



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Zoning Map and General Plan Amendment

HEARING DATE: JANUARY 23, 2014

Date: January 15, 2014
Case No.: **2013.1663ZM**
Project Address: **133-135 GOLDEN GATE AVE.**
Current Zoning: RC-4 (Residential-Commercial, High Density)
80-T and 120-T Height and Bulk District
Proposed Zoning: C-3-G (Downtown, General)
80-T and 120-T Height and Bulk District
Block/Lot: 0349/012 & 013
Project Sponsor: Supervisor Kim
Staff Contact: Aaron Starr – (415) 558-6362
aaron.starr@sfgov.org
Recommendation: **Recommend Approval**

1650 Mission St.
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415.558.6377

PROJECT DESCRIPTION

The proposed Zoning Map Amendment Ordinance would rezone the subject property, 133-135 Golden Gate Avenue, from RC-4 (Residential-Commercial, High Density) to C-3-G (Downtown General Commercial) so that it may participate in the City's Transfer of Development Rights (TDR) program.

The proposed General Plan Amendment Ordinance would expand The Land Use and Density Plan (hereinafter Map 1) of the Downtown Area Plan to include 133-135 Golden Gate Avenue. The Commission voted unanimously to initiate this amendment at its January 9, 2014 hearing, (CPC Resolution # 19058).

SITE DESCRIPTION AND PRESENT USE

The subject property, known as St. Boniface, is located on the south side of Golden Gate Avenue between Leavenworth and Jones Street. The property is composed of two lots; one larger lot that is approximately 32,000 sq. ft. and one smaller lot that is approximately 2,000. The subject building is a Romanesque revival, reinforced masonry structure designated as an Article 10 Landmark (Landmark #172). St. Boniface's order has existed since 1887, and its website describes it as "a Franciscan peace parish in the Tenderloin." The church offers several ministries including the St. Vincent de Paul Society, the Filipino Community at St Boniface, and the Sacred Heart Gospel Choir. The church also lets the City's homeless sleep in the pews, even during Mass, and provides a host of services to hundreds of those who are required to leave when homeless shelters close in the morning.¹

¹ Mints, Zoe. "St. Boniface Church in San Francisco Lets Homeless People Sleep In Pews." HuffingtonPost.com, Published January 31, 2013, Accessed January 7, 2014.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located in the Tenderloin districts about one block from Market Street. The neighborhood is made up mostly of midrise apartment buildings and converted industrial buildings, and is home to many charitable organizations and religious institutions, such as St. Boniface. The majority of the Tenderloin is zoned RC-4; however some blocks along the neighborhoods eastern edge and around St. Boniface are zoned C-3-G.

ENVIRONMENTAL REVIEW

The proposal to amend the Planning Code would result in no physical impact on the environment. The proposed amendment is exempt from environmental review under Section 15061(b)(3) of the CEQA Guidelines.

PUBLIC COMMENT

The Department received some email and phone call of inquiries about the proposed Ordinance, and also a packet of 10 support letters from the project sponsor. The Department has not received any letters of opposition.

ISSUES AND OTHER CONSIDERATIONS

1. The proposed rezoning will enable St. Boniface to participate in San Francisco's TDR program². TDRs are units of gross floor area that may be transferred from one lot to another within C-3 Zoning District. Each one square foot of gross floor area is one unit of TDR. Transferring unused or excess TDR units allows a structure on a Development Lot to be built that exceeds the basic floor area ratio and, in return, enables the Transfer Lot (in this case St. Boniface) to sell "excess" TDR units as an extra financial incentive towards the preservation of that structure.

As part of the TDR application the Transfer Lot is required to submit for approval by the Department a Preservation, Rehabilitation, and Maintenance Plan that describes any proposed preservation and rehabilitation work and that guarantees the maintenance and upkeep of the Transfer Lot. This Plan is required to include a plan for the ongoing maintenance of the Transfer Lot; the information regarding the nature and cost of any rehabilitation, restoration or preservation work to be conducted on the Transfer Lot, including information about any required seismic, life safety, or disability access work; a construction schedule; and any other such information as the Department may require. All rehabilitation and maintenance work is required to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

2. The maximum amount of TDR available for this property is 128,640. In addition to unused floor area, non-profits are allowed to sell used floor area if the space is open to the public. How much of the 128,640 sq. ft. is open to the public will be decided when the TDR application is filed.

² St. Boniface has not yet submitted a TDR application, but if this rezoning passes, we have been told that such an application would be filed.

3. Allowing the church to participate in the TDR program will provide it with needed funds for the restoration and upkeep of the church. The church has several million dollars' worth of deferred maintenance and upkeep expenses, including restoration of their stained glass windows (see Exhibit G).
4. A Zoning Map Amendment and General Plan Amendment for this exact purpose were done for Old St. Mary's in 2010, case # 2009.1180TZM
5. In order for the proposed rezoning to be consistent with the General Plan, Map 1 of the Downtown Area Plan must be modified to include the subject lots. General Plan amendments can only be initiated by the Planning Commission and cannot be initiated by elected officials³.
6. The Historic Preservation Commission heard both the Both Amendments are required for St. Boniface to be able to participate in the City's TDR program. The voted unanimously to forward both Ordinances to the Board of Supervisors with a positive recommendation.

REQUIRED COMMISSION ACTION

The Commission may recommend approval, or approval in part, or disapproval the proposed Zoning Map and General Plan Amendments.

BASIS FOR RECOMMENDATION

The Department developed the following criteria to use when evaluating these types of cases. The criteria proposed for evaluation of a new TDR opportunity are intended to be rigorous in order to guarantee that the rezoning is within the public interest. Based on the Department's review, this case meets all of the proposed criteria.

Proposed key considerations for designation of new TDR opportunity:

- 1) Is the parcel adjacent/contiguous with other C-3 zoned parcels?

Yes, the property is located adjacent to a C-3-G zoned property. In addition, three blocks that face the subject block also contains properties zoned C-3-G.

- 2) Would the rezoning increase development potential in FAR or height? If so, what are the urban design implications of additional FAR or height?

While changing the zoning of St. Boniface from RC-4 to C-3-G is technically an up-zoning, after the TDR is sold the building will effectively be downzoned. The site's existing zoning of RC-4 allows much taller and larger structures than the existing church and rectory. Although St. Boniface is subject to restrictions

³ Planning Code Section 340(c) states, "[A General Plan] amendment may be initiated by a resolution of intention by the Planning Commission in response to a request by a member of the Planning Commission, the Board of Supervisors, or an application by one or more property owners, residents or commercial lessees or their authorized agents. A resolution of intention adopted by the Planning Commission shall refer to, and incorporate by reference, the proposed General Plan amendment.

on alteration and demolition due to its landmark status, if St. Boniface were to be destroyed by fire or earthquake, with RC-4 zoning a much larger structure in terms of height, bulk and density could be developed in its place. Once rezoned to C-3-G and after the TDR are sold, the resulting permanent limitations on re-development of the site, imposed on all Transfer Lots, would be even more restrictive than those in place today.

- 3) Are there potential impacts of the rezoning due to adjacency to sensitive parcels uses?

The Department has not identified or been made aware of any sensitive uses that could be impacted by this change. However, given that the proposed Ordinance will allow the existing use to continue, and help preserve an existing historic building, it's doubtful that it will have any negative impact on the surrounding neighborhood.

- 4) Has the subject parcel been part of a recent rezoning or community planning effort?

No, the subject property has been zoned RC-4 for several decades.

- 5) Does the property need both a rezoning and a new historic designation? If so, does the Department believe that the subject building is significant enough to either be an individual City Landmark or a Category 11 Building?

No, the subject property was designated as a Historic Landmark in 1984.

RECOMMENDATION: Approval
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Attachments:

- Exhibit A: Draft Resolution
- Exhibit B: Zoning Map Amendment Ordinance
- Exhibit C: General Plan Amendment Ordinance
- Exhibit D: Zoning Map
- Exhibit E: Map 1 of the Downtown Area Plan
- Exhibit F: Site Photograph
- Exhibit G: Interior Design Elements and Art Glass Windows
- Exhibit H: Letters of Support



Exhibit A

SAN FRANCISCO PLANNING DEPARTMENT

Draft Planning Commission Resolution No. XXXXX

HEARING DATE JANUARY 23, 2014

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Case No.: **2013.1663ZM**
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RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE A PROPOSED ORDINANCE TO AMEND THE ZONING MAP THAT WOULD REZONE 133-135 GOLDEN GATE AVENUE FROM RC-4 (RESIDENTIAL-COMMERCIAL, HIGH DENSITY) TO C-3-G (DOWNTOWN GENERAL), AND A PROPOSED ORDINANCE TO AMEND MAP 1 OF THE DOWNTOWN AREA PLAN TO INCLUDE 133-135 GOLDEN GATE AVENUE; TO MAKE AND ADOPT ENVIRONMENTAL FINDINGS; AND FINDINGS OF CONSISTENCY WITH THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1 AND THE GENERAL PLAN.

