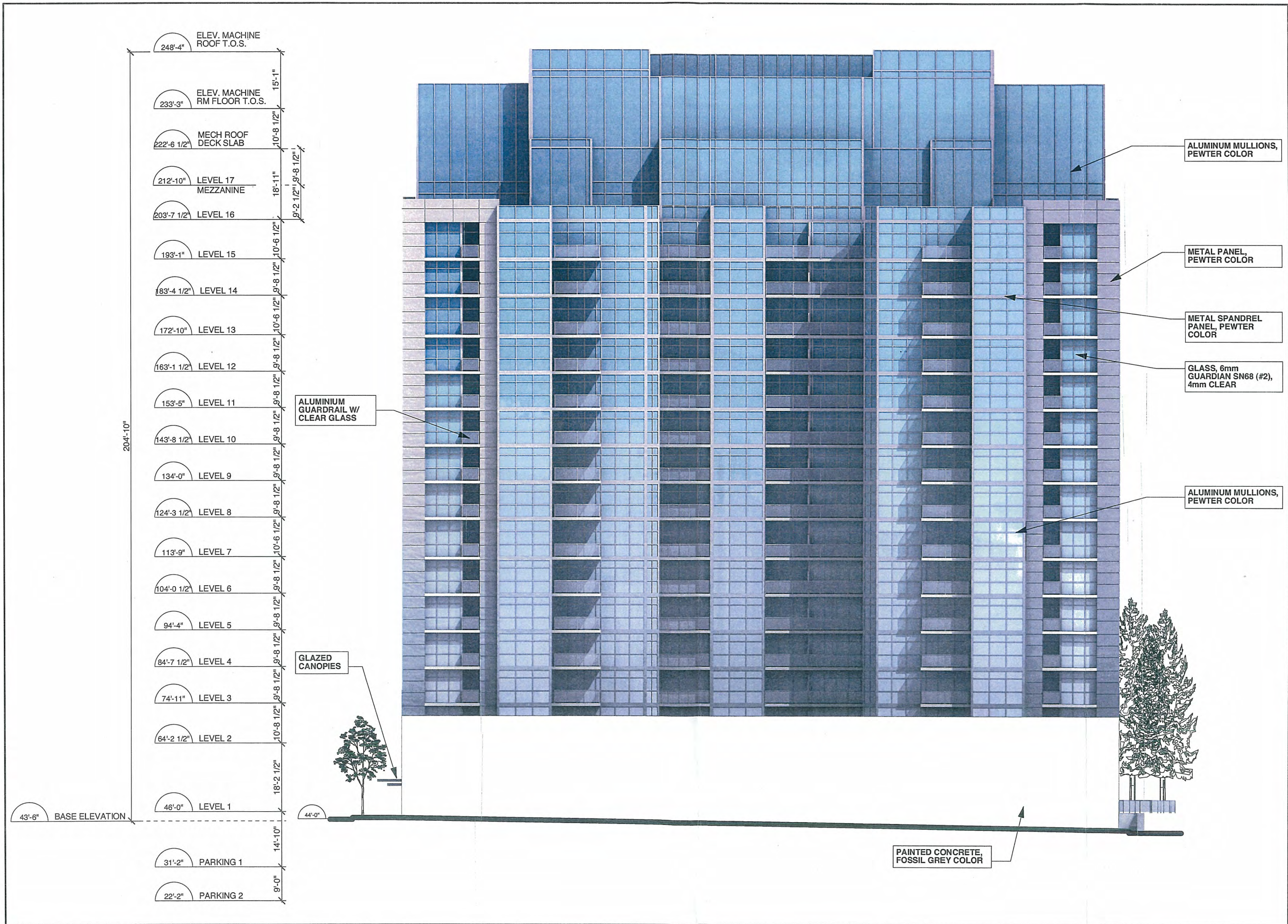
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PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA  
 DRAWING TITLE  
**EAST ELEVATION**

PROJECT NO. 2645	FILE / DATE 2645 A2.03 Elev E 12-05a
DRAWN CL, JE, CB	CHECKED JP III
SCALE N.T.S.	

DATE: 12/05/07  
 DRAWING NO.  
**A2.03**





REVISED PLAN COMM SUBMISSION	DEC 06, 2007
PLANNING COMMISSION SUBMISSION	NOV 01, 2007
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN. COMM. SUBM.	SEP 28, 2007
2ND DRAFT FOR PLAN. COMM. SUBM.	SEP 11, 2007
PLANNING COMMISSION SUBMISSION	AUG 16, 2007
ISSUE FOR ENVIRONMENTAL STUDY	AUG 09, 2007
ISSUE	DATE

CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THE OFFICE SHALL BE INFORMED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWINGS.

ANKA DEVELOPMENTS INC.

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PROJECT TITLE  
 55 NINTH STREET  
 SAN FRANCISCO, CA

DRAWING TITLE  
 SOUTH ELEVATION

PROJECT NO. 2645	FILE / DATE 2645 AZ.04 Elev S 12-05a
DRAWN CL,JE,CB	CHECKED JP III
SCALE N.T.S.	DRAWING NO. A2.04

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METAL SPANDREL  
PANEL, PEWTER  
COLOR

PAINTED  
CONCRETE,  
FOSSIL GREY  
COLOR

METAL PANEL,  
PEWTER COLOR

GRILL WORK,  
PEWTER COLOR

ALUMINUM  
GUARDRAIL WITH  
CLEAR GLASS

GLASS, 6mm  
GUARDIAN SN68  
(#2), 4mm CLEAR

ALUMINUM  
GUARDRAIL WITH  
CLEAR GLASS

GLASS CANOPY



REVISED PLAN COMM. SUBMISSION	DEC 06, 2007
PLAN COMM. SUBMISSION	NOV 01, 2007
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN COMM. SUBM.	SEP 28, 2007
2ND DRAFT FOR PLAN COMM. SUBM.	SEP 11, 2007
PLANNING COMMISSION SUBMISSION	AUG 16, 2007
ISSUED FOR ENVIRONMENTAL STUDY	AUG 09, 2007
ISSUE	DATE

