File No. 120660 Committee Item No. _____
Board Item No. 36

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____ Date _____

Board of Supervisors Meeting Date 7/10/2012

Cmte	Board	
☐	☐	Motion
☐	☐	Resolution
☐	☐	Ordinance
☐	☐	Legislative Digest
☐	☐	Budget and Legislative Analyst Report
☐	☐	Legislative Analyst Report
☐	☐	Youth Commission Report
☐	☐	Introduction Form (for hearings)
☐	☒	Department/Agency Cover Letter and/or Report
☐	☐	MOU
☐	☐	Grant Information Form
☐	☐	Grant Budget
☐	☐	Subcontract Budget
☐	☐	Contract/Agreement
☐	☐	Form 126 – Ethics Commission
☐	☐	Award Letter
☐	☐	Application
☐	☒	Public Correspondence

OTHER (Use back side if additional space is needed)

☐	☒	Planning Dept. response (Attachments) *
☐	☐	Project Sponsors Opposition to Appeal (Exhibit 1) *
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Completed by: Derek Evans Date 7/3/2012
Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 JUL -2 PM 4:23

SAN FRANCISCO
PLANNING DEPARTMENT

MEMO

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Appeal of Tentative Parcel Map

800 Presidio Avenue

DATE: July 2, 2012

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: John Rahaim, Planning Director – Planning Department (415) 558-6411

Glenn Cabreros, Case Planner – Planning Department (415) 558-6169

RE: Board File No. 12-0660, Planning Case No. 2006.0868Q – Appeal of the Tentative Parcel Map for 800 Presidio Avenue

HEARING DATE: July 10, 2010

ATTACHMENTS:

A. Planning Department Appeal Response to the 2011 Appeal of the Conditional Use authorization for 800 Presidio
B. Planning Department Appeal Response to the 2011 Appeal of the Environmental Impact Report for 800 Presidio
C. Board of Supervisor's Motions Recording Board Actions on the 2011 Appeals to the Board of Supervisors
D. Superior Court of California, County of San Francisco Court Order for Case File No: CPF-11-511499 "Neighbors for Fair Planning, An Unincorporated Vs. City and County of San Francisco, A Chartered et al" Upholding a CEQA Challenge.

PROJECT SPONSOR: Booker T. Washington Community Service Center, 800 Presidio Avenue, San Francisco, CA 94115

APPELLANT: Stephen Williams, Law Offices of Stephen Williams, 1934 Divisadero Street, San Francisco, CA 94115

INTRODUCTION:

This memorandum and the attached documents are in response to the letter of appeal ("Appeal Letter") to the Board of Supervisors (the "Board") regarding the Department of Public Works ("DPW") May 31, 2012 approval of a Tentative Parcel Map for a two unit mixed-use condominium project consisting of a single five-story building which will contain up to 50 affordable housing units in the residential portion of the project and a community gymnasium within the commercial portion at 800 Presidio Avenue and Assessors Block 1073 Lot 13. The application was filed with DPW on February 16, 2012 and referred to the Planning Department (the "Department") for review on February 27, 2012. Recommendation for approval by the Department was made on October 21, 2011 and issued by DPW on May 31, 2012. The Appeal

Letter to the Board was filed on June 11, 2012 by Heidi Urness, agent, for Stephen M. Williams and referenced the proposed project in Case No. 2006.0868Q.

The decision before the Board is whether to uphold or overturn the Tentative Parcel Map approval for a two-unit, mixed-use condominium.

BACKGROUND:

2011 – Applications for Development filed
On March 16, 2011, Alice Barkley for Booker T. Washington Community Service Center (hereinafter "BTWCSC") filed a Conditional Use application with the Planning Department.

On January 25, 2008, the Department conducted a shadow study, Case No. 2006.0868K, for the project pursuant to Planning Code Section 295 and found that the project would not cast shadows any Recreation and Park Department properties.

2011 – Planning Commission approves Conditional Use Authorization, CEQA Findings, and General Plan Consistency
On April 28, 2011, the Commission adopted Resolution No. 18341, Case No. 2006.0868TZ, recommending the Board of Supervisors adopt the text change and map amendments to create the Presidio-Sutter Special Use District and amending the height and bulk limits to 40-X/55-X. A referenced in Resolution No. 18341, the Commission made findings that the proposed text change and map amendments were consistent with the relevant objective and policies of the General Plan.

On April 28, 2011, the Commission also approved Motion No. 18342, Conditional Use Authorization Case No. 2006.0868C, to construct a Planned Unit Development project pursuant to Planning Code Sections 303 and 304 at a duly noticed public hearing at a regularly scheduled meeting. In considering the approval of the project, the Commission made findings affirming the project's consistency with the pertinent objectives and policies of the General Plan, which are specifically incorporated as part of Motion No. 18432.

2011 – Board of Supervisors hearing on the Appeal of the Conditional Use Authorization

On May 31, 2011 an appeal by Mr. Stephen M. Williams, on behalf of the Neighbors for Fair Planning concerning the appropriateness of the Conditional Use authorization was determined to be timely. On June 21, 2011, the Board conducted a duly noticed public hearing on the Planning Commissions Conditional Use authorization. In Motion 11-104 the Board disapproved the Commission's authorization and in Motion 11-110, the Board approved the issuance of the Conditional Use authorization subject to the Planning Commission's conditions and with additional conditions added by the Board to address operational sound, gym construction noise insulation, and 2755 Sutter the house just east and below 800 Presidio.

2011 – Board of Supervisor's Motion Affirming the Final Environmental Impact Report

On May 17, 2011 Mr. Stephen M. Williams, on behalf of the Neighbors for Fair Planning filed an appeal of the FEIR to the Board of Supervisors. On June 14, 2011 the Board held a duly noticed public hearing. In Motion 18340 the Board certified the FEIR and found it to be adequate and objective and reflecting the independent judgment of the City and in compliance with CEQA and the State CEQA Guidelines.

2012 – Superior Court Decision

On August 5, 2011, Petitioners Neighbors for Fair Planning, represented by Stephen Williams, filed a Petition for Writ of Mandate with the San Francisco Superior Court (Case No. 511499) challenging the City's approval of the Project. The Petition alleged that: (1) the City pre-approved the Project in violation of CEQA by providing predevelopment funding prior to the completion of CEQA review; (2) the EIR – including the baseline and alternatives analysis – was inadequate; and that (3) the conditional use for the Project was not supported, including that it was inconsistent with the General Plan.

On, April 9, 2012, the San Francisco Superior Court denied the Petition for Writ of Mandate in its entirety. The Court found that the (1) City did not pre-approve the Project in violation of CEQA; (2) the EIR is adequate, accurate and complete; (3) the conditional use permit was properly issued, including that the Project is consistent with the General Plan.

Petitioners Neighbors for Fair Planning, represented by Stephen Williams, have appealed Court's ruling.

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES:

The Appellant for the Appeal of the Tentative Parcel Map raises no new arguments to the Board of Supervisors. The appellant claims that that the Tentative Parcel Map is not consistent with the San Francisco General Plan and violates the California Environmental Quality Act. These issues were previously considered by the Board during the 2011 appeals for 800 Presidio.

1. **CEQA Compliance.** While the appellant provides no specifics as to how the Tentative Parcel Map violates CEQA, both the Board of Supervisors and the San Francisco Superior Court found the CEQA document for this project, a Final Environmental Impact Report, to be in compliance with State CEQA guidelines. The Department submitted 146 pages worth of information to the Board of Supervisors defending the adequacy of the CEQA work for this project as part of the 2011 CEQA appeal. The Board agreed and affirmed the certification of the EIR in Motion 11-103. See the attached 2011 Department response to the CEQA Appeal, dated May 31, 2011.
2. **General Plan Compliance.** The appellant claims the project is not "compatible" with the existing neighborhood and development consistent with policies of the General Plan. The questions of 1) General Plan compliance and 2) compatibility with existing neighborhood was resolved by the Board of Supervisors in relation to the 2011 appeal of the Conditional Use authorization. The Board adopted as its own all of the findings of

Planning Commission Motion 18342, approving the Conditional Use Application for this project and adding new conditions to address three topics. The Department submitted 136 pages worth of information to the Board of Supervisors defending the Commission's findings related to the Conditional Use authorization. The Board agreed and affirmed the certification of the EIR in Motion 11-103. See attached 2011 Department response to the CU Appeal, dated June 14, 2011. The San Francisco Superior Court upheld City's decision to approve the Project, including finding that the Project is consistent with the General Plan. That decision is on appeal.

The Department has addressed the concerns raised by the appellant in materials submitted to the Board in 2011. These materials are attached to this memorandum for consideration in relation to the Tentative Map appeal for 800 Presidio. Questions of consistency with the General Plan are addressed on pages 10-15 of the Conditional Use appeal response.

CONCLUSION:

In the Commission's authorization of the Conditional Use and the Planned Unit Development, the Planning Commission found the project to be necessary, desirable and well designed. The project is necessary for the continuance of an existing community facility, but also to create much needed affordable housing for the City. The project design responds to the surrounding, existing development patterns as viewed from the public rights-of-way, the mid-block open space and adjacent residential buildings. As the physical attributes and the uses of the project are compatible with the existing neighborhood uses, the topographic forms of the urban environment and the surrounding structures, the project is proposed in a desirable location. The arrangement of structures and the diversity of uses the project brings to the immediate neighborhood and the City as a whole are also desirable. In granting the Conditional Use and Planned Unit Development authorizations, the Commission made Findings that the project promotes the applicable Objectives and Policies of General Plan. The Board in Motion 11-103 affirmed the Commission's findings and incorporated its findings into the Board's own approval, the additional information contained in this response regarding how the Project is on balance consistent with the General Plan.

For the reasons stated above, the Planning Department recommends that the Board uphold the Department of Public Work's decision in approving the Tentative Parcel Map for 800 Presidio Avenue and deny the Appellant's request for appeal.

SAN FRANCISCO
PLANNING DEPARTMENT

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BY AK

MEMO

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Conditional Use Authorization Appeal

800 Presidio Avenue

DATE: June 14, 2011

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: John Rahaim, Planning Director – Planning Department (415) 558-6411

Glenn Cabreros, Case Planner – Planning Department (415) 558-6169

RE: File No. 11-0702 Planning Case No. 2006.0868C –
Appeal of the approval of Conditional Use Authorization for 800 Presidio Avenue

HEARING DATE: June 21, 2011

ATTACHMENTS:

A. Commission Packet (including Motion No. 18342, CEQA Findings, and Statement of Overriding Considerations)
B. Appeal Letter (May 31, 2011)

PROJECT SPONSOR: Booker T. Washington Community Service Center, 800 Presidio Avenue, San Francisco, CA 94115

APPELLANT: Stephen Williams, Law Offices of Stephen Williams, 1934 Divisadero Street, San Francisco, CA 94115

INTRODUCTION:

This memorandum and the attached documents are a response to the letter of appeal to the Board of Supervisors (the "Board") regarding the Planning Commission's ("Commission") approval of the application for Conditional Use Authorization under Planning Code Sections 303 (Conditional Use Authorization) and 304 (Planned Unit Development) to allow construction of a 55-foot tall building containing community facilities and a five-story, residential building with up to 50 affordable housing units within the RM-1 (Residential, Mixed, Low-Density) District and a 40-X/55-X Height and Bulk District ("the Project").

This response addresses the appeal ("Appeal Letter") to the Board filed on May 31, 2011 by Stephen Williams, Law Offices of Stephen Williams at 1934 Divisadero Street. The Appeal Letter referenced the proposed project in Case No. 2006.0868C.

The decision before the Board is whether to uphold or overturn the Planning Commission's approval of Conditional Use Authorization/Planned Unit Development to allow new construction of community facilities and up to 50 units of affordable housing.

** Complete copy of document is located in File No. 120660

SAN FRANCISCO
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APPEAL OF ENVIRONMENTAL IMPACT REPORT
800 Presidio Avenue (Booker T. Washington Community Services Center) Mixed-Use Project

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

DATE:	June 6, 2011
TO:	President David Chiu and Members of the Board of Supervisors
FROM:	Bill Wycko, Environmental Review Officer – (415) 575-9048 Michael Jacinto, Case Planner – (415) 575-9033
RE:	File No. 110675, Planning Department Case No. 2006.0868E Appeal of Environmental Impact Report Certification for 800 Presidio Avenue
PROJECT SPONSORS:	Booker T. Washington Community Services Center
APPELLANT:	Stephen M. Williams on behalf of Neighbors for Fair Planning
HEARING DATE:	June 14, 2011
ATTACHMENTS:	A: Appeal Letter B: EIR Figure 12 (Revised) C: Project Sponsor Correspondence related to Existing Community Center Conditions D: MOH Loan Agreement to Sponsor E: Motion No. 18340 (EIR Certification) F: Resolution No. 18341 (CEQA Findings) Exhibit 1, Mitigation Monitoring and Reporting Program

INTRODUCTION

This memorandum and the attached document ("Appeal Response") are a response to the letter of appeal ("Appeal Letter") to the Board of Supervisors ("the Board") regarding the issuance of a Final Environmental Impact Report ("FEIR") under the California Environmental Quality Act ("CEQA Determination") for the 800 Presidio Avenue (Booker T. Washington Community Services Center) Mixed-Use Project ("the proposed project"). The FEIR was certified by the Planning Commission ("the Commission") on April 28, 2011. The appeal to the Board was filed on May 18, 2011 by Mr. Stephen M. Williams on behalf of the Neighbors for Fair Planning ("Appellant").

The Appeal Letter is included with this Memorandum as Attachment A. The FEIR, which consists of the Draft Environmental Impact Report ("DEIR") and the Comments and Responses document ("C&R"), were provided to the Clerk of the Board on June 6, 2011.

** Complete copy of document is located in
File No. 120660

SMW | LAW OFFICES OF
STEPHEN M. WILLIAMS

1934 Divisadero Street | San Francisco, CA 94115 | TEL: 415.292.3656 | FAX: 415.776.8047 | smw@stevewilliamslaw.com

June 11, 2012

via messenger

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BOARD OF SUPERVISORS
SAN FRANCISCO
2012 JUN 11 PM 2:53

President David Chiu and Clerk of the Board of Supervisors
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

RE: **APPEAL OF APPROVAL OF TENTATIVE/PARCEL MAP FOR 800 PRESIDIO AVENUE, SAN FRANCISCO, CA; BLOCK 1073, LOT 13**

Dear President Chiu and Clerk of the Board,

This office represents Neighbors for Fair Planning, a group of more than 50 families who are immediate neighbors of the proposed Project at 800 Presidio Avenue, the location of the Booker T. Washington Community Service Center ("BTW"). Neighbors for Fair Planning are supported in this appeal by four large and long-standing neighborhood associations: The Jordan Park Improvement Association, the Presidio Heights Association of Neighbors, The Laurel Heights Improvement Association Inc. of San Francisco, and the Pacific Heights Residents' Association.

By this letter, Neighbors for Fair Planning hereby appeal the decision of the City and County Surveyor, together with the Planning Department and Department of Building inspection, approving the tentative/parcel map for the abovementioned property. Attached please find the final decision approving the tentative map for 800 Presidio Avenue issued by Bruce R. Storrs on May 31, 2012. The grounds for the appeal are significant and include, but are not limited to, violations of the San Francisco General Plan and violations of the California Environmental Quality Act (CEQA).

The Planning and Zoning Law of California establish the authority of local government entities to regulate the use of land. (*Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 518-519, fn. 18.) It commands each county to adopt "a comprehensive, long-term general plan for the physical development of the county . . . ." A general plan is "a statement of development policies and shall include a diagram . . . and text setting forth objectives, principles, standards, and plan proposals." The general plan is atop the hierarchy of local government law regulating land use. It has been aptly analogized to "a constitution for all future developments." (See *O'Loane v. O'Rourke* (1965) 231 Cal.App.2d 774.) San Francisco's General Plan mandates new constructions preserve existing neighborhoods and be "compatible" with existing development.

In this instance, the BTW Project does not comply with the General Plan and the Plan's mandate that new construction preserve existing neighborhoods and be "compatible" with existing development. The BTW Project design flies in the face of these requirements; the Project does

not give the required consideration to the prevailing character of the Presidio Avenue neighborhood or the effect the project will have on its immediate surroundings. Hundreds of neighboring residents and homeowners oppose the Project, as do the abovementioned associated neighborhood groups. The proposed Project is grossly out of scale and is far too bulky, tall, and dense to fit in with the low density, smaller-scale, historic neighborhood where it is to be built. The Project represents an unfair and inequitable increase in density without respect for numerous provisions of the Planning Code which controls and binds all other lots in the vicinity.

The proposed BTW building is a modern design in an older, well-established, historic area. The building is stark and disturbing and contrasts severely with the surrounding buildings and will impair the character of the area; the project was not designed with consideration for the prevailing design character of the area. The building disrupts the current visual harmony of the neighborhood and makes no attempt to transition between old and new. It is simply not possible to plug a 70-foot tall modern glass and steel building in a neighborhood of 18-foot tall Victorian structures and call it compatible.

The height, bulk and design of the proposed building are also out of touch with the existing character in the area and the Project makes little attempt to "fit in" with the surrounding neighborhood. For example, the minimal setbacks of 10-13 feet are at a level of 60-70 feet with respect to the BTW Project and are nearly inappreciable from the street. The Project will have an overwhelming and dominating appearance because it is so vastly out of scale with the neighborhood. The building is incompatible with the surrounding buildings and will have a detrimental effect on the livability and character of the residential properties surrounding it.

As a result, the BTW Project makes no attempt to relate to the prevailing pattern of the neighborhood and is inconsistent with the requirements of the General Plan. Please notify me and the other interested parties at 1934 Divisadero Street, San Francisco, CA 94115 when the Board of Supervisors has scheduled the Appeal hearing in accordance with local requirements.

Very Truly Yours,

Stephen M. Williams
HEIDI N. URNESS, AGENT

City and County of San Francisco

Phone: (415) 554-5827
Fax: (415) 554-5324

http://www.sfdpw.com
subdivision.mapping@sfdpw.org

Department of Public Works
Office of the City and County Surveyor

875 Stevenson Street, Room 410
San Francisco, CA 94103

Edwin M. Lee,Mayor
Mohammed Nuru,Director

Fuad S. Sweiss, PE, PLS,
City Engineer & Deputy Director of Engineering

Bruce R. Storrs, City and County Surveyor

Date: May 31, 2012

Approval of Tentative Map for

2 Units Multi Use

Address	Block	Lot
800 PRESIDIO AVE	1073	013

Dear Sir/Madam:

This is to advise you that based on our findings the City and County Surveyor has made his decision affirming the approval of the subject Tentative Map.

The City and County Surveyor, together with the Planning Department and Department of Building Inspection have reviewed the application for conformity with the General Plan, and with the requirements of the Subdivision Map Act, the San Francisco Subdivision Code and applicable regulations for the Tentative Map.

Subdivision Code Section 1314 provides that an appeal of the decision of the City and County Surveyor may be made to the Board of Supervisors, located at 1 Dr. Carlton B. Goodlett Place, Room 244, telephone number (415) 554-5184.

Any such appeal must be filed in writing with the Clerk of the Board within ten (10) days of the date of this letter along with a check in the amount of $284 made out to the Department of Public Works.

The file for this project is available for viewing at the Office of the City and County Surveyor located at 875 Stevenson Street, Room 410 during regular business hours.

If you have any questions on this matter, please contact us at (415) 554-5827, or our email address: subdivision.mapping@sfdpw.org

Sincerely,

Bruce R. Storrs, P.L.S.
City and County Surveyor
City and County of San Francisco

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

June 15, 2012

Stephen M. Williams
1934 Divisadero Street
San Francisco, CA 94115
smw@stevewilliamslaw.com

File No. 120660
Appeal of Tentative Parcel Map for 800 Presidio Avenue
Assessor's Block No. 1073 Lot No. 013
2 Units Multi-Use

Dear Mr. Williams:

This is in reference to the appeal you submitted concerning approval of the subject Tentative Map for property located at:

800 Presidio Avenue, Assessor's Block No. 1073, Lot No. 013

A hearing date has been scheduled on **Tuesday, July 10, 2012, at 4:00 p.m.**, at the Board of Supervisors meeting to be held in City Hall, Legislative Chamber, Room 250, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Please provide 18 copies to the Clerk's Office by:

8 days prior to the hearing: any documentation which you may want available to the Board members prior to the hearing;

11 days prior to the hearing: names of interested parties to be notified of the hearing in label format.

If you have any questions, please feel free to contact Legislative Deputy Director, Rick Caldeira at (415) 554-7711 or Legislative Clerk, Joy Lamug at (415) 554-7712.

Sincerely,

Angela Calvillo
Clerk of the Board

c:
Mohammed Nuru, Director of Public Works
Jerry Sanguinetti, Manager, Department of Public Works-Bureau of Street Use and Mapping, w/copy of appeal
Fuad Sweiss, City Engineer, Department of Public Works, w/copy of appeal
Bruce Storrs, PLS, County Surveyor, Department of Public Works
Aaron Hollister, Planning Department, w/copy of appeal
AnMarie Rodgers, Planning Department, w/copy of appeal
Aaron Starr, Planning Department, w/copy of appeal
Glenn Cabreros, Planning Department, w/copy of appeal
Cheryl Adams, Deputy City Attorney, w/copy of appeal
John Malamut, Deputy City Attorney, w/copy of appeal
Kate Stacy, Deputy City Attorney, w/copy of appeal
Marlena Byrne, Deputy City Attorney, w/copy of appeal
Project Sponsor

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

June 13, 2012

Mohammed Nuru
Director of Public Works
City Hall, Room 348
San Francisco, CA 94102

File Number 120660
Appeal of Tentative Parcel Map for 800 Presidio Avenue
Assessor's Block No. 1073 Lot No. 013
2 Units Multi-Use

Dear Director Nuru:

The Office of the Clerk of the Board is in receipt of an appeal filed by the Law Offices of Stephen M. Williams, on behalf of the Neighbors for Fair Planning (copy attached), from the decision of the Department of Public Works dated May 31, 2012, affirming the approval of a Tentative Map for a 2 units multi-use construction project at 800 Presidio Avenue.

By copy of this letter, the City Engineer's Office is advised the Board of Supervisors will have the appeal scheduled for public hearing on Tuesday, July 10, 2012, at 4:00 p.m.

Pursuant to Subdivision Code Section 1315, enclosed is the filing fee of $284.00 paid by the appellant for deposit to your Subdivision Fund.

Sincerely,

Angela Calvillo
Clerk of the Board

c:
Jerry Sanguinetti, Manager, Department of Public Works-Bureau of Street Use and Mapping, w/copy of appeal
Fuad Sweiss, City Engineer, Department of Public Works, w/copy of appeal
Bruce Storrs, PLS, County Surveyor, Department of Public Works
Aaron Hollister, Planning Department, w/copy of appeal
AnMarie Rodgers, Planning Department, w/copy of appeal
Aaron Starr, Planning Department, w/copy of appeal
Glenn Cabreros, Planning Department, w/copy of appeal
Cheryl Adams, Deputy City Attorney, w/copy of appeal
John Malamut, Deputy City Attorney, w/copy of appeal
Kate Stacy, Deputy City Attorney, w/copy of appeal
Marlena Byrne, Deputy City Attorney, w/copy of appeal
Appellant, Steven M. Williams, smw@stevewilliamslaw.com
Project Sponsor

City and County of San Francisco

Phone: (415) 554-5827
Fax: (415) 554-5324

http://www.sfdpw.com
subdivision.mapping@sfdpw.org

Department of Public Works
Office of the City and County Surveyor

875 Stevenson Street, Room 410
San Francisco, CA 94103

Edwin M. Lee, Mayor
Mohammed Nuru, Interim Director

Fuad S. Sweiss, PE, PLS,
City Engineer & Deputy Director of Engineering

Bruce R. Storrs, City and County Surveyor

Date: February 27, 2012

2006.0868Q

Department of City Planning
1650 Mission Street, Suite 400
San Francisco, CA 94103

Project ID:	7046		
Project Type:	2 Units Multi Use		
Address#	**StreetName**	**Block**	**Lot**
800	PRESIDIO AVE	1073	013
Tentative Map Referral			

Attention: Mr. Scott F. Sanchez

Pursuant to Section 1325 of the City and County of San Francisco Subdivision Code and Section 4.105 of the 1996 City Charter, a print of the above referenced Map is submitted for your review, CEQA and General Plan conformity determination. Under the provisions of the Subdivision Map Act and the City and County of San Francisco Subdivision Code, your Department must respond to the Bureau of Street-Use and Mapping within 30 days of the receipt of the application or CEQA Determination per SMA 664521(c). Under these same state and local codes, DPW is required to approve, conditionally approve, or disapprove the above referenced map within 50 days of the receipt of the application or CEQA Determination per SMA 664521(c). Failure to do so constitutes automatic approval. Thank you for your timely review of this Map.

Sincerely,

Bruce R. Storrs, P.L.S.
City and County Surveyor

Enclosures:

X Print of Parcel Map
X List "B"
X Proposition "M" Findings
X Photos

✓ The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code. On balance, the Tentative Map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1 based on the attached findings. ~~[illegible] environmental review per Class 1 California Environmental Quality Act Guidelines.~~ Approved per Final EIR, Case No. 2006.0868E, certified by the San Francisco Planning Commission under Motion No. 18340 on 28 April 2011.

