



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

☐ Inclusionary Housing (Sec. 315)

☒ First Source Hiring (Admin. Code 83)

☐ Jobs Housing Linkage Program (Sec. 313)

☐ Child Care Requirement (Sec. 314)

☐ Downtown Park Fee (Sec. 139)

☐ Other

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Planning Commission Motion No. 17672

HEARING DATE: AUGUST 8, 2008

Date: July 31, 2008
Case No.: **2007.0980 ECV**
Project Address: **220 GOLDEN GATE AVENUE**
Zoning: C-3-G (Downtown General Commercial)
80-X Height and Bulk District
Block/Lot: 0345/004
Project Sponsor: 220 Golden Gate Associates, LP
c/o Mara Blitzler, Tenderloin Neighborhood Development Corporation
201 Eddy Street
San Francisco, CA 94102
Staff Contact: Angela Heitter – (415) 558-6602
angela.heitter@sfgov.org

ADOPTING FINDINGS TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION UNDER PLANNING CODE SECTION 124(f) TO ALLOW ADDITIONAL SQUARE FOOTAGE ABOVE THAT PERMITTED BY THE BASE FLOOR AREA RATIO LIMITS OF THE ZONING DISTRICT UP TO THE GROSS FLOOR AREA OF THE EXISTING BUILDING, AT 220 GOLDEN GATE AVENUE, LOT 004 IN ASSESSOR'S BLOCK 0345, IN A C-3-G (DOWNTOWN GENERAL COMMERCIAL), AND AN 80-X HEIGHT AND BULK DISTRICT.

PREAMBLE

1. On August 13, 2007, the project sponsor submitted an Environmental Exemption Application, File No. 2007.0980E. A "Notification of Project Receiving Environmental Review" was mailed on April 18, 2008, to owners of properties within 300 feet, adjacent occupants of the project site, and interested parties. The Application was determined by the San Francisco Planning Department (hereinafter "Department") to be categorically exempt from environmental review pursuant to Class 32 [State CEQA Guidelines Section 15332] of Title 14 of the California Administrative Code. The proposed project is an in-fill development that would have no significant adverse environmental effects and would meet all the various conditions prescribed by Class 32. The Commission has reviewed and concurs with said determination.

2. On February 13, 2008, Serena Q. Schiller of AF Evans, authorized agent of 220 Golden Gate Associates, LP in care of Tenderloin Neighborhood Development Corporation (hereinafter "Applicant") filed Application No. 2007.0980V requesting a variance for the property at 220 Golden Gate Avenue, Lot 004 in Assessor's Block 0345 to allow a reduction in the common usable open space requirements.
3. On the same date of February 13, 2008, the Applicant filed Application No. 2008.0980C requesting conditional use authorization to allow additional square footage above that permitted by the base floor area ratio limits of the zoning district up to the gross floor area of the existing building, at 220 Golden Gate Avenue, Lot 004 in Assessor's Block 0345, in a C-3-G (Downtown General Commercial), and an 80-X Height and Bulk District.
4. On August 8, 2008, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2007.0980C, at which time the Commission reviewed and discussed the findings prepared for their review by the staff of the Department.
5. The Commission has reviewed and considered reports, studies, plans and other documents pertaining to this Project.
6. The Commission has heard and considered the testimony presented at the public hearing and has further considered the written materials and oral testimony presented on behalf of the applicant, the Department staff, and other interested parties.
7. **MOVED**, that the Commission hereby grants conditional use authorization as requested in Application No. 2005.0762CV subject to the conditions contained in Exhibit A, attached hereto and incorporated herein by reference thereto, 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. **Site Description and Present Use.** The Project Site is located within the Tenderloin neighborhood with frontage along Golden Gate Avenue and Leavenworth Street. The "Shih Yu-Lang Central YMCA" or "Central Y", as it has become known, occupies the entire 137'-6" square parcel, located within a C-3-G (Downtown General Commercial) Zoning District and an 80-X Height and Bulk District. The Project Site is essentially flat and the Leavenworth Street frontage has a slight lateral slope to the north. The social services, support staff offices, athletic use, and 104 transient hotel rooms will be vacated while the building undergoes extensive renovations and conversion.
3. **Surrounding Properties and Neighborhood.** The area within two blocks is a mixed urban area, comprised mainly of multi-family residential with ground-floor retail land use, but also