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VANCOUVER, BC V6H 4G3 F 604 685 2467  
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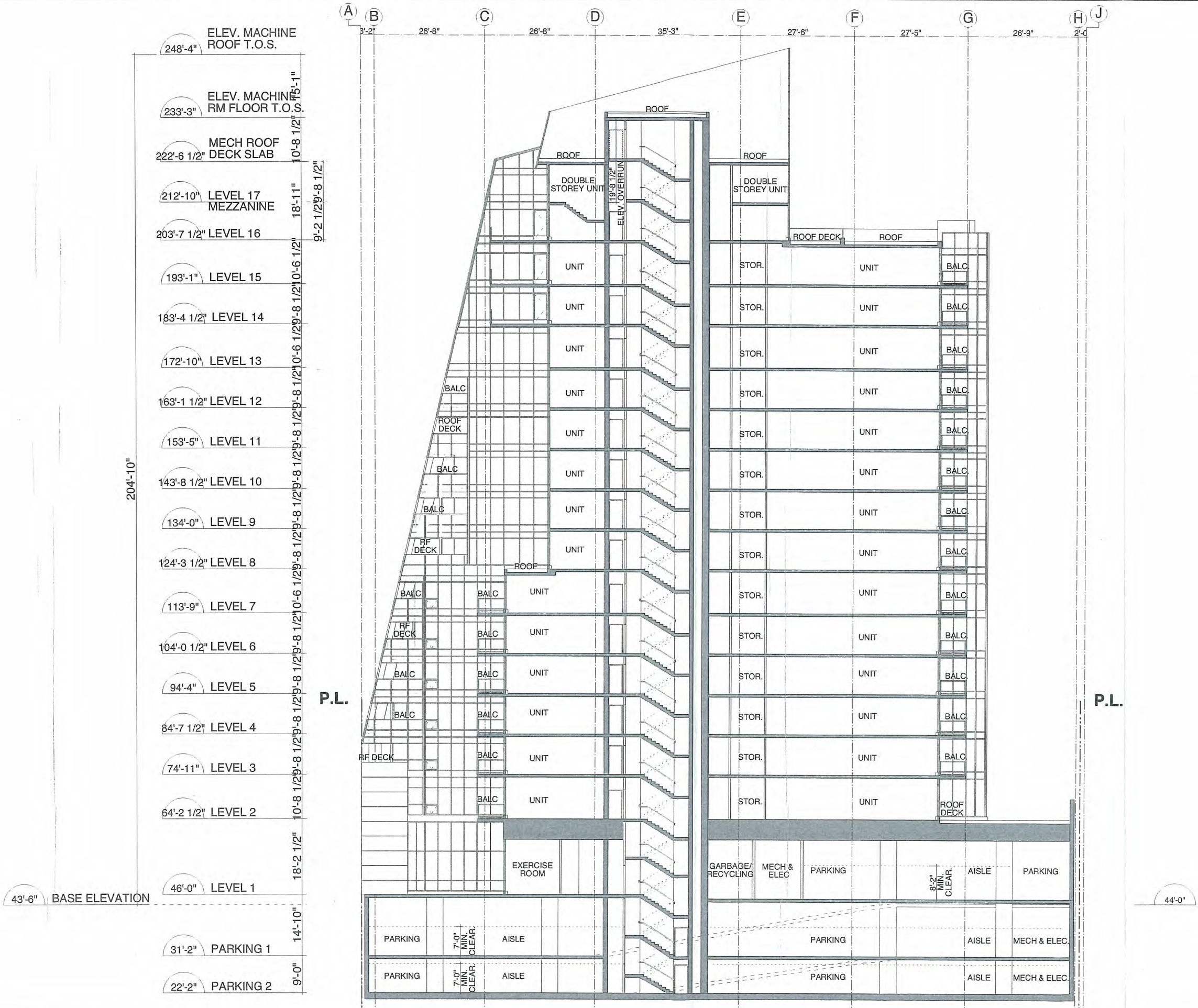
PROJECT TITLE  
55 NINTH STREET  
SAN FRANCISCO, CA

DRAWING TITLE  
WEST ELEVATION  
CLOSE-UP OF  
NORTH-WEST CORNER

PROJECT NO.	FILE / DATE	
2645	2645 A2.05 Elev W CU 12-05a	
DRAWN	CHECKED	SCALE
JE,CB	JP III	N.T.S.

PERKINS & COMPANY  
ARCHITECTURE AND URBAN DESIGN INC.  
AND OFFICE OF JEFFREY W. ELLER  
DATE: 12/10/07 BY: JEFFREY W. ELLER  
DRAWING NO.  
A2.05





REVISED PLAN COMM. SUBM.	DEC 06, 2007
PLANING COMMISSION SUBMISSION	NOV 01, 2007
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN. COMM. SUBM.	SEP 28, 2007
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PLANNING COMMISSION SUBMISSION	AUG 16, 2007
ISSUE	DATE

CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL BE DISREGARDED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWINGS.

**ANKA DEVELOPMENTS INC.**

**PERKINS & COMPANY &**

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 VANCOUVER, BC V6H 4G3 F 604 685 2462  
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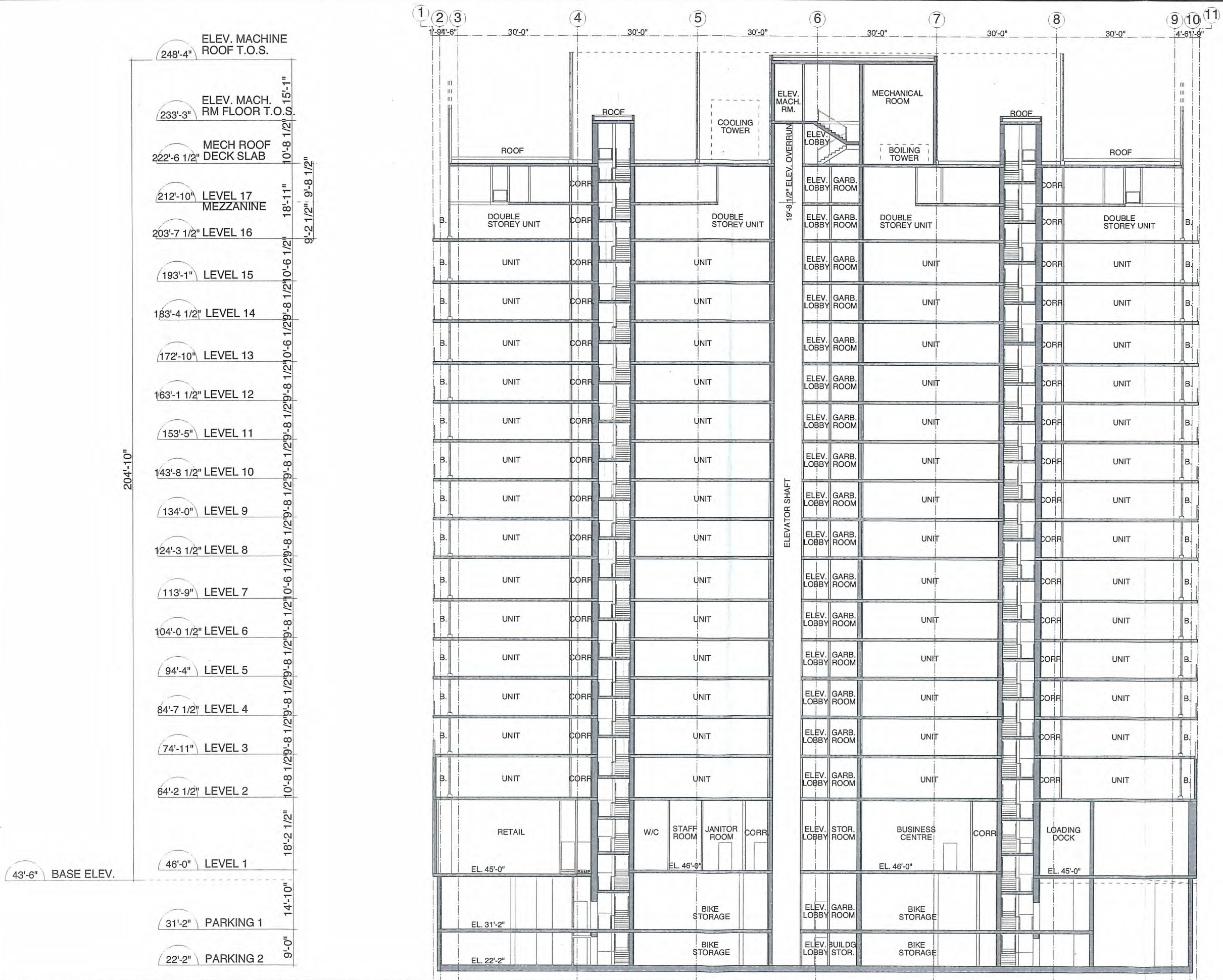
PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA

DRAWING TITLE  
**SECTION AA**

PROJECT NO. 2645	FILE/DATE 2645 A3.01 Section AA 12-05a
DRAWN CL, JE	CHECKED JP III
SCALE N.T.S.	DRAWING NO. <b>A3.01</b>

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REVISED PLAN, COMM. SLBM.	DEC 05, 2007
PLAN. # 2007.1268	
PLANNING COMMISSION SUBMISSION	NOV 01, 2007
PLAN. # 2006.1248	
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN. COMM. SLBM.	SEP 28, 2007
2ND DRAFT FOR PLAN. COMM. SLBM.	SEP 11, 2007
PLANNING COMMISSION SUBMISSION	AUG 16, 2007
ISSUE	DATE

ANKA DEVELOPMENTS INC.

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PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA

DRAWING TITLE  
**SECTION BB**

PROJECT NO.	FILE/DATE
2645	2645 A3.01 Section BB 12-05a
DRAWN	CHECKED
JE	JP III
SCALE	N.T.S.

DRAWING NO.  
**A3.02**

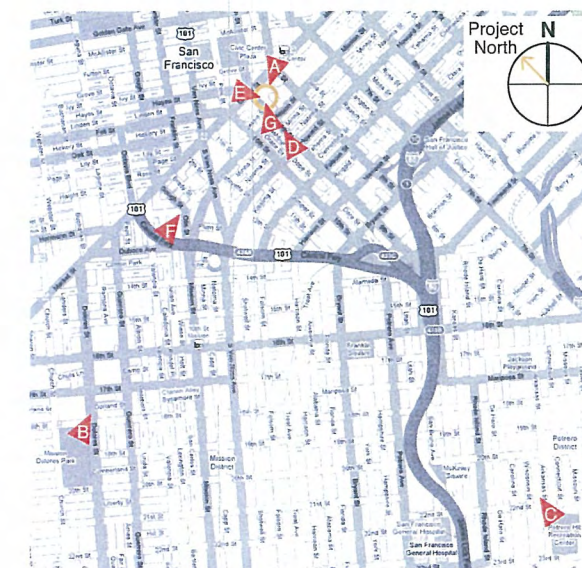




VIEW FROM CIVIC CENTRE (A)



VIEW FROM DOLORES PARK (B)



KEYPLAN (N.T.S.)

REVISED PLAN COMM. SUBM.	DEC 06, 2007
PLAN. COMMISSION SUBMISSION	NOV 01, 2007
3RD DRAFT FOR PLAN. COMM. SUBM.	SEP 28, 2007
2ND DRAFT FOR PLAN. COMM. SUBM.	SEP 11, 2007
ISSUE	DATE

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PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA

DRAWING TITLE  
**PHOTOMONTAGE I**

PROJECT NO. 2645	FILE/DATE 2645 A4.01 Photo I 12-05a
DRAWN JE, CB	CHECKED JP III
SCALE N.T.S.	DRAWING NO. <b>A4.01</b>

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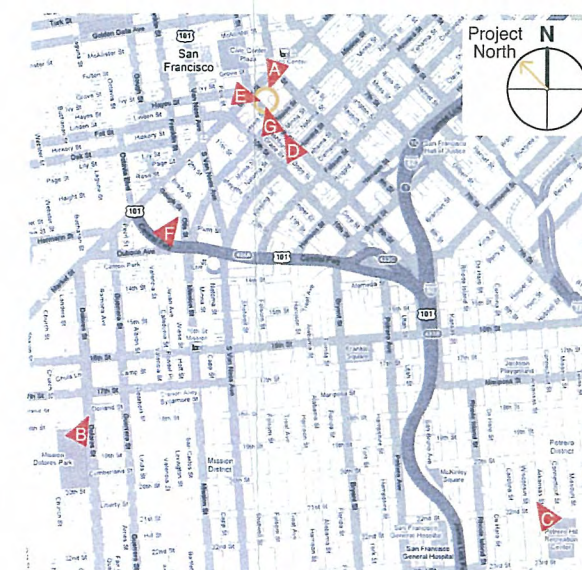
VIEW FROM POTRERO HILL (C)



VIEW FROM SOUTH OF NINTH STREET (D)



VIEW FROM MARKET STREET LOOKING SOUTH (E)



KEYPLAN (N.T.S.)

REVISED PLAN COMM. SUBM.	DEC 06, 2007
PLAN. COMMISSION SUBMISSION	NOV 01, 2007
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN. COMM. SUBM.	SEP 28, 2007
2ND DRAFT FOR PLAN. COMM. SUBM.	SEP 11, 2007
PLANNING COMMISSION SUBMISSION	AUG 16, 2007
ISSUE	DATE

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PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA

DRAWING TITLE  
**PHOTOMONTAGE II**

PROJECT NO.	FILE / DATE
2945	2945 A4.02 Photo II 12-05a
DRAWN	CHECKED
JE, CB	JP III
SCALE	N.T.S.

DRAWING NO.  
**A4.02**





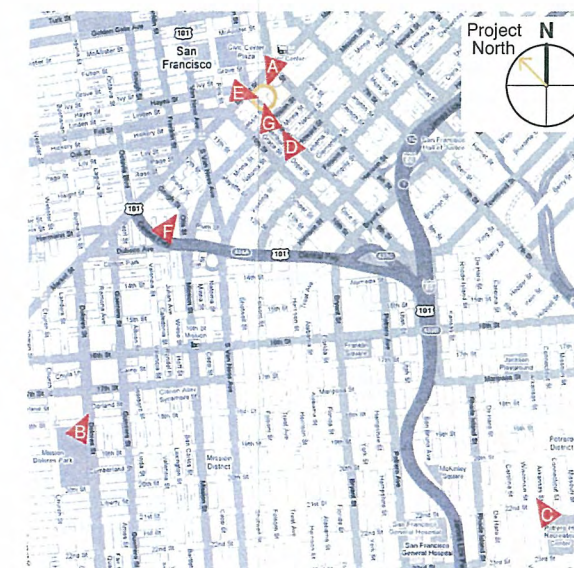
VIEW FROM SKYWAY (F)



VIEW FROM SOUTH OF NINTH STREET (G)



VIEW FROM MARKET STREET LOOKING SOUTH (E)



KEYPLAN (N.T.S.)