___ The subject Tentative Map has been reviewed by the Planning Department and does comply with applicable provisions of the Planning Code subject to the following conditions (Any requested documents should be sent in with a copy of this letter to Scott F. Sanchez at the above address):

___ The subject Tentative Map has been reviewed by the Planning Department and does not comply with applicable provisions of the Planning Code. Due to the following reasons (Any requested documents should be sent in with a copy of this letter to Scott F. Sanchez at the above address):

PLANNING DEPARTMENT

DATE 5/23/2012

for Mr. Scott F. Sanchez, Zoning Administrator Aaron Hollister, Aaron Hollister

(Required for all New Construction Condominium Applications)

D. APPLICATION

Property Address: 800 PRESIDIO AVENUE

For DPW-BSM use only
ID No.: 7046

Assessor's Block: 1073 Lot Number(s): 13

Owner:			
Name:	BOOKER T. WASHINGTON COMMUNITY SERVICE CENTER		
Address:	800 PRESIDIO AVE. S.F. CA. 94115 MS. PAT SCOTT		
Phone:	415-928-6596	E-mail:	
Person to be contacted concerning this project (if different from owner)			
Name:	RANDI GERSON - EQUITY COMMUNITY BUILDERS		
Address:	38 KEYES AVE. S.F. CA. 94129		
Phone:	510-326-7868	E-mail:	RANDI@ECBSF.COM
Firm or agent preparing the subdivision map			
Name:	BEN RON - MARTIN M. RON ASSOCIATES, INC.		
Address:	859 HARRISON STREET, SUITE 200 S.F. CA. 94107		
Phone:	415-543-4500	E-mail:	BENC MARTINRON.COM
Subdivider (if different from owner)			
Name:			
Address:			

Number of Units in Project: 2 CONDO. UNITS

This subdivision creates an airspace: ☒ No ☐ Yes (shown on Tentative Map)
This subdivision creates an addition to an existing building ☒ No ☐ Yes (shown on Tentative Map)

Check only one of the following options:

	Indicate project type
Residential Only	☐
Mixed Use	☒ If checked, Number of residential unit(s): 1 Number of commercial unit(s): 1

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

I (We) BOOKER T. WASHINGTON COMMUNITY SERVICE CENTER, A NONPROFIT CORPORATION
(Print Subdivider's Name in full)

declare, under penalty of perjury, that I am (we are) the owner(s) [authorized agent of the owner(s)] of the property that is the subject of this application, that the statements herein and in the attached exhibits present the information required for this application, and the information presented is true and correct to the best of my (our) knowledge and belief.

Date: 2.8.12 Signed: _____
MS. PAT SCOTT, PRESIDENT

Date: _____ Signed: _____

SAN FRANCISCO
PLANNING DEPARTMENT

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

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Executive Summary

HEARING DATE APRIL 28, 2011

Date:	April 21, 2011
Case No.:	**2006.0868TZ**
Project Address:	**800 PRESIDIO AVENUE**
Current Zoning:	RM-1 (Residential, Mixed, Low-Density) 40-X Height and Bulk District
Proposed Zoning:	Presidio-Sutter Special Use District RM-1 (Residential, Mixed, Low-Density) 40-X/55-X Height and Bulk District
Block/Lot:	1073/013
Project Sponsor:	Booker T. Washington Community Service Center 800 Presidio Avenue San Francisco, CA 94115
Sponsor Contact:	Alice Barkley, Esq. – (415) 356-4635
Staff Contact:	Glenn Cabreros – (415) 558-6169 glenn.cabreros@sfgov.org

PROJECT DESCRIPTION

The project proposes to demolish an existing 31-foot tall, one-story-over-partial-basement building (Booker T. Washington Community Services Center), and to construct a five-story-over-basement, 55-foot tall mixed-use building. The project proposes to construct a state-of-the-art community facility space to support BTWCSC's programs (which are targeted at at-risk youth), a gymnasium, and 50 units of housing, of which 24 units are affordable to low income households and 24 units are for low and very low income transitional age youth. The approximately 68,206 gross square foot (gsf) mixed-use building would contain a 7,506 gsf, 175-seat gymnasium, 11,529 gsf of program space, a 1,691-sf child care center for 24 children, up to 50 units of affordable housing with supportive service space, building storage, and a basement garage containing 21 off-street parking spaces. The housing component and the community service space would have a shared entrance on Presidio Avenue.

The project as proposed requires Planning Code and Zoning Map Amendments to create the Presidio-Sutter Special Use District. On June 24, 2008, Supervisors Farrell, Mar and Mirkarimi introduced an Ordinance proposing to create the Presidio-Sutter Special Use District (SUD) at 800 Presidio Avenue. The Planning Commission will consider a Planning Code Text Amendment that would establish the Presidio-Sutter SUD by adding Planning Code Section 249.53 pursuant to Planning Code Sections 302 and 306. The SUD would allow dwelling unit density and building height bonuses for projects with an affordable housing component beyond the amount required by the Planning Code. The Planning Commission will also consider Zoning Map Amendments pursuant to Planning Code Sections 302 and 306 that would

include (1) establishing the Presidio-Sutter SUD at Lot 013 in Assessor's Block 1073 on Zoning Map Sheet SU03 and (2) amending the height limit from 40-X to 40-X/55-X on Zoning Map Sheet HT03.

SITE DESCRIPTION AND PRESENT USE

The project is located on the east side of Presidio Avenue between Sutter Street and Post Street on Lot 013 is Assessor's Block 1073. The property is located within the RM-1 (Residential, Mixed, Low-Density) District, the Presidio-Sutter Special Use District and a 40-X/55-X Height and Bulk District. The property is within the Western Addition neighborhood and is developed with a one-story over partial basement building containing a community facility for BTWCSC. The project site occupies over 50 percent of the length of the block-face along Presidio Avenue. The site slopes downward to the east along Sutter Street and is fairly flat along Presidio Avenue. The subject lot is a large L-shaped lot, over a half-acre in size, containing 22,360 square feet.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located at the westernmost portion of the Western Addition neighborhood. The project site is within four blocks or less from the Pacific Heights neighborhood to the north, the Presidio Heights neighborhood to the west and the Inner Richmond neighborhood to the southwest. Directly west and across the street from the project site is a "super-block", spanning the length of three standard-sized lots along Presidio Avenue from Geary Boulevard to Bush Street and containing a MUNI bus yard. The southern portion of the bus yard is developed with a tall two-story bus garage. Directly north and across Sutter Street from the project site is a large, 45-foot tall, four-story multi-unit apartment building. Directly east and adjacent to the project site's eastern property line is a one-story, single-family residence located downhill from the site along Sutter Street. Directly south and adjacent to the project site's southern property line is a lot containing two residential buildings with a total of three dwelling units; one of the residential buildings is a tall two-story, two-unit building fronting Presidio Avenue. Other lots on the subject block and downhill from the project site contain a mix of residential buildings from single-family residences to multi-unit apartment buildings, mostly ranging from two- to four-stories tall and of varied architectural styles.

ENVIRONMENTAL REVIEW

The Planning Department, the Lead Agency responsible for the implementation of the California Environmental Quality Act ("CEQA") has undertaken the environmental review process for the proposed Booker T. Washington Community Services Center Mixed-use Project, Case No. 2006.0868E, and has prepared a Final Environmental Impact Report for the Planning Commission's consideration.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	April 8, 2011	April 8, 2011	20 days
Posted Notice	20 days	April 8, 2006	April 7, 2006	21 days
Mailed Notice	10 days	April 8, 2006	April 8, 2006	20 days

PUBLIC COMMENT

- The Department has not received any public comment for the project. With regard to the environmental review application for the project, public input to the Draft Environmental Impact Report (DEIR) was provided during a public hearing of the DEIR and during the public comment period at the time of publication of the DEIR. Responses to public comment provided to the DEIR are provided in the "Comments and Responses" publication under Case No. 2008.0868E.

ISSUES AND OTHER CONSIDERATIONS

- On January 25, 2008, the Department conducted a shadow study, Case No. 2006.0868K, for the project pursuant to Planning Code Section 295 and found that the project would not cast shadows any Recreation and Park Department properties.

- The project would demolish an historic resource to make way for a new construction project. The BTWCSC building is an historic resource because BTWCSC is the first community organization to provide services to the African-American community. The building is not located in a potential historic district. The adverse impact of the project on the historic resource has been fully analyzed in the Project EIR. While the project proposes demolition of the existing building, the project would allow BTWCSC to continue and enhance its long-standing community service uses.

REQUIRED COMMISSION ACTION

Upon Certification of the Final EIR, if the Commission is to adopt the proposed Planning Code and Zoning Map Amendments to create the Presidio-Sutter Special Use District and it is to approve Conditional Use Authorization for construction of Planned Unit Development, must adopt CEQA findings and a Statement of Overriding Considerations. See attached "CEQA Finding Draft Motion."

In considering Planning Code and Zoning Map Amendments including the proposed Ordinance to establish the Presidio-Sutter Special Use District, the Commission may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

In considering the project as proposed, the Commission may disapprove the project, approve the project with conditions or approve the project with modifications with conditions. Approval of the proposed project requires Conditional Use and Planned Unit Development authorization pursuant to Planning Codes Section 303 and 304.

BASIS FOR RECOMMENDATION

The Department recommend approval of the project for the following reasons:

- On balance the project, including the Planning Code and Zoning Map Amendments to establish the Presidio-Sutter Special Use District, is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

- Specifically, establishing the Presidio-Sutter Special Use District is consistent with the General Plan's objectives and policies to create incentives to encourage the construction of permanently affordable housing.
- The project would ensure the continuation and enhancement of long-standing community service programs offered by Booker T. Washington Community Services Center.
- The project would provide up to 50 new permanently affordable housing units, which are woefully needed to increase and diversify the City's housing stock
- The project is well served by transit and does not propose excessive amount of parking beyond the amount required by Code; therefore the project is in line with the City's Transit First Policy and should not adversely impact traffic, public transit or access to off-street parking.
- The project's location, siting and design (including its proposed scale, massing and materials) are found to be compatible with surrounding neighborhood character, the adjacent residential uses, the mid-block open space, and, in the general, the urban form of the City.
- The proposed project meets all applicable requirements of the Planning Code.

RECOMMENDATION:	1) Adopt CEQA Findings and Statement of Overriding Considerations 2) Recommend Board of Supervisors Adopt proposed Ordinance 3) Approve CU/PUD with Conditions

Attachment Checklist

- ☒ Executive Summary
- ☒ CEQA Findings Draft Motion
- ☒ Rezoning Draft Motion
- ☒ CU/PUD Draft Motion
- ☒ Shadow Study
- ☒ Parcel Map
- ☒ Sanborn Map
- ☒ Aerial Photos
- ☒ Zoning Map

- ☒ Project sponsor submittal

Drawings: Existing Conditions

- ☒ Check for legibility

Drawings: Proposed Project

- ☒ Check for legibility

Exhibits above marked with an "X" are included in this packet _____

Planner's Initials

SAN FRANCISCO
PLANNING DEPARTMENT

Planning Commission
CEQA Findings Draft Motion
HEARING DATE: APRIL 28, 2011

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ADOPTING ENVIRONMENTAL FINDINGS RELATED TO THE PROPOSED BOOKER T. WASHINGTON COMMUNITY SERVICES CENTER MIXED-USE PROJECT AT 800 PRESIDIO AVENUE. THE PROJECT INCLUDES DEMOLITION OF AN EXISTING 12,600-SQUARE-FOOT COMMUNITY CENTER AND CONSTRUCTION OF A 55-FOOT-TALL, 68,206-SQUARE-FOOT BUILDING CONTAINING 20,726-SQUARE FEET OF COMMUNITY CENTER AND GYMNASIUM SPACE AND 32,684-SQUARE FEET OF RESIDENTIAL SPACE ON ITS UPPER FLOORS. THE HOUSING COMPONENT OF THE PROJECT WOULD CONTAIN UP TO 50 UNITS OF AFFORDABLE HOUSING UNITS AT ITS UPPER LEVELS AND 21 OFF-STREET PARKING SPACES IN A BASEMENT GARAGE. THE PROJECT REQUIRES AMENDMENTS TO THE PLANNING CODE TO ESTABLISH THE PRESIDIO-SUTTER SPECIAL USE DISTRICT, WHICH WOULD REQUIRE APPROVAL BY THE BOARD OF SUPERVISORS TO RECLASSIFY THE HEIGHT LIMIT FROM THE 40-X HEIGHT AND BULK DISTRICT TO THE 40-X/55-X HEIGHT AND BULK DISTRICT AND TO INCREASE THE RESDIENTIAL DENSITY BEYOND PERMITTED LIMITS ESTABLISHED BY THE PLANNING CODE. THE PROJECT WOULD ALSO REQUEST EXCEPTIONS TO PLANNING CODE PROVISIONS RELATED TO STREET TREES, REAR YARD, USABLE OPEN SPACE AND DWELLING UNIT EXPOSURE THROUGH A PLANNED UNIT DEVELOPMENT (PUD) SUBJECT TO CONDITIONAL USE AUTHORIZATION BY THE PLANNING COMMISSION.

Whereas, the Planning Department, the Lead Agency responsible for the implementation of the California Environmental Quality Act ("CEQA") has undertaken the environmental review

process for the proposed Booker T. Washington Community Services Center Mixed-use Project and provided for appropriate public hearings before the Planning Commission; and

Whereas, the Booker T. Washington Community Services Center ("BTWCSC") seeks to demolish the existing building at 800 Presidio Avenue and to construct a new mixed use building with a new community center and gymnasium that would serve the Western Addition and surrounding communities and an affordable housing component; and

Whereas, the gymnasium is a facility that is shared with Drew School and other schools and organizations who do not have a gymnasium; and

Whereas, the mixed-use project would include 48 units of affordable housing for low income households and two units for on-site managers; and

Whereas, twenty-four (24) of the affordable units will be for Transitional Age Youths that require special programmatic support services, including two on-site managers; and

Whereas, the actions listed in Section I(c) of Attachment A to this Motion and referred to herein as "Approval Actions," are part of a series of City discretionary actions in connection with the approval of the Booker T. Washington Community Center Mixed-use Project; and

Whereas, the Planning Department determined that an Environmental Impact Report ("EIR") was required for the proposed project, and provided public notice of that determination by publication in a newspaper of general circulation on March 8, 2008; and

Whereas, the Planning Department, on June 23, 2010, published the Draft Environmental Impact Report ("DEIR"). The DEIR was circulated for public review in accordance with the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, California Public Resources Code section 21000 et seq., ("CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). The Planning Commission held a duly advertised public hearing on said DEIR on August 5, 2010, at which opportunity for public comment was given, and public comment was received on the DEIR; and

Whereas, the Planning Department prepared responses to comments on the DEIR and published the Comments and Responses document on April 14, 2011, which together with the DEIR constitute the Final Environmental Impact Report ("FEIR"); and

Whereas, the sponsor has proposed minor modifications to the project as described in the FEIR (see discussion of "Modified Project" in Section C of the Response to Comments document), and the Department finds that these changes would not result in any new significant impacts not disclosed in the DEIR; impacts of greater severity than reported in the DEIR; or require new or substantially altered mitigation measures than those included in the DEIR; and

Whereas, by adopting this Motion, the Planning Commission makes Environmental Findings for the project identified in the Final EIR as the "Modified Project," which is referred to herein as the "Project"; and

Whereas, the Planning Commission, on April 28, 2011, by Motion No. _____, reviewed and considered the FEIR and found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed complied with the provisions of CEQA, the CEQA Guidelines and Chapter 31; and

Whereas, the Planning Commission, by Motion No. _____, also certified the FEIR and found that the EIR was adequate, accurate, and objective, reflected the independent judgment of the Planning Commission, in compliance with CEQA, the CEQA Guidelines, and Chapter 31; and

Whereas, the Planning Department prepared proposed Environmental Findings, as required by CEQA, regarding the alternatives, mitigation measures and significant environmental impacts analyzed in the FEIR and overriding considerations for approving the Project, including all the actions listed in Attachment A and a proposed Mitigation Monitoring and Reporting Program, attached as Attachment B, which material was made available to the public and this Planning Commission for the Commission's review, considerations and actions.

DECISION

THEREFORE, LET IT BE RESOLVED, that the Planning Commission has reviewed the actions associated with the Project and, in reference to the Approval Actions, hereby adopts the Environmental Findings included as Attachment A to this Motion, including a statement of overriding considerations; and be it

FURTHER RESOLVED, that the Planning Commission hereby adopts a Mitigation Monitoring and Reporting Program for the Project, as set forth in Attachment B to this Motion.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of April 28, 2011.

Linda Avery
Commission Secretary

AYES:

NOES:

ABSENT:

EXCUSED:

ACTION: Adoption of CEQA Findings

Attachment A

PREAMBLE

In determining to approve the project described in Section I, Project Description below, the ("Project"), the San Francisco Planning Commission ("Planning Commission," "Commission" or "City") makes and adopts the following findings of fact and decisions regarding the Project description and objectives, significant impacts, mitigation measures and alternatives, including a statement of overriding considerations, based on substantial evidence in the whole record of this proceeding and pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000 et seq. ("CEQA"), particularly Section 21081 and 21081.5, the Guidelines for Implementation of CEQA, 14 California Code of Regulations Section 15000 et seq. ("CEQA Guidelines"), and Section 15091 through 15093, and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). The Commission adopts these findings in conjunction with the Approval Actions described in Section I(c), below, as required by CEQA. In approving the Project, the Planning Commission has required the Project Sponsor to commit to implementing all mitigation measures identified in the Final EIR; the Project Sponsor has acknowledged in writing the feasibility of the mitigation measures contained in the MMRP.

This document is organized as follows:

Section I provides a description of the proposed Booker T. Washington Community Center Mixed-Use Project, the environmental review process for the Project, the Planning Commission actions to be taken, and the location and custodian of the record.

Section II lists the Project's less-than-significant impacts and sets forth findings as to the disposition of the mitigation measures proposed in the Final EIR. (The Draft EIR and the Comments and Responses document together comprise the Final EIR.) Attachment B to this Planning Commission Motion contains the Mitigation Monitoring and Reporting Program ("MMRP"), which provides a table setting forth each mitigation measure listed in the Final Environmental Impact Report that is required to reduce or avoid a significant adverse impact. The MMRP is required by CEQA Section 21081.6 and CEQA Guidelines Section 15091. The MMRP specifies the agency responsible for implementation of each measure, establishes monitoring actions and a monitoring schedule.

Section III identifies significant project-specific or cumulative impacts that would not be eliminated or reduced to a less-than-significant level by the mitigation measures presented in the Final EIR.

Section IV identifies the project alternatives that were analyzed in the EIR and discusses the reasons for their rejection.

Section V sets forth the Planning Commission's Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093.

I. PROJECT DESCRIPTION AND PROCEDURAL BACKGROUND

a. Project Description

These environmental findings refer to the project identified in the Final EIR as the "Modified Project" (see Comments and Responses Document, Section C), referred to herein as the "Project." The Booker T. Washington Community Center ("BTWCSC" or "Project Sponsor") proposes to demolish an existing 31-foot-4-inch tall, one-story with a partial basement building, and to construct a five-story-over-basement, 55-foot-tall, mixed-use structure at 800 Presidio Avenue (Assessor's Block 1073, Lot 13). The purpose of the project is to construct state-of-the art space to support BTWCSC's programs, which are targeted at at-risk youth, a gymnasium, and 50 units of housing, of which 24 units are affordable to low income households and 24 units are for low and very low income transitional aged youth. (See Project Objectives in Section IV(b), below.)

The proposed project site is in San Francisco's Western Addition neighborhood and is improved with a 13,745 gross square foot ("gsf") community service building that includes a gymnasium on a 22,360 square-foot (over 0.5 acre) lot at the southeast corner of Presidio Avenue and Sutter Street. The existing building was constructed in 1952 and has been determined to be a historic resource for purposes of environmental review because of its association with BTWCSC, which is the oldest community service agency providing continuous service to the African American community since 1919. The 800 Presidio Avenue lot contains the existing building, a small parking lot for three independent accessible cars (or six in tandem), and rear yard. The site slopes steeply downward to the east on Sutter Street and is fairly flat along Presidio Avenue. The site is within a residential, Mixed, Low Density (RM-1) zoning district and the 40-X height and bulk district.

The approximately 68,206 gsf mixed-use building would contain a 7,506 gsf gymnasium, 11,529 gsf of program space, a 1,691-sf child care center, 50 units of affordable housing with supportive service space, building storage, and a basement garage containing 21-off-street spaces. The housing component and the community service space would have a shared entrance on Presidio Avenue.

The seating capacity of the gymnasium would decrease from the existing 200 seats to 175 seats. BTWCSC would continue to have 10 full time and part-time staff, although some of part-time staff will become full time or be given more hours. The new building would allow BTWCSC to expand its after school and teen program from 100 to 150 attendees and to add a day care center for 24 children. The project requires a Planned Unit Development, Conditional Use authorization, exceptions from the rear yard, unit exposure requirement, usable open space, and street tree requirements, as well as reclassification of the site as an Affordable Housing Special Use District to increase the allowable dwelling density and the maximum allowable height.

b. Environmental Review

On March 8, 2008, the Department determined that an Environmental Impact Report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation.

On June 23, 2010, the Department published the Draft Environmental Impact Report (hereinafter "DEIR") and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice.

Notices of availability of the DEIR and of the date and time of the public hearing were posted near the project site by Department staff on August 25, 2010.

On August 24, 2010, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse.

Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on August 24, 2010.

The Commission held a duly advertised public hearing on said DEIR on August 5, 2010 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on August 10, 2010.

The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 48-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Draft Comments and Responses document, published on April 14, 2011, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request to the Department.

A Final Environmental Impact Report ("Final EIR" or "EIR") has been prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Comments and Responses document, all as required by law. Since publication of the DEIR, no new information of significance has become available that would require recirculation of the EIR under CEQA Guidelines Section 15088.5.

Project Environmental Impact Report files have been made available for review by the Commission and the public. These files are available for public review at the Department at 1650 Mission Street, and are part of the record before the Commission.

On April 28, 2011, the Commission reviewed and considered the Final Environmental Impact Report and certified that the contents of said report and the procedures through which the Final Environmental Impact Report was prepared, publicized, and reviewed comply with the provisions of CEQA, the CEQA Guidelines, and Chapter 31.

c. Planning Commission Actions

The Planning Commission is currently considering various actions ("Approval Actions") in furtherance of the Project, which include the following:

- Affirmative recommendation by the Planning Commission to the Board of Supervisors regarding the establishment of the "Presidio-Sutter Affordable Housing Special Use District" to allow for reclassification of the subject property's 40-X height limit to 55-X and to permit residential density as proposed;
- Zoning map amendments related to the reclassification of the 40-X height district to 55-X and the overlay Special Use District;
- Conditional Use authorization pursuant to Planning Code 303 for:
  - A building greater than 40 feet in height in a residential district
  - A childcare center caring for 13 or more children
  - A social or philanthropic facility use
- Establishment of a Planned Unit Development, with Planning Code exceptions sought for:
  - Common usable open space (Planning Code Section 135)
  - Rear Yard (Planning Code Section 136)
  - Dwelling Unit Light and Exposure (Planning Code Section 140); and,
  - Street Trees (Planning Code Section 143)

d. Location of Records

The records upon which all findings and determinations related to the adoption of the proposed project are based include the following:

- The EIR, and all documents referenced in or relied upon by the EIR;
- All information (including written evidence and testimony) provided by City staff to the Planning Commission relating to the EIR, the proposed approvals and entitlements, the Project, and the alternatives set forth in the EIR;
- All information (including written evidence and testimony) presented to the Planning Commission by the environmental consultant and subconsultants who prepared the EIR, or incorporated into reports presented to the Planning Commission;
- All information (including written evidence and testimony) presented to the City from other public agencies relating to the project or the EIR;
- All applications, letters, testimony, and presentations presented to the City by the project sponsor and its consultants in connection with the project;
- All information (including written evidence and testimony) presented at any public hearing or workshop related to the project and the EIR;

- The MMRP; and
- All other documents comprising the record pursuant to Public Resources Code Section 21167.6(e).

The public hearing transcript, a copy of all letters regarding the Final EIR received during the public review period, the administrative record, and background documentation for the Final EIR are located at the Planning Department, 1650 Mission Street, 4th Floor, San Francisco. The Planning Department is the custodian of these documents and materials.

These findings are based upon substantial evidence in the entire record before the Planning Commission. The references set forth in these findings to certain pages or sections of the EIR or responses to comments in the Final EIR are for ease of reference and are not intended to provide an exhaustive list of the evidence relied upon for these findings.

II. LESS-THAN-SIGNIFICANT IMPACTS AND FINDINGS REGARDING MITIGATION MEASURES

The Final EIR finds that implementation of the Project would result in less-than-significant impacts in the following environmental topic areas: Land Use and Land Use Planning; Aesthetics; Population and Housing; Cultural (Archeological and Paleontological) Resources; Transportation and Circulation; Noise; Air Quality; Greenhouse Gas Emissions; Wind and Shadow; Utilities and Service Systems; Recreation; Public Services; Biological Resources; Hydrology and Water Quality; Hazards and Hazardous Materials; Mineral Resources; and Agricultural and Forestry Resources.

CEQA requires agencies to adopt mitigation measures that would avoid or substantially lessen a project's identified significant impacts or potential significant impacts if such measures are feasible. The findings in this section concern mitigation measures discussed in the Final EIR and presented in a Mitigation Monitoring and Reporting Program ("MMRP"). A copy of the MMRP is included as Attachment 2 to the Planning Commission Motion adopting these findings, The Final EIR includes a series of mitigation measures that have been identified that would eliminate or reduce to a less-than-significant level potential environmental impacts of the Project listed in this section. All of the mitigation measures set forth in the Final EIR that are needed to reduce or avoid these significant adverse environmental impacts are contained the MMRP.