includes offices, government buildings, utility facilities, retail, automotive repair, restaurants and bars, hotels, and parking lots beyond the project block.

4. **Project Description.** The proposed project is to convert the existing Central YMCA, constructed in 1909, to 174 affordable group housing units for the chronically homeless. The existing nine-story mixed-use building is 105 feet high and approximately 96,673 square feet (sq. ft.), of which is dedicated to social services, support staff offices, athletic use, and 104 transient hotel rooms. Existing uses to be preserved include a 4,928 sq. ft. auditorium, a 4,920 sq. ft. gymnasium, a second floor 920 sq. ft. café, and the ground floor 3,045 sq. ft. Wu-Yee Children's Services space.

The residential conversion component would span Floors 2 through 9, which presently have the following uses: Floors 2 through 5 — auditorium, café, offices, and gymnasium space; Floors 6 through 8 — 104 transient hotel rooms; and Floors 8 and 9 — racquetball courts and offices. The basement would contain a 5,500-sq. ft. multi-purpose room for tenant and owner-sponsored activities, 1,000 sq. ft. of storage, and approximately 3,000 sq. ft. for utility and mechanical rooms.

The proposed project would not involve any expansion of the existing building envelope. However, an external alteration at the non-visible northwest corner's 8th and 9th floors would be necessary to convert the two-story high racquetball courts to 26 units. The site has no off-street parking and none is proposed.

The project also includes a historic rehabilitation component, including an exterior façade restoration. Internally, the project would restore an original grand staircase connecting the ground floor and second floor lobbies demolished by 1952 based on documentary and physical evidence.

5. **Public Comment.** The Department is not aware of any opposition to this project.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Land Use:** Planning Code Section 216 permits group housing in the C-3-G District, as well as institutional uses described in Section 217 and retail sales and personal services described in Section 218.

The C-3 Districts permit group housing, providing lodging or both meals and lodging, without individual cooking facilities, by prearrangement for a week or more at a time. The commercial districts also permit clinics primarily providing outpatient care in medical, psychiatric or other healing arts and not part of a medical institution. A social service or philanthropic facility providing assistance of a charitable or public service nature and a child-care facility providing less than 24-hour care for children are permitted in all commercial districts, except C-3-S where it is permitted by conditional use authorization. Retail business or personal service establishments not limited to sales or service primarily for residents in the immediate vicinity is also permitted in all C-3 Districts. The project would provide 174 affordable group housing units, a medical and psychiatric clinic operated by the

Department of Public Health, a ground floor retail space and will maintain the existing child-care facility, all permitted uses within the C-3-G District.

- B. **Group Housing Density:** Planning Code Section 216(a) establishes the density limitation for all group housing shall be based upon the density limitations for group housing in the nearest R district. The nearest R district is to the north of the project site, which is RC-4. Per Section 209.2(c) for group housing within an RC-4 District, the density limitations for group housing are set forth in Section 208, which states the maximum density for group housing within the RC-4 District is one unit (or bedroom) for each 70 square feet of lot area.

The project site is 18,906.25 sq. ft., which, at a density of one unit per 70 square feet would permit up to 270 group housing units. The Project would provide 174 group housing units, thus does not exceed the density ratio established for the subject zoning district.