WHEREAS, on October 8, 2013, Supervisor Kim introduced an Ordinance under Board of Supervisors (hereinafter "Board") File Number 130999 for a Zoning Map Amendment to rezone 133-135 Golden Gate Avenue (APN 0349/012 & 013) also known as St. Boniface (hereinafter Subject Property) from RC-4 (Residential-Commercial, High Density) to C-3-G (Downtown, General) in order to provide for the eligibility to sell transferable development rights; and

WHEREAS, on January 9, 2014, the Planning Commission (hereinafter Commission) initiated a General Plan Amendment to expand The Land Use and Density Plan (hereinafter Map 1) of the Downtown Area Plan to include the Subject Property so that Supervisor Kim's Ordinance would be consistent with the Downtown Area Plan; and

WHEREAS, the Subject Property is Landmark #172, which puts any proposed changes to the Subject Property also under the purview of the Historic Preservation Commission; and

WHEREAS, the Historic Preservation Commission unanimously recommended that the Board of Supervisors approve the proposed Zoning Map Amendment and the General Plan Amendment at their January 15, 2014 hearing; and

WHEREAS, an exemption from Environmental Review under the General Rule Exclusion found in the State CEQA Guidelines Section 15061 (b)(3) was issued for the Project on January 2, 2014; and

WHEREAS, 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 by Department staff and other interested parties; and

WHEREAS, the Commission has reviewed the proposed Ordinances; and

MOVED, that the Commission hereby recommends that the Board of Supervisors *approve the proposed Ordinances* and adopts this Resolution to that effect.

FINDINGS

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

1. Allowing St. Boniface to participate in the TDR program will provide it with needed funds for the restoration and upkeep of the church, a designated City Landmark.
2. A Zoning Map Amendment and a General Plan Amendment for this same purpose were done for Old St. Mary's Church in 2010 (Case # 2009.1180TZM) also a designated City Landmark.
3. In order for the proposed rezoning to be consistent with the General Plan, Map 1 of the Downtown Area Plan must be modified to include the Subject Property.
4. The proposed rezoning will maintain a contiguous zoning district.
5. The proposed rezoning along with the sale of TDR will not increase the development potential for the subject site.
6. The proposed rezoning will not have adverse effects to adjacent properties.
7. The Subject Property was not part of a recent rezoning effort.
8. The Subject Property is already a designated historic landmark; therefore it will not need a new historic designation in addition to the proposed rezoning.
9. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

DOWNTOWN AREA PLAN

OBJECTIVE 2

MAINTAIN AND IMPROVE SAN FRANCISCO'S POSITION AS A PRIME LOCATION FOR FINANCIAL, ADMINISTRATIVE, CORPORATE, AND PROFESSIONAL ACTIVITY.

Policy 2.2

Guide location of office development to maintain a compact downtown core and minimize displacement of other uses.

The proposed rezoning and inclusion in the Downtown Area Plan will not displace another use or significantly increase the boundaries of the downtown core. It will help maintain a compact downtown core by allowing more commercial and residential development in other parts of the downtown.

OBJECTIVE 6

WITHIN ACCEPTABLE LEVELS OF DENSITY, PROVIDE SPACE FOR FUTURE OFFICE, RETAIL, HOTEL, SERVICE AND RELATED USES IN DOWNTOWN SAN FRANCISCO.

Policy 6.1

Adopt a downtown land use and density plan which establishes subareas of downtown with individualized controls to guide the density and location of permitted land use.

The proposed General Plan Amendment will maintain consistency between the City's zoning map and Map 1 of the Downtown Area Plan.

OBJECTIVE 12

CONSERVE RESOURCES THAT PROVIDE CONTINUITY WITH SAN FRANCISCO'S PAST.

Policy 12.1

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

The proposed project will help preserve a designated historic landmark.

10. The proposed project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

The proposed Ordinances will not have an adverse effect on neighborhood-serving businesses.

- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

The proposed Ordinances will not displace existing housing, nor will it have a negative effect on existing neighborhood character. Allowing the Subject Property to participate in the City's TDR program will allow the church to acquire funds that will, in part, be used to help preserve a

designated historic landmark, helping to conserve neighborhood character. Further, the continued operation of the church's mission in the exiting building will help maintain the cultural and economic diversity of the neighborhood.

- C) The City's supply of affordable housing will be preserved and enhanced:

The proposed Ordinances will not adversely affect the City's supply of affordable housing.

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

The proposed Ordinances would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

The proposed Ordinances will not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.

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

Preparedness against injury and loss of life in an earthquake is unaffected by the proposed Ordinances. Any new construction or alteration associated with a use would be executed in compliance with all applicable construction and safety measures.

- G) That landmark and historic buildings will be preserved:

Rezoning the Subject Property so that it can take part in the City's TDR program will allow the church to acquire funds that will be used, in part, to help preserve one of the City's designated historic landmarks.

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

The City's parks and open space and their access to sunlight and vistas would be unaffected by the proposed Ordinances. Any additional development caused by the sale of TDR will also be subject to the City's Proposition K shadow requirements.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board APPROVE the proposed Ordinances as described in this Resolution to rezone the Subject Property from RC-4 to C-3-G and expand Map 1 of the Downtown Area Plan to include the Subject Property.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on January 23, 2014.

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: January 23, 2014

1 [Zoning Map - Transferable Development Right Sale Eligibility - 133-135 Golden Gate Avenue
2 (St. Boniface Church and Rectory)]

3 **Ordinance amending the Planning Code, Zoning Use District Map ZN01, to provide for**
4 **eligibility to sell transferable development rights for property at 133-135 Golden Gate**
5 **Avenue (St. Boniface Church and Rectory); and making environmental findings, and**
6 **findings of consistency with the General Plan, and the eight priority policies of**
7 **Planning Code, Section 101.1.**

8 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.
10 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~strikethrough Arial font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Code
14 subsections or parts of tables.

15 Be it ordained by the People of the City and County of San Francisco:

16 Section 1. The Board of Supervisors of the City and County of San Francisco hereby
17 finds and determines that:

18 (a) The Planning Department has determined that the actions contemplated in this
19 ordinance comply with the California Environmental Quality Act (California Public Resources
20 Code Sections 21000 et seq.) and this Board adopts this determination as its own. Said
21 determination is on file with the Clerk of the Board of Supervisors in File No. _____ and
22 is incorporated herein by reference.

23 (b) On _____, the Planning Commission, in Resolution No. _____,
24 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
25 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
the Board of Supervisors in File No. _____, and is incorporated herein by reference.

1 (c) On _____, the Planning Commission, in Resolution No. _____,
 2 adopted findings pursuant to Planning Code Section 302 that the proposed zoning
 3 reclassification and map amendment will serve the public necessity, convenience and welfare.
 4 The Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk
 5 of the Board of Supervisors in File No. _____, and is incorporated herein by reference.

6 (d) This Board proposes the following Zoning Map amendments to allow the property
 7 located at 133-135 Golden Gate Avenue, St. Boniface Church and Rectory, designated as
 8 City Landmark No. 172, (Assessor’s Block No. 349, Lot Nos. 12 and 13), to be eligible for the
 9 City’s transferable development rights program.

10
 11 Section 2. In accordance with Planning Code Sections 106 and 302, the following
 12 changes are hereby adopted as amendments to Zoning Use District Map ZN01 of the Zoning
 13 Map of the City and County of San Francisco:

Description of Property	Use District To Be Superseded	Use District Hereby Approved
133-135 Golden Gate Avenue (St. Boniface Church and Rectory), Assessor’s Block No. 0349, Lot Nos. 12 and 13	RC-4	C-3-G

22
 23 Section 3. Effective Date. This ordinance shall become effective 30 days after
 24 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
 25

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
2 of Supervisors overrides the Mayor's veto of the ordinance.

3

4 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
5 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
6 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
7 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
8 additions, and Board amendment deletions in accordance with the "Note" that appears under
9 the official title of the ordinance.

10

11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

13 By: _____
14 MARLENA BYRNE
Deputy City Attorney

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[General Plan—Downtown Area Plan Amendments for 133-135 Golden Gate Avenue (St. Boniface Church and Rectory) for Transferable Development Rights Sale Eligibility]

Ordinance amending the San Francisco General Plan to allow the sale of transferable development rights for 133-135 Golden Gate Avenue (St. Boniface Church and Rectory) by amending Map 1 of the Downtown Area Plan; and making environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font. **Additions to Codes** are in *single-underline italics Times New Roman font*. **Deletions to Codes** are in *strikethrough italics Times New Roman font*. **Board amendment additions** are in double-underlined Arial font. **Board amendment deletions** are in ~~Arial font~~. **Asterisks (* * * *)** indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings

(a) This Board proposes the following General Plan amendment to allow the property located at 133-135 Golden Gate Avenue, St. Boniface Church and Rectory, designated as City Landmark No. 172, (Assessor’s Block No. 349, Lot Nos. 12 and 13), to be eligible for the City’s transferable development rights program.

(b) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.), and this Board of Supervisors hereby affirms this determination. Said determination is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by reference.

1 (c) Section 4.105 of the Charter of the City and County of San Francisco provides that
2 the Planning Commission shall periodically recommend to the Board of Supervisors, for
3 approval or rejection, proposed amendments to the General Plan.

4 (d) On _____, the Board of Supervisors received from the Planning
5 Department this proposed General Plan amendment.

6 (e) Section 4.105 of the City Charter further provides that if the Board of Supervisors
7 fails to Act within 90 days of receipt of the proposed the General Plan amendment, then the
8 proposed amendment shall be deemed approved.

9 (f) San Francisco Planning Code Section 340 provides that the Planning Commission
10 may initiate an amendment to the General Plan by a resolution of intention, which refers to,
11 and incorporates by reference, the proposed General Plan amendments. Section 340 further
12 provides that Planning Commission shall adopt the proposed General Plan amendments after
13 a public hearing if it finds from the facts presented that the public necessity, convenience and
14 general welfare require the proposed amendment or any part thereof. If adopted by the
15 Commission in whole or in part, the proposed amendments shall be presented to the Board of
16 Supervisors, which may approve or reject the amendments by a majority vote.