The Project Sponsor has agreed to implement all mitigation measures and improvement measures identified in the Final EIR (and MMRP).. As authorized by CEQA Section 21081 and CEQA Guidelines Section 15091, 15092, and 15093, based on substantial evidence in the whole record of this proceeding, the Planning Commission finds that, unless otherwise stated, the Project has been required to incorporated mitigation measures identified in the EIR into the project to mitigate or to avoid significant or potentially significant environmental impacts. Except as otherwise noted, these mitigation measures will reduce or avoid the potentially significant impacts described in the Final EIR, and the Commission finds that these mitigation measures are feasible to implement and are within the responsibility and jurisdiction of the City and County of San Francisco to implement or enforce.

Additionally, the required mitigation measures are fully enforceable and are included as conditions of approval in the Planning Commission's Planning Code Section 303 proceeding or

will be enforced through inclusion as conditions of approval in any building permits issued for the Project by the San Francisco Department of Building Inspection. With the required mitigation measures, all potential project impacts, except for those associated with historical architecture resource impacts, would be avoided or reduced to a less-than-significant level (see Section III, below). The Planning Commission finds that the mitigation measures presented in the MMRP are feasible and shall be adopted as conditions of project approval.

III. SIGNIFICANT IMPACTS THAT CANNOT BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL

Based on substantial evidence in the whole record of these proceedings, the Planning Commission finds that there are significant project-specific and cumulative impacts that would not be eliminated or reduced to an insignificant level by the mitigation measures listed in the MMRP. The Final EIR identifies a significant and unavoidable adverse effect to cultural (historic architectural) resources related to the demolition of the existing community center building at 800 Presidio Avenue. The Final EIR also indicates that implementation of the project would result in an adverse cumulative impacts related to the loss of an eligible historic resource in the Western Addition neighborhood. The FEIR identifies the following mitigation measure, which has been agreed to by the project sponsor.

a. Cultural Resources (Historic Architectural Resources)

M-C-P-1, Historic American Building Survey and Recordation: A common strategy for the mitigation of historical resources that would be adversely affected as part of the proposed project is through documentation and recordation of the resource prior to demolition using historic narrative, photographs and/or architectural drawings. While not required for state or local resources, such efforts often comply with the federal standards provided by the National Park Service's Historic American Building Survey (HABS). As such, the project sponsor shall document the existing exterior conditions of the Booker T. Washington Community Center according to HABS Level II documentation standards. According to HABS Standards, Level II documentation consists of the following tasks:

- Drawings: Existing drawings, where available, should be photographed with large format negatives or photographically reproduced on mylar.

- Photographs: Black and white photographs with large-format negatives should be shot of exterior of the Booker T. Washington Community Center, including a few shots of this building in its existing context. Historic photos, where available, should be reproduced using large-format photography, and all photographs should be printed on archival (acid-free) fiber paper. Some historic photos of the site are known to exist, as they were cited in the HRER.

- Written data: A report should be prepared that documents the existing conditions of the Booker T. Washington Community Center, as well as the overall history and importance of this African-American institution within San Francisco. Much of the historical and descriptive data used in preparation of the HRER can be reused for this task.

Documentation of the Booker T. Washington Community Center shall be submitted to the following four repositories:

- Documentation report and one set of photographs and negatives shall be submitted to the History Room of the San Francisco Public Library.
- Documentation report and one set of photographs and negatives shall be submitted to Booker T. Washington Community Center.
- Documentation report and xerographic copies of the photographs should be submitted to the Northwest Information Center of the California Historical Resources Information Resources System.
- Documentation report and xerographic copies of the photographs should be submitted to the San Francisco Planning Department for review prior to issuance of any permit that may be required by the City and County of San Francisco for demolition of Booker T. Washington Community Center.

The Commission considers this measure feasible, and although the sponsor has agreed to adopt the measure, though its implementation would not reduce the impacts to historical architectural resources to less-than-significant levels.

IV. EVALUATION OF PROJECT ALTERNATIVES

a. Alternatives Analyzed in the FEIR

This section describes the Project as well as alternatives and the reasons for approving the Project and for rejecting the alternatives. CEQA mandates that an EIR evaluate a reasonable range of alternatives to the Project or the Project location that generally reduce or avoid potentially significant impacts of the Project. CEQA requires that every EIR also evaluate a "No Project" alternative. Alternatives provide a basis of comparison to the Project in terms of their significant impacts and their ability to meet project objectives. This comparative analysis is used to consider reasonable, potentially feasible options for minimizing environmental consequences of the Project.

The Planning Department considered a range of alternatives in Chapter VI of the Final EIR. The Final EIR considered but rejected a Preservation Alternative and an Adaptive Reuse Alternative due to inability to meet most of the Project's objectives and infeasibility. The Final EIR analyzed the No Project (Alternative A) and the Code Compliant alternative (Alternative B) as full Project alternatives. Each alternative is discussed and analyzed in these findings, in addition to being analyzed in Chapter VI of the Final EIR. The Planning Commission certifies that it has independently reviewed and considered the information on the alternatives provided in the Final EIR and in the record. The Final EIR reflects the Planning Commission's and the City's independent judgment as to the alternatives. The Planning Commission finds that the Project provides the best balance between satisfaction of Project objectives and mitigation of environmental impacts to the extent feasible, as described and analyzed in the Final EIR, and adopts a statement of overriding considerations.

b. Project Objectives

As described above, the Project seeks to demolish a building that is a historic resource and to construct a new mixed-use building with a new BTWCSC and an housing component with 48 affordable units and two managers' units. The following are the Project Sponsors' objectives, as identified in Chapter III of the Final EIR:

- To continue, and expand community center uses at the project site.
- To replace the existing dilapidated building at the project site with a new, larger community center facility that could provide and expand on the types of services currently offered at the BTWCSC.
- To create a mixed-use project that contains a diverse mix of affordability levels services and programs that will help meet the needs of underserved, and often overlooked, populations in the City of San Francisco, including emancipated foster youth and low-income residents.
- To construct a building that is modern yet respectful of the architectural character of the neighborhood and provides a substantial amount of at grade rear yard open space.
- To provide moderate-density, affordable housing near existing public transit, thereby implementing mixed-income housing objectives articulated in the General Plan.
- To increase the supply of affordable rental housing in a high land cost area through new construction.
- To create jobs for the local construction workforce.
- To create a building that accommodates the spatial needs of BTWCSC while being consistent with the overall scale and character of the surrounding neighborhood.

c. Alternatives Rejected and Reasons for Rejection

CEQA provides that alternatives analyzed in an EIR may be rejected if "specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible . . . the project alternatives identified in the EIR." (CEQA Guidelines § 15091(a)(3).) The Commission has reviewed each of the alternatives to the Project as described in the Final EIR that would reduce or avoid the impacts of the Project and finds that there is substantial evidence of specific economic, legal, social, technological and other considerations that make these Alternatives infeasible, for the reasons set forth below.

In making these determinations, the Planning Commission is aware that CEQA defines "feasibility" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors." The Commission is also aware that under CEQA case law the concept of "feasibility" encompasses (i) the question of whether a particular alternative promotes the underlying goals and objectives of a project, and (ii) the question of whether an alternative is "desirable" from a policy standpoint to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.

FEIR Alternative A: No Project Alternative

The No Project Alternative would entail no physical land use changes at the project site (see analysis in Final EIR, Chapter VI.A). The No Project Alternative would prevent the Project's significant and unavoidable historical resources impact by avoiding demolition of the Center. It would, however, not meet the BTWCSC Project objectives. These include the objectives that pertain to the development of an enlarged community center, the creation of affordable housing, and the Center's ability to meet the needs of underserved populations by providing residential units intended to exclusively serve them. The Planning Commission rejects the No Project alternative as infeasible because would fail to meet Project Sponsor Objectives for reasons including, but not limited to, the following:

1. The 13,745 sf existing facility contains a 7,450 sf gymnasium, leaving only 6,295 gsf program, office, bath rooms, circulation, storage and building service. It does not have adequate program spaces for current programs to support contemporary educational and job skill training programs planned for the Center and lacks adequate space and infrastructure to meet the future programmatic needs of the Center, including quality programs for development of vocational and basic academic skills. The Project Sponsor's objective is the development of a larger state-of-the art community facility that can accommodate additional programs, including but not limited to an early childhood development program and an affordable housing component that includes 24 affordable transitional aged youth units with integrated supportive program designed specifically for them. The proposed project before the Commission has large common space planned for the ground floor of the housing component provides opportunities for social intercourse among residents. It also allows space for case management services for the transition-aged youth. Transition-aged youth living in the apartments would have the opportunity to integrate into the community and to develop and practice self-sufficiency skills in a real world setting with the assistance and support of case managers. It is intended that the residents in the other 24 affordable housing units will act as informal role models. Housing and community center uses together provide a venue whereby community activities can occur and natural bonds and supportive relationships can develop naturally and over time. Such opportunities would not occur under the No Project alternative. It is infeasible to achieve Project Sponsor's objectives to accommodate its future programs that would require 20,726 gsf through rehabilitation of the internal elements of the existing structure, not to mention the affordable housing component.

2. The No Project alternative would not result in a structurally sound facility to continue the work of BTWSCS with expanded programs, including a child care center, Youth Radio Studios, vocational training, and other programs, nor use of this underutilized site to include an affordable housing component.

For the foregoing reasons, the Planning Commission rejects the No Project Alternative.

FEIR Alternative B: Code Compliant Alternative

The Code Compliant Alternative was selected because it would meet some of the Project Sponsor's objectives and would reduce overall environmental impacts relative to the Project (see analysis in Final EIR, Chapter VI.B). The Code Compliant Alternative would replace the existing community center structure on the project site with a mixed-use development that would consist of residential and community serving uses (consisting of a community center, a gymnasium, and a child-care facility). Under this alternative, the structure would be developed at a smaller scale and density than what is currently proposed. In addition, 59 parking spaces would be provided within a two-level, belowground parking garage, meeting the Planning Code requirement that would require 30 parking spaces for residential uses, 26 parking spaces for the gymnasium uses, and 3 parking spaces for childcare-related uses. The Code Compliant Alternative would orient the proposed gymnasium in a north-south orientation (parallel to Presidio Avenue), rather than in an east-west orientation as proposed by the project.

The CEQA Guidelines require that if the No-Project Alternative is found to be environmentally superior, "the EIR shall also identify an environmentally superior alternative among the other alternatives" (CEQA Guidelines, Section 15126.6[c]). Therefore, the Code-Compliant Alternative has been identified in Chapter VI of the DEIR as the environmentally superior alternative. This alternative, however, would not avoid, reduce or fully mitigate the project-related direct and cumulative significant unavoidable impacts to historic architectural resources to a less-than-significant level, since the existing structure on the site would be demolished. However, the Code Compliant Alternative would further reduce the magnitude of the project's less-than-significant impacts that pertain to the project's visual effects, land use compatibility and neighborhood character, and parking deficiencies.

The Planning Commission rejects the Code Compliant Alternative because, although a code compliant building would accommodate some of the BTWCSC programs, it would require the Project Sponsor to reduce the number of affordable housing units by 20 (i.e., 30 total units as opposed to 50 for the Project). A 30-unit housing development will not include specialize housing for transitional age youth, a primary objective of BTWCSC.

The Planning Commission was presented with information that a 41 unit building without a housing component for transitional aged youth housing would have a negative operating cash flow after 12 years, and a 41-unit affordable housing component will have a negative operation cash flow residential from the first year. This deficit will increase annually because the City's rent control ordinance limit the amount of annual rent increase, which will be lower than the projected average 3.5% cost of living increase. In addition, the Code Compliant Alternative would not provide an opportunity to design the southwest corner of the proposed building to provide transition to the lower downhill buildings on Sutter Street without further decreasing the number of affordable housing unit on site. In order to maximize the number of units under this alternative, the building would be constructed to the permitted height and bulk with no opportunity to decrease the mass of the building so that it would better relate to the adjacent one story single family home on Sutter Street, such as incorporating set backs on the Sutter Street facade. The Code Compliant alternative would also reduce the height of the gymnasium from 22 feet to 20 feet when the NCAA's minimum requirement and the preferred gymnasium height are 25 feet, thereby inhibiting the functionality of the gymnasium.

For the foregoing reasons, the Planning Commission rejects the Code Compliant Alternative as infeasible.

Alternatives Considered But Rejected From Further Consideration in the Draft EIR

In addition to the No Project and Code Compliant Alternatives, the Draft EIR analyzed two preservation alternatives that would have avoided demolition of the existing Center and potentially avoided the Project's historical resources impact. The Planning Department considered two variants of the preservation alternative: (1) an "Addition to the Existing Building" variant and (2) an Adaptive Reuse Variant. The Planning Department did not carry these alternatives forward for full analysis because due to basic lack of feasibility (see DEIR Chapter VI.C, and additional discussion in the Responses to Comments document at page C&R-113 to118, and C&R-136 to 141. The preservation variants are further discussed in detail below.)

1. Addition to the Existing Building

This alternative would require seismic and structural upgrade of the existing Center -- a structurally unsound building with a rotated and cracked foundation and no shear wall. In order to structurally upgrade the building to meet current Building Code requirements, it would need new reinforced concrete foundations with micro-piles at each foundation point, new grade beams, diagonal steel bracing and top cords on all walls to provide shear for the building. The existing truss system also requires substantial reinforcing. Rehabilitation of the existing building would decrease the amount of program space because the building is required to meet the accessibility and other current Building Code requirements and would not allow BTWCSC to expand its existing programs nor add new programs.

Under this alternative, a housing component would be constructed in the parking lot area and the rear yard. The 19,740-gsf residential component would be 40-foot-tall with only 27 units. The residential component would eliminate some of the windows on the eastern end of the buildings facing the rear yard. The community center would not be able to expand to accommodate the new programs. There would be no available space for supportive services for emancipated foster and transitional youth residing in the housing component. The community center program space would not be integrated except through a long tunnel in the basement area rendering supervision difficult. This alternative also would not accommodate a child care center or provide sufficient room to expand the BTWCSC program. Consequently, this alternative would not meet the Project Sponsor's objectives and is not a cost effective alternative.

This housing component design has a very high exterior-wall-to-plan area ratio, which would drive up the cost due to its inefficient plan layout. The pro-forma prepared for a 41 unit affordable component show that such a project would be operating with a cash flow deficit. A 27 units building generate, it

In addition, this preservation alternative is inconsistent with some of the objectives and goals of the Housing Element of the General Plan, including but not limited to:

2004 Housing Element

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 1.6: Create incentives for the inclusion of housing, particularly permanently affordable housing, in new commercial development projects.

Objective 4: Support affordable hosing 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.

Objective 8: Ensure equal access to housing opportunities.

Policy 8.6: Increase the availability of units suitable for users with supportive housing needs.

Objective 10 Reduce homelessness and the risk of homelessness in coordination with relevant agencies and service providers.

Policy 10.1: Focus efforts on the provisions of permanent affordable and service-enriched housing to reduce the need for temporary homeless shelters.

Policy 10.2: Aggressively purse other strategies to prevent homelessness and the risk of homelessness by addressing its contributory factors.

Community Facilities Element

Policy 7: Program the centers to fill gaps in needed services, and provide adequate facilities for ill-housed existing services.

Alternative C (1) is infeasible and rejected by the Commission because it will decrease the number of on-site affordable housing units, will not provide expanded space for the programs, is not a cost effective alternative, and will not meet the Project Sponsor's objectives.

(2) Adaptive reuse of the Existing Building for Housing

Adaptive reuse of this building for housing would require a complete demolition of the interior of the existing building and necessitate structural strengthening described in the preservation variant above. This alternative would yield 22 to 25 units of affordable housing. The exterior walls would require modification to add additional windows. BTWSCS would be left with a 2-story residential building with no community program space. The affordable units would not be transitional aged youth units because the building would lack space for supportive services, which ensure that the transitional age youth and emancipated foster youth will be successfully integrated into and become a contributing member of society. This alternative would force BTWCSC to relocate or cease to exist. The historic significance is not credited to the architecture

or the architect of the building, but the use of the building. Elimination of BTWCSC at the site would terminate historically significance of the building's association with BTWCSC.

In addition, the Adaptive Reuse Alternative is inconsistent with some of the objectives and goals of the Housing Element of the General Plan, including but not limited to:

2004 Housing Element

Objective 4: Support affordable hosing 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.

Objective 10 Reduce homelessness and the risk of homelessness in coordination with relevant agencies and service providers.

Policy 10.1: Focus efforts on the provisions of permanent affordable and service-enriched housing to reduce the need for temporary homeless shelters.

Policy 10.2: Aggressively purse other strategies to prevent homelessness and the risk of homelessness by addressing its contributory factors.

Community Facilities Element

Objective 3: Assure that neighborhood Residents have access to needed services and a focus for neighborhood activities.

Policy 1: Provide neighborhood centers in areas lacking adequate community facilities.

Policy 2: Assure that neighborhood centers complement and do not duplicate existing pubic and private facilities.

Policy 3: Develop Centers to serve an identifiable neighborhood.

Policy 5: Develop neighborhood centers that are multi-purpose in character, attractive in design, secure and comfortable, and inherently flexible to meeting the current and changing needs of the neighborhood served.

Policy 7: Program the centers to fill gaps in needed services, and provide adequate facilities for ill-housed existing services.

Policy 8: Provide neighborhood centers with a network of links to other neighborhood and citywide services.

The adaptive resuse alternative is infeasible and rejected by the Commission because it will produce fewer number of affordable housing and eliminate BTWCSC at this Site. The

gymnasium currently serves as a shared facility with other schools will be eliminated. Finally, the preservation alternative is infeasible and rejected because it would preserve the façade only and not the overall structure or use itself.

V. STATEMENT OF OVERRIDING CONSIDERATIONS

The Planning Commission finds that, notwithstanding the imposition of all feasible mitigation measures and alternatives, significant impacts related to Historic Resources will remain significant and unavoidable. Pursuant to CEQA section 21081 and CEQA Guideline Section 15093, the Planning Commission hereby finds, after consideration of the Final EIR and the evidence in the record, that each of the specific overriding economic, legal, social, technological and other benefits of the Project as set forth below independently and collectively outweighs these significant and unavoidable impacts and is an overriding consideration warranting approval of the Project. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Commission will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this Section, and in the documents found in the record, as defined in Section I.

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, the Planning Commission specifically finds that there are significant benefits of the Project to support approval of the Project in spite of the unavoidable significant impacts, and therefore makes this Statement of Overriding Considerations. The Commission further finds that, as part of the process of obtaining Project approval, all significant effects on the environment from implementation of the Project have been eliminated or substantially lessened where feasible. All mitigation measures proposed in the EIR and MMRP are adopted as part of the Approval Actions described in Section I, above.

Furthermore, the Commission has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the following specific overriding economic, technical, legal, social and other considerations.

The Project will have the following benefits:

1. The Project would increase the number of individuals served by the BTWCSC program by 50 (from 100 to 150), add a child care center component for 24 children, and otherwise expand the type of programs provided on site.

2. The Project would enable the center to increase the hours of the part time staff.

3. The BTWCSC programs result in increased ethnic and socio-economic diversity.

4. The BTWCSC after-school programs target at-risk youth and provide corresponding support services.

5. The housing component of the Project would add 48 permanently affordable units to the City's Housing stock managed by a non-profit organization. According to the 2010 Larkin Street Youth Services Report, there are an estimated 5,700 homeless and marginally house youth between the ages of 12-24 each year. Their housing need is served by basic center (dropped in shelters) and transitional housing in San Francisco. There are a total of 324 beds serving approximately 1,312 youth per year. 292 of the 324 beds have an average stay of over 365 days, and the 24-unit apartment house at Ellis Street has an average stay of 1,414 days. Due to high demand for transitional aged youth housing, the number of youth able to access transitional aged youth housing has decreased dramatically. Based on the 2010 report by Larkin Street Youth Services, of the youth requiring transitional aged youth housing, 64 percent are male, 31 percent female, 3 percent male transgender, 1 percent female transgender and 1 percent other. These youth are from diverse ethnic background, 30 percent are white/Caucasian, 28 percent African American, 21 percent Latino, 5 percent Asian and Pacific Islanders, 2 percent American Indian, 11percent multiracial, and 3 percent other.

8. Homeless youth need a wide range of services to enable them to transition successfully from the street to more stable, healthy, and gainful conditions.

9. The housing component of the Center has been designed as an integral part of the BTWCSC's service programs. Twenty-four of the transitional aged youth units will be for at risk emancipated foster youth. A housing program integrated with supportive services would enhance the success rate of these youth to become contributing members of society and act as role model for other at-risk youth.

10. Childcare centers are in high demand; affordable childcare is virtually non-existent. The inclusion of a childcare center for 24 children would provide access to on-site childcare to parenting youth while they develop skills that would enable them to enhance their employment, earn a living wage, and achieve positive, long term outcomes for their families.

11. The BTWCSC programs and services would strengthen life skills, motivate high school graduation, support higher education goals and prepare participants for careers in the 21st century.

12. In partnership with the University of San Francisco Environmental Science and Service Learning Department, students and youth served by BTWCSC would incorporate health and wellness activities in their daily lives.

13. The computer training program would bridge the digital divide and bring practical computer use and the internet to low-income homes, including the neighboring public housing residents, and help to prepare youth as well as adults from low-income families' job skills necessary to compete in the 21st century job market.

14. The transitional aged youth housing proposed for this Project is a 24-month housing support program, allows former foster youth ages 18 to 24 the opportunity to develop a sense of permanency for the first time in their lives. The on-site supportive services

provide stability, build communities, and pave the way for successful, independent living.

15 The Food Pantry, organized by senior volunteers provides weekly produce, bread, dry foods and can goods to families in need and emergency food, a need that has grown during the current economic downturn.

16. Participants in Youth Radio program undergo creative professional development, media education, technical training, and academic support. They learn professional expectations and appropriate workplace behavior, long-term commitment and how to be viable contributors and leaders in the media/arts, journalism and civic life.

17 The Draft conditional use approval motion before this commission discusses and demonstrates that the Project is consistent with and implements many of the objective and policies of the General Plan.

18. The Conditions of Approval for the Project include all the mitigation and improvement measures that would mitigate the Project's potentially significant impact to insignificant levels, except for its impact on an Architectural Historic Resource.

Having considered the above, the Planning Commission finds that the benefits of the Project outweigh the unavoidable adverse environmental effects identified in the Final EIR, and that those adverse environmental effects are therefore acceptable.

ATTACHMENT B
MITIGATION MONITORING AND REPORTING PROGRAM

File No. Project Title: 2006.0868E
800 Presidio Avenue Mixed-Use Project

Motion No.:
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Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
MITIGATION MEASURE M-CP-1 **HABS-Level Recordation**				
A common strategy for the mitigation of historical resources that would be lost as part of the proposed project is through documentation and recordation of the resource(s) prior to their demolition using historic narrative, photographs and/or architectural drawings. While not required for state or local resources, such efforts often comply with the federal standards provided by the National Park Service's Historic American Building Survey (HABS). As such, the project sponsor shall document the existing exterior conditions of the Booker T. Washington Community Center according to HABS Level II documentation standards. According to HABS Standards, Level II documentation consists of the following tasks: • Drawings: Existing drawings, where available, should be photographed with large format negatives or photographically reproduced on mylar. • Photographs: Black and white photographs with large-format negatives should be shot of exterior of the Booker T. Washington Community Center, including a few shots of this building in its existing context. Historic photos, where available, should be reproduced using large-format photography, and all photographs should be printed on archival (acid-free) fiber paper. Some historic photos of the site are known to exist, as they were cited in the HRER. • Written data: A report should be prepared that documents the existing conditions of the Booker T. Washington Community Center, as well as the overall history and importance of this African-	Project sponsor.	Prior to demolition activities.	Project sponsor.	Considered complete upon completion of the drawings, photographs, and written report and distribution of written report to all required parties.

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
American institution within San Francisco. Much of the historical and descriptive data used in preparation of the HRER can be reused for this task. Documentation of the Booker T. Washington Community Center shall be submitted to the following four repositories: • Documentation report and one set of photographs and negatives shall be submitted to the History Room of the San Francisco Public Library. • Documentation report and one set of photographs and negatives shall be submitted to Booker T. Washington Community Center. • Documentation report and xerographic copies of the photographs should be submitted to the Northwest Information Center of the California Historical Resources Information Resources System. • Documentation report and xerographic copies of the photographs should be submitted to the San Francisco Planning Department for review prior to issuance of any permit that may be required by the City and County of San Francisco for demolition of Booker T. Washington Community Center.				
MITIGATION MEASURE M-CP-2: **Archeological Resources** Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the	Project sponsor/ archeological consultant at the direction of the	Prior to soil-disturbing activities.	Archeological consultant shall report to the ERO.	During excavation, demolition and construction.

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services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sections 15064.5 (a) and (c).	Environmental Review Officer (ERO).			Considered complete upon receipt of final monitoring report at completion of construction.
Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical	Project sponsor/ archeological consultant/ archeological monitor/ contractor(s), at the direction of the ERO.	During all soil-disturbing activities.	Project sponsor/ archeological consultant/ archeological monitor/ Contractor(s), and the ERO.	During excavation, demolition and construction. Considered complete upon submittal of the written report of the findings to the ERO.