- C. **Floor Area Ratio:** Section 124 establishes basic floor area ratio (FAR) limits for all districts. In the C-3-G District, the development is subject to an FAR limit of 6.0 to 1. However, per Section 124(d), the gross floor area of a structure on a lot on which a Significant or Contributory building may not exceed the basic floor area ratio limits except as provided in Section 124(f), subject to conditional use authorization by the Planning Commission. In considering an application under Section 124(f), the Commission shall consider the criteria set forth below in lieu of the criteria set forth in Section 303(c) and may grant the additional square footage if it finds that:

(i) **TDRs (as defined by Section 128(a)(5)) were transferred from the lot containing the Significant or Contributory building prior to the effective date of the amendment to Section 124(f) when the floor area transferred was occupied by a non-profit corporation or institution meeting the requirements for exclusion from gross floor area calculation under Planning Code Section 102.9(b)(15);**

The Property is designated a "Significant" building and located within the C-3-G Zoning District, which allows the transfer of development rights (TDRs) from the preservation lot to a development lot. In 1990 a Statement of Eligibility was issued by the Zoning Administrator (Case No. 1990.231J) that confirmed the Central YMCA was eligible to transfer up to 81,795 units of TDR. Pursuant to Section 128 of the Planning Code, 81,795 TDR units were transferred (Case Nos. 1990.231N and 2001.0135N) from the Subject Lot in 1990 and in 2001, prior to the Code amendment to Section 124(f) on April 27, 2007 when the floor area transferred was occupied by the Central YMCA, a non-profit corporation or institution.

(ii) **The additional square footage includes only the amount necessary to accommodate dwelling units and/or group housing units that are affordable for not less than 50 years to households whose incomes are within 60 percent of the median income as defined herein together with any social, educational, and health service space accessory to such units;**

The project proposes a total 50,244 sq. ft. of group housing units and 18,437 sq. ft. of residential common spaces, including the gymnasium. The project is requesting an additional 64,098 sq. ft.,

which is the amount necessary to accommodate the units and accessory area to such units. The child-care facility and other proposed institutional uses are excluded from gross floor area calculation pursuant to Section 102.9(b)(14 - 15). All uses will occupy 95,740 sq. ft. in total, thus the floor area ratio of the building will not exceed 6:1 FAR, nor will the uses occupy more than the existing square footage of the building.

The 174 affordable group housing units, which constitute 100% of the Project's residential units, will be rented to formerly homeless individuals earning less than 60% of the area median income (or \$39,600 per annum or less). Rents will not exceed 30% of 60% of area media income (or \$953 per month) or limited to 50% of income for those residents within the Department of Public Health's Direct Access to Housing program.

(iii) The proposed change in use to dwelling units and accessory space and any construction associated therewith, if it requires any alteration to the exterior or other character defining features of the Significant or Contributory Building, is undertaken pursuant to the duly approved Permit to Alter, pursuant to Section 1110;

The proposed alterations will be subject to the Permit to Alter procedures of Article 11. The proposed exterior alterations meet the criteria of a minor alteration as described in Section 1111.1, which will be formally expressed in a written determination by the Zoning Administrator upon receipt of a building permit application.

- D. **Usable Open Space:** Planning Code Section 135 requires at least 12 sq. ft. of private open space per group housing unit, or approximately 16 sq. ft. of common open space per group housing unit. The Project requires 2,088 sq. ft. of private open space, or approximately 2,784 sq. ft. of common open space. A variance for the reduction in open space requirements will be considered by the Zoning Administrator at the same public hearing as the conditional use.

An open space variance for a 654 sq. ft. shortfall is required and will be considered by the Zoning Administrator. The proposed project will reintroduce a new roof deck at the ninth level. At 2,130 square feet, the new roof deck will not fulfill the common usable open space requirement for 174 group housing units.

- E. **Off-Street Parking:** Section 151.1 establishes off-street parking for uses in Downtown Residential and C-3 Districts as maximum amounts and shall not be off-street parking requirements. In the C-3-G District, up to one parking space is permitted for each three bedrooms and up to one parking space is permitted for the manager's dwelling unit. The Project requires no off-street parking spaces, but is permitted to provide up to 59 off-street parking spaces.

