RESOLUTION NO. 80-2004

Adopted June 15, 2004

AUTHORIZING AN OWNER PARTICIPATION AGREEMENT WITH 801 ELM STREET, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, FOR THE PROPOSED DEVELOPMENT OF 28 CONDOMINIUM UNITS AT 837 TURK STREET, LOCATED BETWEEN GOUGH AND FRANKLIN STREETS (ASSESSOR’S BLOCK 761, LOT 26 AND A PORTION OF LOT 27); WESTERN ADDITION REDEVELOPMENT PROJECT AREA A-2

BASIS FOR RESOLUTION

1. On September 24, 2003, 801 Elm Street, LLC, a California limited liability company (the "Owner"), acquired a fee interest in the real property located at 837 Turk Street, Assessor’s Block 761, Lot 26 and a portion of Lot 27, between Gough and Franklin Streets (the "Site"), in the Western Addition Redevelopment Project Area A-2.

2. The Site, approximately 9,600 square feet, is improved with an existing surface parking lot. The Site has streets on two sides (Elm Street and Turk Street) and is located adjacent to the Agency’s offices and next door to Central Freeway Parcel A.

3. The Western Addition A-2 Redevelopment Plan (the “Plan”) designates the Site as part of a Commercial, General, Intermediate (“CI”) Use District and a 130-E Height and Bulk District. The CI Use District allows for intermediate density business, commercial, and other uses to serve primarily a citywide or regional market. Residential development of a CI Use District is confined to space above the first story.

4. The Owner is proposing to construct a new five-story, mixed-use development consisting of 28 residential condominium units, approximately 500 square feet of ground floor commercial space, and 47 off-street parking spaces (the “Project”). The proposed Project complies with commercial and residential density requirements required under the Plan.

5. The Owner is subject to the Agency’s Housing Participation Policy (“AHPP”) as amended on July 23, 2002, by Resolution No. 71-2002. Because the Project meets the Redevelopment Plan standards, does not require a variance, and/or a Redevelopment Plan amendment, a minimum of 10% of the total number of units must be affordable. The Owner has agreed to comply with this requirement and
will provide three affordable units identified as Unit #106 (a studio), Unit #205 (a two-bedroom unit), and Unit #303 (a two-bedroom unit) on the schematic drawings dated April 30, 2004 by Gary Gee Architects, Inc. These affordable units will be made available to first-time homebuyers who are low- and moderate-income households, which are defined as households earning up to 100% of the area median income.

6. Agency Planning staff has determined that the proposed Project is categorically exempt from environmental review because it is an Infill Development as defined under Section 15332 of the California Environmental Quality Act Guidelines and satisfies the following five requirements of this section: 1) the project is consistent with the Redevelopment Plan and other zoning requirements, 2) the Site is not more than five acres and is substantially surrounded by urban uses, 3) the Site has no habitat value, 4) approval would not result in significant effects relating to traffic, noise, air or water quality, and 5) the Site can be adequately served by all required utilities and public services.

7. The Plan provides for owners to participate in the redevelopment of private property in the Project Area. This Owner wishes to participate and to enter into an Owner Participation Agreement to build the Project.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to execute an Owner Participation Agreement and related documents with 801 Elm Street, LLC, a California limited liability company, for the development of 837 Turk Street, on Assessor’s Block 761, Lot 26 and a portion of Lot 27 in the Western Addition Redevelopment Project Area A-2, substantially in the form lodged with the Agency General Counsel.

APPROVED AS TO FORM:

[Signature]
James B. Morales
Agency General Counsel