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resource under CEQA. At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program.				
If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either: A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.	Project sponsor	If a significant archeological resource is present	Project sponsor/ archeological consultant/ archeological monitor/ contractor(s), and the ERO. Monitor throughout all soils-disturbing activities.	During excavation, demolition and construction. Considered complete upon receipt of final monitoring report at completion of construction.
Archeological Monitoring Program. If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions: • The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-	Project sponsor/ archeological consultant/ archeological monitor/ contractor(s), at the	Monitor throughout all soil-disturbing activities.	Project sponsor/ archeological consultant/ archeological monitor/ Contractor(s), and	During excavation, demolition and construction. Considered complete upon

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Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context; • The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource; • The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits; • The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis; • If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and	direction of the ERO.		the ERO. Monitor throughout all soils-disturbing activities.	receipt of final monitoring report at completion of construction.

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Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO. • Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.				
If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive	Archeological consultant at the direction of the ERO	If there is a determination that an ADRP program is required	Project sponsor/ archeological consultant/ archeological monitor/ contractor(s), and the ERO. Monitor throughout all soils-disturbing activities.	During excavation, demolition and construction. Considered complete upon receipt of final monitoring report at completion of construction.

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Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical. The scope of the ADRP shall include the following elements: • *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations. • *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures. • *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies. • *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program. • *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. • *Final Report.* Description of proposed report format and distribution of results. • Curation. Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.				
Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable	Project sponsor / archeological consultant in	In the event human remains and/or funerary	Project sponsor/ archeological consultant/ San	During excavation, demolition and

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MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.	consultation with the San Francisco Coroner, NAHC, and MLD.	objects are found.	Francisco Coroner/ NAHC/ MDL. Monitor throughout all soils-disturbing activities	construction. Considered complete upon receipt of final monitoring report at completion of construction.
Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public	Project sponsor/ archeological consultant at the direction of the ERO.	After completion of the archeological data recovery, inventorying, analysis and interpretation.	Project sponsor/ archeological consultant/ ERO	Following completion of soil disturbing activities. Considered complete upon Planning Department receipt of final monitoring report at completion of construction.

ATTACHMENT B
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.				
MITIGATION MEASURE M-BI-1:				
Breeding Birds				
If active construction work (i.e., demolition, ground clearing and grading, including removal of site vegetation) is scheduled to take place during the non-breeding season (September 1 through January 31), no mitigation is required. If such construction activities are scheduled during the breeding season (February 1 through August 31), the following measures will be implemented to avoid and minimize impacts on nesting raptors and other protected birds: No more than two weeks before construction, a qualified wildlife biologist will conduct preconstruction surveys of all potential nesting habitat within 250 feet of the construction site where access is available. If active nests of protected birds are found during preconstruction surveys, a no-disturbance buffer will be created around active nests during the breeding season, or until it is determined that all young have fledged. Typical buffers include 250 feet for non-raptor nesting birds (e.g., shorebirds, waterfowl, and passerine birds). The size of these buffer zones and types of construction activities restricted in these areas will be based on existing noise and human disturbance levels in the project area. If preconstruction surveys indicate that protected bird nests are inactive or potential habitat is unoccupied during the construction period, no further	Project sponsor and a qualified wildlife biologist.	If construction is scheduled between February 1st and August 31st, within two weeks prior to construction commencement.	Project sponsor and a qualified wildlife biologist.	Considered complete upon preparation of a memorandum summarizing findings by the qualified wildlife biologist.

2006

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
mitigation will be required. If construction commences during the non-breeding season and continues into the breeding season, birds that nest adjacent to the project area could acclimate to construction activities. However, surveys of nesting sites will be conducted and no-disturbance buffer zones established around active nests as needed to prevent impacts on nesting birds and their young.				
MITIGATION MEASURE M-HZ-2: **Hazardous Building Materials**				
The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or mercury, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.	Project sponsor.	During demolition activities.	San Francisco Planning Department to review building materials surveys and monitor abatement compliance	Considered complete upon receipt by the San Francisco Planning Department of final abatement compliance report.

2007

ATTACHMENT B
MITIGATION MONITORING AND REPORTING PROGRAM

Improvement Measures Identified by Planning Department Staff	Responsibility for Implementation	Implementation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
IMPROVEMENT MEASURE I-TR-1:				
Leasing of Parking				
The project sponsors should investigate the possibility of long-term leasing of parking spaces at the shopping center lot (at 2575 Geary Boulevard) for use by the community center for evening programs and events.	Project Sponsor.	Prior to reopening of the new community center.	Project sponsor to report to Planning Department Northwest Quadrant	Ongoing.
IMPROVEMENT MEASURE I-TR-2:				
Garage Safety				
The project sponsor should install a directional mirror in the garage so that drivers would have a view of Sutter Street. The garage would provide a vehicle approach warning signal (buzzer or beeper) to alert pedestrians of cars exiting the garage.	Project Sponsor, building management.	Prior to building occupation..	Project sponsor to report to Planning Department Northwest Quadrant	Considered complete upon submittal of a memo to Planning Department stating that this measure was implemented.

2008

IMPROVEMENT MEASURE I-TR-3: **Loading Management Plan**				
As part of the project, the project sponsor could establish a loading management plan. The intent of the plan would be to eliminate the potential of double-parked freight trucks on Presidio Avenue in front of the building. Large deliveries and tenant move-ins and move-outs would be scheduled and coordinated through the property manager to ensure that the designated on-street loading spaces would be available as needed. Tenants would be required to provide advance notification to the property manager of date and time of move-ins and move-outs. The freight management plan would be extended to all freight deliveries and service calls to the building. Delivery and service calls at the building to the extent possible shall be scheduled between the hours of 9:00 a.m. and 3:30 p.m. in order to avoid the peak periods of Muni's Presidio Electric Trolley Coach Division pull-out and pull-in activities.	Project Sponsor, building management.	Prior to building occupation..	Project sponsor to report to Planning Department Northwest Quadrant	Considered complete upon submittal of the loading management plan.
IMPROVEMENT MEASURE I-TR-4: **Coordination with Waste Hauler**				
As part of the project, building management would coordinate with Sunset Scavenger as to specific location of garbage containers on pick-up day, consistent with collection services currently provided for other residential buildings in the area, to ensure minimal disruption of traffic flow on the streets.	Project Sponsor, building management.	Prior to building occupation.	Project sponsor to report to Planning Department Northwest Quadrant	Considered complete upon receipt by the San Francisco Planning Department of a memo summarizing the coordination

				outcomes with Sunset Scavenger.
IMPROVEMENT MEASURE I-TR-5: **Community Center Safety Program** In order to reduce potential circulation conflicts associated with passenger loading, the project sponsor would establish a community center safety program, which would focus on safe (assisted) crossings of Presidio Avenue and Sutter Street during the weekday evening commute period (4:00 p.m. to 6:00 p.m.). The program could rely on employees or volunteers to serve as crossing guards, or contract with a private company for these services. The community center would also provide weekday evening commute period curbside assistance to drivers arriving to pick-up children and other center users. A goal of this effort would be to limit incidents of double parking on Presidio Avenue through coordination with drivers, center staff and passengers. Community center staff would assemble children at the curb prior to a scheduled pick-up, thus reducing the need for drivers to leave their double parked vehicle and enter the center, as currently occurs. While double parking would not be eliminated, the average length of time of double parked vehicles could be substantially reduced. In addition to assisted street crossings and passenger loading assistance, community center management would make a concerted effort to identify and facilitate ridesharing opportunities among drivers who consistently pick-up passengers at the center.	Project Sponsor/ community center management.	Prior to reopening of the new community center and compliance with the program would be ongoing.	Project sponsor to report to Planning Department Northwest Quadrant	Considered complete upon receipt by the San Francisco Planning Department of a memo summarizing the community center safety program.

ATTACHMENT B
MITIGATION MONITORING AND REPORTING PROGRAM

IMPROVEMENT MEASURE I-TR-6: **Passenger Loading Zone**				
The project sponsors would meet with the Sustainable Streets Division of the San Francisco Municipal Transportation Agency regarding the possibility of securing curbside frontage on Presidio Avenue for passenger loading. An extended passenger loading zone in front of the community center between the hours of 4:00 p.m. and 6:00 p.m. would reduce the incidents of double parking and improve peak period vehicle, pedestrian and bicycle circulation. It should be noted that a consequence of establishing a curbside loading zone in this area would exacerbate already constrained parking conditions (by displacing two general-use parking spaces) and would require a high level of enforcement activity (including vehicle towing).	Project Sponsor.	Prior to reopening of the new community center, ongoing enforcement.	SFMTA	Prior to completion of construction
IMPROVEMENT MEASURE I-TR-7: **Construction Traffic Management**				
During the construction period, the project sponsor would limit construction truck movement to the hours between 9:00 a.m. and 3:30 p.m., or other hours if approved by SFMTA, and to prohibit staging or unloading of equipment and materials during the periods of 7:00 a.m. to 9:00 a.m. and 3:30 p.m. to 6:00 p.m., to minimize peak-period traffic conflicts and to accommodate queuing of Muni buses during the peak hours of service. The project sponsor and construction contractor would meet with SFMTA, the Fire Department, Muni, and the Planning Department to determine feasible traffic management and improvement measures to reduce traffic congestion during construction of this project.	Project Sponsor.	During project construction.	SFMTA	Prior to completion of construction

ATTACHMENT B
MITIGATION MONITORING AND REPORTING PROGRAM

IMPROVEMENT MEASURE I-TR-8: **Parking Leasing for Construction Workers**				
The project sponsors should investigate the possibility of leasing parking spaces at the shopping center (2575 Geary Boulevard) lot for use by construction workers for the duration (estimated 18 months) of the construction activity.	Project Sponsor.	Prior to commencement of construction activities.	Project sponsor to report to Planning Department Northwest Quadrant	Considered complete upon receipt by the San Francisco Planning Department of a memo summarizing outcome of coordination with 2575 Geary Boulevard property managers.

2012

SAN FRANCISCO
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Planning Commission
Text Amendment/Rezoning Draft Resolution

HEARING DATE APRIL 28, 2011

Date:	April 21, 2011
Case No.:	**2006.0868TZ**
Project Address:	**800 PRESIDIO AVENUE**
Current Zoning:	RM-1 (Residential, Mixed, Low-Density) 40-X Height and Bulk District
Proposed Zoning:	Presidio-Sutter Special Use District RM-1 (Residential, Mixed, Low-Density) 40-X/55-X Height and Bulk District
Block/Lot:	1073/013
Project Sponsor:	Booker T. Washington Community Service Center 800 Presidio Avenue San Francisco, CA 94115
Sponsor Contact:	Alice Barkley, Esq. – (415) 356-4635
Staff Contact:	Glenn Cabreros – (415) 558-6169 glenn.cabreros@sfgov.org

RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE A PROPOSED ORDINANCE TO AMEND THE PLANNING CODE BY ADDING SECTION 249.53 CREATING THE PRESIDIO-SUTTER SPECIAL USE DISTRICT; TO AMEND SPECIAL USE DISTRICT ZONING MAP SHEET SU03 TO INCLUDE THE PRESIDIO-SUTTER SPECIAL USE DISTRICT; AND TO AMEND THE HEIGHT AND BULK LIMIT FROM 40-X TO 40-X/55-X ON HEIGHT AND BULK LIMIT ZONING MAP SHEET HT03 FOR THE PROPERTY AT 800 PRESIDIO AVENUE, LOT 013 IN ASSESSOR'S BLOCK 1073 WITHIN THE RM-1 (RESIDENTIAL, MIXED, LOW-DENSITY) DISTRICT, AND 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 September 14, 2010, Supervisor Farrell introduced an Ordinance under Board of Supervisors (hereinafter "Board") File Number 110116 for a text change and map amendment to create the Presidio-Sutter Special Use District, which would 1) create a new Planning Code Section 249.53 establishing the Presidio-Sutter Special Use District, 2) amend the Special Use District Zoning Map Sheet SU03 to map this new Special Use District; and, 3) amend the Height and Bulk Limit from 40-X to 40-X/55-X on Height and Bulk Zoning Map HT03 of the City and County of San Francisco to refer to this new Special Use District.

Whereas, the Planning Department, the Lead Agency responsible for the implementation of the California Environmental Quality Act ("CEQA") has undertaken the environmental review process for

the proposed Booker T. Washington Community Center Mixed-use Project and provided for appropriate public hearings before the Planning Commission; and

Whereas, the Commission certified the Environmental Impact Report for the project per State CEQA Guidelines on April 28, 2011; and

Whereas, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance for Application No. 2006.0868TZ on April 28, 2011; and,

Whereas, the Commission adopted the resolution on April 28, 2011, to approve the text change and map amendment creating the Presidio-Sutter Special Use District and amending the height and bulk limit to 40-X/55-X; 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 project site consists of one Assessor's parcel (Lot 013) of approximately 22,360 square feet in area on Assessor's Block 1073. The parcel is at the east side of Presidio Avenue between Sutter and Post Streets; and

Whereas, a project at the subject property proposes to demolish an existing 31-foot tall, one-story with a partial basement building currently housing the Booker T. Washington Community Services Center (BTWCSC) including a gymnasium; and

Whereas, the mixed-use project would include 48 units of affordable housing for low income households and two units for on-site managers; and

Whereas, 24 of the affordable units will be for Transitional Age Youths that require special programmatic support services, including two on-site managers; and

Whereas, the Commission has reviewed all the files before it relating to all the discretionary Approval Actions in connection with the approval of the Booker T. Washington Community Services Center Mixed-use Project which includes the proposed Ordinance described above; and

Whereas, affordable housing specifically designed for transitional age youth with support services are woefully lacking and necessary to ensure their successful integration into and be a contributing member of society; and

Whereas, the new Presidio-Sutter Special Use District (SUD) would allow for a project that proposes to construct a five-story-over-basement, 55-foot tall mixed-use building to house a state-of-the-art community facility space to support BTWCSC's programs, a gymnasium, and up to 50 units of housing, for low to very-low income households and transitional age youths; and

Whereas, the proposed map changes and text amendment have been found to be consistent with the following relevant Objectives and Policies of the General Plan:

URBAN DESIGN ELEMENT

OBJECTIVE 1:
EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1: Recognize and reinforce the existing street pattern, especially as it is related to the topography.

The proposed SUD would allow for a height bonus for affordable housing projects. The height change of 15 feet (from 40-X to 55-X) is not found to be a significant deviation from the existing height limit, particularly as the project is at a corner lot and on the uphill portion of the subject block. The height change recognizes and reinforces the existing street pattern.

Policy 3: Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

The SUD will allow for an affordable housing project up to 55 feet in height. The proposed height limit at the project site would be harmonious with the street-face along Presidio Avenue. With regard to the City's urban form, the height limit amendment would allow for a slightly taller building at the uphill edge of the subject block and would be in keeping with the overall topography and building forms of the surrounding area. A height increase at the subject site is consistent with the pattern of larger-scaled, multi-unit buildings found on corner lots in the immediate neighborhood. As is typical in most residential neighborhoods throughout the City, large corner buildings often serve as structures that define and anchor city blocks.

OBJECTIVE 3:
MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 1: Promote harmony in the visual relationship and transitions between new and older buildings.

The proposed controls for the SUD would limit density and height bonuses to projects with an affordable component. The controls for the dwelling unit density would allow for increased unit density for projects in which 60 percent of the proposed units are permanently affordable to very low and low income households. Establishment of the SUD would retain the base zoning for the property within the RM-1 Zoning District and the 40-X Height and Bulk District.

The project proposed within the SUD is of a modern architectural style that relates positively to the nearby residential buildings. The project is grounded in the common rhythms and elements of architectural expression found in the surrounding neighborhood. The massing of the project is broken down to reflect the patterns of each block-face with larger massing elements facing Presidio Avenue, a 60-foot wide avenue, and smaller massing facing Sutter Street, a 38-foot wide city street. The project would complement and be harmonious with the surrounding neighborhood character.

The massing on the Sutter Street facade of the project would be divided into two segments reflecting the width of the neighboring buildings. The segment adjacent to the building immediately to the east will be

set back 10 feet at the residential level from the property line demising the two buildings. The street face of the building will be set back 11 feet at the fourth floor providing a three-story expression at Sutter Street. The fifth floor massing will be set back an additional 15 feet from the main rear facade.

The massing along Presidio Avenue will be divided into three components: residential, building entrance and community center/gymnasium. The residential component reflects the massing of the residential building across Sutter Street and is terminated by the vertical entry articulation. The community center will drop approximately 11 feet in height from the entrance element and will provide a transition to the lower neighboring building to the south. This massing strategy will provide a transition between the project and older adjacent buildings.

Policy 6: Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

The SUD provides flexibility in building height for affordable housing projects. A Planning Code-complying project within the existing 40-X height limit in combination with the proposed dwelling unit density bonus contemplated as part of the new SUD, could result in buildings that are more massive, squat and bulky in appearance.

Policy 7: Recognize the special urban design problems posed in development of large properties.

The establishment of the SUD is proposed in conjunction with an application for Conditional Use Authorization of a Planned Unit Development, which is allowed for a large property of at least a half-acre in size. Some of the design problems typically occurring in larger urban developments are addressed by the project by responding to the visual character of the neighborhood with regard to the project's site design and the building scale and form. The project building will draw from elements that are common to the block including a base-middle-top configuration, and architectural elements such as vertically-oriented windows, belt courses and strong projecting cornices. Additional problems often occur at the base of larger developments where multiple garage entrances dominate the pedestrian level as seen in many large residential buildings in the neighborhood. The base of the project building will have one garage entrance on Sutter Street. The shared entrance and storefront-style windows that would make up the balance of the sidewalk frontage on Presidio Avenue will create a strong relationship to the street. The massing of the building will reflect the site characteristics of the existing topography and will not obscure any public views. The massing of the proposed building will reflect the pattern of each block-face with a larger massing on Presidio Avenue and massing that is narrower and descending on Sutter Street similar to the buildings directly across from the project site on Sutter Street.

Policy 3: Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

The SUD would allow for the creation of much needed affordable housing with the density bonus, and the SUD provides flexibility in achieving a high-quality design for an affordable housing project by providing a height bonus. BTWCSC is an integral part of the neighborhood even though its current institutional design – when compared to the character of the immediately surrounding residential buildings – does not positively contribute to the neighborhood character. The project has been divided into segments to reflect the proportion and scale of nearby existing residential buildings, and the project's architectural style complements the older residential buildings as well as the newer mixed-use and commercial buildings in

the neighborhood. The project is designed so that the massing, bulk, height, design, color, shape and other features will be contextually more appropriate in the neighborhood than the current one-story building.

OBJECTIVE 4:
IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 1: Protect residential areas from the noise, pollution and physical danger of excessive traffic.

The SUD proposes amendments that affect only dwelling unit density and height. The underlying, existing RM-1 Zoning District would remain in place to regulate future uses and to protect other nearby residential areas. The Transportation Study for the Draft Environmental Impact Report concluded that the Project will not generate excessive traffic. The San Francisco Noise Ordinance (Police Code Article 29) and Title 24 of the California Building Code will ensure that nearby residences will not be exposed to excessive noise. As a mixed-use residential and community service center, the project will not cause pollution. Therefore, the project will not expose the nearby residential areas to noise, pollution or the physical danger of excessive traffic.

2004 HOUSING ELEMENT

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

The SUD would be consistent with this policy as the existing RM-1 Zoning District is retained, while providing opportunities specific to affordable housing projects. The project site is a large under-developed lot in an established residential neighborhood. The addition of a residential component to the replacement facility for BTWCSC is appropriate and promotes this policy.

Policy 1.6: Create incentives for the inclusion of housing, particularly permanently affordable housing, in new commercial development projects.

The SUD will increase inclusion of permanently affordable housing. The incentive bonus provided for height and density by the SUD is calibrated by a percentage of affordable housing units provided on site. The City has consistently identified the need for affordable housing units. The project will provide up to 50 new permanently affordable housing units in an area easily accessed by public transit.

OBJECTIVE 4:
SUPPORT AFFORDABLE HOSING PRODUCTION BY INCREASING SITE AVAILABILITY AND CAPACITY.

Policy 4.1: Actively identify and pursue opportunity sites for permanently affordable housing
The BTWSCS site, located in a residential area, is currently underutilized, can accommodate a residential component with permanently affordable housing units, which is consistent with this policy.

The location of the SUD is desirable as it is located where the Western Addition neighborhood transitions into the neighborhoods of Pacific Heights, Presidio Heights and the Inner Richmond, and thus provides an opportunity for a diversity of housing types integrated into the City's existing neighborhoods.

Policy 4.4: Consider granting density bonuses and parking requirement exemptions for the construction of affordable housing or senior housing.

The SUD specifically identifies a density bonus only for projects that include permanently affordable housing units. The Planning Code does not require off-street parking for affordable housing units

OBJECTIVE 5:
INCREASE THE EFFECTIVENESS AND EFFICIENCY OF THE CITY'S AFFORDABLE HOUSING PRODUCTION SYSTEM.

Policy 5.2: Support efforts of for-profit and non-profit organizations and other community based groups and expand their capacity to produce and manage permanently affordable housing.

The SUD is proposed in conjunction with a project that is sponsored by the BTWSCS, a community-based organization that has continuously served San Francisco for more than 90 years. BTWCSC has entered into an agreement with the John Steward Company (JSCO), a firm with demonstrated ability to develop and manage affordable housing projects. The partnership with JSCO will enable BTWSCS to gain experience and the capacity to manage permanently affordable housing projects.

OBJECTIVE 8:
ENSURE EQUAL ACCESS TO HOUSING OPPORTUNITIES.

Policy 8.1: Encourage sufficient and suitable rental housing opportunities and emphasize permanently affordable rental units wherever possible.

The SUD would allow for an increased density for affordable housing projects. The housing units in the project will be rental units that are permanently affordable and will promote this objective and policy.

Policy 8.6: Increase the availability of units suitable for users with supportive housing needs.

Without the creation of the SUD, the subject site would be limited to 28 dwelling units pursuant to the density controls of the RM-1 Zoning District or up to 36 dwelling units with Conditional Use Authorization by the Planning Commission for development of a Planned Unit Development. The SUD would allow BTWCSC to create up to 50 affordable dwelling units, all of which are proposed to be studio units except for two manager units. Of the 48 studio units, 24 units will be transitional housing designated for emancipated foster youth, who will require on-site counseling and other supportive services to transition to independent living and to successfully integrate into society.

OBJECTIVE 10:
REDUCE HOMELESSNESS AND THE RISK OF HOMELESSNESS IN COORDINATION WITH RELEVANT AGENCIES AND SERVICE PROVIDERS.

Policy 10.1: Focus efforts on the provisions of permanent affordable and service-enriched housing to reduce the need for temporary homeless shelters.

The SUD would allow for increased density at the project site, which in combination with services provided by BTWCSC, actively promotes this policy. The housing and services provided by BTWCSC have been designed to provide the tenants a stable residential environment, career counseling, educational and specialized employment skills, tutoring, childcare services, and other supportive services to help them become productive members of society.

TRANSPORTATION ELEMENT

OBJECTIVE 2:
USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT

OBJECTIVE 11 (TRANSIT FIRST):
MAINTAIN PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

The provisions of the SUD to increase the height limit and provide density bonuses at the subject site is appropriate, as the project site is easily accessible by public transit; two MUNI lines (Nos. 2 and 43) are within one block of the Site. MUNI lines 1, 1BX, 3, 31 and 31L are within three blocks of the project site. The location of the SUD is consistent with the City's Transit First Policy.

COMMUNITY FACILITIES ELEMENT

OBJECTIVE 3:
ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.

Policy 1: Provide neighborhood centers in areas lacking adequate community facilities.

Policy 3: Develop centers to serve an identifiable neighborhood.

The SUD will allow for the continuation of the BTWCSC and provide the opportunity for the BTWCSC to create and operate permanently affordable housing. BTWCSC has been operating at the project site since 1952, serving the youth and the elderly in the Western Addition community. As the demographics of the neighborhood have changed, the population served by BTWCSC has followed, reflecting the ethnic diversity of the City and the neighborhood.

The BTWSCS site has convenient access to public transit, is located near support facilities such as Drew School and is 5-1/2 blocks from a branch public library. The continuing use of this site as a community center in the Western Addition as it has been for the last 58 years will not disrupt nor detract from the adjoining uses in the neighborhood.

Policy 2: Assure that neighborhood centers complement and do not duplicate existing pubic and private facilities.

Policy 8: Provide neighborhood centers with a network of links to other neighborhood and citywide services.

BTWCSC works closely with other educational institutions such as USF and Drew School, whose resources benefit the underprivileged youth served by BTWCSC. The project's gymnasium will be used by Drew School, Lycee Francais, Sports for Good and others, which will eliminate the need for construction of costly duplicative facilities.

Policy 5: Develop neighborhood centers that are multi-purpose in character, attractive in design, secure and comfortable, and inherently flexible to meeting the current and changing needs of the neighborhood served.

The SUD will allow for BTWCSC to add an affordable housing component to their existing community services center. The SUD will provide more affordable units than what the base RM-1 Zoning would allow. Additionally, the SUD provides flexibility in the building design by providing a height bonus for affordable housing projects. The proposed BTWSCS building has been designed with multi-purpose space that can evolve to meet the changing educational and career development needs of the community it serves.

Policy 7: Program the centers to fill gaps in needed services, and provide adequate facilities for ill-housed existing services.

The project proposed concurrent with the legislation for the SUD will replace an aging neighborhood facility that can no longer meet the needs of current and future programs and services sorely needed by the community.

Whereas, the proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code 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 creation of the SUD would not affect neighborhood-serving retail uses, as there is no neighborhood-serving retail use at the Site. The project site is zoned for residential use, and retail uses are not permitted. The increased unit density may provide nearby commercial uses with additional business.