The project site currently does not provide off-street parking spaces and no off-street parking spaces are proposed. The Project is in compliance with Section 151.1 by not exceeding parking limitations through recognition of the high-density nature of the District that is well-served by mass transit.

- F. **Off-Street Freight Loading:** Section 152.1 establishes off-street freight loading requirements for uses in C-3 and South of Market Districts based on the gross floor area of the use or activity.

Pursuant to Section 152.1, the proposed retail or restaurant, institutional and group housing uses do not exceed the threshold to necessitate the provision of off-street freight loading spaces. The Project is compliant with Section 152.1.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project complies with said criteria in that:

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

The Project will create 174 affordable group housing units as an adaptive re-use project within an established residential and mixed-use neighborhood, fulfilling General Plan policies that encourage the construction of new housing. While the current building is partially occupied by 104 transient hotel rooms, the Project will make a positive contribution to the City's housing supply, and the building's proposed and existing institutional uses encourage a supportive environment meant to stabilize these individuals and enhance their well-being. Other group housing apartment hotels are within the immediate area of the site, along with civic institutions and community support services; therefore the proposed use is desirable and compatible with the neighborhood.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project Site is located at the intersection of Golden Gate Avenue and Leavenworth Street and is appropriate for such housing development. The existing arrangement, general size and shape of the structure will remain as part of the adaptive reuse of the existing structure. All proposed uses will occur within the current building envelope and will maintain the existing continuous and unified street wall along the street frontages.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

While the Project does not provide off-street parking spaces, the urban environment of the Project's vicinity provides adequate on-street parking, off-street parking in numerous facilities, carshare programs, and access to public transit for the residents.

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

The Project will consist of group housing units that will not produce noxious or offensive emissions, noise, glare, dust or odors.

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

The project requires additional street trees along Golden Gate Avenue and Leavenworth Street. The Project will provide common usable open space, which will be appropriately landscaped. Ambient lighting along the building façade and at the street level will be consistent with the neighborhood character.

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

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

- 8. **General Plan Compliance.** The Project is consistent with the Objectives and Policies of the General Plan in that:

RESIDENCE ELEMENT:

Objectives and Policies

OBJECTIVE 1:

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 1.4:

Locate in-fill housing on appropriate sites in established residential neighborhoods.

OBJECTIVE 2:

TO INCREASE THE SUPPLY OF HOUSING WITHOUT OVERCROWDING OR ADVERSELY AFFECTING THE PREVAILING CHARACTER OF EXISTING NEIGHBORHOODS. (RETAIN THE EXISTING SUPPLY OF HOUSING.)

Policy 2.2

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 permanently affordable to lower income households.

OBJECTIVE 4:

TO REDUCE THE RISK OF BODILY HARM AND LOSS OF HOUSING IN AN EARTHQUAKE.

Policy 4.2

Reduce seismic hazards in unreinforced masonry buildings without reducing the supply of affordable housing.

OBJECTIVE 12:

TO PROVIDE A QUALITY LIVING ENVIRONMENT.

Policy 12.1:

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

Policy 12.4:

Promote construction of well designed housing that conserves existing neighborhood character.

OBJECTIVE 13:

TO PROVIDE MAXIMUM HOUSING CHOICE.

Policy 13.5:

Encourage economic integration in housing by ensuring that new permanently affordable housing is located in all of the City's neighborhoods, and by requiring that all new large market rate residential development includes affordable units.

The Project is an appropriate adaptive re-use proposal that will facilitate the conversion of an historic building in an established residential and mixed-use neighborhood. The Project will locate 174 affordable group housing units at a site zoned for such use and will increase the supply of housing by providing compatible density in the Civic Center and Downtown neighborhoods. The Project's rehabilitation plan will be compatible with the existing scale and character of the neighborhood, while also providing sufficient seismic upgrades.