REVISED PLAN COMM. SUBM.	DEC 06, 2007
PLANNING COMMISSION SUBMISSION	NOV 01, 2007
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN. COMM. SUBM.	SEP 28, 2007
2ND DRAFT FOR PLAN. COMM. SUBM.	SEP 11, 2007
PLANNING COMMISSION SUBMISSION	AUG 16, 2007
SCALE	DATE

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PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA

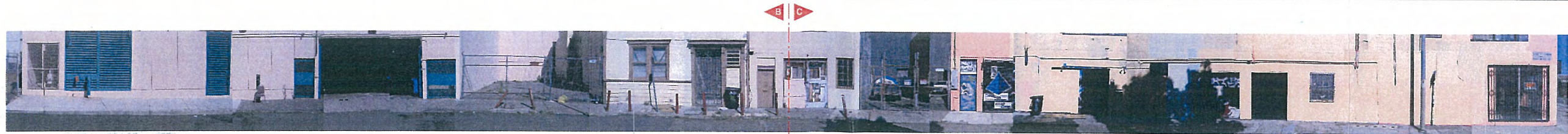
DRAWING TITLE  
**PHOTOMONTAGE III**

PROJECT NO. 2645	FILE / DATE 2645 A.03 Photo III 12-05a
DRAWN JE, CB	CHECKED JP III
SCALE N.T.S.	

DRAWING NO.  
**A4.03**

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STREET-LEVEL ELEVATION OF NORTH-EAST SIDE OF LASKIE STREET (A) (COMBINED B+C BELOW)



STREET-LEVEL ELEVATION OF NORTH-EAST SIDE OF LASKIE STREET (B)



STREET-LEVEL ELEVATION OF NORTH-EAST SIDE OF LASKIE STREET (C)

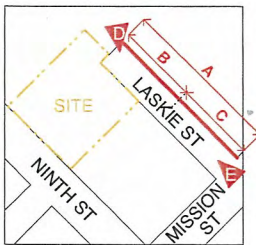
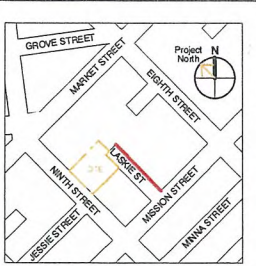


VIEW FROM END OF LASKIE STREET TOWARDS MISSION STREET (D)

SITE



VIEW FROM MISSION STREET TOWARDS LASKIE STREET (E)



KEYMAPS (N.T.S.)

REVISED PLAN CORRL SUBM.	DEC 06, 2007
PLANING COMMISSION SUBMISSION	NOV 01, 2007
Case # 2006.1248	

ISSUE	DATE

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PROJECT TITLE  
55 NINTH STREET  
SAN FRANCISCO, CA

DRAWING TITLE  
LASKIE STREET IMAGES  
NORTH-EAST SIDE

PROJECT NO.	FILE / DATE
2645	2645 A4.04 Laskie St NE 12-05a
DRAWN	CHECKED
JE	JP III
SCALE	N.T.S.

DRAWING NO.  
A4.04





STREET-LEVEL ELEVATION OF SOUTH-WEST SIDE OF LASKIE STREET (A) (COMBINED B+C BELOW)



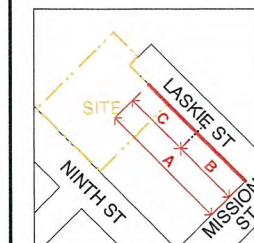
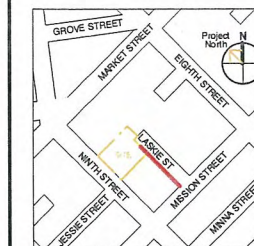
STREET-LEVEL ELEVATION OF SOUTH-WEST SIDE OF LASKIE STREET (B)



STREET-LEVEL ELEVATION OF SOUTH-WEST SIDE OF LASKIE STREET (C)

SITE

SITE



KEYMAPS (N.T.S.)

REVISED PLAN COMM. SUBM.	DEC 06, 2007
PLANING COMMISSION SUBMISSION	NOV 01, 2007
ISSUE	DATE

ANKA DEVELOPMENTS INC.

**PERKINS & COMPANY**

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PROJECT TITLE  
55 NINTH STREET  
SAN FRANCISCO, CA

DRAWING TITLE  
LASKIE STREET IMAGES  
SOUTH-WEST SIDE

PROJECT NO.	FILE / DATE	
2645	2645 A4.05 Laskie St SW 12-05a	
DRAWN	CHECKED	SCALE
JE	JP III	N.T.S.

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DRAWING NO.  
**A4.05**





STREET-LEVEL ELEVATION OF NORTH-EAST SIDE OF NINTH STREET (A) (COMBINED B+C BELOW)



STREET-LEVEL ELEVATION OF NORTH-EAST SIDE OF NINTH STREET (B)



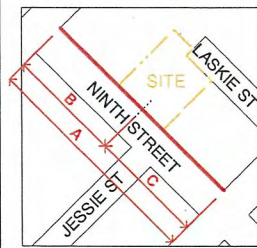
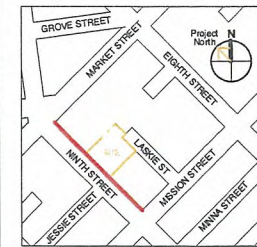
STREET-LEVEL ELEVATION OF NORTH-EAST SIDE OF NINTH STREET (C)



SITE

SITE

SITE



KEYMAPS (N.T.S.)

REVISED PLAN, COMM. SUBM. Case # 2008.1248	DEC 06, 2007
PLANNING COMMISSION SUBMISSION Case # 2008.1248	NOV 01, 2007
ISSUE	DATE

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PROJECT TITLE  
55 NINTH STREET  
SAN FRANCISCO, CA

DRAWING TITLE  
NINTH STREET IMAGES  
NORTH-EAST SIDE

PROJECT NO. 2645	FILE / DATE 2645 A4.06 Ninth St NE 12-05a
DRAWN JE	CHECKED JP III
SCALE N.T.S.	DRAWING NO. A4.06

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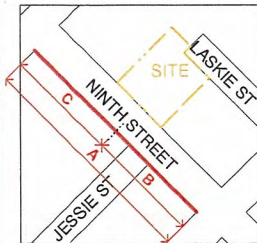
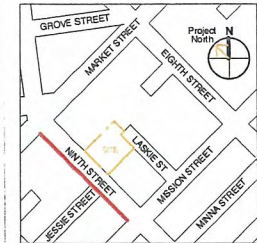
STREET-LEVEL ELEVATION OF SOUTH-WEST SIDE OF NINTH STREET (A) (COMBINED B+C BELOW)



STREET-LEVEL ELEVATION OF SOUTH-WEST SIDE OF NINTH STREET (B)



STREET-LEVEL ELEVATION OF SOUTH-WEST SIDE OF NINTH STREET (C)



KEYMAPS (N.T.S.)

REVISED PLAN, COMM. SUBM.	DEC 08, 2007
PLANING COMMISSION SUBMISSION	NOV 01, 2007
ISSUE	DATE

CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL BE INFORMED OF ANY DEVIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWINGS.