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

The SUD, with the unit density bonuses for affordable housing, would expand the cultural and economic diversity of the neighborhood and the City. The height incentive provided by the SUD allows for additional design flexibility with regard to shaping the project's height, massing and scale as compared to the constraints of the current 40-foot height limit. There are no existing dwelling units on site. The community center use will continue on the site; the cultural diversity of the neighborhood will be enhanced with the new residential component.

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

The creation of the SUD and the associated project would enhance the City's supply of permanently affordable housing. The building to be demolished contains no housing. The addition of up to 50 affordable units permanently affordable to those with incomes not exceeding 60 percent of the area median income will enhance the City's supply of affordable housing.

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

With regard to the project proposed as part of the creation of this new SUD, the Transportation Study for the existing BTWCSC analyzed the transportation effects of a proposed increase of 694 net new daily person trips (282 for the center and 412 for the residential component),[1] of which 116 (44 for Center and 72 for the residential component) would occur during the PM peak hour and determined it would have no significant effect on traffic, public transportation or parking. The project will increase the number of youth served by approximately 50 (from 100 to 150).[2] It is not anticipated that additional staff would be required; however, there will likely be more volunteers from Drew School, USF and other institutions who will act as resources for the afterschool programs. The seating capacity of the gymnasium will be decreased and the number of attendees for special evening events would be the same although the frequency may increase to an average of once a month.[3] The Transportation Study and the Draft EIR concluded that the project will not have any significant effect on the streets, neighborhood parking and MUNI services.

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 SUD does not affect industrial or service sector businesses. Such uses are not permitted in a residential area.

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1 The projected net new daily person trips are based on land use and not the actual number of youths served by BTWCSC. It is noted that the daily trips include both in-bound and out-bound trips.

2 The program spaces can only accommodate an increase of 50 youths attending the various afterschool programs and teen center.

3 Special events will be held at the gymnasium only after funds to purchase special floor covering become available. The size of the gymnasium would be the same as the current gymnasium on the site because its dimensions are dictated by the size of a regulation basketball court.

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

Affordable housing projects contemplated under the height and density bonuses provided by the SUD would be required to comply with all current Building Code seismic and fire safety standards.

G. That landmarks and historic buildings be preserved.

The proposed SUD would encourage the demolition of an historic resource to make way for a new construction project. The BTWCSC building is an historic resource because BTWCSC is the first community organization to provide services to the African-American community. The building is not located in a potential historic district. The adverse impact of the project on the historic resource has been fully analyzed in the Project EIR. While the project proposes demolition of the existing building, the project would allow BTWCSC to continue and enhance its long-standing community service uses.

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

The SUD would create a height limit over 40 feet. Per the Planning Code, buildings proposed over 40 feet in height are required to provide a shadow study pursuant to Planning Code Section 295. The proposed building would be up to 55 feet tall. A shadow fan study was prepared by the Planning Department and determined that the Project will not affect the sunlight access to any public parks or open space. The building is an infill development and will not impair any public view corridor.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board APPROVE the proposed Ordinance as described in this Resolution No. _____ to create the Presidio-Sutter Special Use District.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on April 28, 2011.

Linda D. Avery

Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: April 28, 2011

FILE NO. 110116 ORDINANCE NO.

[Planning Code - Zoning Map - Presidio-Sutter Special Use District - 800 Presidio Avenue]

Ordinance amending the San Francisco Planning Code by adding Section 259.53 to establish the Presidio-Sutter Special Use District for property located at 800 Presidio Avenue (Assessor's Block No. 1073, Lot No. 13); amending Sheet HT03 of the Zoning Map to change the Height and Bulk District from 40-X to 55-X; and amending Sheet SU-03 of the Zoning Map to reflect the boundaries of the Presidio-Sutter Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough normal~~.

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

Section 1. Findings. The Board of Supervisors of the City and County of San Francisco hereby finds and declares as follows:

(a) This legislation will affect property located at 800 Presidio Avenue (Block 1073, Lot 13).

(b) In a certified Environmental Impact Report adopted on _____, 2011, the Planning Department has determined that the actions contemplated in this Ordinance will not have a negative impact on the environment as provided under the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.). The certified Environmental Impact Report is on file with the Clerk of the Board in File No. _____, and is incorporated herein by reference. The Board adopts, as though fully set forth herein, the environmental findings and affirms the conclusion of the Planning

Commission ("Commission") in its Resolution No._____, adopted after a duly noticed public hearing on _____, 2011. A copy of said Resolution is on file with the Clerk of the Board in File No._____, and is incorporated herein by reference.

(c) On _____, 2011, the Planning Commission in Resolution No. _____ approved, and recommended for adoption by the Board, the Presidio-Sutter Special Use District and the Zoning Map amendments to change the Height and Bulk District for the property at 800 Presidio Avenue and to reflect the boundaries of the Presidio-Sutter Special Use District. A copy of Planning Commission Resolution No. _____ is on file with the Clerk of the Board of Supervisors in File No. _____.

(d) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this Ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. _____, and incorporates said findings herein by reference.

(e) The provisions of this Ordinance are consistent with the General Plan and with the Priority Policies of Planning Code Section 101.1 for the reasons set forth in Planning Commission Resolution No. _____ and the Board incorporates those reasons hereby by reference.

Section 2. The San Francisco Planning Code is hereby amended by adding Section 249.53 to read as follows:

SEC. 249.53. PRESIDIO-SUTTER SPECIAL USE DISTRICT.

(a) Establishment of Special Use District. The Presidio-Sutter Special Use District is hereby established to facilitate the development of a mixed-use community project on an underutilized site ("project"). The site is located at 800 Presidio at the southeast corner of the block bounded by Presidio Avenue, Sutter Street, Lyon Street, and Post Street and consists of Lot 13 of Assessor's Block 1073, as designated on Sectional Map SU10 of the Zoning Map of the City and County of San Francisco.

(b) Purpose. The purpose of the Special Use District is to allow a project that will provide affordable rental housing opportunities for very low and lower income households and include a modern, state of the art community center that provides a variety of youth and other services to the Western Addition and the broader San Francisco community. To achieve this purpose, the project will:

(1) Include affordable rental housing, thus furthering the City's policy that new housing, especially permanent affordable housing, be provided in appropriate locations which meets identified housing needs;

(2) Designate up to 50 percent of the affordable units for transitional age youths between the ages of 18 and 24;

(3) Have density and height bonuses for the affordable housing component of the project that are consistent with and will promote State policies and laws that encourage the construction of affordable housing.

(4) Include a state-of-the-art community center that will provide educational, cultural, social and recreational services to both the Western Addition and the larger San Francisco community in a multicultural, nurturing, and supportive environment where individuals and community groups feel welcome;

(5) Provide youth services that will fulfill an acute need existing in the Western Addition community that could direct young peoples' energies toward activities that can facilitate these young people becoming independent, successful adults; and

To address the educational, academic, social and/or recreational needs and interests of youth in the Western Addition, the community center could provide programs that include an award winning media youth radio program, a research library, an archive to develop scholarship programs, a computer center to provide computer training, an early childhood development center, an after-school program, organized sports, a mentoring program, youth leadership development, and other youth activities. The community center may also provide senior and other adult services.

(b) Definitions. For purposes of this Section, the following definitions shall apply:

(1) "Density bonus" shall mean a density increase of no more than 0.5 times the otherwise maximum allowable residential density pursuant to a Planned Unit Development application in a RM-1 zoning district (one unit per 600 square feet of lot area minus one), which is equivalent to an additional 18 units over the currently permitted 36 units.

(2) "Designated unit" shall mean a housing unit identified and reported by the developer of a housing development as a unit that is affordable to households of very low or lower income.

(3) "Housing development" shall mean five or more dwelling units.

(4) "Lower income households" shall mean a household composed of one or more persons with a combined annual net income for all adult members which does not exceed the qualifying limit for a lower income family of a size equivalent to the number of persons residing in such household, as set forth for the County of San Francisco in Title 25 of the California Code of Regulations Section 6932.

(5) "Very low income households" shall mean a household composed of one or more persons with a combined annual net income for all adult members which does not exceed the qualifying limit for a very low income family of a size equivalent to the number of persons residing in such household, as set forth for the County of San Francisco in Title 25 of the California Code of Regulations Section 6932.

(c) Planned Unit Development. In this special use district, a modification to, or exception from, otherwise applicable requirements of this Code may be appropriate in order to further the critical goal of creating affordable housing. A Planned Unit Development approval for a housing development subject to this Section may grant the height bonus, density bonus, and a modification or exception to the requirements of this Code if the facts presented are such as to establish that the modification or exception satisfies the criteria of Section 304(d) of this Code

(d) Controls. Notwithstanding any other provision of this Code, the following controls shall govern the uses in the Presidio-Sutter Special Use District.

(1) In this special use district all of the provisions of this Code applicable to residential development in an RM-1 Zoning District shall continue to apply, except as specifically provided in Subsections (A) and (B) below. The following modifications to or exceptions from the requirements of this Code are appropriate in order to further the goal of creating affordable housing.

(A) Height and Bulk. The applicable Height and Bulk for the Presidio-Sutter Special Use District shall be 40-X to 55-X. The Planning Commission may approve a height increase above 40' only for an affordable housing development or a mixed-use development with an affordable housing component.

(B) Dwelling Unit Density Bonus: A density bonus beyond that allowed conditionally under this Code may be approved by the Planning Commission only if more than 60 percent of the units in the housing development or the housing component of a mixed-use project will be permanently affordable to very low and lower income households.

In considering the height increase and bonus density, the Planning Commission shall consider the extent to which the dwelling units of a proposed housing development would be affordable. The maximum height increase and density bonus allowed under a Planned Unit Development may be granted only if 100 percent of the units of the housing development component, except for the manager's unit, are rental units permanently affordable to very low income or lower income households.

Section 3. Pursuant to Sections 106 and 302(c) of the Planning Code, Sheet HT03 of the Zoning Map of the City and County of San Francisco, sheet is hereby amended, as follows:

Description of Property	Height and Bulk District To Be Superseded	Height and Bulk District Hereby Approved
Assessor's Block 1073, Lot 13	40-X	40X-55X

Section 4. Pursuant to Sections 106 and 302(c) of the Planning Code, Sheet SU03 of the Zoning Map of the City and County of San Francisco, sheet is hereby amended to designate the following as the Presidio-Sutter Special Use District:

Assessor's Block 1073, Lot 13.

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

By: Judith A. Boyajian
JUDITH A. BOYAJIAN
Deputy City Attorney

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Subject to: (Select only if applicable)

- ☐ Affordable Housing (Sec. 415)
- ☐ Jobs Housing Linkage Program (Sec. 413)
- ☐ Downtown Park Fee (Sec. 412)
- ☐ First Source Hiring (Admin. Code)
- ☐ Child Care Requirement (Sec. 414)
- ☐ Other

Planning Commission Conditional Use/PUD Draft Motion

HEARING DATE: APRIL 28, 2011

Date:	April 21, 2011
Case No.:	**2006.0868CEKTZ**
Project Address:	**800 PRESIDIO AVENUE**
Zoning:	Presidio-Sutter Special Use District RM-1 (Residential, Mixed, Low-Density) District 40-X/55-X Height and Bulk District
Block/Lot:	1073/013
Project Sponsor:	Booker T. Washington Community Service Center 800 Presidio Avenue San Francisco, CA 94115
Sponsor Contact:	Alice Barkley, Esq. – (415) 356-4635
Staff Contact:	Glenn Cabreros – (415) 558-6169 glenn.cabreros@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 304 TO ALLOW CONSTRUCTION OF A 55-FOOT TALL PLANNED UNIT DEVELOPMENT CONTAINING COMMUNITY FACILITIES AND A FIVE-STORY, RESIDENTIAL BUILDING WITH UP TO 50 AFFORDABLE HOUSING UNITS WITHIN THE RM-1 (RESIDENTIAL, MIXED, LOW-DENSITY) DISTRICT, THE PRESIDIO-SUTTER SPECIAL USE DISTRICT AND A 40-X/55-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On March 16, 2011, Alice Barkley (hereinafter "Project Sponsor") for Booker T. Washington Community Service Center (hereinafter "BTWCSC") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303 and 304 allow construction of a 55-foot tall, planned unit development containing community facilities and a five-story residential building with up to 50 affordable housing units within the RM-1 (Residential, Mixed, Low-Density) District, the Presidio-Sutter Special Use District and a 40-X/55-X Height and Bulk District.

On January 25, 2008, the Department conducted a shadow study, Case No. 2006.0868K, for the project pursuant to Planning Code Section 295 and found that the project would not cast shadows any Recreation and Park Department properties.

On April 28, 2011, the San Francisco Planning Commission (hereinafter "Commission"), by Motion No. _____ certified the Final Environmental Impact Report, Case No. 2006.0868E, for the project at 800 Presidio Avenue.

On April 28, 2011, the Commission adopted Resolution No. _____, Case No. 2006.0868TZ, on April 28, 2011 recommending to the Board of Supervisors to adopt the text change and map amendment creating the Presidio-Sutter Special Use District and amending the height and bulk limit to 40-X/55-X; and,

On April 28, 2011, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2006.086C requesting authorization to construct a Planned Unit Development.

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 on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use for a Planned Unit Development requested in Application No. 2006.0868C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

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. The above recitals are accurate and constitute findings of this Commission.

2. **Site Description and Present Use.** The project is located on the east side of Presidio Avenue between Sutter Street and Post Street on Lot 013 is Assessor's Block 1073. The property is located within the RM-1 (Residential, Mixed, Low-Density) District, the Presidio-Sutter Special Use District and a 40-X/55-X Height and Bulk District. The property is within the Western Addition neighborhood and is developed with a one-story over partial basement building containing a community facility for BTWCSC. The project site occupies over 50 percent of the length of the block-face along Presidio Avenue. The site slopes downward to the east along Sutter Street and is fairly flat along Presidio Avenue. The subject lot is a large L-shaped lot, over a half-acre in size ,containing 22,360 square feet.

3. **Surrounding Properties and Neighborhood.** The project site is located at the westernmost portion of the Western Addition neighborhood. The project site is within four blocks or less from the Pacific Heights neighborhood to the north, the Presidio Heights neighborhood to the west and the Inner Richmond neighborhood to the southwest. Directly west and across the street

from the project site is a "super-block", spanning the length of three standard-sized lots along Presidio Avenue from Geary Boulevard to Bush Street and containing a MUNI bus yard. The southern portion of the bus yard is developed with a tall two-story bus garage. Directly north and across Sutter Street from the project site is a large, 45-foot tall, four-story multi-unit apartment building. Directly east and adjacent to the project site's eastern property line is a one-story, single-family residence located downhill from the site along Sutter Street. Directly south and adjacent to the project site's southern property line is a lot containing two residential buildings with a total of three dwelling units; one of the residential buildings is a tall two-story, two-unit building fronting Presidio Avenue. Other lots on the subject block and downhill from the project site contain a mix of residential buildings from single-family residences to multi-unit apartment buildings, mostly ranging from two- to four-stories tall and of varied architectural styles.

4. **Project Description.** The project proposes to demolish an existing 31-foot tall, one-story-over-partial-basement building, and to construct a five-story-over-basement, 55-foot tall mixed-use building. The project proposes to construct a state-of-the-art community facility space to support BTWCSC's programs (which are targeted at at-risk youth), a gymnasium, and 50 units of housing, of which 24 units are affordable to low income households and 24 units are for low and very low income transitional age youth.

   The approximately 68,206 gross square foot (gsf) mixed-use building would contain a 7,506 gsf, 175-seat gymnasium, 11,529 gsf of program space, a 1,691-sf child care center for 24 children, up to 50 units of affordable housing with supportive service space, building storage, and a basement garage containing 21 off-street parking spaces. The housing component and the community service space would have a shared entrance on Presidio Avenue.

5. **Public Comment.** To date the Department has not received any public comment.

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. **Presidio-Sutter Special Use District (SUD).** Planning Code Section 249.53 establishes the Presidio-Sutter SUD which allows affordable housing projects, with Commission approval, an increase in height above 40 feet and an increased dwelling unit density when 60 percent of the dwelling units are permanently affordable.

      The project is proposed to contain up to 50 permanently affordable housing units; thus the Commission may approve the increased height and unit density for the project.

   B. **Rear Yard and Dwelling Unit Exposure.** Planning Code Section 134 requires a rear yard equal to 45-percent of the lot depth. Planning Code Section 140 requires every dwelling unit to face onto a Code-complying rear yard or a 25-foot wide street or side yard. Per Planning Code Section 304, the Commission in considering a Planned Unit Development may approve exceptions to Planning Code requirements in order to achieve an outstanding overall design.

As it is desirable to place the residential component of the project at the corner of Presidio Avenue and Sutter Street (See "Conditional Use Findings" below), the required rear yard depth of 21 feet for the portion of the lot that measures approximately 84 feet along Sutter Street is not provided. As a Code-complying rear yard is not provided behind the residential component of the project, 21 units along the rear of the building do not meet the dwelling unit exposure requirement. Although the rear yard and dwelling unit exposure requirements are not met, the placement of the residential uses and the design of the residential structure is found to be desirable. The residential uses and building design in combination with the large lot size and odd lot shape are found to produce an overall project design that is appropriate for the neighborhood character, the adjacent residential buildings and the protection of the mid-block open space/rear yard area.

C. **Parking.** Planning Code Section 151 requires one parking space for every 15 seats for stadium/sports arena use (gymnasium) and one space for each 2,000 square feet of art/activities space (community facilities) where the occupied floor area exceeds 7,500 square feet. For child care facilities, parking is not required for facilities for 24 or less children. Off-street parking is not required for affordable housing units.

A 21-space parking garage containing 18 required parking spaces per Planning Code Section 151 and 3 accessory spaces as allowed per Planning Code Section 204.5 is proposed. The project contains a 175-seat gymnasium requiring 12 off-street parking spaces and a 10,175 square foot (occupied floor area) community facility space requiring 5 spaces. One (1) car share space is required for residential buildings with 50 to 200 units. Beyond the required number of parking spaces, three accessory parking spaces are provided: one additional car share space and two spaces for the two managers' units.

D. **Bicycle Parking.** Planning Code Section 155.5 requires one Class 1 bicycle parking space per every two dwellings units for projects with up to 50 dwelling units.

The project proposes the 25 required Class 1 bicycle parking spaces within the basement level garage.

E. **Car Sharing.** Planning Code Section 166 requires one car share parking space for project with 50-200 dwelling units.

The project proposes two car share spaces in the basement level. One car share space is required by the Planning Code, and a second car share space is allowed as an accessory parking use per Planning Code Section 204.5.

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

A. The proposed new uses 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 proposed uses will provide for the continuation of a long-standing community service center with an expanded, modern facility serving the low and very low income population. The affordable housing component at the density proposed, especially the dwelling units for at-risk emancipated foster care youth, is needed by the City and will diversify the City's housing stock.

The project's siting, size, massing and scale have been designed to be harmonious with the street face along Presidio Avenue, while transitioning to the finer-scaled residential buildings along Sutter Street. The siting of the five-story, residential building at the corner of Presidio Avenue and Sutter Street is consistent with the pattern of larger-scaled, multi-unit buildings found on corner lots in the immediate neighborhood. As is typical in most residential neighborhoods throughout the City, large corner buildings often serve as structures that define and anchor city blocks. The project location is desirable as it is located where the Western Addition neighborhood transitions into the neighborhoods of Pacific Heights, Presidio Heights and the Inner Richmond, thus enhancing the diversity of housing types integrated into the City's existing neighborhoods. Therefore, the project's use and location are necessary and desirable for the neighborhood and the City at large.

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 residential component of the project is placed on the corner of Presidio Avenue and Sutter Street which is consistent with the pattern of larger residential buildings typically found on corners/intersections within residential districts. The wide residential façade along Presidio Avenue is derived from the urban form and patterns created by other wide, corner buildings along Presidio Avenue in the immediate vicinity. The location of the gymnasium provides for a shorter building form that steps down to the two-story residential building along Presidio Avenue and directly south of the project. The height and scale of the project balances out the arrangement of structures at the intersection as a wide, 45-foot tall apartment building along Presidio Avenue exists across Sutter Street from the project. At the Sutter Street façade, the project width is modulated to address the pattern of narrower lot widths and building forms along Sutter Street. Building setbacks along the Sutter Street façade are proposed to address the finer-grained, residential-scaled buildings that abut the project site's east property line. Setbacks at the upper floors at the rear of the residential component of the project are proposed to provide a more residential-scale to the building and to reduce the visual impact of the rear façade to the mid-block open space and abutting rear yards.

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;

The project's single garage entrance will be located off Sutter Street east of the MUNI line No. 2 bus stop. Vehicular access to the project's garage is appropriately located from Sutter Street, as it does not interfere with the entrance to the MUNI Bus Yard or traffic along Presidio Avenue, which is more heavily trafficked. The project provides the required amount of parking spaces as specified by the Planning Code. With respect to the proposed residential component, typically tenants of affordable housing do not have sufficient income to own and operate a car. The project is located in a transit-rich area, well-served by public transportation and is in keeping general planning principles that higher density projects should be located where public transit is easily accessible. The parking proposed at the project reasonable and in keeping with the City's Transit First Policy. Furthermore, the project's Environmental Impact Report has fully analyzed the project's impact on traffic and parking. Implementation of the improvement measures identified in the DEIR will ensure that any passenger pick-up will not affect the afternoon/evening peak hour traffic on Presidio Avenue. These improvement measures will help to diminish minor vehicular conflicts noted in the DEIR. BTWCSC will encourage the attendees, volunteers and staff to use public transit.

Attendees of the project's afterschool program arrive by school bus, public transit or on foot, arriving between 1:30 PM and 2:30 PM. Pick-up occurs during the PM peak period. To ensure that the current white zone is utilized appropriately without creating traffic conflicts, BTWCSC will implement a community center safety program which will focus on cars picking up students and pedestrians crossing Presidio Avenue and Sutter Street from 4 PM to 6 PM. BTWCSC will request a white zone in front of the center to facilitate drop-offs and pick-ups. The Transportation Study and the EIR concluded that with the implementation of improvement measures, the additional programs will not create traffic problems.[1]

The addition of the residential component will not adversely affect on-street parking availability because the income of the residents (ranging from 30% to 60% of the City's median income) historically precludes automobile ownership. To promote the City's transit first policy, only 21 off-street parking spaces will be provided, of which 18 spaces will meet the Planning Code requirement for a community facility. Three spaces beyond the 18 spaces required are proposed to provide a parking space for each of the two managers and one additional car share space. The basement parking level will include secure parking space for 25 bicycles for the residents.

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

Noxious or offensive emissions are not associated with residential or community facility uses. The intermittent use of the rear yard area and noise associated with such use would occur during daylight hours. Noise from recreational use is temporary and intermittent and is not found to be

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1 A Transportation Study dated May 4, 2010, prepared by EAS is part of the environmental review for this project. This study concludes that the project will have no significant project-related or cumulative effect on transportation and traffic. A copy of the Transportation Study is part of the Planning Department's environmental review file.

significant. Other potential noise generated by the community facility would not be significant as the gymnasium component of the project occurs within the interior of the building. Glare from the community center, particularly nighttime lighting, is proposed to be addressed by the selection of glazing materials to diffuse indoor lighting necessary for the gymnasium. No reflective glass will be used in order to minimize glare. The lighting will not produce glare that would be offensive to nearby residences. A double-glazed translucent channel glass system will mute the interior gymnasium lights. The channel glass system also has an acoustical rating to minimize noise from the gymnasium. All interior and exterior lighting will direct illumination downward and minimize impact on the night sky and nearby residences. Activities associated with the community center are not proposed to be late night activities, so ambient light to the mid-block open space should not occur late at night.

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

Large areas of the current rear yard conditions are paved to provide playground areas; however the project proposes to remove the paved areas and proposes landscaped areas and recreational areas that have more permeable surfaces. A portion of the rear yard will include a vegetable garden and other educational elements for the after-school program. The proposed treatment of the project's rear yard would be a positive contribution to the quality of the mid-block open space and the abutting residential rear yards. New street tree are proposed along Presidio Avenue, while no street trees are proposed along Sutter Street due to the MUNI bus shelter, underground utilities and the garage access. The required parking is screened from view by a garage door, and parking is proposed within the basement level.

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

D. That the use as proposed would provide development that is in conformity with the purpose of the Presidio-Sutter Special Use District.

The proposed project is consistent with the stated purpose of Presidio-Sutter Special Use District. The project will allow for the continued services of a long-established community service center and provides needed affordable housing for emancipated youth and low to very low income households.

8. **Planned Unit Development Findings:** Planning Code Section 304 sets forth criteria, which must be met before the Commission may authorize a Conditional Use for a Planned Unit Development. This project generally complies with all applicable criteria:

A. The development shall affirmatively promote applicable objectives and policies of the General Plan.

See "General Plan Compliance" findings below.

B. The development shall provide off-street parking adequate for the occupancy proposed.

The project currently proposes 18 parking spaces as required by the Planning Code and three (3) accessory parking spaces as allowed by the Planning Code for a total of 21 off-street parking spaces. Off-street parking is not required by the Planning Code for affordable housing units. Adverse impacts to the neighborhood's off-street parking spaces are not found to be significant, as low-income residents of affordable housing projects typically do not own cars.

C. The development shall provide open space usable by the occupants and, where appropriate, by the general public, at least equal to the open space required by the Planning Code.

