

Request for City Attorney's Ballot Title and Summary

January 27, 2026

John Arntz
Director of Elections
1 Dr. Carlton B. Goodlett Place
City Hall, Room 48
San Francisco, CA 94102

Dear Mr. Arntz:

Enclosed is the text of a proposed Ordinance to be submitted to the voters of the City and County of San Francisco. I request that a copy be forwarded to the City Attorney so that a ballot title and summary may be prepared.

Please send the title and summary to:

[REDACTED]

If you have any questions, please contact me at:

[REDACTED]

Sincerely,

[REDACTED]

Richard Kurylo

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DEPARTMENT OF ELECTIONS

Notice of Intent to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City and County of San Francisco for the purpose of

safeguarding community character and affordable housing at three locations in San Francisco: Jones-Thierbach Coffee Company Building at 447 Battery St., Edward McRoskey Mattress Factory Co. Building at 1687 Market St., and Marina Safeway Building at 15 Marina Blvd.

A statement of the reasons of the proposed action as contemplated in the petition is as follows (optional, maximum of 500 words):

Preserving historically and culturally significant properties is a critical part of city planning. The city's unique character – enjoyed by residents and visitors – relies heavily on its historic buildings. From a practical perspective, maintaining and rehabilitating older buildings and neighborhoods can save energy, time, money, and materials, making preservation an inherently sustainable policy.

Richard Kurylo
Proponent's name (print)


Proponent's signature

January 27, 2026
Date

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Signed Statement Related to the use of Petition Signatures

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DEPARTMENT OF ELECTIONS

Proponent's title of measure: Safeguarding Community Character and Affordable Housing Ordinance

City Attorney ballot title of measure (if available): _____

With regard to the above initiative measure, I am (*check one*):

- ☒ A proponent (*submit this completed form to the Department of Elections*)
- ☐ A person, company official, or other organizational officer who is in charge of signature gathering (*submit this completed form to the proponent*)
- ☐ A paid circulator (*submit this completed form to the person, company official, or other organizational officer who is in charge of signature gathering*)

I, Richard Kurylo, acknowledge that it is a misdemeanor under state law
(*Print Name*)

(California Elections Code Section 18650) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot.

I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.


Signature

January 27, 2026
Date

[Safeguarding Community Character and Affordable Housing Ordinance]

Ordinance maintaining community character and requiring 100 percent affordable housing at three locations in San Francisco: Jones-Thierbach Coffee Company Building at 447 Battery St., Edward McRoskey Mattress Factory Co. Building at 1687 Market St., and Marina Safeway Building at 15 Marina Blvd., including: applying measures necessary to sustain the existing form, integrity, and materials of the buildings per the Secretary of the Interior's Standards for the Treatment of Historic Properties; protecting and stabilizing the buildings, focusing upon the ongoing maintenance and repair of historic materials; adding the buildings to the San Francisco Historic Register; requiring that any housing that is included or constructed on the parcel or parcels occupied by the buildings be 100 percent affordable housing while sustaining the existing form, integrity, and materials of the buildings; and reconstructing the buildings using original materials to the greatest extent possible should any of the buildings be altered or demolished, retroactive to January 1, 2026.

NOTE: **Unchanged Code text and uncodified text** are in plain font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in *strikethrough italics Times New Roman 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. Title.

This initiative is known and may be referred to as the “Safeguarding Community Character and Affordable Housing Ordinance.”

Section 1. Findings.

- A. The Jones-Thierbach Coffee Company Building at 447 Battery St., Assessor's Block No. 0206, Lot No. 002, is a three-story red brick building constructed in 1907 and officially designated a historic landmark on the San Francisco Historic Register in 2022. With a brick exterior and deep windows that are increasingly scarce in San Francisco, the building is a rare remnant of the city's early industrial past when San Francisco was a center of coffee production on the West Coast. Few other places in the city represent that history.
- B. The Jones-Thierbach Coffee Company Building is proposed for demolition to make way for a mixed-use luxury office/hotel tower at 530 Sansome St. and a new city fire station. To enable the high-rise project, the City and County of San Francisco revoked the building's historic designation, which was the first time ever that the City rescinded a local landmark designation for the sake of a redevelopment project. San Francisco has more than 200,000 parcels, but only 320 designated landmarks under Article 10 of the Planning Code. Revocation of the historic designation of the Jones-Thierbach Coffee Company Building sets a precedent for the destruction of other designated city landmarks.

