

1 [Findings – Disapproval of the Tentative Map for 1420 Turk Street and 1535 Eddy Street.]

2
3 **Motion adopting findings concerning the disapproval of a Tentative Map for a 325-unit**
4 **condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's**
5 **Block 0750, Lot 019.**

6
7 WHEREAS, The Planning Department found the subject Tentative Map inconsistent
8 with the City's General Plan and priority policy findings of Planning Code Section 101.1 and
9 issued no determination under the California Environmental Quality Act (California Public
10 Resources Code Sections 21000 et seq). Said decision is on file with the Clerk of the Board
11 of Supervisors in File No. 080888 and is incorporated herein by reference; and,

12 WHEREAS, The Department of Public Works, in a decision dated June 5, 2008,
13 disapproved a Tentative Map for a 325-unit condominium subdivision at 1420 Turk Street and
14 1535 Eddy Street, based on the Planning Department's determination and a finding that the
15 subject Map was inconsistent with the San Francisco Subdivision Code. The basis of this
16 determination is that the proposed subdivision, as an occupied residential building, is a
17 condominium conversion pursuant to Subdivision Code Section 1308. As a condominium
18 conversion, the subdivision failed to comply with Article 9 of the Subdivision Code, which
19 establishes specific terms and requirements for condominium conversion subdivisions, and
20 other applicable law. Said determination is on file with the Clerk of the Board of Supervisors
21 in File No. 080888 and is incorporated herein by reference; and,

22 WHEREAS, On July 15, the Board of Supervisors, at a duly noticed public hearing,
23 continued the appeal hearing to August 12, 2008; and,

24 WHEREAS, On August 12, 2008, the Board of Supervisors, at a duly noticed public
25 hearing, reconvened and conducted the appeal of the Tentative Map. This was a

1 consolidated hearing that included the Tentative Map disapproval for a 330-unit condominium
2 subdivision at 1345 Fillmore Street, Assessor's Block 0731, Lots 018 and 20 through 67 as
3 this action involved the same property owner, subdivision proposal, and legal framework, and
4 resulted in the same City decision. In recognition of the consolidated appeal, the Board
5 provided additional time to the appellant to present its position and rebut the City's position.
6 The materials related to this appeal are on file with the Clerk of the Board of Supervisors in
7 File No. 080892 and are incorporated herein by reference; and,

8 WHEREAS, The record before the Board included, but was not limited to, a letter dated
9 August 7, 2008 and other materials submitted by the appellant, a letter from the City
10 Attorney's Office dated August 11, 2008 on behalf of the Department of Public Works, a letter
11 from the Planning Department dated August 11, 2008, and public testimony at the hearing.
12 Such materials are on file with the Clerk of the Board of Supervisors in File No. 080888 and
13 are incorporated herein by reference; and,

14 WHEREAS, At the abovementioned hearing, the Board determined, based on the
15 decisions of the Departments of Public Works and City Planning and the materials and
16 testimony provided, that the subject Tentative Map was a proposed condominium conversion
17 subject to and prohibited under the terms and requirements of the San Francisco Subdivision
18 Code. The Board also found the subject Map inconsistent with the City's General Plan and
19 priority policies of Planning Code Section 101.1; now, therefore, be it;

20 MOVED, That the Board upholds the decisions of the Department of Public Works and
21 the Planning Department concerning the Tentative Map for a 325-unit condominium
22 subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot
23 019, and hereby disapproves said Map for the reasons set forth above.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 081147

Date Passed: September 9, 2008

Motion adopting findings concerning the disapproval of a Tentative Map for a 325-unit condominium subdivision located at 1420 Turk Street and 1535 Eddy Street, Assessor's Block 0750, Lot 019.

August 25, 2008 Board of Supervisors — REFERRED: Board of Supervisors

September 9, 2008 Board of Supervisors — APPROVED

Ayes: 11 - Alioto-Pier, Ammiano; Chu, Daly, Dufty, Elsbernd, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 081147

I hereby certify that the foregoing Motion was APPROVED on September 9, 2008 by the Board of Supervisors of the City and County of San Francisco.

A handwritten signature in black ink, appearing to read "Angela Calvillo".

Angela Calvillo
Clerk of the Board