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PROJECT TITLE  
 55 NINTH STREET  
 SAN FRANCISCO, CA

DRAWING TITLE  
 NINTH STREET IMAGES  
 SOUTH-WEST SIDE

PROJECT NO. 2645	FILE/DATE 2645 A4.07 Ninth St SW 12-05a
DRAWN JE	CHECKED JP III
SCALE	N.T.S.

DRAWING NO.  
**A4.07**





NORTH-EAST SIDE OF NINTH STREET - VIEW FROM MARKET STREET (A)



NORTH-EAST SIDE OF NINTH STREET (B)



NORTH-EAST SIDE OF NINTH STREET - VIEW FROM MISSION STREET (C)



SITE - VIEW FROM LASKIE STREET (D)



NINTH STREET - VIEW FROM FREEWAY (E)



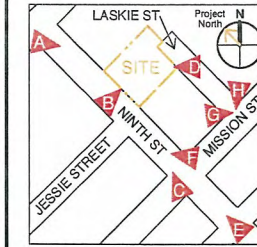
SOUTH-WEST SIDE OF NINTH STREET - VIEW FROM MISSION STREET (F)



SOUTH-EAST CORNER OF LASKIE STREET/ MISSION STREET (G)



SOUTH-WEST CORNER OF LASKIE STREET/ MISSION STREET (H)



KEYMAP (N.T.S.)

REVISED PLAN COMM. SUBM.	DEC 06, 2007
PLAN. COM. SUBM. SUBMISSION	NOV 01, 2007
ISSUE	DATE

ANKA DEVELOPMENTS INC.

**PERKINS & COMPANY**

1438 WEST 5<sup>TH</sup> AVENUE VANCOUVER, BC V6H 4G3  
 1 604 685 2428 F 604 685 2467  
 PERKINS & COMPANY ARCHITECTURE & URBAN DESIGN INC.  
 WWW.PERKINSANDCOMPANY.COM

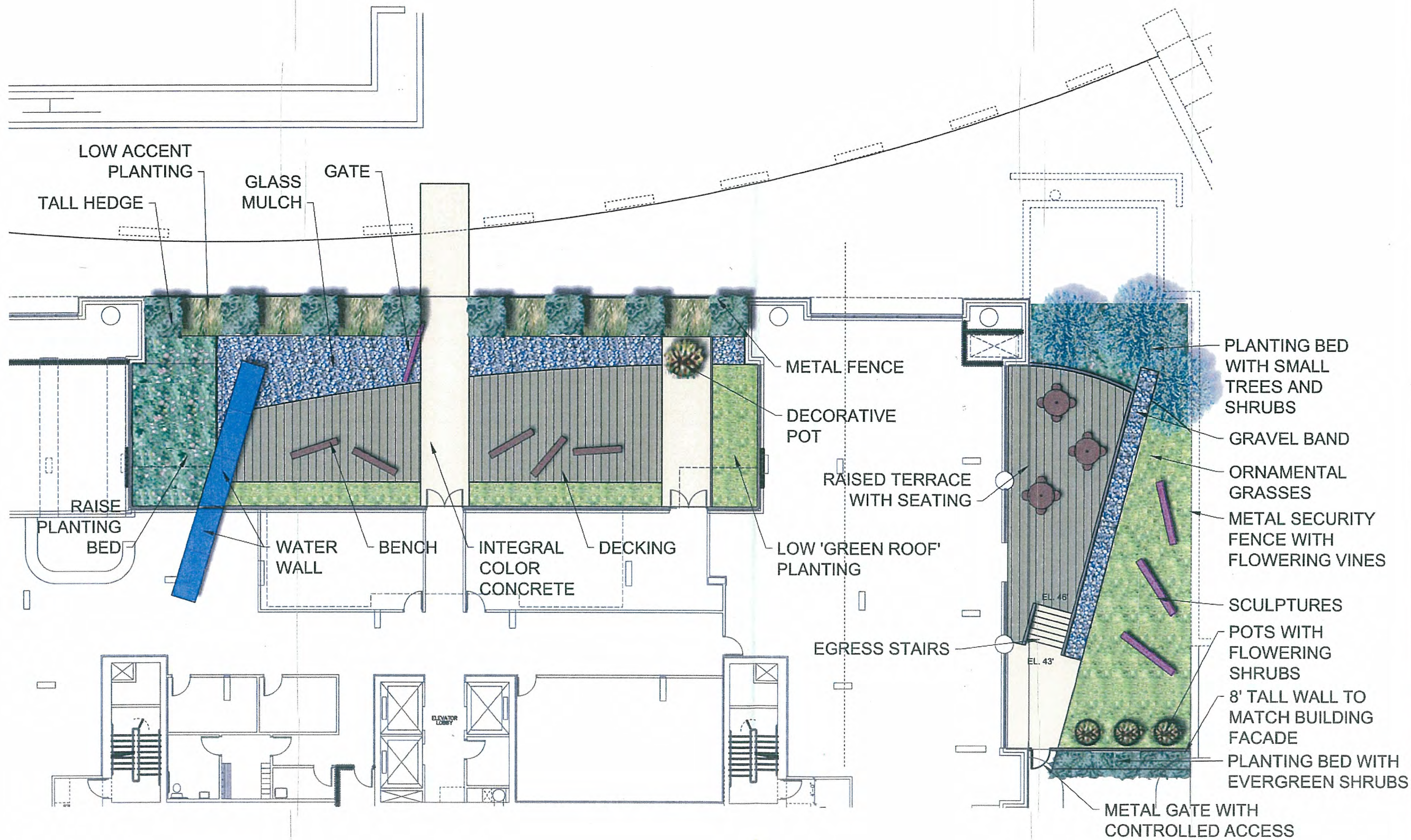
PROJECT TITLE  
**55 NINTH STREET**  
 SAN FRANCISCO, CA

DRAWING TITLE  
**AREA IMAGES**

PROJECT NO. 2645	FILE/DATE 2645 A4.08 Area Images 12-06a
DRAWN JE	CHECKED JP III
SCALE N.T.S.	

DRAWING NO.  
**A4.08**





**CLIFF  
LOWE  
ASSOCIATES**

1175 FOLSOM STREET  
SAN FRANCISCO, CA. 94103  
415.431.0394  
415.431.0396 FAX

REVISED PLAN, COMM. SUBM. CASE # 2006.1248*	DEC 06, 2007
FINAL REVIEW DRAFT	OCT 12, 2007
ISSUE	DATB

CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL BE INFORMED BY ANY CHANGES FROM THE UNDERGROUND CONDITIONS SHOWN ON THE ORIGINALS.

**ANKA DEVELOPMENTS INC.**

**PERKINS &  
COMPANY &  
C**

1405 WEST 5<sup>TH</sup> AVENUE SAN FRANCISCO, CA 94115  
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WWW.PERKINSANDCOMPANY.COM

PROJECT TITLE  
55 NINTH STREET  
SAN FRANCISCO, CA

CRAWING TITLE  
**LANDSCAPE PLAN**

PROJECT NO 2645	FILE DATE 05-05-07	SCALE 1/16" = 1'-0"
DRAWN JP II	CHECKED JP II	DRAWING NO A5.01

CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL BE INFORMED BY ANY CHANGES FROM THE UNDERGROUND CONDITIONS SHOWN ON THE ORIGINALS.