17 (g) After a duly noticed public hearing on hearing on January 9, 2014, in Resolution
18 No. _____, the Planning Commission initiated this amendment to the General Plan.
19 Said resolution is on file with the Clerk of the Board of Supervisors and incorporated herein by
20 reference.

21 (h) On _____, the Planning Commission adopted this amendment by
22 Resolution No. _____, finding in accordance with Planning Code Section 340 that
23 the public necessity, convenience and general welfare required the proposed amendments.
24 Said Resolution is on file with the Clerk of the Board in File No. _____. These and
25 any and all other documents referenced in this Ordinance have been made available to the

1 Board of Supervisors and may be found in either the files of the Planning Department, as the
2 custodian of records, at 1650 Mission Street in San Francisco, or in File No. _____
3 with the Clerk of the Board of Supervisors at 1 Dr. Carlton B. Goodlett Place, San Francisco
4 and are incorporated herein by reference.

5 (i) The Board of Supervisors finds, pursuant to Planning Code Section 340, that the
6 amendment set forth in this ordinance will serve the public necessity, convenience and
7 general welfare for the reasons set forth in Planning Commission Resolution No.
8 _____ and incorporates those reasons herein by reference.

9 (j) The Board of Supervisors finds that this amendment is, on balance, in conformity
10 with the General Plan, as amended by this ordinance, and the priority policies of Planning
11 Code Section 101.1 for the reasons set forth in Planning Commission Resolution No.
12 _____. The Board hereby adopts the findings set forth in Planning Commission
13 Resolution No. _____.

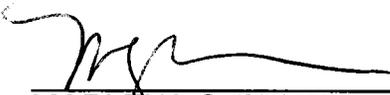
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15 Section 2. The San Francisco General Plan is hereby amended by amending Map 1 of
16 the Downtown Area Plan to include the property located at 133-135 Golden Gate Avenue (St.
17 Boniface Church and Rectory), Assessor's Block No. 0349, Lot Nos. 12 and 13, within the C-
18 3-G area, as recommended to the Board of Supervisors by the Planning Commission in
19 Resolution No. _____, and directs the Planning Department to update the General
20 Plan to reflect this amendment.

21
22 Section 3. Effective Date. This ordinance shall become effective 30 days after
23 enactment, or, under Section 4.105 of the City Charter, if the Board of Supervisors fails to act
24 within 90 days of receipt of this amendment, then this proposed amendments shall be
25 deemed approved. Enactment occurs when the Mayor signs the ordinance, the Mayor returns

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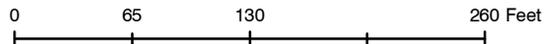
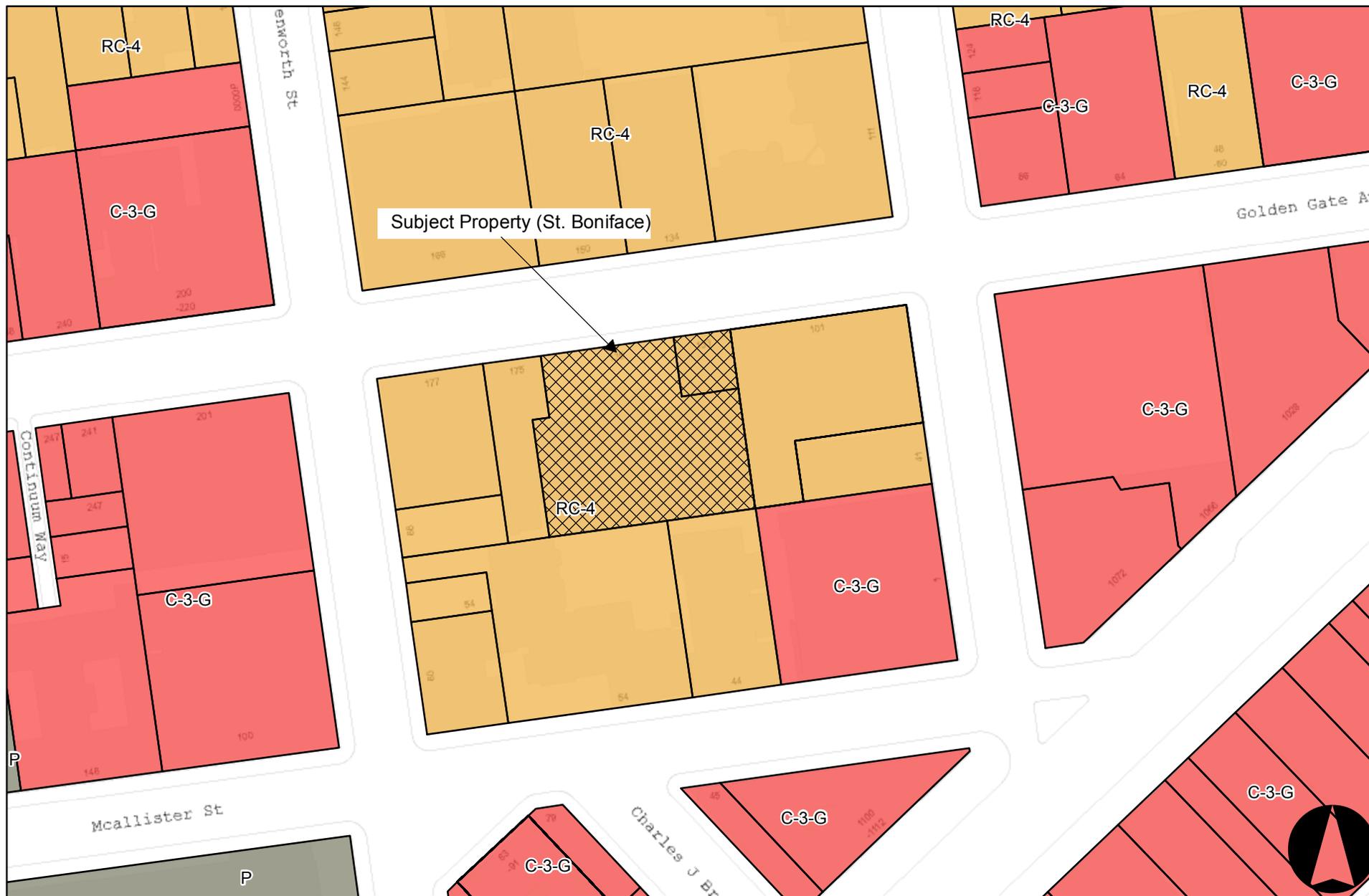
the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: 
MARLENA G. BYRNE
Deputy City Attorney

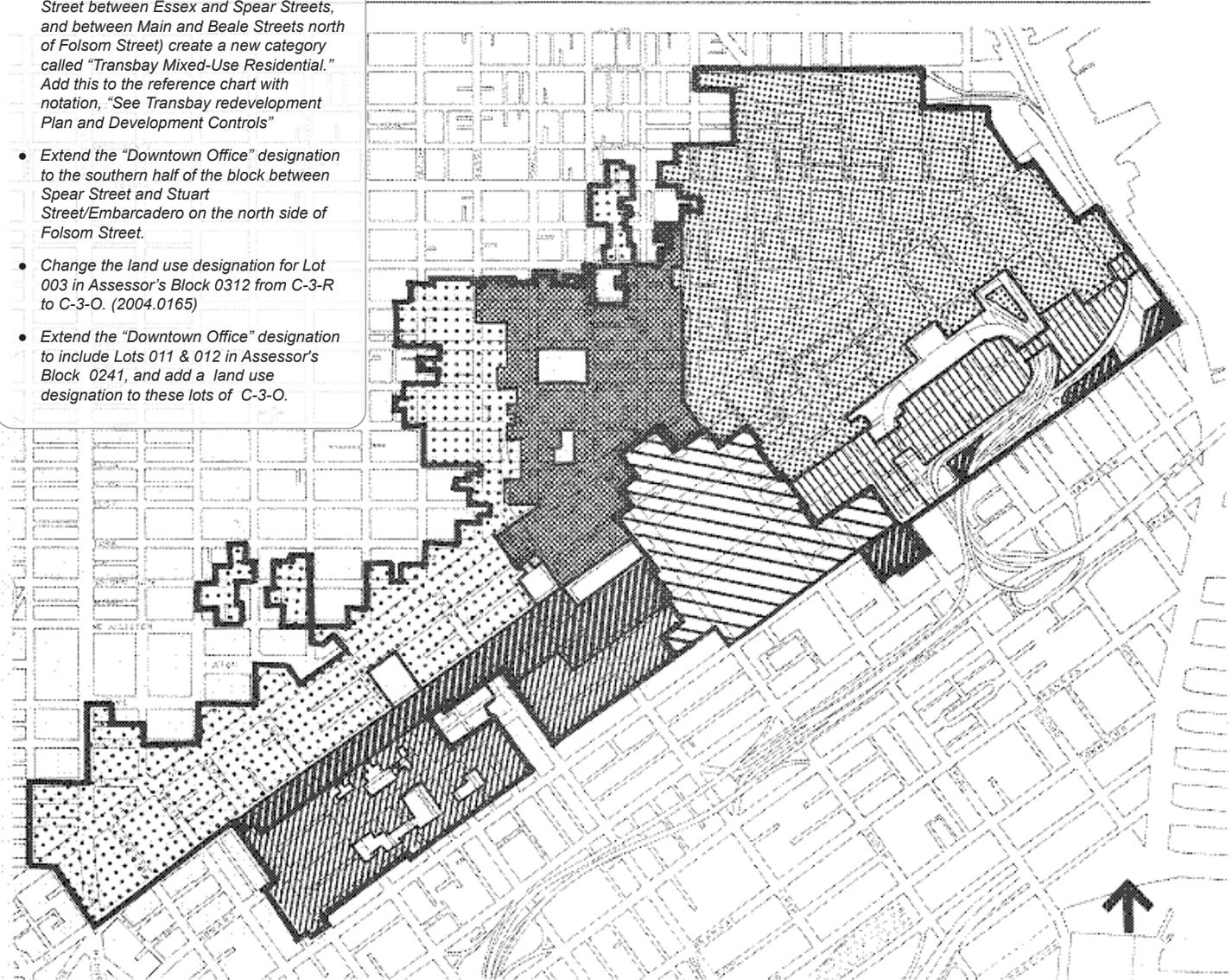
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St. Boniface Rezoning