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- C. The Edward McRoskey Mattress Factory Co. Building at 1687 Market St., Assessor's Block 3504, Lot 001, was built in 1925, as the flagship factory and showroom for the McRoskey Mattress Company, one of the first mattress manufacturers on the West Coast. It was the only mattress manufacturer in the city to survive the 1906 earthquake and fire, providing beds to thousands left homeless by the disaster. The site was the location where Edward McRoskey developed and patented his pioneering McRoskey Tufting Machine in 1931, which modernized mattress manufacturing by increasing resiliency and springiness.
- D. The Edward McRoskey Mattress Factory Co. Building is a notable example of Classical Revival design with Adamesque influences. It features a three-bay wide exterior clad in stucco and brick; large, full-height plate glass storefront windows designed to showcase the company's products to the busy Market Street corridor; and notable ornamentation including a decorative stucco urn and garland motif. It was built using reinforced concrete (or steel-framed, according to some reports), a forward-thinking choice by Edward McRoskey to ensure the building would survive future earthquakes. The building is a contributing resource to the Market Street Masonry Landmark District, recognized for its remarkably intact architectural character and role in the "Hub" neighborhood, where multiple streetcar lines converged.
- E. There is a proposal to demolish the Edward McRoskey Mattress Factory Co. Building and replace it with a modern, 17-story tower, bypassing San Francisco's usual planning process under state laws AB-2011 and AB-2243. However, the proposed demolition is not legal because AB-2243, which amended AB-2011 to enable the building to be demolished, is unconstitutional. The demolition proposal was submitted to the Planning Department in 2024 under AB-2011, but the project was ineligible for streamlined permitting under AB-2011 because the building is within 500 feet of a freeway. Consequently, AB-2011 was amended through AB-2243 in a specific way to allow the building's demolition. The amendment modified the Government Code's definition of a freeway to explicitly exclude on- and off-ramps. Further, it expanded AB-2011 eligibility to include projects within 500 feet of a freeway contingent on the provision of certain architectural and HVAC features. Accordingly, the Edward McRoskey Mattress Factory Co. Building became eligible for review under AB-2011 because it was no longer located within 500 feet of a freeway, as defined. Simultaneously however, AB-2243 eliminated AB-2011 eligibility for properties with a historic building like the Edward McRoskey Mattress Factory Co. Building. To continue to enable the building to be demolished, the legislation included a unique, targeted provision that allows projects for which an application is submitted before 2025 to select the particular provisions (i.e., either those pre- or post-AB-2243) to which they are subject. Because the California State Constitution prohibits "special statutes" that are targeted to a specific, single project, the AB-2243 amendment that enables the developer of 1687 Market St. to "cherry-pick" pre- or post-AB-2243 provisions, specifically allowing the demolition of the Edward McRoskey Mattress Factory Co. Building, is unconstitutional.
- F. The Marina Safeway Building at 15 Marina Blvd., Assessor's Block 0458, Lot 008, opened in 1959 and is historically and architecturally significant as the prototype for the "Marina style" of modern supermarkets built by Safeway nationwide. The building is a significant example of Mid-Century Modern architecture applied to mass-market retail, featuring a distinctive curved or barrel-vaulted roof, extensive glass storefront, and an original exterior mosaic art piece. Designed by the firm Wurster, Bernardi & Emmons, the design blended a modern

supermarket into an upscale residential neighborhood and was the seminal model for hundreds of Safeway stores built in the 1960s across the United States and Canada. The store became famous in San Francisco pop culture, earning the affectionate nickname "Dateway" because it was known as a popular and successful spot for single people to meet, especially on Wednesday nights. This cultural reputation was immortalized in Armistead Maupin's beloved book series *Tales of the City*, where the store is the location where characters Mary Ann Singleton and Michael Tolliver first meet.

- G. There is a development proposal to demolish and replace the Marina Safeway Building with a 25-story residential tower, of which only 10 percent of the units would be designated as affordable. The developers intend to wield state density bonus laws to gain automatic approval for the proposal, far exceeding the 40-foot height limit and also bypassing San Francisco's usual planning process.
- H. Historic preservation plays a vital role in protecting California's architectural heritage and conserving places of historical significance. Per the San Francisco Planning Department, "In San Francisco, preserving historically and culturally significant properties is a critical part of city planning. The City's unique character – enjoyed by residents and visitors – relies heavily on its historic buildings. From a practical perspective, maintaining and rehabilitating older buildings and neighborhoods can save energy, time, money, and materials, making preservation an inherently sustainable policy. The Planning Department plays a crucial role in this effort through its Historic Preservation program, which supports the City's ongoing development while safeguarding its history. San Francisco is a Certified Local Government, and the Planning Department ensures projects adhere to the standards set forth by the California State Office of Historic Preservation."

Section 3. Sustain the Existing Form, Integrity, and Materials of Buildings.