NORTH-EAST SIDE OF NINTH STREET - VIEW FROM MARKET STREET (A)



NORTH-EAST SIDE OF NINTH STREET (B)



NORTH-EAST SIDE OF NINTH STREET - VIEW FROM MISSION STREET (C)



SITE - VIEW FROM LASKIE STREET (D)



NINTH STREET - VIEW FROM FREEWAY (E)



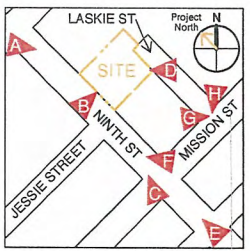
SOUTH-WEST SIDE OF NINTH STREET - VIEW FROM MISSION STREET (F)



SOUTH-EAST CORNER OF LASKIE STREET/MISSION STREET (G)



SOUTH-WEST CORNER OF LASKIE STREET/MISSION STREET (H)



KEYMAP (N.T.S.)

REVISED PLAN, COMM. SUBM.	DEC 06, 2007
PLAN. COMMISSION SUBMISSION	NOV 01, 2007
ISSUE	DATE

ANKA DEVELOPMENTS INC.

**PERKINS & COMPANY**

1408 WEST 1<sup>ST</sup> AVENUE T 604 685 2428  
VANCOUVER, BC V6H 4C3 F 604 685 2467  
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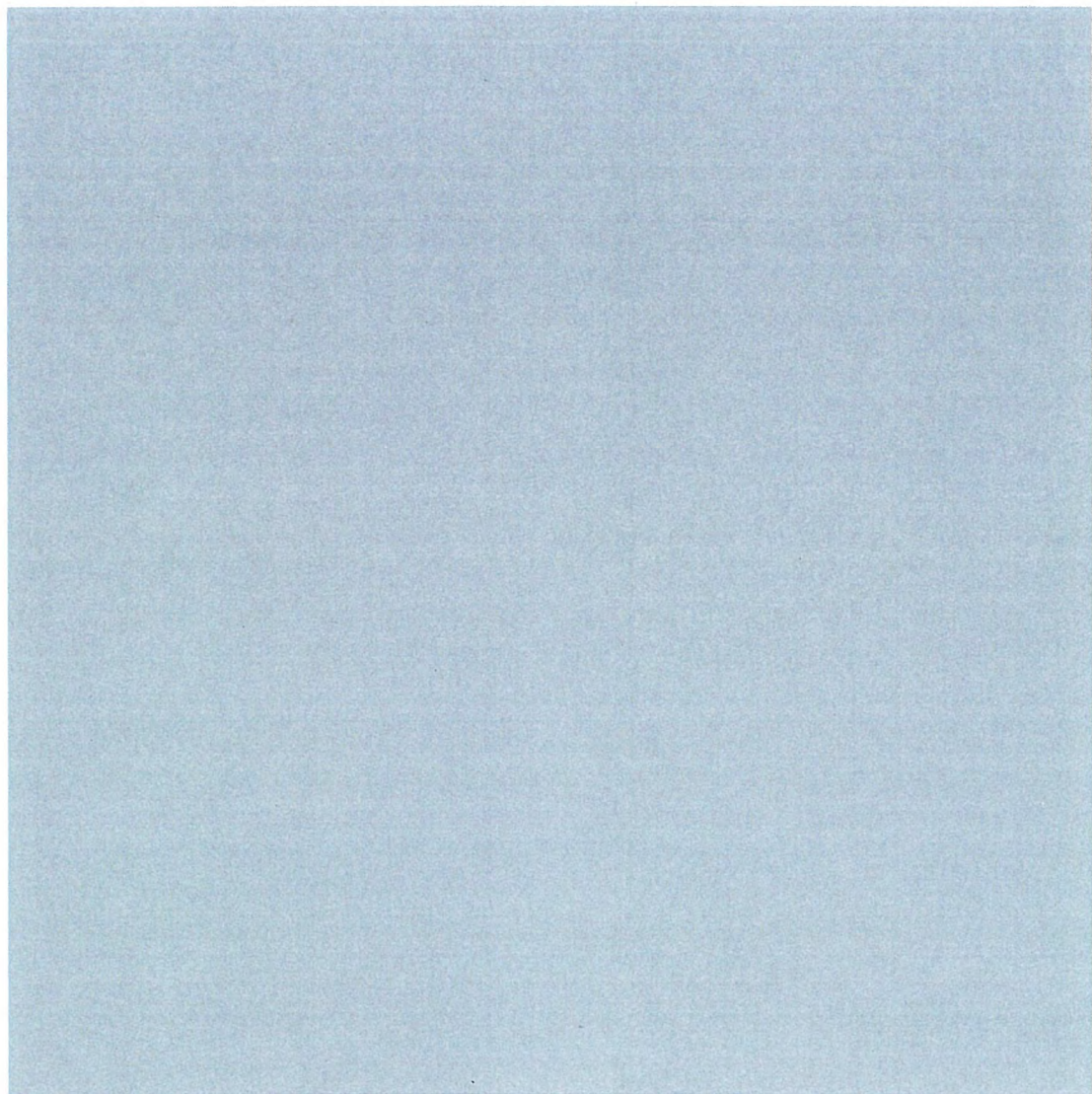
PROJECT TITLE  
55 NINTH STREET  
SAN FRANCISCO, CA

DRAWING TITLE  
AREA IMAGES

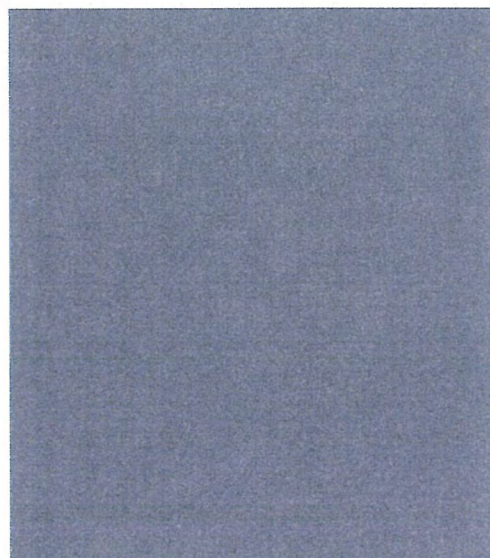
PROJECT NO. 2845	FILE / DATE 2845 A4.08 Area Images 13-05a
DRAWN JE	CHECKED JP III
SCALE N.T.S.	DRAWING NO. A4.08

CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL BE SPORADIC OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWING.