MAP TO BE EDITED

- For public parcels on former freeway ramps in the Transbay (along Folsom Street between Essex and Spear Streets, and between Main and Beale Streets north of Folsom Street) create a new category called "Transbay Mixed-Use Residential." Add this to the reference chart with notation, "See Transbay redevelopment Plan and Development Controls"
- Extend the "Downtown Office" designation to the southern half of the block between Spear Street and Stuart Street/Embarcadero on the north side of Folsom Street.
- Change the land use designation for Lot 003 in Assessor's Block 0312 from C-3-R to C-3-O. (2004.0165)
- Extend the "Downtown Office" designation to include Lots 011 & 012 in Assessor's Block 0241, and add a land use designation to these lots of C-3-O.



DOWNTOWN LAND USE AND DENSITY PLAN

0 400FT
Map 1

Predominant Commercial Use Type	Building Commercial Intensity Density*	Height	Appropriate Zoning District
Downtown Office	FAR 9:1		C-3-O
Downtown Office	6:1		C-3-O (SD)
Downtown Retail	6:1		C-3-R
Downtown General Commercial	6:1		C-3-G
Downtown Service	5:1		C-3-S
Downtown Service, Industrial	2:1 office, 5:1 other		C-3-S (SU)
Mixed Use	See Yerba Buena Center Redevelopment Plan		

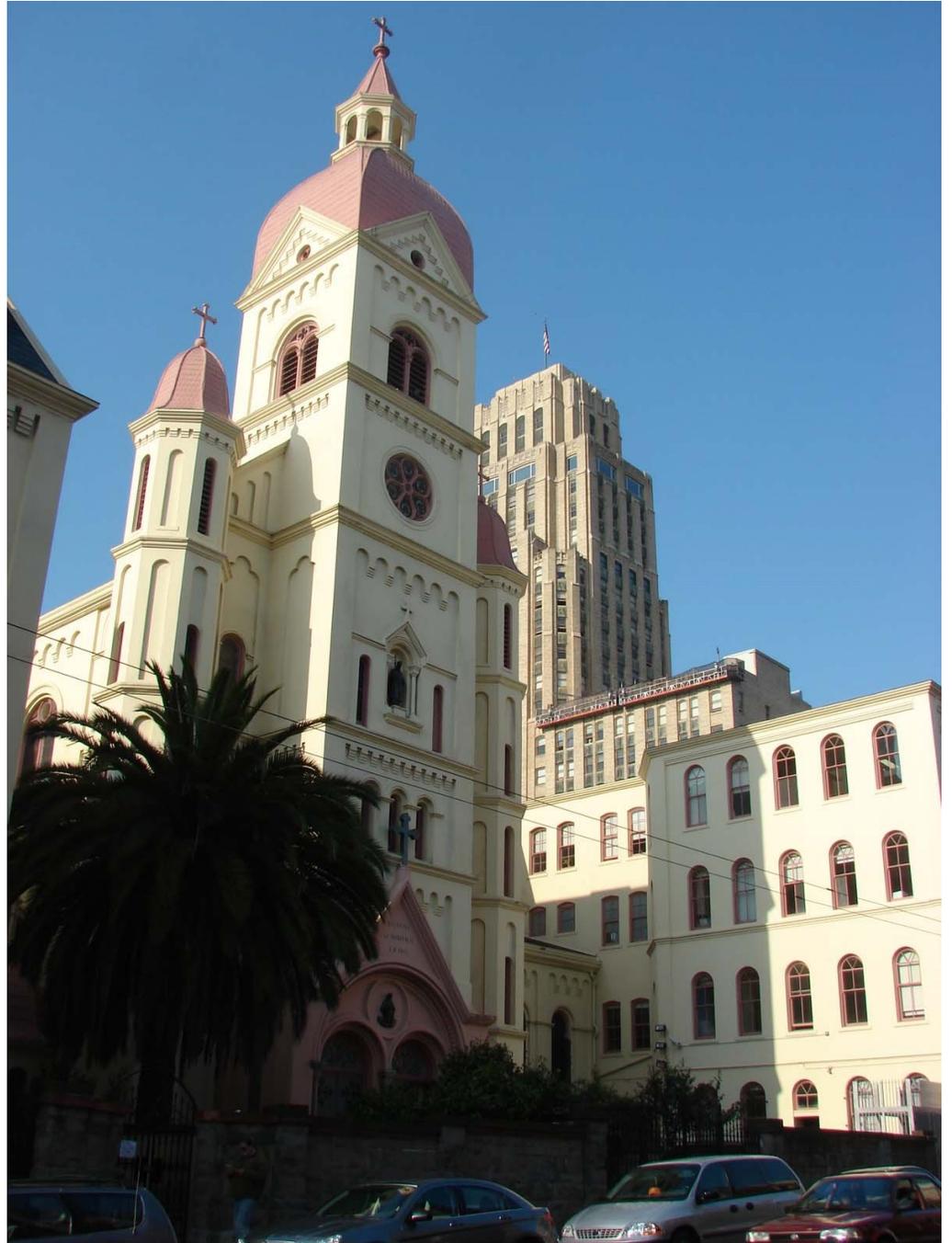
*Unused FAR may be transferred from preservation sites to development sites up to a maximum FAR of 18:1 in the C-3-O and C-3-O (SD) districts and up to one and one half times the basic FAR in the C-3-R, C-3-G and C-3-S districts. See Preservation of the Past Chapter.

NOTE: The notations shown in italics represent recent amendments to the General Plan. This map is intended only as a temporary placeholder, and will be replaced by final maps illustrating these amendments in graphic form.

St. Boniface



St. Boniface Church — San Francisco



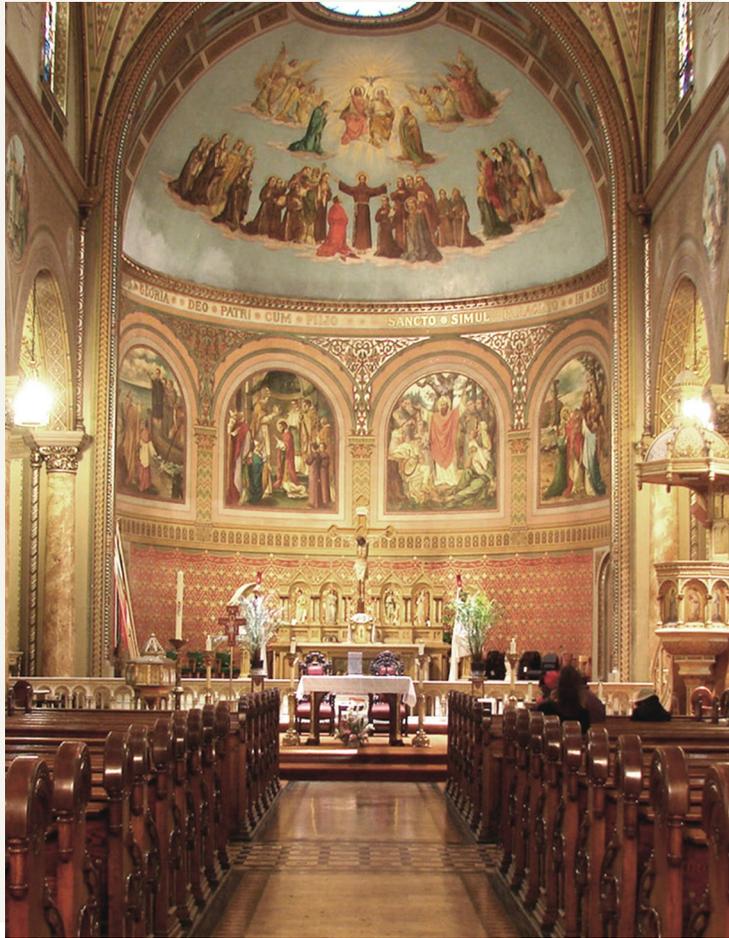
133 Golden Gate Avenue
San Francisco, CA 94102
A Franciscan Peace Parish