HOUSING ELEMENT:

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.3:

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

OBJECTIVE 3:

ENHANCE THE PHYSICAL CONDITION AND SAFETY OF HOUSING WITHOUT JEOPARDIZING USE OR AFFORDABILITY.

Policy 3.6:

Preserve landmark and historic residential buildings.

OBJECTIVE 4:

SUPPORT AFFORDABLE HOUSING PRODUCTION BY INCREASING SITE AVAILABILITY AND CAPACITY.

Policy 4.4:

Consider granting density bonuses and parking requirement exemptions for the construction of affordable housing or senior housing.

The Project is an appropriate adaptive re-use proposal that will facilitate the conversion of an historic building in an established residential and mixed-use neighborhood. The Project will locate 174 affordable group housing units at a site zoned for such use and will increase the supply of housing by providing compatible density in the Civic Center and Downtown neighborhoods. The Project's rehabilitation plan will be compatible with the existing scale and character of the neighborhood, while also providing sufficient seismic upgrades.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 2:

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

Policy 2.4:

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

Policy 2.5:

Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

The Project preserves the building of architectural and historic importance through adaptive re-use and rehabilitation of the historic Central YMCA. As a historic resource, the proposed project meets the Secretary of the Interior's Standards for rehabilitating historic buildings by preservation and restoration of the Golden Gate Avenue and Leavenworth Street facades. Exterior alterations are limited to the invisible rear façade of the eighth and ninth floors where windows are inserted for the conversion of the racquetball courts to housing units. The interior of the building preserves the highly significant public spaces such as the side entrance hall and lobby; the main lobby and its solarium, fireplace, balconies and galleries; historic dining room; auditorium and its mezzanine and stage; the third floor office suite at the southeast corner; and the men's gymnasium and mezzanine. The project would restore an original grand staircase connecting the ground floor and second floor lobbies demolished by 1952 based on documentary and physical evidence. The Project will enhance the original character of the historic Central YMCA.

OBJECTIVE 4:

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

Policy 4.12:

Install, promote and maintain landscaping in public and private areas.

The project requires additional street trees along Golden Gate Avenue and Leavenworth Street. The Project will provide common usable open space that would be appropriately landscaped. Ambient lighting along the building façade and at the street level will be consistent with the neighborhood character.

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

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

The Project will contain approximately 1,635 square feet of new neighborhood-serving retail space. The ground floor space will be located at the corner of Leavenworth and Golden Gate Avenue. With the addition of housing, new residents would increase the customer base for existing neighborhood retail.

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

There are many types of land uses in the vicinity of the Project site. The Project is compatible with the scale and design of the neighborhood within which the Project Site is located. The cultural and economic diversity of the neighborhood would be augmented by the proposed project.

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

The Project would not remove or displace affordable housing, but will replace 104 transient hotel rooms leased on a short-term basis. The Project will further this priority policy by constructing 174 affordable group housing units, which constitute 100% of the Project's residential units. All units will be rented to formerly homeless individuals earning less than 60% of the area median income (or \$39,600 per annum or less). Rents cannot exceed 30% of 60% of area media income (or \$953 per month) or limited to 50% of income for those residents within the Department of Public Health's Direct Access to Housing program. The group housing units would remain on-site for not less than 50 years under the income-based rental limitations.

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

This is primarily a residential project, and will therefore not create commuter traffic. Housing created by the Project will be located within a two-block radius of seven MUNI lines, within four blocks of the Van Ness Avenue line and within two blocks of the Civic Center BART Station. Because the Project Site is located in an extraordinarily transit-rich area, it is anticipated that the Project will generate less traffic than a similar project located outside this vicinity.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project will contribute to a diverse economic base by providing a significant number of new group housing units in San Francisco. By contributing to the City's housing supply, the Project will further help San Francisco increase housing opportunities for resident workers, and thereby maintain a diverse economic base.