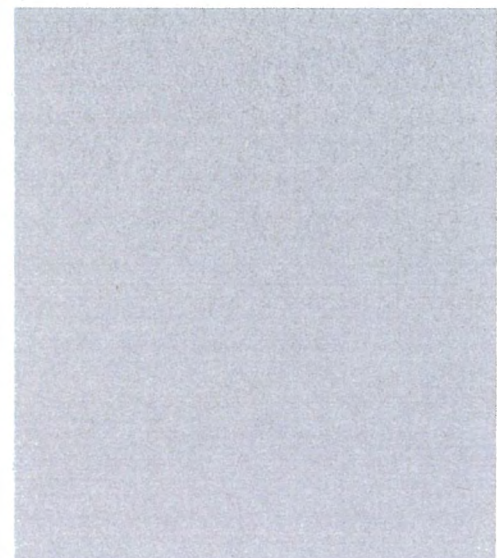




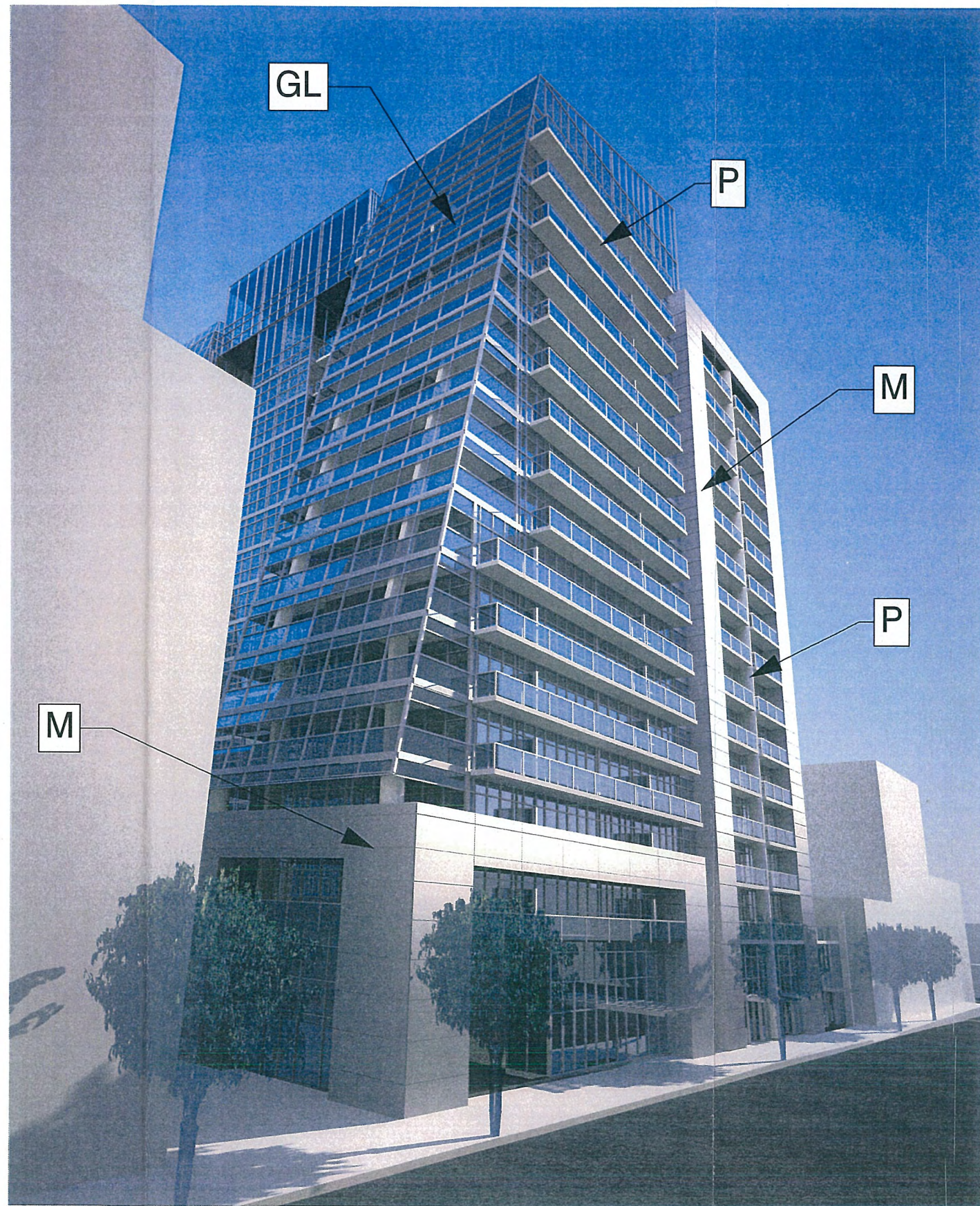
GL - GLASS, 6mm GUARDIAN SN68 (#2), 4mm CLEAR (WINDOWS)



M - METAL, PEWTER COLOR (MULLIONS, GUARDRAILS, METAL PANELS, SPANDREL PANELS, PARKING ENTRANCE GRILLWORK)



P - PAINT, FOSSIL GREY COLOR (CONCRETE COLUMNS, CURBS, BALCONY SLABS)



PERSPECTIVE

REVISED PLAN COMM. SUBM.	DEC 06, 2007
PLANING COMMISSION SUBMISSION	NOV 01, 2007
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN. COMM. SUBM.	SEP 28, 2007
2ND DRAFT FOR PLAN. COMM. SUBM.	SEP 04, 2007
PLANNING COMMISSION SUBMISSION	AUG 16, 2007
ISSUE	DATE

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ANKA DEVELOPMENTS INC.

PERKINS & COMPANY &

1498 WEST 5<sup>th</sup> AVENUE T 604 685 2428  
VANCOUVER, BC V6H 4G3 F 604 685 2467  
PERKINS & COMPANY ARCHITECTURE & URBAN DESIGN INC.  
WWW.PERKINSANDCOMPANY.COM

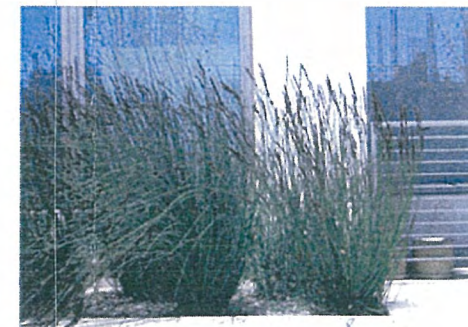
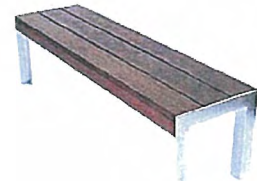
PROJECT TITLE  
55 NINTH STREET  
SAN FRANCISCO, CA

DRAWING TITLE  
MATERIALS

PROJECT NO. 2645	FILE / DATE 2645 A8.01 Materials 12-05a
DRAWN JE	CHECKED JP III
SCALE	

CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL BE NOTIFIED OF ANY DEVIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THE DRAWINGS.  
PERKINS & COMPANY ARCHITECTURE & URBAN DESIGN INC.  
WWW.PERKINSANDCOMPANY.COM  
DRAWING NO.  
A6.01





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LOWE  
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REVISED PLAN, COMM. SUBM.	DEC 06, 2007
PLANING COMMISSION SUBMISSION	NOV 01, 2007
DATE OF 2008.10.08	
FINAL REVIEW DRAFT	OCT 12, 2007
3RD DRAFT FOR PLAN, COMM. SUBM.	SEP 28, 2007
2ND DRAFT FOR PLAN, COMM. SUBM.	SEP 04, 2007
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ANKA DEVELOPMENTS INC.