Phone: 415-863-7515
www.saintbonifacesf.org



Interior Design Elements & Art Glass Windows

Interior Space

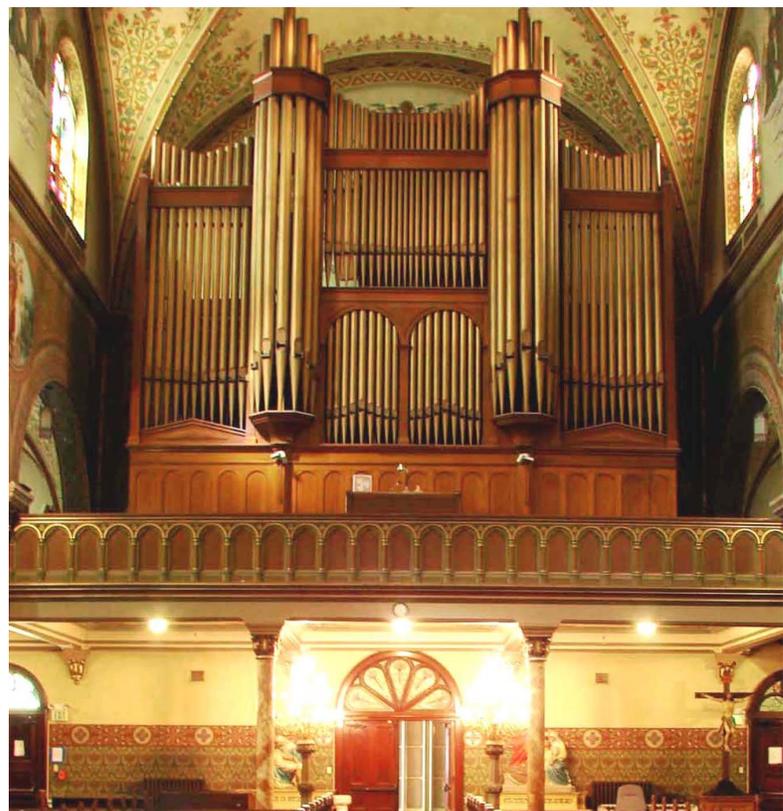


Sanctuary Frescoes

Painted in 1908.

Bevington –Austin Gallery Organ

Incorporates some of the ranks that were part of the great organ installed at the Panama-Pacific Exhibition of 1915.



Art Glass Windows

The hand-painted windows in the nave, side chapels, and choir loft at St. Boniface Church were designed by the Ludwig von Gerichten Company of Columbus, Ohio, recognized as one of the premier Munich style art-glass designers of his time. They were installed in 1908 to replace those destroyed by the Great Earthquake of 1906. Each translucent masterpiece employs all the elements found in classic turn-of-the-century church windows created by world-class artisans. The windows at St. Boniface represent one of the few remaining complete examples of this genre of church art by the von Gerichten Studios and are superb examples of the Munich School of church windows that dominated ecclesiastical construction projects from the mid-Nineteenth to mid-Twentieth century.

Munich School windows arose from the efforts of King Ludwig I of Bavaria to revitalize the art of the magnificent Gothic stained glass windows created during the halcyon days of the Renaissance when the art was at its peak. Referencing the works of great German Gothic artists such as Peter Hemmel von Andlau and Hans Holbein the Elder, Ludwig's goal was to bring stained glass back to life after several centuries of tapering off into a second-class art form. These artists, particularly Holbein the Elder, created richly colored and realistic religious scenes in a variety of genres including oil painting, woodcutting, book page illuminations, and, of course, stained glass. To promote his stained glass revitalization plan, Ludwig established the *Königliche Glasmalereianstalt (Royal Stained Glass Establishment)* in 1827 and placed it under the direction of several of the best German artists and glass painters of the era. Within a short period of time, windows of the highest artistic and structural quality designed and produced by the Munich studio were being installed in some of the great cathedrals of Europe including those at Regensburg, Glasgow, Cologne, St. Petersburg in Russia, and St. Paul's in London. The *Royal Stained Glass Establishment* laid the foundation for Munich as a center for stained glass design and fabrication in the 19th and early 20th Centuries. By 1900, some 13 stained glass studios in Munich were creating windows that would grace ecclesiastical edifices throughout the world.

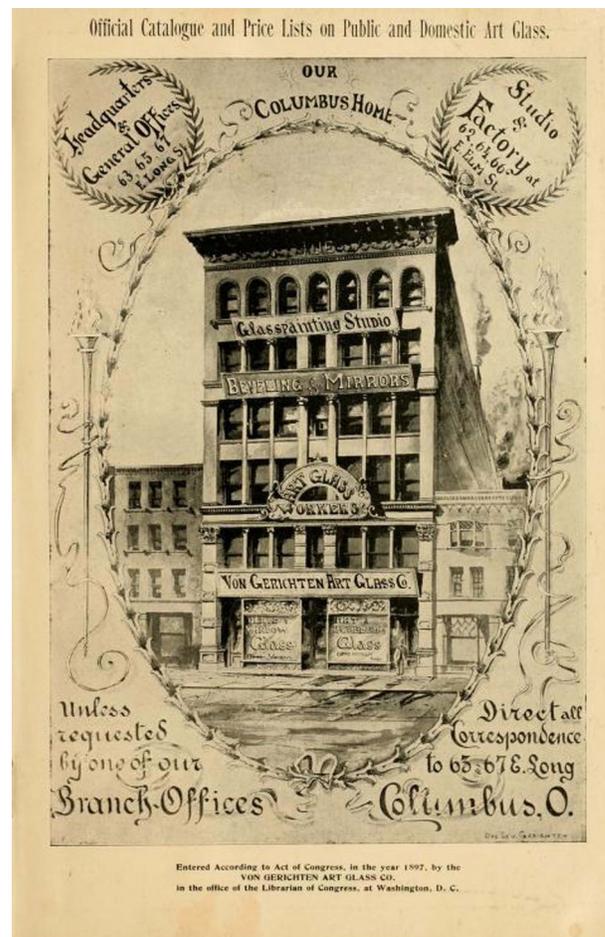


Ludwig von Gerichten

With thousands of new churches rising in the American Midwest and Western territories, several Bavarian companies recognized the economic opportunity and opened studios in the United States. As decades passed, American-and foreign-born apprentices to the German master artisans established their own break-away studios in Chicago, St. Louis, Cincinnati, and Columbus. Munich style art-glass windows became the standard for new church construction in the United States from the 1880s until the end of World War I in 1918 when the art of stained glass lost its status as "fine art", down-rated to "applied art."

One such start-up was founded by Ludwig von Gerichten and his brother Theodore who were born in Austria, apprenticed in Munich and ultimately moved to Columbus where they formed von Gerichten Art Glass Company in 1894. Their work was an immediate artistic and financial success; von Gerichten art glass windows won the grand prize and four gold medals at the 1904 Louisiana Purchase Exposition. In 1913, to satisfy the misinformed belief that windows actually produced in Germany were of higher quality than those produced in their Columbus studio, von Gerichten opened a studio in Munich. Despite the hugely increased charges for shipping entire collections of windows to the United States from Germany, many customers preferred the imported windows giving them bragging rights about having “real” Munich windows. Over the years, the company produced approximately 1,800 stained glass windows for 853 different churches. By 1931, the brothers parted and the company ceased to exist.

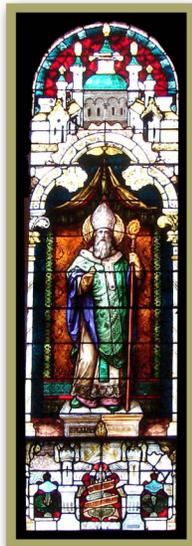
St. Boniface Church is one of the few remaining complete sets of Ludwig von Gerichten windows in the United States.



North Wall Gallery Windows



St. Agatha



St. Patrick



St. Emydius



St. Clare



Blessed Imelda



St. Anne

South Wall Gallery Windows



St. Charles



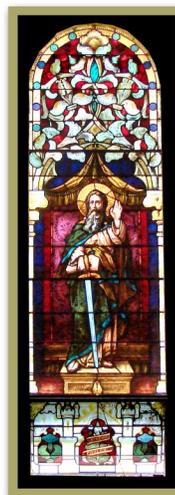
St. Pascal
Baylon



Good
Shepherd



St. Peter



St. Paul



Prodigal
Son



St. Mary
Magdalene

St. Agatha



St. Agatha was a virgin-martyr of the early Church, almost nothing is historically certain about this saint except that she was martyred in Sicily during the persecution of Emperor Decius in 251.

Legend holds that she underwent long and cruel tortures including having her breasts cut off and being rolled over beds of broken glass and hot coals. Her special relevance to St. Boniface Church is as a Protrectress against destruction by another conflagration as happened after the 1906 San Francisco earthquake.



St. Emydius



Very little is known about this saint, and most stories about him are considered historically worthless. Nevertheless, the legend is that he was a pagan in Trier, Germany, who converted to Christianity around 300. Some legends have him smashing pagan idols in Trier and fleeing enraged pagans to Rome; other legends have him visiting Rome, being made a bishop, and destroying a pagan temple, necessitating a quick departure. From Rome he was sent to Ascoli Piceno, where he was martyred (one assumes by angry pagans). He is the patron saint invoked against earthquakes.

This window was installed as a perpetual reminder that St. Boniface Church has twice arisen from the ashes of physical destruction.



St. Charles Borromeo St. Aloysius Gonzaga

Charles Borromeo was born in 1538 into the Medici family. His uncle was elected pope (Pius IV) and within a week, 22-year-old Charles, still a layman, was named cardinal archbishop of Milan. He eschewed a luxurious life. He contributed to the Tridentine catechism. When his older brother died in 1562 he determined to live a holier life. During the plague of 1576, he used his own funds in tending the sick and dying. He died in 1584. He is the patron saint of catechists and seminarians and is invoked against stomachaches and ulcers.