The 50-unit residential component of the project requires approximately 6,650 square feet of common useable open space per Planning Code Section 135. The project proposes approximately 2,500 square feet of common open space on a roof deck. While the project is deficient 4,150 square feet in common useable open space, the community center offers a 7,506 square foot gymnasium available for use by the residents of the project. Access to the rear yard area is not proposed to be made available to the residents of the project, as the rear yard is proposed to be used by the after-school program and the teen center. BTWCSC has decided not to provide residential access to the rear yard, as this presents a potential liability issue, since BTWCSC is responsible for minors attending the facility.

D. The development shall be limited in dwelling unit density to less than the density that would be allowed by Article 2 of this Code for a district permitting a greater density, so that the PUD will not be substantially equivalent to a reclassification of property.

The project is within the Presidio-Sutter Special Use District, which allows for increased dwelling unit density beyond that allowed conditionally under the Planning Code provided that 60 percent of the total units are permanently affordable housing. The project is consistent with the Presidio-Sutter Special Use District, as all dwelling units are proposed to be affordable housing units.

E. The development shall include commercial uses only to the extent that such uses are necessary to the serve residents of the immediate vicinity.

Commercial uses are not proposed as part of the project; however the ground floor of the project is primarily devoted to community activities and uses. See "Community Facilities Element" findings below.

F. The development shall under no circumstances be excepted from any height limit.

The project is within the Presidio-Sutter Special Use District and a 40-X/55-X height limit. Under the provisions of the Presidio-Sutter Special Use District, the Planning Commission may approve a height increase above 40 feet provided the project includes an affordable housing component.

G. Provide street trees as required by the Code.

The project proposes nine street trees along Presidio Avenue as required by Code. Four street trees are required along Sutter Street; however street trees are not proposed along Sutter Street due to the location of a MUNI bus shelter, utilities and garage access. Ultimately, the appropriate number and location of street trees falls under the jurisdiction of the Department of Public Works.

9. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

URBAN DESIGN ELEMENT

OBJECTIVE 1:
EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1: Recognize and reinforce the existing street pattern, especially as it is related to the topography.

The project's residential component at a height of 55 feet will be taller than the 45-foot tall building across Sutter Street, and the 43-foot tall gymnasium component will be about 20 feet taller than the building to the south on Presidio Avenue. As discussed above, the project will step down to the east to reflect the slope of Sutter Street. While the project is taller than the surrounding buildings, it recognizes and reinforces the existing street pattern and topography.

Policy 3: Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

The project is of a modern architectural style that relates positively to the nearby residential buildings. The project is grounded in the common rhythms and elements of architectural expression found in the surrounding neighborhood. The massing of the project is broken down to reflect the patterns of each block face with larger massing elements facing Presidio Avenue, a 60-foot wide avenue, and smaller massing facing Sutter Street, a 38-foot wide city street. The composition of each massing element relies on the predominant building proportions (base, middle and top) found on other buildings in the area. The scale is broken down further with vertically oriented windows, belt courses, and a strong cornice as found in many other building in the neighborhood. The project will complement and be harmonious with the surrounding neighborhood character.

OBJECTIVE 3:
MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 1: Promote harmony in the visual relationship and transitions between new and older buildings.

Beyond the massing and architectural features described in Objective 1, Policy 3, the project will relate to the massing of the neighborhood buildings. The massing on the Sutter Street facade of the building will be divided into two segments reflecting the width of the neighboring buildings. The segment adjacent to the building immediately to the east will be set back 10 feet at the residential level from the property line demising the two buildings. The street face of the building will be set back 11 feet at the fourth floor providing a three-story expression at Sutter Street. The fifth floor massing will be set back an additional 15 feet from the main rear facade.

The massing along Presidio Avenue is divided into three components: residential, building entrance and community center/gymnasium. The residential component reflects the massing of the residential building across Sutter Street and is terminated by the vertical entry articulation. The community center will drop approximately 11 feet in height from the entrance element and will provide a transition to the lower neighboring building to the south. This massing strategy will provide a transition between new and old buildings as seen in the pattern of other buildings in the neighborhood.

Policy 6: Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

See Objective 1 Policy 3 and Objective 3 Policy 1, above, for a description of how the bulk and massing of the building relates to the neighborhood.

Policy 7: Recognize the special urban design problems posed in development of large properties.

Some of the design problems typically occurring in larger urban developments are addressed by the project by responding to the visual character of the neighborhood with regard to the project's site design and the building scale and form. The project building will draw from elements that are common to the block including a base-middle-top configuration, and architectural elements such as vertically-oriented windows, belt courses and strong projecting cornices. Additional problems often occur at the base of larger developments where multiple garage entrances dominate the pedestrian level as seen in many large residential buildings in the neighborhood. The base of the project building will have one garage entrance on Sutter Street. The shared entrance and storefront-style windows that make up the balance of the sidewalk frontage on Presidio Avenue will create a stronger relationship to the street. The massing of the building will reflect the site characteristics of the existing topography and will not obscure any public views. The massing of the proposed building will reflect the pattern of each block-face with a larger massing on Presidio Avenue and massing that is narrower and descending on Sutter Street similar to the buildings directly across from the project site on Sutter Street.

Policy 3: Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

BTWCSC is an integral part of the neighborhood even though its current institutional design – *when compared to the character of the immediately surrounding residential buildings – does not positively contribute to the neighborhood character. The project has been divided into segments to reflect the proportion and scale of nearby existing residential buildings, and the project's architectural style complements the older residential buildings as well as the newer mixed-use and commercial buildings in the neighborhood. The project is designed so that the massing, bulk, height, design, color, shape and other features will be contextually more appropriate in the neighborhood than the current one-story building.*

OBJECTIVE 4:
IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 1: Protect residential areas from the noise, pollution and physical danger of excessive traffic.

The Transportation Study for the Draft Environmental Impact Report concluded that the project will not generate excessive traffic. The San Francisco Noise Ordinance (Police Code Article 29) and Title 24 of the California Building Code will ensure that the nearby residences will not be exposed to excessive noise. The project sponsor is developing proposed "House Rules," which will be presented to the Commission at the hearing. As a mixed use residential and community service center, the project will not cause pollution. Therefore, the project will not expose the nearby residential areas to noise, pollution or the physical danger of excessive traffic.

Policy 3: Provide adequate lighting in public areas.

The use of glazed elements on the ground floor and the residential units above will provide "eyes on the street" and will increase pedestrian safety and comfort. The community center component will consume less environmental resources than the current building. The ground floor community service space will provide additional lighting for pedestrians during the early evening hours in the winter.

Policy 10: Encourage or require the provisions of recreation space in private development.

The project will include both indoor and outdoor recreational space for the residents by providing common usable open space for the residents on a roof deck and terraced outdoor space for the community service center and for the childcare center in the rear yard.

Policy 12: Install, promote and maintain landscaping in public and private areas.

The rear yard will be landscaped and a landscaping plan will be provided to the Planning Department for review and approval. Any street trees removed during construction will be replaced as approved by Department of Public Works.

2004 HOUSING ELEMENT

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

The project site is a large under-developed lot in an established residential neighborhood. The addition of a residential component to the replacement facility for BTWCSC is appropriate and promotes this policy.

Policy 1.6: Create incentives for the inclusion of housing, particularly permanently affordable housing, in new commercial development projects.

The Presidio-Sutter Special Use District (SUD) allows increased density for permanently affordable housing. The incentive bonus provided for height and density by the SUD is calibrated by a percentage of affordable housing units provided on site. The City has consistently identified the need for affordable housing units. The project will provide up to 50 new permanently affordable housing units in an area easily accessed by public transit.

OBJECTIVE 4:
SUPPORT AFFORDABLE HOSING PRODUCTION BY INCREASING SITE AVAILABILITY AND CAPACITY.

Policy 4.1: Actively identify and pursue opportunity sites for permanently affordable housing;

The BTWSCS site, located in a residential area, is currently underutilized and can accommodate a residential component with permanently affordable housing units, which is consistent with this policy.

Policy 4.3: Encourage the construction of affordable units for single households in residential hotels and "efficiency" units.

Except for two manager units, the project proposes 48 studio units , thus promotes this policy.

Policy 4.4: Consider granting density bonuses and parking requirement exemptions for the construction of affordable housing or senior housing.

The project is located in the Presidio-Sutter Special Use District, which allows a density bonus for the construction of housing affordable to very low income households and individuals. The Planning Code does not require off-street parking for affordable housing units

OBJECTIVE 5:
INCREASE THE EFFECTIVENESS AND EFFICIENCY OF THE CITY'S AFFORDABLE HOUSING PRODUCTION SYSTEM.

Policy 5.2: Support efforts of for-profit and non-profit organizations and other community based groups and expand their capacity to produce and manage permanently affordable housing.

The project is sponsored by the BTWSCS, a community-based organization that has continuously served San Francisco for more than 90 years. BTWCSC has entered into an agreement with the John Steward Company (JSCO), a firm with demonstrated ability to develop and manage affordable housing projects. The partnership with JSCO will enable BTWSCS to gain experience and the capacity to manage permanently affordable housing projects.

OBJECTIVE 8:
ENSURE EQUAL ACCESS TO HOUSING OPPORTUNITIES.

Policy 8.1: Encourage sufficient and suitable rental housing opportunities and emphasize permanently affordable rental units wherever possible.

The housing units in the project will be rental units that are permanently affordable and will promote this objective and policy.

Policy 8.6: Increase the availability of units suitable for users with supportive housing needs.

Of the 48 studio units, 24 will be transitional housing designated for emancipated foster youth, who will require on-site counseling and other supportive services to transition to independent living and to successfully integrate into society.

OBJECTIVE 10:
REDUCE HOMELESSNESS AND THE RISK OF HOMELESSNESS IN COORDINATION WITH RELEVANT AGENCIES AND SERVICE PROVIDERS.

Policy 10.1: Focus efforts on the provisions of permanent affordable and service-enriched housing to reduce the need for temporary homeless shelters.

Policy 10.2: Aggressively purse other strategies to prevent homelessness and the risk of homelessness by addressing its contributory factors.

Policy 10.4: Facilitate childcare and educational opportunities for homeless families and children.

The housing and services provided by BTWCSC have been designed to provide the tenants a stable residential environment, career counseling, educational and specialized employment skills, tutoring, childcare services, and other supportive services to help them become productive members of society.

TRANSPORTATION ELEMENT

OBJECTIVE 2:
USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT

OBJECTIVE 11 (TRANSIT FIRST):
MAINTAIN PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

The project site is easily accessible by public transit; two MUNI lines (Nos. 2 and 43) are within one block of the Site. MUNI lines 1, 1BX, 3, 31 and 31L are within three blocks of the project site.

OBJECTIVE 16:
DEVELOP AND IMPLEMENT PROGRAMS THAT WILL EFFICIENTLY MANAGE THE SUPPLY OF PARKING AT EMPLOYMENT CENTERS THROUGHOUT THE CITY SO AS TO DISCOURAGE SINGLE-OCCUPANT RIDERSHIP AND ENCOURAGE RIDESHARING, TRANSIT AND OTHER ALTERNATIVES TO THE SINGLE-OCCUPANT AUTOMOBILE.

Policy 16.5: Reduce parking demand through limiting the absolute amount of spaces and prioritizing the spaces for short-term and ride-share uses.

The project's 21 on-site parking spaces will be sufficient to meet the project's parking demand because it has been historically demonstrated that low-income residents do not usually own automobiles. The project will provide two (2) car-share spaces.

Policy 16.6: Encourage alternatives to the private automobile by locating public transit access and ride-sharing vehicle and bicycle parking at more close-in and convenient locations on site, and by location parking facilities for single-occupancy vehicles more remotely.

BTWCSC will have twenty-five (25) secured bicycle parking spaces in the garage for residents and employees. BTWCSC has a bicycle program as part its recreational program that will include teaching bicycle repair and the use of alternative modes of transportation.

OBJECTIVE 28:
PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 28.1: Provide Secure and bicycle parking in new governmental, commercial, and residential developments.

Twenty-five (25) secured bicycle parking spaces are proposed in the basement level.

OBJECTIVE 33:
CONTAIN AND LESSEN THE TRAFFIC AND PARKING IMPACT OF INSTITUTIONS ON SURROUNDING RESIDENTIAL AREAS.

Policy 33.2: Protect Residential Neighborhoods From The Parking Impacts Of Nearby Traffic Generators.

BTWCSC has implemented and will enhance a monitoring program for pick-up and drop-off of users of the facility to ensure minimal conflict with and avoid traffic congestion created by these activities.

COMMUNITY FACILITIES ELEMENT

OBJECTIVE 3:
ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.

Policy 1: Provide neighborhood centers in areas lacking adequate community facilities.

Policy 3: Develop centers to serve an identifiable neighborhood.

BTWCSC has been operating at the project site since 1952, serving the youth and the elderly in the Western Addition community. As the demographics of the neighborhood change, the population served by BTWCSC has followed, reflecting the ethnic diversity of the City and the neighborhood

The BTWSCS site has convenient access to public transit, is located near support facilities such as Drew School and is 5 1/2 blocks from a branch public library. The continuing use of this site as a community center in the Western Addition as it has been for the last 58 years will not disrupt nor detract from the adjoining uses in the neighborhood.

Policy 2: Assure that neighborhood centers complement and do not duplicate existing pubic and private facilities.

Policy 8: Provide neighborhood centers with a network of links to other neighborhood and citywide services.

BTWCSC works closely with other educational institutions such as USF and Drew School, whose resources benefit the underprivileged youth served by BTWCSC. The project's gymnasium will be used by Drew School, Lycee Francais, Sports for Good and others, which will eliminate the need for construction of costly duplicative facilities.

Policy 5: Develop neighborhood centers that are multi-purpose in character, attractive in design, secure and comfortable, and inherently flexible to meeting the current and changing needs of the neighborhood served.

The new BTWSCS building has been designed with multi-purpose space that can evolve to meet the changing educational and career development needs of the community it serves. As discussed under the Urban Design Element Objectives and Policies, the Section 303 Conditional Use findings and the Section 304 Planned Unit Development findings, the design of the building is compatible with the existing neighboring buildings.

Policy 7: Program the centers to fill gaps in needed services, and provide adequate facilities for ill-housed existing services.

The project will replace an aging neighborhood facility that can no longer meet the needs of the current and future programs and services sorely needed by the community.

10. **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 would not affect neighborhood-serving retail uses, as there is no neighborhood-serving retail use at the Site. The project site is zoned for residential use, and retail uses are not permitted. The proposed unit density may provide nearby commercial uses with additional business.

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 no existing dwelling units on the site. The community center use will continue on the site; the cultural diversity of the neighborhood will be enhanced with the new residential component. The housing component will consist of units affordable to persons and households with very low income. The neighborhood character will not be impaired and the housing component will add economic diversity to the neighborhood.

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

The building to be demolished contains no housing. The addition of 48 affordable units permanently affordable to those with incomes not exceeding 60% of the area median income will enhance the City's supply of affordable housing.

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

The Transportation Study for the existing BTWCSC analyzed the transportation effects of a proposed increase of 694 net new daily person trips (282 for the center and 412 for the residential component),[2] of which 116 (44 for Center and 72 for the residential component) would occur during the PM peak hour and determined it would have no significant effect on traffic, public transportation or parking. The project will increase the number of youth served by approximately 50 (from 100 to 150).[3] It is not anticipated that additional staff would be required; however, there will likely be more volunteers from Drew School, USF and other institutions who will act as resources for the afterschool programs. The seating capacity of the gymnasium will be decreased and the number of attendees for special evening events would be the same although the frequency may increase to an average of once a month.[4] The Transportation Study and the Draft EIR concluded that the project will not have any significant effect on the streets, neighborhood parking and MUNI services.

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.

Industrial or service sector businesses are not permitted in a residential area.

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

The proposed building will comply with all current Building Code seismic and fire safety standards.

G. That landmarks and historic buildings be preserved.

The project would demolish an historic resource to make way for a new construction project. The BTWCSC building is an historic resource because BTWCSC is the first community organization to provide services to the African-American community. The building is not located in a potential historic district. The adverse impact of the project on the historic resource has been fully analyzed in the Project EIR. While the project proposes demolition of the existing building, the project would allow BTWCSC to continue and enhance its long-standing community service uses.

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

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2 The projected net new daily person trips are based on land use and not the actual number of youths served by BTWCSC. It is noted that the daily trips include both in-bound and out-bound trips.

3 The program spaces can only accommodate an increase of 50 youths attending the various afterschool programs and teen center.

4 Special events will be held at the gymnasium only after funds to purchase special floor covering become available. The size of the gymnasium would be the same as the current gymnasium on the site because its dimensions are dictated by the size of a regulation basketball court.

The project proposes a building up to 55 feet in height. A shadow fan study was prepared by the Planning Department and determined that the Project will not affect the sunlight access to any public parks or open space. The building is an infill development and will not impair any public view corridor.

11. 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.

12. 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 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 **APPROVES Conditional Use Application No. 2006.0868C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated April 18, 2007, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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. _____. 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 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on April 28, 2011.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 28, 2011

EXHIBIT A

AUTHORIZATION

1. This authorization is for a conditional use to allow new construction of a Planning Unit Development consisting a five-story-over-basement, 55-foot-tall mixed-use building (containing community facility uses, up to 50 units of affordable housing and 21 off-street parking spaces, of which 24 units are affordable to low income households and 24 units are for low and very low income transitional aged youth)located at 800 Presidio Avenue, Block 013 in Assessor's Lot 1073 pursuant to Planning Code Sections 303 and 304 within the RM-1 (Residential, Mixed, Low-Density) District, the Presidio-Sutter Special Use District and a 40-x/50-X Height and Bulk District; in general conformance with plans, dated _____, and stamped "EXHIBIT B" included in the docket for Case No. 2006.0868C and subject to conditions of approval reviewed and approved by the Commission on April 28, 2011 under Motion No _____. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

2. The "Mitigation Monitoring and Reporting Program," attached herein as EXHIBIT C and which identifies Mitigation Measures and Improvement Measures to be included as part of the project as outlined in the Final EIR, Case No. 2006.0868E, shall be Conditions of Approval and are accepted by the project applicant and the successors-in-interest. If any measures of the Mitigation Monitoring and Reporting Program are less restrictive than the following conditions of approval, the more restrictive and more protective condition of approval shall apply.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PERFORMANCE

3. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion 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 diligently to completion. The Commission may also consider revoking the approvals 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.

RECORDATION OF CONDITIONS OF APPROVAL

4. Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state

that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on April 28, 2011 under Motion No _____.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

5. The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. _____ shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

6. The Project shall comply with all applicable City codes and requirements. 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 remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

7. Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

DESIGN – COMPLIANCE AT PLAN STAGE

8. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org .

9. **Glazing at Gymnasium.** Final glazing selection, particularly at the rear façade of the gymnasium component of the project, shall be subject to Department staff review and approval in order to ensure light pollution and glare into the mid-block open space are minimized. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org .

10. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org .

11. **Street Trees.** Nine (9) street trees shall be proposed along Presidio Avenue. Per the Planned Unit Development authorization, no street trees are required along Sutter Street. Pursuant to Planning Code Section 428 (formerly 143), the Project Sponsor shall submit a site plan to the Planning

Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org .

12. **Landscaping.** Pursuant to Planning Code Section 142, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating the screening of parking and vehicle use areas not within a building. The design and location of the screening and design of any fencing shall be as approved by the Planning Department. The size and specie of plant materials shall be as approved by the Department of Public Works.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org .

PARKING AND TRAFFIC

13. **Car Share.** Pursuant to Planning Code Section 166, no less than one (1) car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org .

14. **Bicycle Parking (Residential Only).** The Project shall provide no fewer than 25 Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.5.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org .

15. **Parking Requirement.** Pursuant to Planning Code Section 151, the Project shall provide eighteen (18) independently accessible off-street parking spaces.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org .

PROVISIONS

16. **Child Care.** Enrollment of the child care use shall be limited to 24 or less children. *For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org*

MONITORING

17. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

18. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

19. **Community Liaison.** Prior to issuance of a building permit application to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

20. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

EXHIBIT C
MITIGATION MONITORING AND REPORTING PROGRAM

File No. Project Title: 2006.0868C
800 Presidio Avenue Mixed-Use Project

Motion No.:

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
MITIGATION MEASURE M-CP-1 **HABS-Level Recordation**				
A common strategy for the mitigation of historical resources that would be lost as part of the proposed project is through documentation and recordation of the resource(s) prior to their demolition using historic narrative, photographs and/or architectural drawings. While not required for state or local resources, such efforts often comply with the federal standards provided by the National Park Service's Historic American Building Survey (HABS). As such, the project sponsor shall document the existing exterior conditions of the Booker T. Washington Community Center according to HABS Level II documentation standards. According to HABS Standards, Level II documentation consists of the following tasks: • Drawings: Existing drawings, where available, should be photographed with large format negatives or photographically reproduced on mylar. • Photographs: Black and white photographs with large-format negatives should be shot of exterior of the Booker T. Washington Community Center, including a few shots of this building in its existing context. Historic photos, where available, should be reproduced using large-format photography, and all photographs should be printed on archival (acid-free) fiber paper. Some historic photos of the site are known to exist, as they were cited in the HRER. • Written data: A report should be prepared that documents the existing conditions of the Booker T. Washington Community Center, as well as the overall history and importance of this African-	Project sponsor.	Prior to demolition activities.	Project sponsor.	Considered complete upon completion of the drawings, photographs, and written report and distribution of written report to all required parties.

EXHIBIT C
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
American institution within San Francisco. Much of the historical and descriptive data used in preparation of the HRER can be reused for this task. Documentation of the Booker T. Washington Community Center shall be submitted to the following four repositories: • Documentation report and one set of photographs and negatives shall be submitted to the History Room of the San Francisco Public Library. • Documentation report and one set of photographs and negatives shall be submitted to Booker T. Washington Community Center. • Documentation report and xerographic copies of the photographs should be submitted to the Northwest Information Center of the California Historical Resources Information Resources System. • Documentation report and xerographic copies of the photographs should be submitted to the San Francisco Planning Department for review prior to issuance of any permit that may be required by the City and County of San Francisco for demolition of Booker T. Washington Community Center.				
MITIGATION MEASURE M-CP-2: **Archeological Resources** Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the	Project sponsor/ archeological consultant at the direction of the	Prior to soil-disturbing activities.	Archeological consultant shall report to the ERO.	During excavation, demolition and construction.

EXHIBIT C
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sections 15064.5 (a) and (c).	Environmental Review Officer (ERO).			Considered complete upon receipt of final monitoring report at completion of construction.
Archeological Testing Program. The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical	Project sponsor/ archeological consultant/ archeological monitor/ contractor(s), at the direction of the ERO.	During all soil-disturbing activities.	Project sponsor/ archeological consultant/ archeological monitor/ Contractor(s), and the ERO.	During excavation, demolition and construction. Considered complete upon submittal of the written report of the findings to the ERO.

EXHIBIT C
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
resource under CEQA. At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program.				
If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either: A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or B) A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.	Project sponsor	If a significant archeological resource is present	Project sponsor/ archeological consultant/ archeological monitor/ contractor(s), and the ERO. Monitor throughout all soils-disturbing activities.	During excavation, demolition and construction. Considered complete upon receipt of final monitoring report at completion of construction.
Archeological Monitoring Program. If the ERO in consultation with the archeological consultant determines that an archeological monitoring program shall be implemented the archeological monitoring program shall minimally include the following provisions: • The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-	Project sponsor/ archeological consultant/ archeological monitor/ contractor(s), at the	Monitor throughout all soil-disturbing activities.	Project sponsor/ archeological consultant/ archeological monitor/ Contractor(s), and	During excavation, demolition and construction. Considered complete upon

EXHIBIT C
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
related soils disturbing activities commencing. The ERO in consultation with the archeological consultant shall determine what project activities shall be archeologically monitored. In most cases, any soils- disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context; • The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource; • The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with project archeological consultant, determined that project construction activities could have no effects on significant archeological deposits; • The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis; • If an intact archeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction activities and	direction of the ERO.		the ERO. Monitor throughout all soils-disturbing activities.	receipt of final monitoring report at completion of construction.

EXHIBIT C
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, and present the findings of this assessment to the ERO. • Whether or not significant archeological resources are encountered, the archeological consultant shall submit a written report of the findings of the monitoring program to the ERO.				
If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive	Archeological consultant at the direction of the ERO	If there is a determination that an ADRP program is required	Project sponsor/ archeological consultant/ archeological monitor/ contractor(s), and the ERO. Monitor throughout all soils-disturbing activities.	During excavation, demolition and construction. Considered complete upon receipt of final monitoring report at completion of construction.

EXHIBIT C
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical. The scope of the ADRP shall include the following elements: • *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations. • *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures. • *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies. • *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program. • *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. • *Final Report.* Description of proposed report format and distribution of results. • Curation. Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.				
Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable	Project sponsor / archeological consultant in	In the event human remains and/or funerary	Project sponsor/ archeological consultant/ San	During excavation, demolition and

EXHIBIT C
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
State and Federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.	consultation with the San Francisco Coroner, NAHC, and MLD.	objects are found.	Francisco Coroner/ NAHC/ MDL. Monitor throughout all soils-disturbing activities	construction. Considered complete upon receipt of final monitoring report at completion of construction.
Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public	Project sponsor/ archeological consultant at the direction of the ERO.	After completion of the archeological data recovery, inventorying, analysis and interpretation.	Project sponsor/ archeological consultant/ ERO	Following completion of soil disturbing activities. Considered complete upon Planning Department receipt of final monitoring report at completion of construction.