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

The Project will conform to the structural and seismic requirements of the San Francisco Building Code.

- G. That landmarks and historic buildings be preserved.

The Project preserves the building of architectural and historic importance through adaptive re-use and rehabilitation of the historic Central YMCA. As a historic resource, the proposed project meets the Secretary of the Interior's Standards for rehabilitating historic buildings by preservation and restoration of the Golden Gate Avenue and Leavenworth Street facades. Exterior alterations are

limited to the non-visible rear façade of the eighth and ninth floors where windows are inserted for the conversion of the racquetball courts to housing units. The interior of the building preserves the highly significant public spaces such as the side entrance hall and lobby; the main lobby and its solarium, fireplace, balconies and galleries; dining room; auditorium and its mezzanine and stage; the third floor office suite at the southeast corner; and the men's gymnasium and mezzanine. The project would restore an original grand staircase connecting the ground floor and second floor lobbies demolished by 1952 based on documentary and physical evidence. The Project Sponsor is also pursuing historic rehabilitation tax credits and the project will be further reviewed by the State Historic Preservation Office for compliance with the Standards.

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

The Project will not impact parks, open space, or their access to sunlight or vistas. The Project would enhance the streetscape with new street trees and provide on-site open space for Project residents.

10. 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.
11. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other **DECISION** 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 adopts the Conditional Use Application, Case No. 2007.0980ECV, subject to the following conditions attached hereto as Exhibit A (Conditions of Approval) which is incorporated herein by reference as though fully set forth, in general conformance with the plans stamped Exhibit B and dated August 8, 2008 and on file in Case Docket No. 2007.0980C.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 17672. 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 August 8, 2008.

Linda Avery
Commission Secretary

AYES: Antonini, Borden, Lee, Miguel, Moore, Olague, Sugaya

NAYS: None

ABSENT: None

ADOPTED: August 8, 2008

Exhibit A

Conditions of Approval

GENERAL CONDITIONS

1. 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.
2. This Conditional Use Authorization is granted to allow additional square footage in the amount of 64,098 square feet above that permitted by the base floor area ratio of 6:1, not to exceed the gross floor area of the existing building for the proposed project that is the conversion of the Central YMCA, a non-profit institutional use to 174 affordable group housing units, a medical and psychiatric clinic operated by Department of Public Health, a philanthropic facility providing assistance of a public service nature, and maintain the existing ground floor retail space and the existing child-care facility, within the C-3-G (Downtown General Commercial) Zoning District and an 80-X Height and Bulk District, in general conformity with the plans identified as Exhibit B, dated August 8, 2008, reviewed by the Commission on August 8, 2008.
3. Variance. The Project Sponsor must also obtain a variance to common usable open space requirements as requested from the Zoning Administrator pursuant to Section 135. The conditions set forth below are additional conditions required in connection with the Project. If these conditions conflict with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.
4. Community Liaison. The Project Sponsor shall appoint a community liaison officer to deal with issues of concern to owners and occupants of nearby properties at all times during construction of the Modified Project. **Prior to the commencement of construction activities**, the Project Sponsor shall provide the Zoning Administrator and the owners of the properties within 300 feet of the Project Site written notice of the name, business address, and telephone number of the community liaison.
5. 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 of special restrictions 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, identifying the limitations of TDR and identifies the affordable group housing unit(s) satisfying the requirements of this Motion. From time to time after 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.
6. Construction. The Project Sponsor shall obtain a site or building permit for this project within three (3) years of the date of the Motion of conditional use authorization approving the project. Once a site or building permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued thenceforth diligently to completion. The

conditional use authorization approving the project shall be deemed null and void if a permit for the project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved. This authorization may be extended at the discretion of the Zoning Administrator only if the failure to issue a permit by the Department of Building Inspection is delayed by a City, state or federal agency or by appeal of the issuance of such permit.