Aloysius, son of a nobleman, joined the court of Phillip II of Spain in 1581, after a military career didn't work out for him. While there he decided to enter the young Society of Jesus. He made his final vows in 1587 but was never ordained. While nursing the sick in Rome, he contracted the plague and died in 1591. He is the patron saint of youth and is held up as a role model of purity, especially for young men entering Holy Orders.

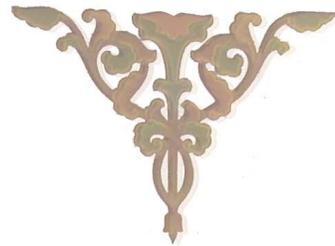


The Prodigal Son



One of the best known gospel stories, found only in Luke (in 15:11), where it is the third of three successive stories on finding what had been lost. This window illustrates Luke 15:21, when the father runs to his returning son and embraces him, overjoyed at his return.

The theme of forgiveness and welcome to all who seek it has been core to the charisma of St. Boniface Parish throughout its history.



North Wall Clerestory Windows



Resurrection



Jesus in Temple



Adoration of
Magi



Nativity



Visitation



Annunciation

South Wall Clerestory Windows



Mary Queen
Of Heaven



Franciscan Saints



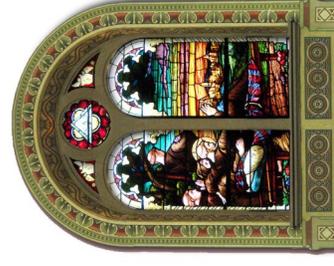
Portiuncula
Indulgence



St. Anthony



St. Francis
Stigmata

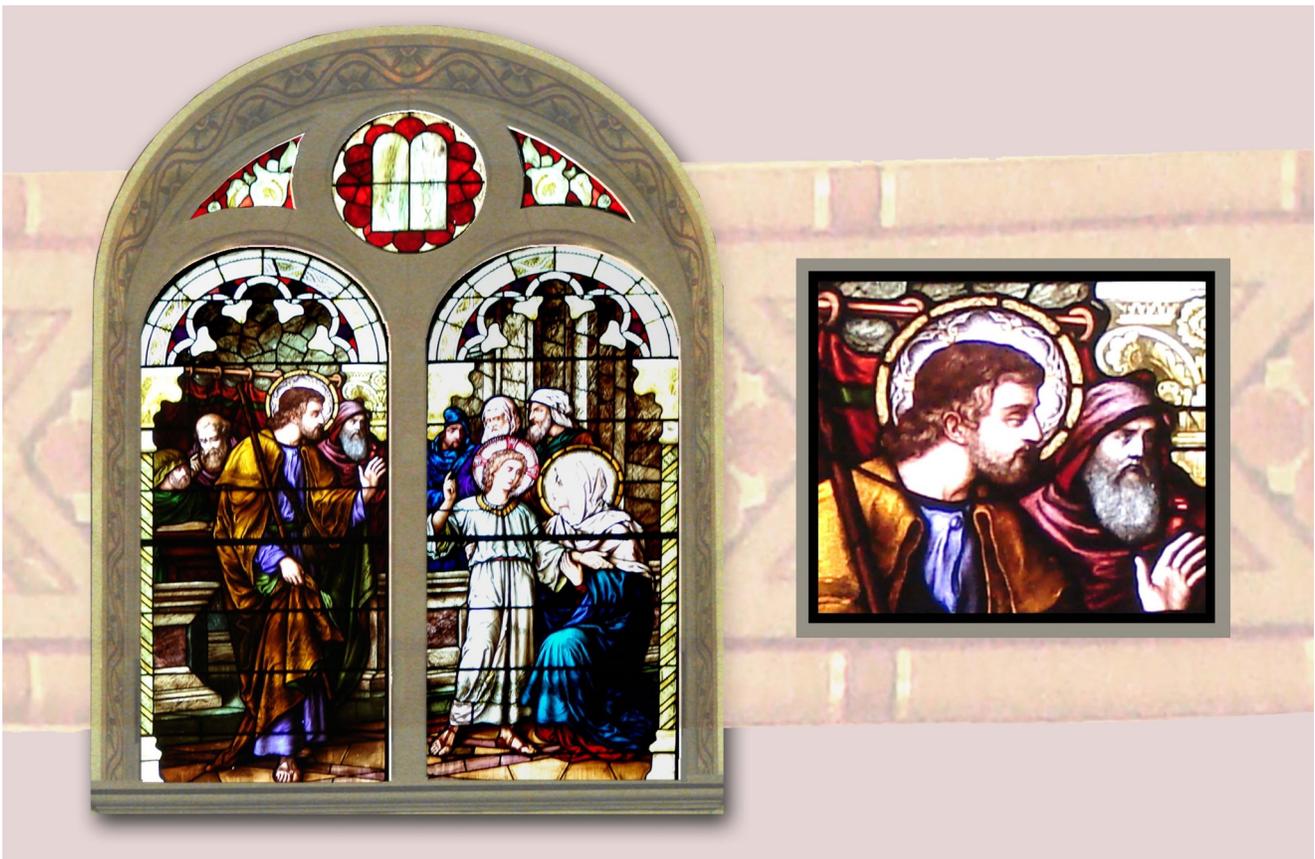


St. Francis
Blessing Assisi

The Resurrection



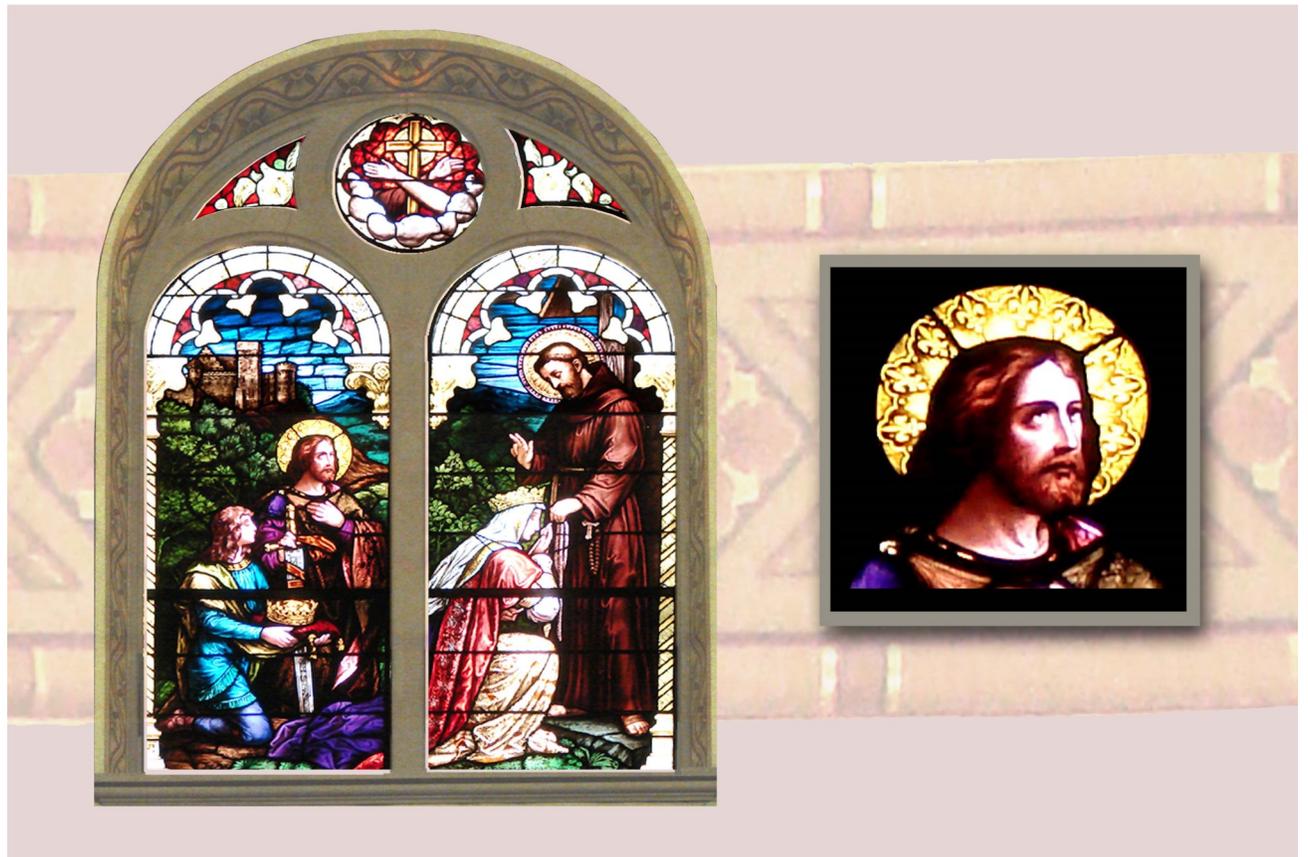
Jesus in the temple



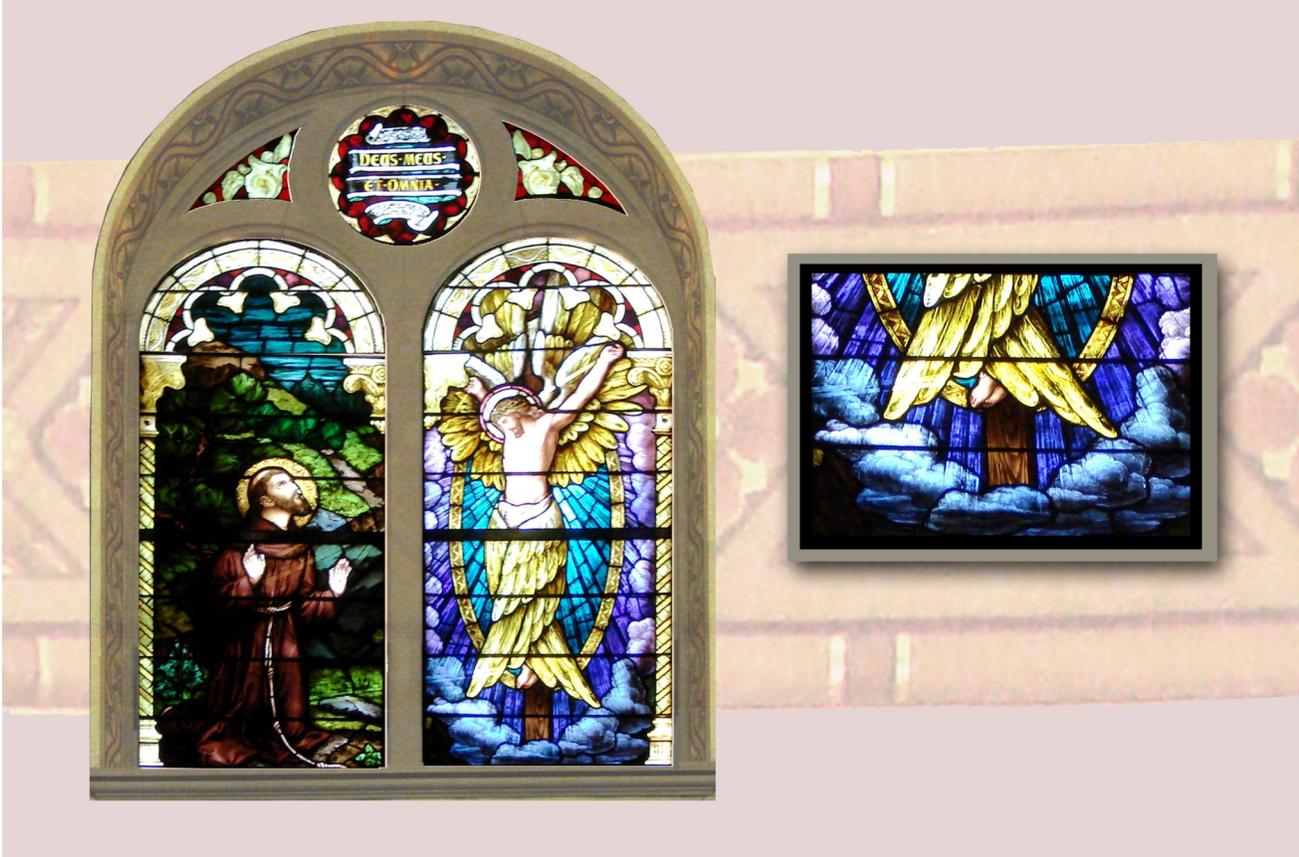
Mary Queen of Heaven



Franciscan Saints



St. Francis Receives Stigmata



St. Francis Blesses Assisi



Four Portraits



St. Mary Magdalene



St. Clare of Assisi



St. Cecelia



King David



January 15, 2013

San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103-2414

Re: 133-135 Golden Gate Avenue

Dear President Fong and members of the Commission:

On behalf of San Francisco Heritage ("Heritage"), thank you for the opportunity to comment on the proposed rezoning of 133-135 Golden Gate Avenue, home to St. Boniface Church. Rezoning the property from RC-4 (Residential-Commercial, High Density) to C-3-G (Downtown General Commercial) would generate Transferable Development Rights (TDRs) that the church could sell to finance much needed rehabilitation work. Given the significance of St. Boniface, its nonprofit mission, and the relative lack of preservation incentives available to religious institutions, Heritage strongly supports the proposed rezoning of 133-135 Golden Gate Avenue to allow the church's participation in the City's TDR program.

Built in 1902 and reconstructed in 1908, St. Boniface Church is City Landmark #172 and is significant for its architecture and social history. The church was founded by a Franciscan order of German descent that dates back to 1852. As the oldest German Catholic congregation in San Francisco, St. Boniface's Romanesque Revival edifice serves an enduring visual landmark in the neighborhood. Even more significant, however, is the role that St. Boniface plays in the community, providing spiritual and social services to the homeless population in the Tenderloin and surrounding neighborhoods.

As a religious institution, St. Boniface Church has limited access to traditional economic incentives that could help finance preservation needs. The proposed rezoning will enable the church to access a critical funding mechanism for rehabilitation and restoration work.

On behalf of San Francisco Heritage, thank you for the opportunity to comment on the proposed rezoning of 133-135 Golden Gate Avenue. Please do not hesitate to contact Heritage's preservation project manager, Desiree Smith, at dsmith@sfheritage.org or (415) 441-3000 x11 should you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike Buhler', written in a cursive style.

Mike Buhler
Executive Director



January 8, 2014

San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103-2414

Dear Commissioners,

Tenderloin Neighborhood Development Corporation (TNDC) supports the efforts of St. Boniface Church to rezone its property to generate Transferable Development Rights (TDRs). We understand that the proceeds from the sale of TDRs from the property would be used to rehabilitate the existing building, preserving its historic character and enhancing its social and religious mission in the Tenderloin.