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.				
MITIGATION MEASURE M-BI-1: **Breeding Birds**				
If active construction work (i.e., demolition, ground clearing and grading, including removal of site vegetation) is scheduled to take place during the non-breeding season (September 1 through January 31), no mitigation is required. If such construction activities are scheduled during the breeding season (February 1 through August 31), the following measures will be implemented to avoid and minimize impacts on nesting raptors and other protected birds: No more than two weeks before construction, a qualified wildlife biologist will conduct preconstruction surveys of all potential nesting habitat within 250 feet of the construction site where access is available. If active nests of protected birds are found during preconstruction surveys, a no-disturbance buffer will be created around active nests during the breeding season, or until it is determined that all young have fledged. Typical buffers include 250 feet for non-raptor nesting birds (e.g., shorebirds, waterfowl, and passerine birds). The size of these buffer zones and types of construction activities restricted in these areas will be based on existing noise and human disturbance levels in the project area. If preconstruction surveys indicate that protected bird nests are inactive or potential habitat is unoccupied during the construction period, no further	Project sponsor and a qualified wildlife biologist.	If construction is scheduled between February 1st and August 31st, , within two weeks prior to construction commencement.	Project sponsor and a qualified wildlife biologist.	Considered complete upon preparation of a memorandum summarizing findings by the qualified wildlife biologist.

Mitigation Measures Agreed to by Project Sponsor	Responsibility for Implementation	Mitigation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
mitigation will be required. If construction commences during the non-breeding season and continues into the breeding season, birds that nest adjacent to the project area could acclimate to construction activities. However, surveys of nesting sites will be conducted and no-disturbance buffer zones established around active nests as needed to prevent impacts on nesting birds and their young.				
MITIGATION MEASURE M-HZ-2: **Hazardous Building Materials**				
The City shall condition future development approvals to require that the subsequent project sponsors ensure that any equipment containing PCBs or mercury, such as fluorescent light ballasts, are removed and properly disposed of according to applicable federal, state, and local laws prior to the start of renovation, and that any fluorescent light tubes, which could contain mercury, are similarly removed and properly disposed of. Any other hazardous materials identified, either before or during work, shall be abated according to applicable federal, state, and local laws.	Project sponsor.	During demolition activities.	San Francisco Planning Department to review building materials surveys and monitor abatement compliance	Considered complete upon receipt by the San Francisco Planning Department of final abatement compliance report.

EXHIBIT C
MITIGATION MONITORING AND REPORTING PROGRAM

Improvement Measures Identified by Planning Department Staff	Responsibility for Implementation	Implementation Schedule	Monitoring and Reporting Actions and Responsibility	Status / Date Completed
IMPROVEMENT MEASURE I-TR-1: **Leasing of Parking**				
The project sponsors should investigate the possibility of long-term leasing of parking spaces at the shopping center lot (at 2575 Geary Boulevard) for use by the community center for evening programs and events.	Project Sponsor.	Prior to reopening of the new community center.	Project sponsor to report to Planning Department Northwest Quadrant	Ongoing.
IMPROVEMENT MEASURE I-TR-2: **Garage Safety**				
The project sponsor should install a directional mirror in the garage so that drivers would have a view of Sutter Street. The garage would provide a vehicle approach warning signal (buzzer or beeper) to alert pedestrians of cars exiting the garage.	Project Sponsor, building management.	Prior to building occupation..	Project sponsor to report to Planning Department Northwest Quadrant	Considered complete upon submittal of a memo to Planning Department stating that this measure was implemented.

IMPROVEMENT MEASURE I-TR-3: **Loading Management Plan**				
As part of the project, the project sponsor could establish a loading management plan. The intent of the plan would be to eliminate the potential of double-parked freight trucks on Presidio Avenue in front of the building. Large deliveries and tenant move-ins and move-outs would be scheduled and coordinated through the property manager to ensure that the designated on-street loading spaces would be available as needed. Tenants would be required to provide advance notification to the property manager of date and time of move-ins and move-outs. The freight management plan would be extended to all freight deliveries and service calls to the building. Delivery and service calls at the building to the extent possible shall be scheduled between the hours of 9:00 a.m. and 3:30 p.m. in order to avoid the peak periods of Muni's Presidio Electric Trolley Coach Division pull-out and pull-in activities.	Project Sponsor, building management.	Prior to building occupation..	Project sponsor to report to Planning Department Northwest Quadrant	Considered complete upon submittal of the loading management plan.
IMPROVEMENT MEASURE I-TR-4: **Coordination with Waste Hauler**				
As part of the project, building management would coordinate with Sunset Scavenger as to specific location of garbage containers on pick-up day, consistent with collection services currently provided for other residential buildings in the area, to ensure minimal disruption of traffic flow on the streets.	Project Sponsor, building management.	Prior to building occupation.	Project sponsor to report to Planning Department Northwest Quadrant	Considered complete upon receipt by the San Francisco Planning Department of a memo summarizing the coordination

				outcomes with Sunset Scavenger.
IMPROVEMENT MEASURE I-TR-5: **Community Center Safety Program**				
In order to reduce potential circulation conflicts associated with passenger loading, the project sponsor would establish a community center safety program, which would focus on safe (assisted) crossings of Presidio Avenue and Sutter Street during the weekday evening commute period (4:00 p.m. to 6:00 p.m.). The program could rely on employees or volunteers to serve as crossing guards, or contract with a private company for these services. The community center would also provide weekday evening commute period curbside assistance to drivers arriving to pick-up children and other center users. A goal of this effort would be to limit incidents of double parking on Presidio Avenue through coordination with drivers, center staff and passengers. Community center staff would assemble children at the curb prior to a scheduled pick-up, thus reducing the need for drivers to leave their double parked vehicle and enter the center, as currently occurs. While double parking would not be eliminated, the average length of time of double parked vehicles could be substantially reduced. In addition to assisted street crossings and passenger loading assistance, community center management would make a concerted effort to identify and facilitate ridesharing opportunities among drivers who consistently pick-up passengers at the center.	Project Sponsor/ community center management.	Prior to reopening of the new community center and compliance with the program would be ongoing.	Project sponsor to report to Planning Department Northwest Quadrant	Considered complete upon receipt by the San Francisco Planning Department of a memo summarizing the community center safety program.

IMPROVEMENT MEASURE I-TR-6: **Passenger Loading Zone**				
The project sponsors would meet with the Sustainable Streets Division of the San Francisco Municipal Transportation Agency regarding the possibility of securing curbside frontage on Presidio Avenue for passenger loading. An extended passenger loading zone in front of the community center between the hours of 4:00 p.m. and 6:00 p.m. would reduce the incidents of double parking and improve peak period vehicle, pedestrian and bicycle circulation. It should be noted that a consequence of establishing a curbside loading zone in this area would exacerbate already constrained parking conditions (by displacing two general-use parking spaces) and would require a high level of enforcement activity (including vehicle towing).	Project Sponsor.	Prior to reopening of the new community center, ongoing enforcement.	SFMTA	Prior to completion of construction.
IMPROVEMENT MEASURE I-TR-7: **Construction Traffic Management**				
During the construction period, the project sponsor would limit construction truck movement to the hours between 9:00 a.m. and 3:30 p.m., or other hours if approved by SFMTA, and to prohibit staging or unloading of equipment and materials during the periods of 7:00 a.m. to 9:00 a.m. and 3:30 p.m. to 6:00 p.m., to minimize peak-period traffic conflicts and to accommodate queuing of Muni buses during the peak hours of service. The project sponsor and construction contractor would meet with SFMTA, the Fire Department, Muni, and the Planning Department to determine feasible traffic management and improvement measures to reduce traffic congestion during construction of this project.	Project Sponsor.	During project construction.	SFMTA	Prior to completion of construction

IMPROVEMENT MEASURE I-TR-8: **Parking Leasing for Construction Workers**				
The project sponsors should investigate the possibility of leasing parking spaces at the shopping center (2575 Geary Boulevard) lot for use by construction workers for the duration (estimated 18 months) of the construction activity.	Project Sponsor.	Prior to commencement of construction activities.	Project sponsor to report to Planning Department Northwest Quadrant	Considered complete upon receipt by the San Francisco Planning Department of a memo summarizing outcome of coordination with 2575 Geary Boulevard property managers.

SAN FRANCISCO
PLANNING DEPARTMENT

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San Francisco,
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Planning
Information:
415.558.6377

January 25, 2008

Ms. Bre Jones
AF Evans
1000 Broadway, Suite 300
Oakland, CA 94607

CASE NO.	**2006.0868K**
ADDRESS:	**800 Presidio Avenue**
BLOCK/ LOTS:	**1073/013**
PROJECT SPONSOR:	**AF Evans**

Dear Ms. Jones:

The Department has reviewed the proposed project for compliance with Section 295 of the San Francisco Planning Code. Section 295 restricts new shadow, cast by structures exceeding a height of forty feet, upon property under the jurisdiction of the Recreation and Park Commission.

A shadow fan was developed based on the drawings submitted with the application to determine the shadow impact of the project on properties protected by the Sunlight Ordinance. **The fan indicates that there is no shadow impact from the subject property on any property protected by the Ordinance.** Therefore, this Department concludes that the proposed project is in compliance with Section 295 of the Planning Code.

Please call me at (415) 558-6169 if you have any questions.

Sincerely,

Glenn Cabreros
Planner

Enclosures

c: Michael Jacinto, MEA (w/ enclosures)
Jonas Ionin, NW Quadrant (w/ enclosures)

GC:G:\WP51\2006\PropK\800 Presidio\2006.0868K - 800 Presidio - NoImactLtr.doc

2067

Title: 2006.0868K - 800 Presidio Avenue - Shadow Study

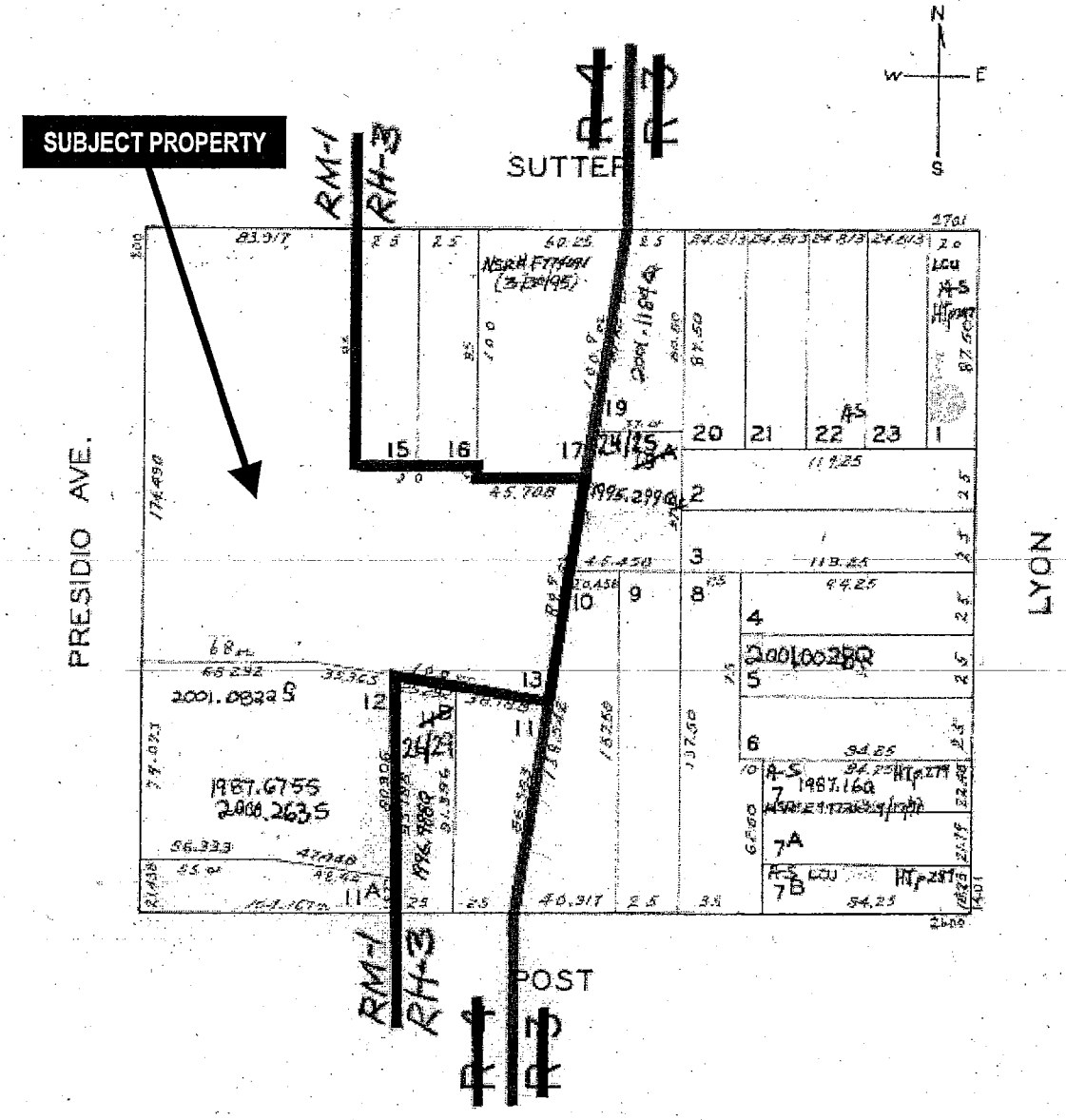
Comments: Booker T. Washington Community Service Center
55-foot buidling height assumed for entire lot.

Printed: 20 April, 2011

0 225 450 675 900 Feet

The City and County of San Francisco (CCSF) does not guarantee the accuracy, adequacy, completeness or usefulness of any information. CCSF provides this information on an "as is" basis without warranty of any kind, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.

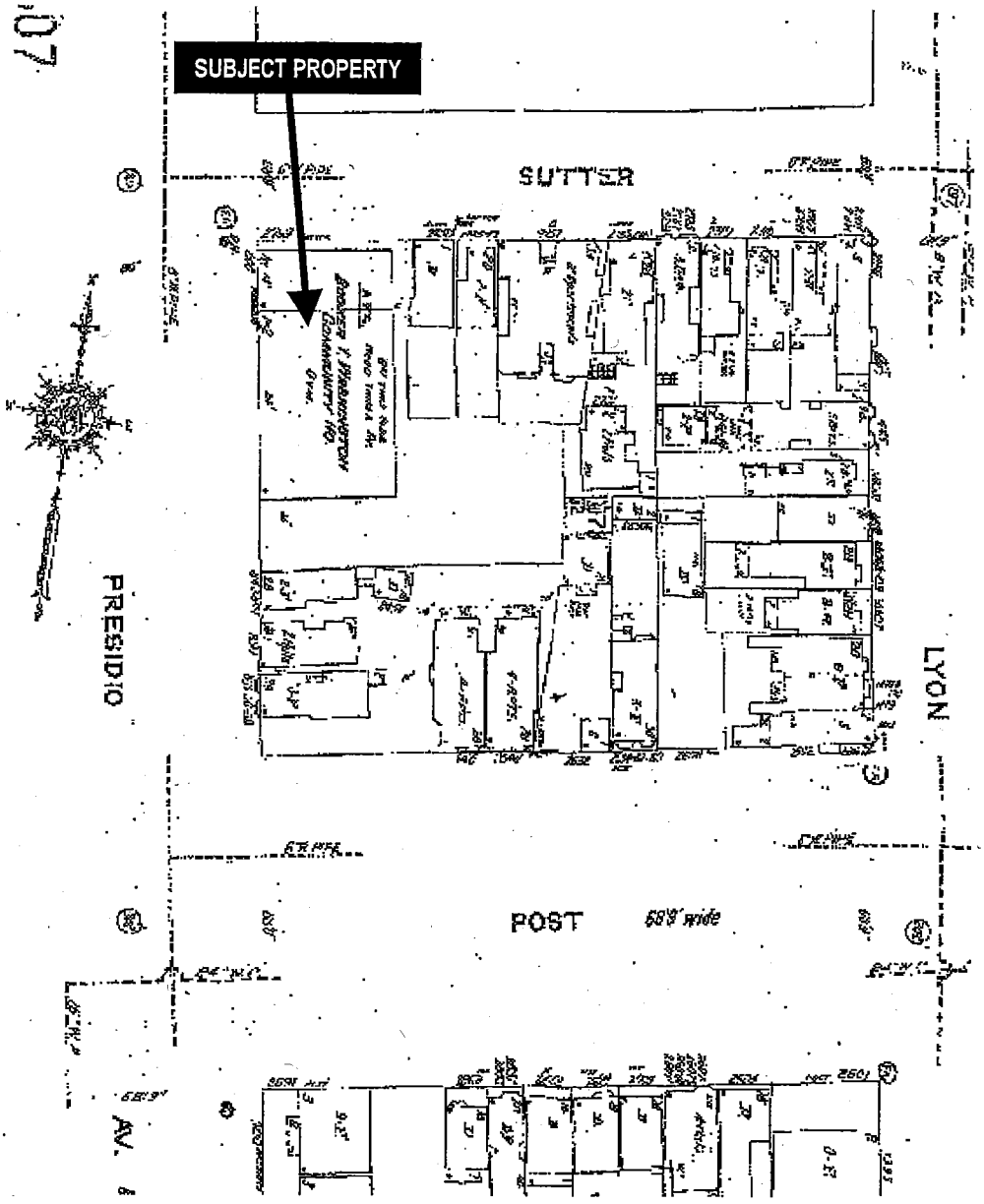
Parcel Map



Planning Commission Hearing
Case Number 2006.0868CEKTZ
Booker T. Washington Community Center
800 Presidio Avenue

SAN FRANCISCO
PLANNING DEPARTMENT

Sanborn Map*



*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Planning Commission Hearing
Case Number 2006.0868CEKTZ
Booker T. Washington Community Center
800 Presidio Avenue

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Aerial Photo 1

Planning Commission Hearing
Case Number 2006.0868CEKTZ
Booker T. Washington Community Center
800 Presidio Avenue

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Aerial Photo 2

Planning Commission Hearing
Case Number 2006.0868CEKTZ
Booker T. Washington Community Center
800 Presidio Avenue

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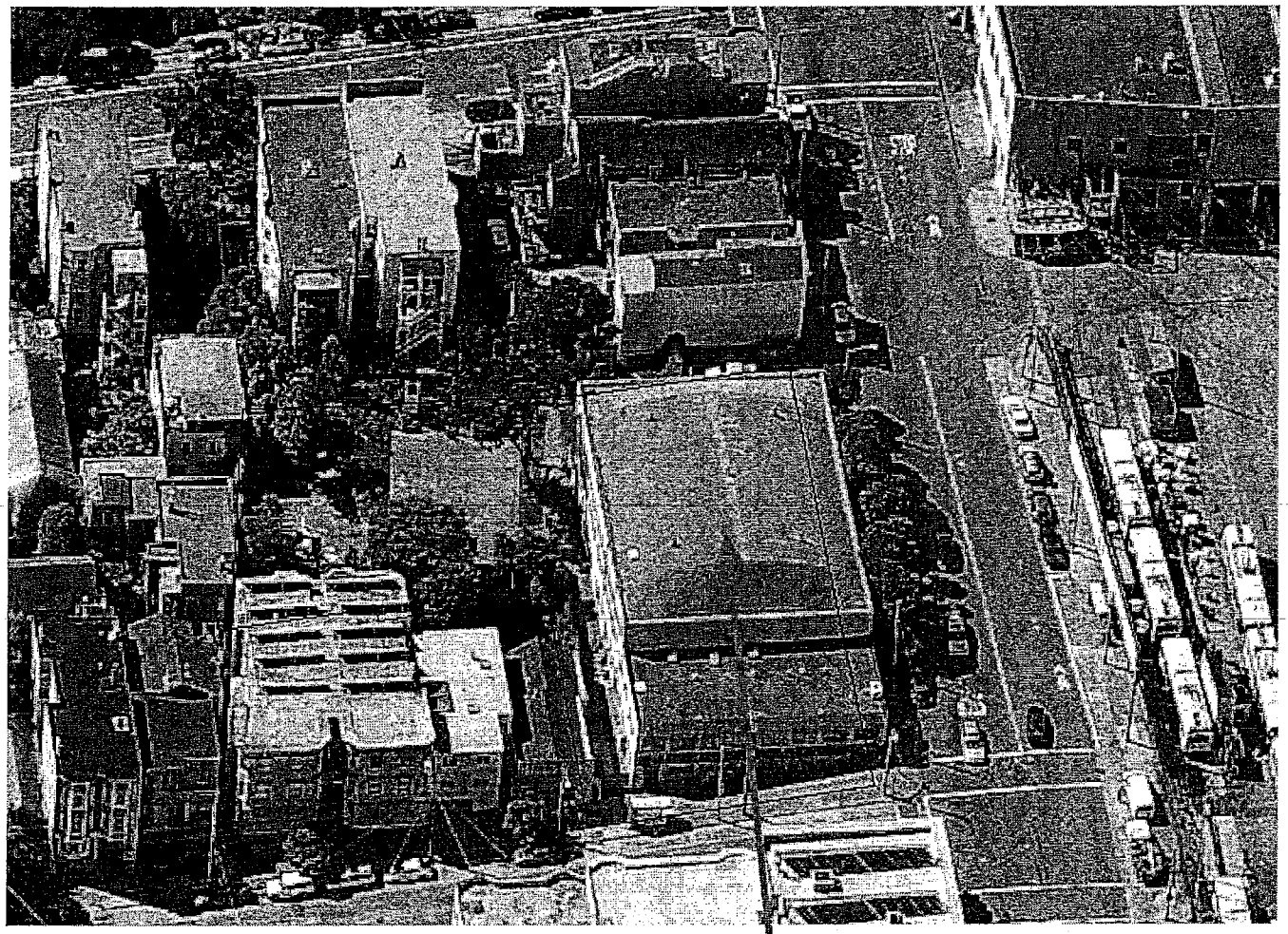
Aerial Photo 3



Planning Commission Hearing
Case Number 2006.0868CEKTZ
Booker T. Washington Community Center
800 Presidio Avenue

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Aerial Photo 4

Planning Commission Hearing
Case Number 2006.0868CEKTZ
Booker T. Washington Community Center
800 Presidio Avenue

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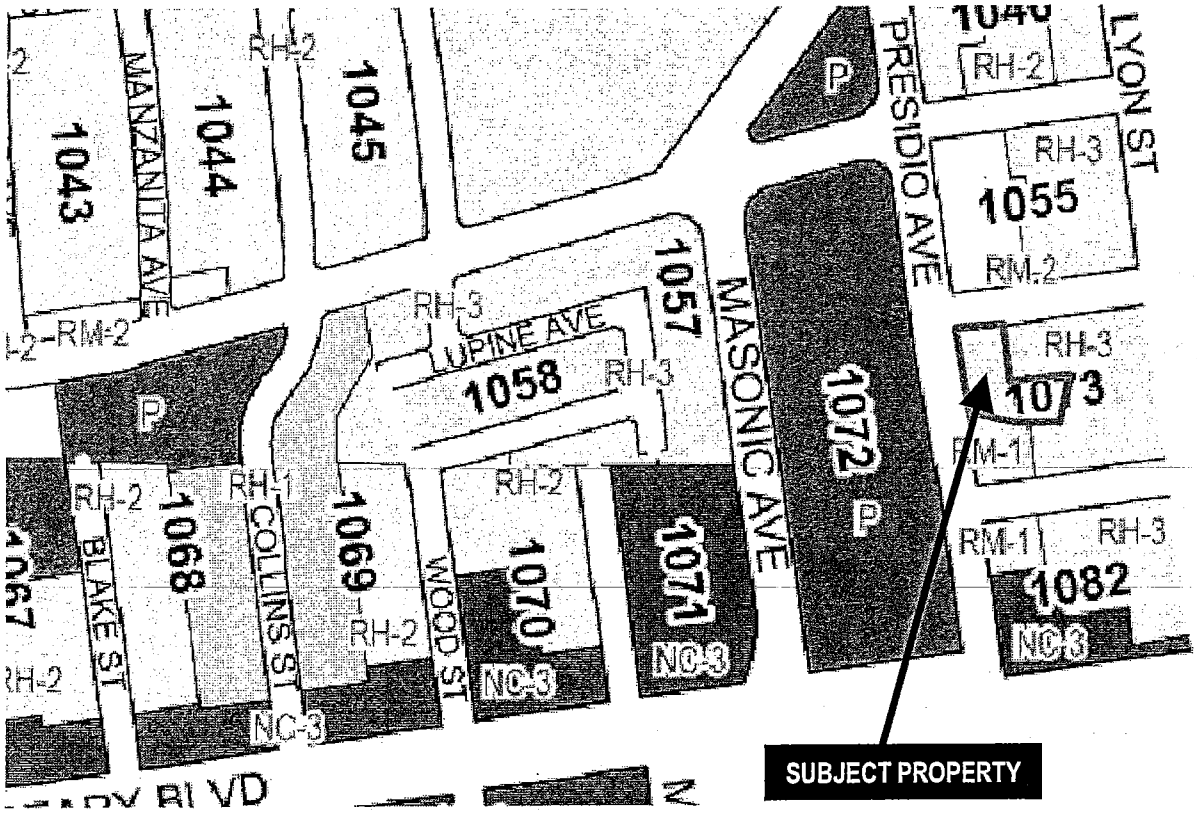
Zoning Map



Planning Commission Hearing
Case Number 2006.0868CEKTZ
Booker T. Washington Community Center
800 Presidio Avenue