Per the Secretary of the Interior's Standards for the Treatment of Historic Properties, the property owners of the Jones-Thierbach Coffee Company Building at 447 Battery St., the Edward McRoskey Mattress Factory Co. Building at 1687 Market St., and the Marina Safeway Building at 15 Marina Blvd. shall be responsible for applying measures necessary to sustain the existing form, integrity, and materials of the properties.

Section 4. Stabilize Buildings.

Per the Secretary of the Interior's Standards for the Treatment of Historic Properties, the property owners of the Jones-Thierbach Coffee Company Building at 447 Battery St., the Edward McRoskey Mattress Factory Co. Building at 1687 Market St., and the Marina Safeway Building at 15 Marina Blvd. shall be responsible for stabilizing the buildings, focusing upon the ongoing maintenance and repair of historic materials.

Section 5. San Francisco Historic Register.

The City and County of San Francisco shall add the Jones-Thierbach Coffee Company Building at 447 Battery St., the Edward McRoskey Mattress Factory Co. Building at 1687 Market St., and the Marina Safeway Building at 15 Marina Blvd. to the San Francisco Historic Register.

Section 5. Affordable Housing.

The City and County of San Francisco shall require that any and all housing that is included on, or constructed on, the parcel or parcels occupied by the Jones-Thierbach Coffee Company Building at 447 Battery St., the Edward McRoskey Mattress Factory Co. Building at 1687 Market St., and/or the Marina Safeway Building at 15 Marina Blvd. to be 100 percent affordable housing while sustaining the existing form, integrity, and materials of the buildings (i.e., the Jones-Thierbach Coffee Company Building at 447 Battery St., the Edward McRoskey Mattress Factory Co. Building at 1687 Market St., and the Marina Safeway Building at 15 Marina Blvd.).

Section 6. Altered or Demolished Buildings.

The City and County of San Francisco shall require repair or reconstruction of the Jones-Thierbach Coffee Company Building at 447 Battery St., the Edward McRoskey Mattress Factory Co. Building at 1687 Market St., and the Marina Safeway Building at 15 Marina Blvd. should any of the buildings be altered or demolished, retroactive to January 1, 2026. "Altered" or "demolished" buildings include changes to the existing form, integrity, and materials of the buildings. Reconstructing the buildings shall include using original materials to the greatest extent possible.

Section 7. Administrative Actions.

The appropriate officers, employees, representatives, and agents of the City and County of San Francisco are hereby authorized and directed to do everything necessary to carry out the provisions of this Safeguarding Community Character and Affordable Housing Ordinance.

Section 8. Severability.

If any section, subsection, sentence, clause, phrase, or word of this Ordinance, or any application thereof to any person or circumstance, is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or applications of the Ordinance. The People of the City and County of San Francisco hereby declare that they would have adopted this Ordinance and each and every section, subsection, sentence, clause, phrase, and word not declared invalid or unconstitutional without regard to whether any other portion of this Ordinance or application thereof would be subsequently declared invalid or unconstitutional.

Section 9. Effective Date.

The effective date of this Ordinance shall be ten days after the date the official vote count is declared by the Board of Supervisors.

Section 10. Conflicting Measures.

In the event that this measure appears on the same ballot as one or more measures that would prevent the Safeguarding Community Character and Affordable Housing Ordinance from being imposed, the other measure or measures shall be deemed to conflict with this measure. In the event this measure receives a greater number of affirmative votes, the provisions of this measure

shall prevail in their entirety, and the provisions of the other measure or measures shall be null and void.

Section 11. Legal Defense.

The People of the City and County of San Francisco desire that this Ordinance, if approved by the voters and thereafter challenged in court, be defended by the City. The People, by approving this Ordinance, hereby declare that the proponents of this Ordinance have a direct and personal stake in defending this ordinance from constitutional or statutory challenges to the Ordinance's validity or implementation. In the event that the City fails to defend this Ordinance, or the City fails to appeal an adverse judgment against the constitutionality, statutory permissibility or implementation of this Ordinance, in whole or in part, in any court of law, the Ordinance's proponents shall be entitled to assert their direct personal stake by defending the Ordinance's validity and implementation in any court of law and shall be empowered by the People through this Ordinance to act as agents of the People. The City shall indemnify the proponents for reasonable expenses and any losses incurred by the proponents, as agents, in defending the validity and/or implementation of the challenged Ordinance. The rate of indemnification shall be no more than the amount it would cost the City to perform the defense itself.

Section 12. Amendment and Repeal.

No part of this Ordinance may be amended or repealed except by a vote of the people of the City and County of San Francisco.

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