TNDC is a nonprofit community development corporation that develops affordable housing and offers supportive social services in the Tenderloin neighborhood and other low income communities in San Francisco. We own and operate over 2500 units primarily targeted to households earning under 30% of the Area Median Income.

St. Boniface has long played a leading role in the Tenderloin, responding to the spiritual and social needs of newcomers and others among the poorest in our community. By rezoning its land and enabling the church to sell its TDRs, the Commission will be granting St. Boniface a benefit that will directly assist in the support of homeless and other low-income residents of the Tenderloin at no cost to the City and without advancing the risk of future high-density development.

Please do not hesitate to contact me at dfalk@tndc.org or (415) 358-3923 if I can provide any additional information. Thank you very much.

Sincerely,

A handwritten signature in black ink that reads "Donald S. Falk". The signature is written in a cursive style with a large, prominent "D" and "F".

Donald S. Falk
Executive Director

TENDERLOIN
NEIGHBORHOOD
DEVELOPMENT
CORPORATION

201 EDDY STREET
SAN FRANCISCO
CA 94102

PH: 415.776.2151
FAX: 415.776.3952
INFO@TND.C.ORG
WWW.TND.C.ORG



O:\General\Community Issues\TNDC Support Letters\2014\St. Boniface TNDC Support Letter 01-06-2014.doc



UNIVERSITY OF CALIFORNIA
HASTINGS COLLEGE OF THE LAW

DAVID SEWARD
Chief Financial Officer

January 8, 2014

San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103-2414

RE: St. Boniface Church

Dear Planning Commissioners,

I am writing to express support St. Boniface Church and their efforts to develop a funding mechanism that will allow them the financial means to preserve the church so that it can continue to be an anchor in the neighborhood providing for the disenfranchised and those who rely on this very special place for spiritual renewal and succor. Apart and distinct from its role as a place of physical and spiritual haven, St. Boniface is a historical asset that we as a community share an interest to preserve for current benefit and future generations.

Old historic buildings need money to maintain and the costs associated with such work is substantial. The community that St. Boniface serves is not well positioned to provide financial support. We support St. Boniface's efforts to rezone its property to generate Transferable Development Rights (TDRs). We understand that the proceeds from the sale of TDRs from the property would be used to rehabilitate the existing building, preserving its historic character and enhancing its social and religious mission in the Tenderloin. This result is achieved by the creation and sale of TDR's that would further projects undergoing planning review in areas of the City and County of San Francisco that are zoned for high density development and achieve project approvals pursuant to policies promulgated by the San Francisco Planning Commission and the Board of Supervisors.

These efforts complement the shared goal of making the Tenderloin a more livable place for all who live, work and visit our community. Please feel free to contact me at sewardd@uchastings.edu or (415) 565-4710. Thank you for your consideration.

Sincerely,



David Seward



January 8, 2014

San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479

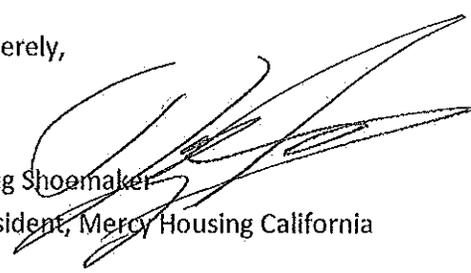
Members of the Commission:

Mercy Housing California is pleased to write in support of Saint Boniface Church and Rectory's participation in San Francisco's Transferable Development Rights (TDR) program. Rezoning the land to sell TDRs would generate critical proceeds that would be used in the repairs and maintenance of the Church and thereby preserve a landmark of hope in the historic Tenderloin neighborhood and enhance its ability to serve the poorest parish community in the Archdiocese of San Francisco.

St. Boniface has been long committed to serving the economically poor and marginalized communities of San Francisco through strategic partnerships that provide shelter and supportive services for the formerly homeless. Mercy Housing is proud to have the Boniface Rectory as a neighbor for the 90 affordable apartments we are developing at 121 Golden Gate Avenue to be completed later this year. St. Boniface is deeply rooted as a friend of affordable housing and services in the Tenderloin and was also an instrumental partner in the development of our Dorothy Day Senior Community on McAllister Street.