7. Reporting. The Project Sponsor shall submit 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.
8. Transfer of Development Rights. The conditional use approval contained herein allows occupancy of additional square footage in the amount of 64,098 square feet above the base floor area ratio of 6:1, less the amount of TDRs previously transferred from the property. The 64,098 square feet is approved for the construction of affordable group housing units and the associated accessory spaces to such units within the existing building per plans identified as Exhibit B, dated August 8, 2008, reviewed by the Commission on August 7, 2008. The additional square footage shall not be further transferred in perpetuity of the Project and shall only be occupied by dwelling units and/or group housing units that are affordable pursuant to Section 124(f).
9. 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.
10. Violation. Failure to comply with any of the Conditions of Approval shall constitute a violation of the Planning Code, enforceable by the Zoning Administrator. Should the monitoring of the Conditions of Approval be required, the Applicant or successors shall pay fees as established in Planning Code Section 351(f) (2). Violation of the conditions noted above or any other provisions of the Planning Code may be subject to abatement procedures and fines up to \$500 a day in accordance with Code Section 176.
11. Complaints. Should implementation of this Project result in complaints from neighborhood residents or business owners and tenants, which are not resolved by the Project Sponsor and are subsequently reported to the Zoning Administrator and found to be in violation of the City Planning Code and/or the specific Conditions of Approval for the Project as set forth in Exhibit A of the Motion, the Zoning Administrator shall report such complaints to the City Planning Commission which may thereafter hold a public hearing on the matter in accordance with the hearing notification and conduct procedures as set forth in Sections 174, 306.3 and 306.4 of the Code to consider revocation of this Conditional Use Authorization.

CONDITIONS TO BE MET PRIOR TO THE ISSUANCE OF A BUILDING OR SITE PERMIT

12. Design. The Project sponsor shall continue to work with the Department and the State Historic Preservation Office to refine the design, including finishes, windows, entries, and detailing are appropriate for the site and neighborhood, and that rehabilitation measures are in general compliance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* and its *Guidelines for the Rehabilitation of Historic Buildings*.
13. Signage. The Applicant shall develop a signage program for the Project, which shall be subject to review and approval by Preservation staff. All subsequent sign permits shall conform to the approved signage program. Once approved by the Department, the signage program information shall be submitted and approved as part of the first building or site permit for the Project. No general advertising signs shall be permitted anywhere on the building.
14. Lighting. The Applicant shall develop a lighting program for the Project, which shall be subject to review and approval by Preservation 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.
15. Affordable Units. The Project is subject to the requirements of Section 124(f) et seq. of the Planning Code.
 - A. The group housing unit(s) shall be designated on the building plans prior to approval of any building permit. The Project proposes 174 affordable group housing units.
 - B. The group housing unit(s) shall be made affordable for not less than 50 years to households whose gross annual income, adjusted for household size, does not exceed sixty (60) percent of the median income for the San Francisco Principal Metropolitan Statistical Area (PMSA).
 - C. Prior to issuance of the Building Permit, the Project Sponsor shall record a Notice of Special Restriction on the property that records a copy of Motion No. 17672, including this Exhibit A, and identifies the affordable unit(s) 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 (MOH) or its successor, the monitoring agency for the affordable unit(s).

CONDITIONS TO BE MET PRIOR TO THE FIRST CERTIFICATION OF OCCUPANCY

16. First Source Hiring Program. The Project is subject to the requirements of the First Source Hiring Program (Chapter 83 of the Administrative Code) and the Project Sponsor shall comply with the requirements of this program, including having an Occupancy Program approved by the First Source Hiring Administrator prior to the issuance of the first Certificate of Occupancy.
17. Garbage and Recycling. An enclosed garbage area shall be provided within the establishment. All garbage and recycling containers shall be kept within the building until pick-up by the disposal company.

18. 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 Modified Project's plan and to provide for building occupants in the event of an emergency. The Modified 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.

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