PERKINS &  
COMPANY

1498 WEST 5<sup>TH</sup> AVENUE T 604 685 2428  
VANCOUVER, BC V6H 4G3 F 604 685 2467  
WWW.PERKINSANDCOMPANY.COM

PROJECT TITLE  
55 NINTH STREET  
SAN FRANCISCO, CA

DRAWING TITLE  
MATERIALS

PROJECT NO.	FILE / DATE	
2645	2645 A6.01 Materials 12-06a	
DRAWN	CHECKED	SCALE
JE	JP III	

PERKINS & COMPANY ARCHITECTURE & URBAN DESIGN INC.  
DRAWING NO.  
A6.01









MORI HATSUSHI & ASSOCIATES  
 80 S. BUCHANAN CIRCLE  
 PACHECO, CA 94553  
 TEL: (925) 685-2201 FAX: 685-2863  
 EMAIL: hatsushi.prjct@sbcglobal.net

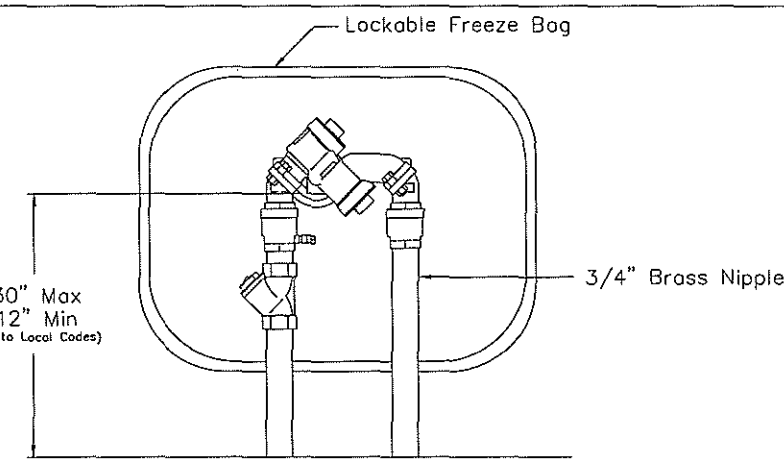
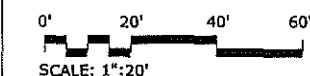
9TH STREET

55 NINTH STREET  
 SAN FRANCISCO, CA 94103

IRRIGATION PLAN

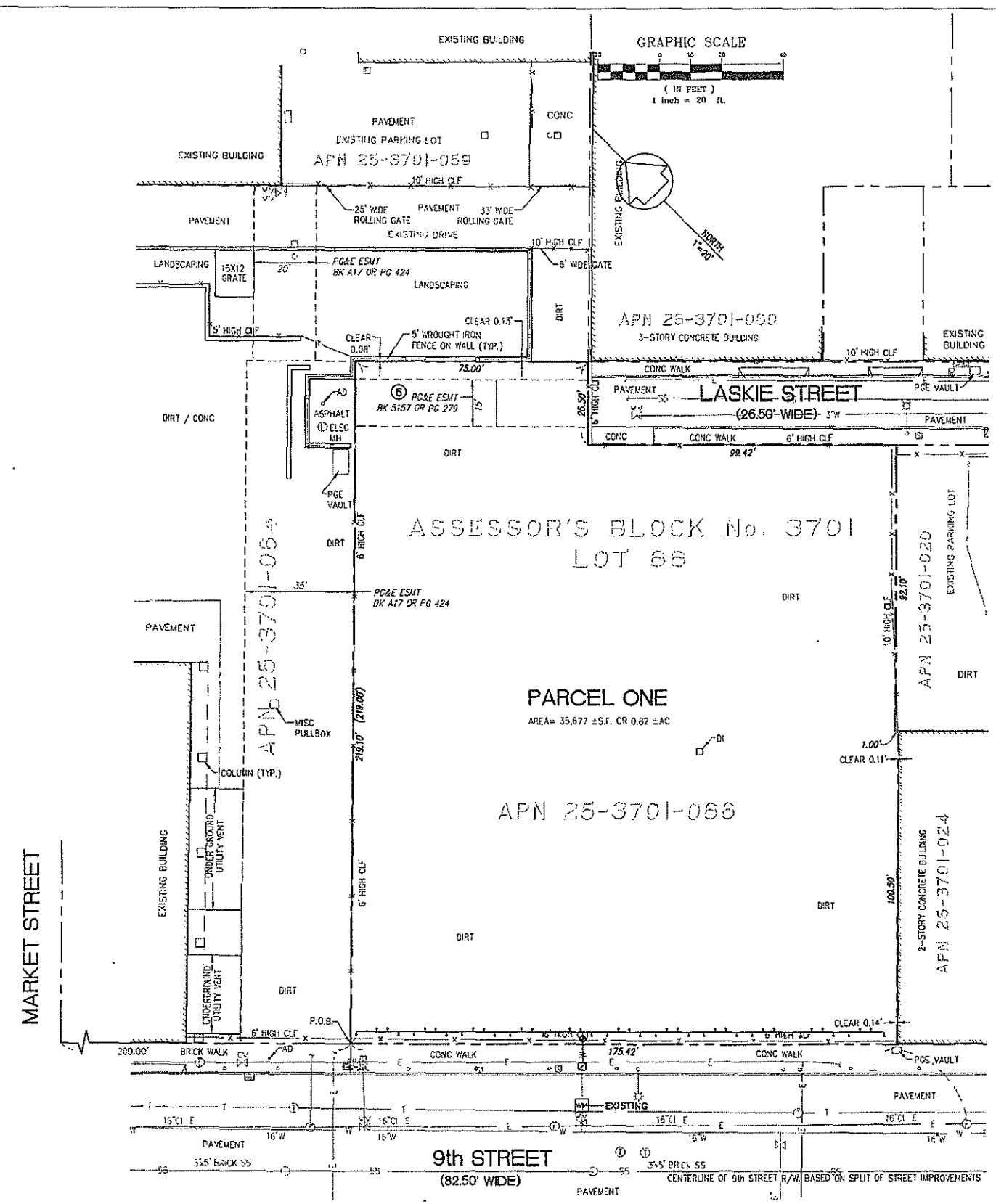
JOB: NINTH STREET  
 SCALE: 1"=20'  
 DRAWN: HS  
 CHECKED: MH  
 DATE: 6/6/2011

L-2



FEBCO MODEL 825YA  
 Reduced Pressure Assembly  
 Standard Configuration  
 Outside Freeze Protection Installation

1 BACKFLOW PREVENTER  
 NOT TO SCALE



SYMBOL	DESCRIPTION
⊕	RAINBIRD PEB VALVE, 1" W/ 8010 ACTUATOR SOLENOID
•	RAINBIRD BUBBLER 1401
⊠	FEBCO BACKFLOW PREVENTER 825 YA W/ FREEZE BAG
—	CLASS 200 PVC LATERAL LINE 12" DEEP