We urge the commission to grant the benefit of this rezoning measure that will preserve the historic fabric of the neighborhood and ensure St. Boniface is able to continue critical work that directly serves so many of the neediest residents of our city.

Sincerely,



Doug Shoemaker
President, Mercy Housing California



**Episcopal
Community Services**
San Francisco

Building Community. Developing Skills. Enriching Lives.

December 30, 2013

San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103-2414

Dear Commissioners:

Episcopal Community Services of San Francisco (ECS) supports the efforts of St. Boniface Church to rezone its property to generate Transferable Development Rights (TDRs). We understand that the proceeds from the sale of TDRs from the property would be used to rehabilitate the existing building, preserving its historic character and enhancing its social and religious mission in the Tenderloin.

St. Boniface has long played a leading role in the Tenderloin, responding to the spiritual and social needs of newcomers and others among the poorest in our community. ECS also has been active in the Tenderloin and the South of Market neighborhoods for many years, providing shelter, housing and support services for homeless and formerly homeless men and women at eleven housing and program locations. ECS partners with St. Boniface in providing on-site winter shelter, and we collaborate with the Gubbio Project, which also is housed at that location.

By rezoning its land and enabling the church to sell its TDRs, the Commission will be granting St. Boniface a benefit that will directly assist in the support of homeless and other low-income residents of the Tenderloin at no cost to the City and without advancing the risk of future high-density development.

This is an opportunity that should not be missed.

Sincerely,

Kenneth J. Reggio
Executive Director

To: San Francisco Planning Commission
From: Community Housing Partnership
Regarding: Rezoning St. Boniface Church

This letter is written in support of the proposed rezoning of St. Boniface Church from RC-4 to C-3. The C-3 zoning would allow St. Boniface to sell Transferable Development Rights (TDR) owned by its historic church building and generate needed cash to repair and maintain the church building. St. Boniface serves an economically disadvantaged, vulnerable population in the Tenderloin. It offers critical services provided by a welcoming religious community. The church is an important and irreplaceable part of the community. The sale of TDR will help the church continue its mission into the future.

Community Housing Partnership is in the process of closing a similar TDR sale transaction. The transaction will provide significant funds for a historic building owned by CHP. These funds will be used to repair, maintain and continue to operate the building as housing for the homeless in San Francisco. We believe the sale of TDR is a good way for mission driven owners of historic buildings to generate funds to support their work. CHP is working with Edward Suharski on this transaction and recommend him for his deep knowledge of the TDR program, his understanding of non-profit organizations and the services they provide to their communities and his unquestioned integrity.

Sincerely,



Gail Gilman
Executive Director

peace & all good.

"Peace and All Good" is a Franciscan greeting that we use at St. Anthony's. St. Francis used this phrase along the road to beckon his fellow travelers toward a peace-filled world where all good things are shared.

o 415 241 2600 f 415 440 7770 w STANTHONYSF.ORG a 150 GOLDEN GATE AVENUE SAN FRANCISCO CA 94102

December 30, 2013

The San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479

Members of the Commission:

I write to support legislation that would allow St. Boniface Church and Rectory to participate in San Francisco's TDR program. As the Executive Director of St. Anthony Foundation I know firsthand the value of this church to the neighborhood and the city that we both serve. I know also the challenges this parish community faces trying to maintain physical structures when, in this neighborhood, so many of our resources go toward addressing the needs of an extremely poor population.

Here at St. Anthony's we look forward to this September when we will be completing a new structure (121 Golden Gate) next door to St. Boniface Rectory that will be the new home of St. Anthony's Dining Room. In 2005 we completed our Admin/Clinic Building (150 Golden Gate) across the street from St. Boniface Church. We are committed to this neighborhood and its betterment. We believe that a decision by your commission to rezone St. Boniface Church and Rectory to allow the sale of TDR to be used solely for preservation and rehabilitation will only enhance the efforts to maintain the physical structures in which so much good has been and will continue to be accomplished.

If you have any questions about our support of this rezoning measure, please do not hesitate to contact me at 415-592-2752.

Sincerely,



Barry J. Stenger
Executive Director

Founder

Alfred Boeddeker, OFM
(1903-1994)

Executive Director

Barry J. Stenger

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December 27, 2013

San Francisco Planning Commission
c/o San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2414

Dear Commissioners:

I write to respectfully request your approval of the rezoning of St. Boniface Church. The ensuing transferable development rights (TDR) could then benefit St. Boniface and the Tenderloin community it serves for decades to come. As you know, St. Boniface serves the most economically challenged community in the Archdiocese of San Francisco, and I am proud to write in support of their mission and this endeavor.

A large building such as St. Boniface is expensive to repair and maintain. Without a source of new funds, St. Boniface does not have the money to repair and maintain the building; the sale of TDR would provide those funds. St. Boniface is a significant landmark in the Tenderloin and an anchor of hope for the community. The Church should be maintained as a source of pride for the people that live and work in the Tenderloin, and for this reason I write to ask for your support of the necessary rezoning in order for the TDR process to occur at later point.

Please feel free to contact me should you have any questions or concerns. Thank you for your consideration of this request.

Sincerely,

Michael Daniels, Ed.D.
President



The Gubbio Project, Inc

St. Boniface Church, 133 Golden Gate Ave., San Francisco, CA 94102
Phone: (415) 861-5848 www.thegubbioproject.org

6 January 2014

San Francisco Planning Commission
1650 Mission St., Ste 400
San Francisco, CA 04103-2414

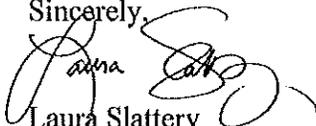
Dear Commissioners,

The Gubbio Project supports the rezoning of St. Boniface Catholic Church so that it may take advantage of the opportunity to generate Transferable Development Rights. We understand that the proceeds from the sale of the TDRs would be used exclusively for the repair and maintenance of this landmark church that is over 100 years old.

We believe that maintaining this church is important to the neighborhood and especially to the poorest of San Franciscans, those living on the streets. The Gubbio Project is a non-profit that has partnered with the church to provide day shelter and sleep each weekday from 6 am to 3 pm for an average of 95 people at any given time (often there are over 100 people sleeping on the pews). An additional 80 people access services such as bathrooms, socks, blankets, and interfaith chaplaincy each day. This is a unique program that, as far as I know, is unique in the entire United States. As you may well imagine, there is a fair amount of wear and tear that this old church sustains by allowing our Project (and the 175 homeless people with their belongings) to use its sanctuary.

If there is a way that St. Boniface can receive funds for maintaining the Church, The Gubbio Project is in support of those efforts. If you have any questions about our support of this rezoning measure, please do not hesitate to contact me.

Sincerely,



Laura Slattery

Executive Director

lauras@thegubbioproject.org

415.861.5848

"In the shelter of each other, the people live." – Celtic proverb

Executive Director: Laura Slattery

Board of Directors: Martha Arbouex, Bridget Kurtt DeJong, Chris DeMay, Rob Grant, Karen Gruneisen, Mary Litell, Lucas Muñoz, Angela Oliva, Nguyễn Quốc Thành



ST. BONIFACE CHURCH

133 Golden Gate Avenue • San Francisco, California 94102
(415) 863-7515 • Fax (415) 863-7602

December 31, 2013

San Francisco Planning Commission
c/o San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2414

Dear Commissioners:

I write you to respectfully request your approval of the rezoning of St. Boniface Church. The sale of the transferable development rights (TDR) would benefit the church community and all of the Tenderloin for the following reasons:

1. The Tenderloin is one of the poorest neighborhoods of San Francisco and also one of the most culturally diverse. St. Boniface Church serves five different cultural groups (Latin American, Vietnamese, Filipino, African American and Euro American) and regularly offers religious services and ministers to these groups in four different languages. To continue to offer this important ministry, the buildings that belong to St. Boniface (constructed in 1906) require a lot of expensive maintenance. Since most of the parishioners are quite poor, St. Boniface must always seek outside funding to continue to function.
2. The Gubbio Project has been using St. Boniface Church for nine years Monday through Friday from 6:00 AM to 3:00 PM to offer a place for homeless people in the Tenderloin to rest in peacefulness and beauty, sometimes up to a hundred people each day. Many homeless people cannot find space in shelters at night and have come to rely on the Gubbio Project to give their needed daily rest. If St. Boniface Church, due to increased income from TDRs, is able to better maintain the main church building, it will continue to offer the proper space the Gubbio Project needs to the homeless people of the Tenderloin.
3. The stained glass in St. Boniface Church is some of the most beautiful in all of San Francisco. It was crafted at the turn of the century in Germany and St. Louis and then shipped by rail to its home at St. Boniface. The Franciscan Friars, who have ministered at St. Boniface for over a hundred years, value beauty along with their deep commitment to serve the poor. People from all walks of life and from a variety of cultures appreciate the humanizing great beauty of the church as a contrast to the dehumanizing violence and poverty that is rampant in the Tenderloin. Now over 100 years, all the stained glass in the church needs renovation at a minimum cost of \$2 million dollars. Income from the TDRs would be used to renovate our stained glass and help maintain St. Boniface as a place of beauty in Tenderloin.

I will be out of the country January 6-16. However, feel free to contact me after January 16th if you should have any questions or concerns. Thank you for your consideration of this request.

Sincerely,
Fr. Tommy King, OFM
Fr. Tommy King, OFM
Pastor