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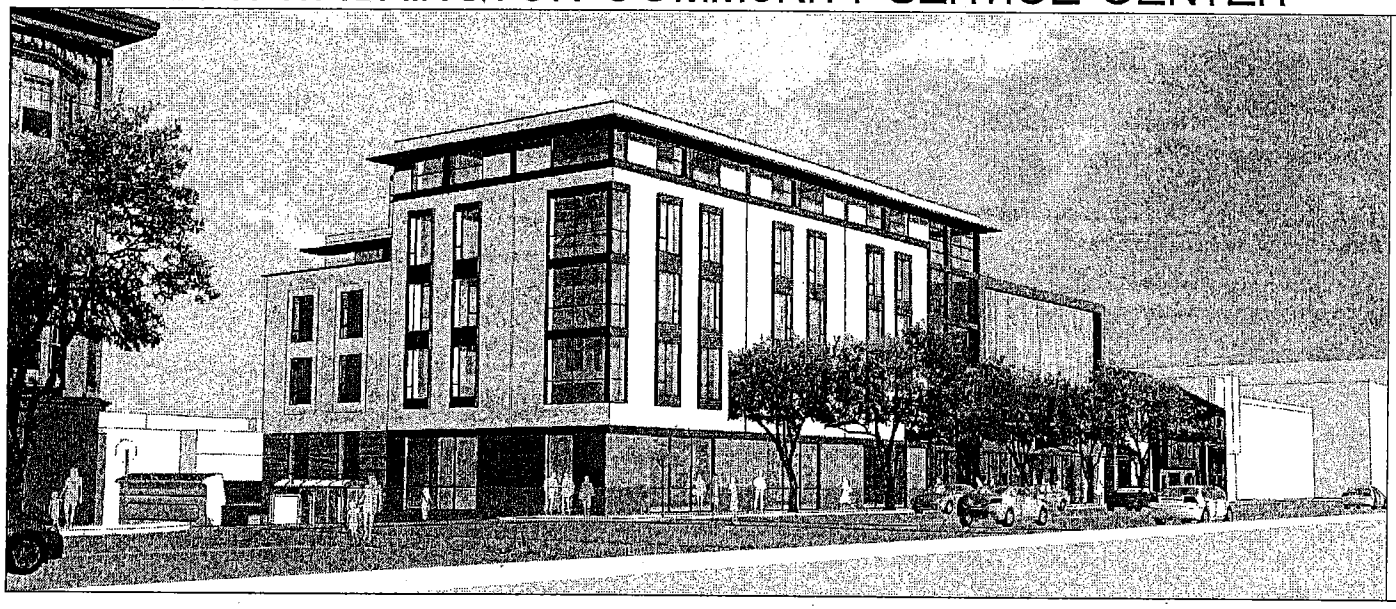
BOOKER T. WASHINGTON COMMUNITY SERVICE CENTER



SHEET INDEX

	TITLE BLOCK
	DATA SHEET
A1	SITE PLAN
A2	BASEMENT PLAN
A3	REAR YARD PLAN
A4	FIRST FLOOR PLAN
A5	SECOND FLOOR PLAN
A6	THIRD FLOOR PLAN
A7	FOURTH FLOOR PLAN
A8	FIFTH FLOOR PLAN
A9	SECTIONS
A10	BUILDING HEIGHT TO STREET WIDTH RATIO
A11	MASSING RELATIONSHIP
A12	CONTEXT PHOTOGRAPHS
A13	CONTEXT PHOTOGRAPHS
A14	CONTEXT ELEVATIONS
A15	BUILDING ELEVATION
A16	BUILDING ELEVATION
A17	BUILDING ELEVATION
A18	BUILDING ELEVATION
A19	PERSPECTIVE
A20	PERSPECTIVE
A21	PERSPECTIVE
A22	PERSPECTIVE
A23	PERSPECTIVE
A24	PERSPECTIVE
A25	PERSPECTIVE
A26	PERSPECTIVE
A27	PERSPECTIVE

LAND USE

LUCE FORWARD
121 SPEAR STREET
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PROJECT SPONSOR

BOOKER T. WASHINGTON
800 PRESIDIO AVENUE
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CONTACT: PATRICIA SCOTT
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DEVELOPER

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ARCHITECT

BRAND + ALLEN ARCHITECTS, INC.
601 CALIFORNIA ST., SUITE 1200
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T: 415.441.0789
CONTACT: STEVE PERRY
E-MAIL: S.PERRY@BRANDALLEN.COM

PLANNING COMMISSION SUBMISSION
APRIL 20, 2011

B+A
BRAND + ALLEN ARCHITECTS

Planning Code Analysis

Assessors Parcel Number	
Block 1073, Lot 013	
Lot Size	
22,363 sf.	
Historic Status	
None	
Use District	
SFPC Map ZN3	RM-1
PUD Use District Map ZN3	RM-2
Height	
SFPC Map HT3	**Requirement:** 40'-0" **Proposed:** 55'-0" (Noncompliant with code)
Bulk	
SFPC Table 270 Map HT3	**Requirement:** X (No Limitations)
Floor Area Ratio	
SFPC sec. 124	**Requirement:** RM1: 1.8 to 1
SFPC sec. 125 a.	Corner Lot Premium: Lot x 25% increase
SFPC sec 124 b	FAR shall not apply to residential **Proposal:** 22,363 x 1.8 = 40,253 allowable area 22,363 x 25% = 5,591 27,954 x 1.8 = 50,317 allowable area Gross Bldg Area = 68,208 s.f. Residential Area = 32,021 s.f. 38,185applied to FA< 50,317 allowable
Rear Yard Set Back	
SFPC sec.134.c.4.A	**Requirement:** Corner Lots: forward edge of the required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building. **Proposal:** Noncompliance with Code
Open Space	
SFPC Table 135A	**Requirement:** RM1: 133 s.f. of usable open space required for each dwelling unit = 50 x 133 = 6,650 **Proposal:** Roof top open space = 2,464 s.f. < 6,650 s.f. Noncompliant with code
State Reg. 101238.2 Outdoor Activity Space for Child Care Centers	**Requirement:** 75 s.f. required for each child = 24 x 75 = 1800 s.f. **Proposal:** 1,600 s.f. Outdoor Activity Space for Child Care
Street Trees	
SFPC sec. 138.1	**Requirement:** Be a minimum of one tree of 24-inch box size for each 20 feet of frontage of the property along each street **Proposal:** Compliance along Presidio Ave. (9 trees) Noncompliance along Sutter due MUNI poll, City High Voltage Electrical Pull Box, and bus stop
Dwelling Unit Exposure	
SFPC sec. 140	**Requirement:** DU must face directly onto an open area no less then 25' from the window line **Proposal:** 21 Units will be noncompliant with code

Off Street Parking Schedule

SFPC sec. 151	**Required:**
Residential	0 None required in an affordable housing projects
Child Care	0 Child care will not exceed 24 children.
Community Center	6 Per SFPD approval
Gym	13 One for each 15 seats (175 seats provided)
Office	0 None req. under 5000 sq. ft.
Storage	0 None required under 10,000 sq. ft.
	Proposed:
	19 Parking Stalls Required, 21 Parking Stalls Proposed

Off Street Loading

SFPC sec. 152	**Requirement:** Apartment Use: 0-100,000 sq. ft. = 0
	Proposed: None

Bicycle Parking

Table 155.5	**Requirement:** 0-50 Dwelling Units: 1 Class 1 bicycle space for every 2 dwelling units = 50/2= 25
	Proposal: 25

Car-Share

Table 166 SFPC sec. 166 C	**Requirement:** 50-200 residential units req. 1 car share space. Space must be accessible to non-resident subscribers from outside the building.
	Proposal: 2 Car Share Space

Permitted Uses

SFPC sec. 201	Residential: Permitted
SFPC sec. 209.3.d	Social Services or philanthropic facility: Permitted
SFPC sec. 209.3.f	Child Care: Permitted with CUP
SFPC sec. 209.4.a	Community Center: Permitted with CUP

Unit Density

SFPC sec. 209.1.I (RM1)	RM1: 1 unit per 800 s.f. = 28
SFPC sec. 209.1.I (RM2 per PUD)	**Required:** RM2: 1 unit per 600 s.f. = 37.27
	Proposal: 50 Units 50>37 Noncompliant with code

Shadow Study

SFPC sec. 295	New construction over 40' is subject to a shadow study.

Planned Unit Development

SFPC sec.304 & 209.9	**Requirement:** A tract or parcel of land may be determined a Planned Unit Development if the area is not less than 1/2 acre. (>21,780)
	Proposal: Permitted with CUP

Dwelling Units

	Unit A	Unit B	Unit C	Unit D	Unit E	Unit F	Total
	775 S.F. 2 Bdroom	385 S.F. Studio	432 S.F. 1 Bdroom	450 S.F. Studio	616 S.F. 1 Bdroom	350 S.F. Studio	
Basement	n/a	n/a	n/a	n/a	n/a	n/a	0
First Floor	1	4	n/a	n/a	n/a	n/a	5
Second Floor		6	1	5	n/a	n/a	12
Third Floor	1	4	1	5	n/a	n/a	11
Fourth Floor	n/a	5	1	5	1	n/a	12
Fifth Floor	n/a	n/a	1	5	1	3	10
Total:	2	19	4	20	2	3	50

Program Area: Proposed Project

	Parking	Residential	Commons & 1st Fl.	Residential Storage Bike Storage	Child Care	Gymnasium	Circulation	Utilities	Community Center	Total Gross Square Footage
Basement	6,717			3,530	1,691		896	1,113	1,689	15,636
First Floor		3,440	2,869				1,212		7,726	15,247
Second Floor		6,370				7,506	542		860	15,278
Third Floor		6,370					542		1,254	8,166
Fourth Floor		7,037					374			7,411
Fifth Floor		5,935					374			6,309
Total:	6,717	29,152	2,869	3,530	1,691	7,506	3,940	1,113	11,529	68,047

Gross Building Area: Proposed Project

Comm. Cntr.	27,221
Residential	32,990
Parking	6,717
Utilities	1,113
	68,047

Occupied Floor Area

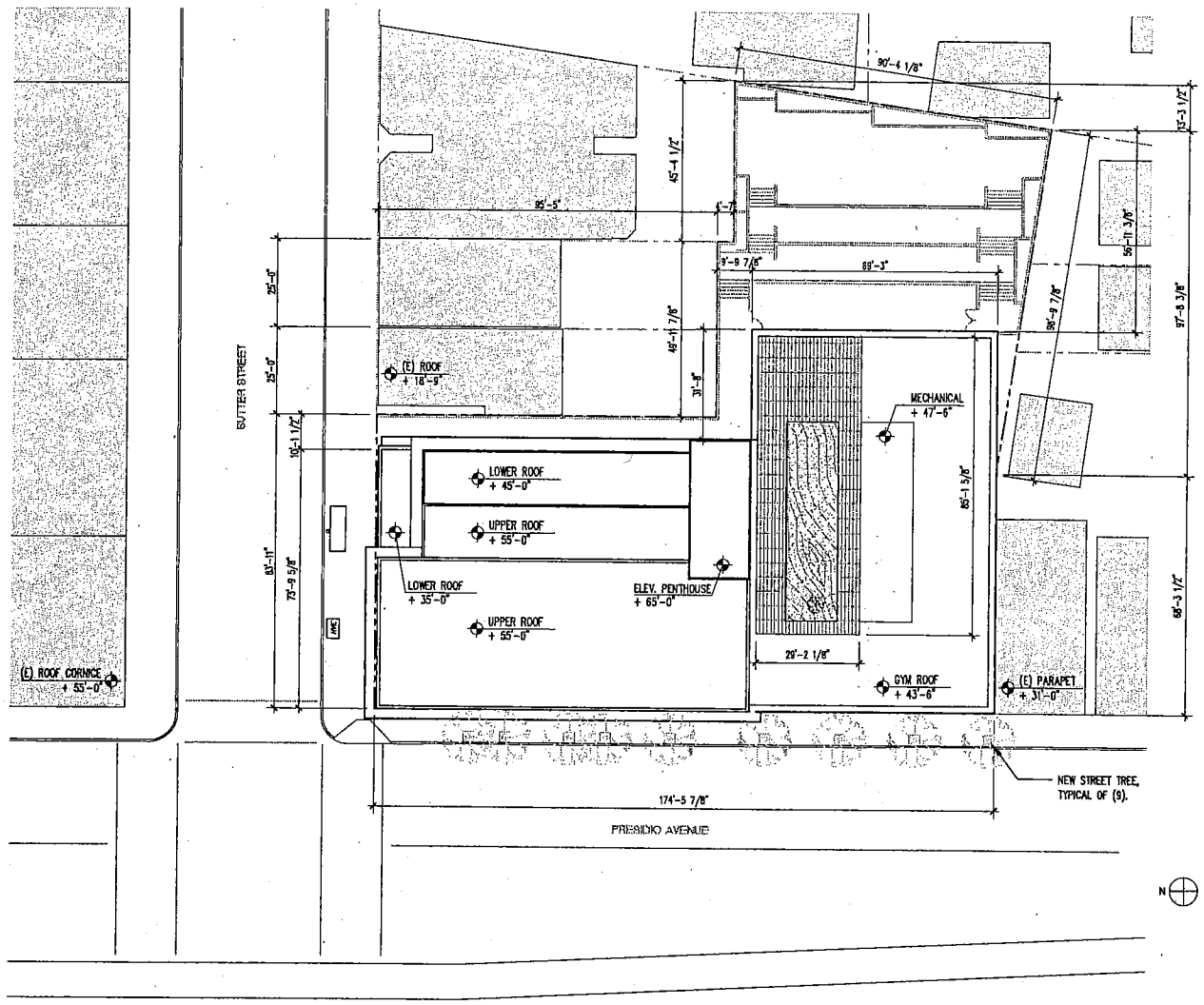
Admin. / Office	1,870
Teen Center	609
Youth Radio	400
After School	1996
Street Tech.	495
Child Care	1500

Building Area: Existing Building

	Parking	Residential	Commons & 1st Fl.	Residential Storage Bike Storage	Child Care	Gymnasium	Circulation	Utilities	Community Center	Total Gross Square Footage
Basement									3,925	3,925
First Floor						7,450			2,370	9,820
Total:	0	0	0	0	0	7,450	0	0	6,295	13,745

Open Space	
Community Center @ Rear Yard	4,196 s.f.
Child Care - Enclosed Area @ Rear Yard	1,800 s.f.
Residential @ Roof Top	2,500 s.f.

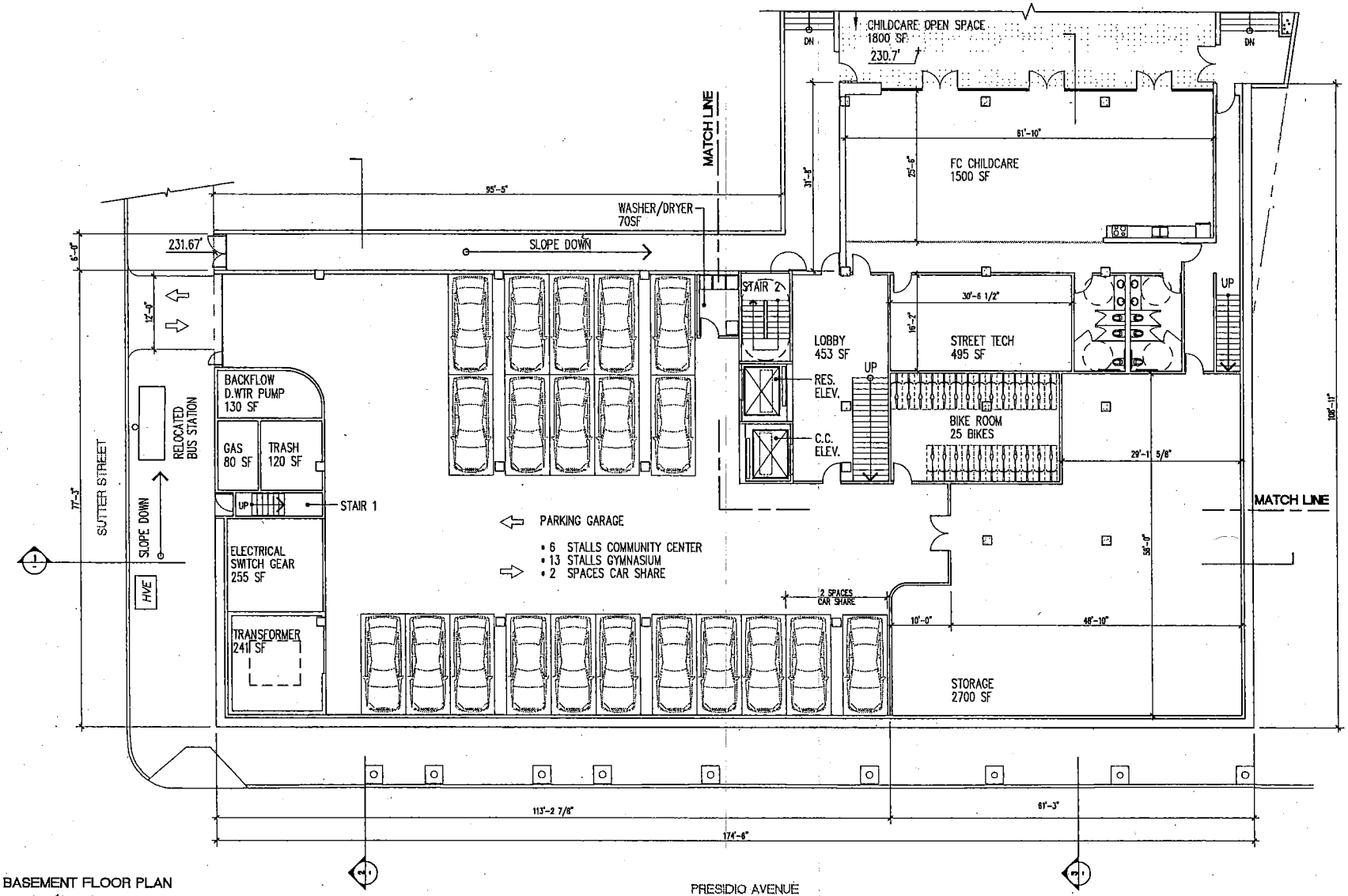
2076



SITE PLAN SCALE 1/32" = 1'-0"

A1

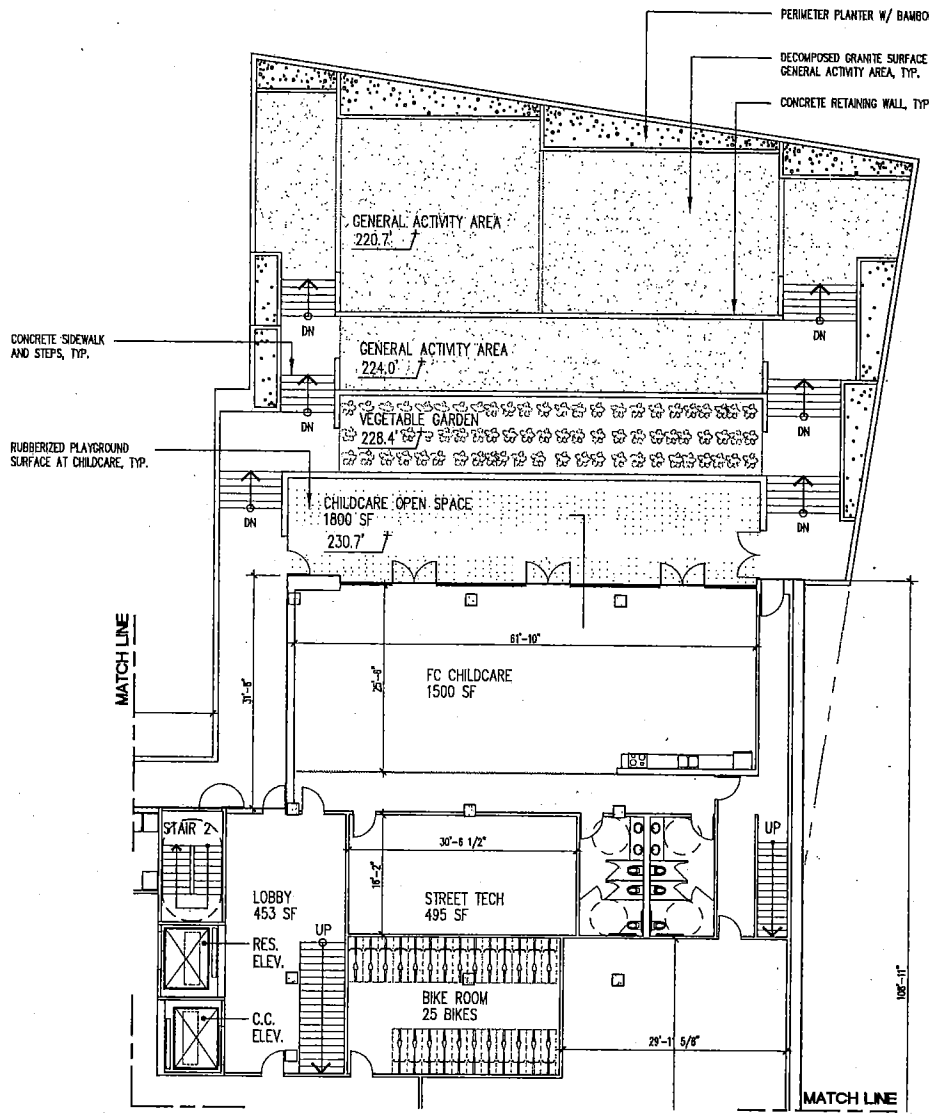
2077



BASEMENT FLOOR PLAN
SCALE 1/16" = 1'-0"

2078

A2



REAR YARD PLAN
SCALE 1/16" = 1'-0"

2079

A3

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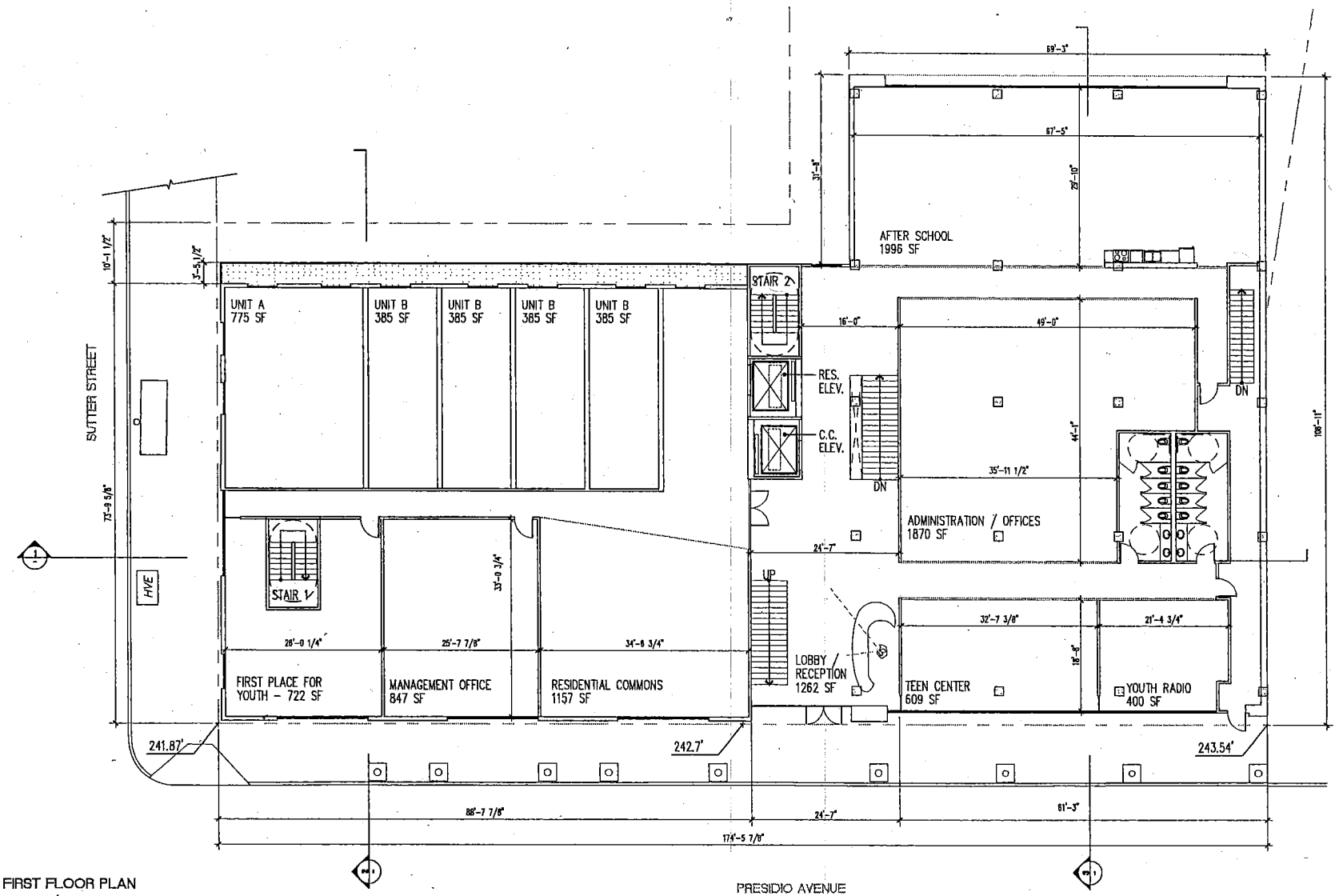
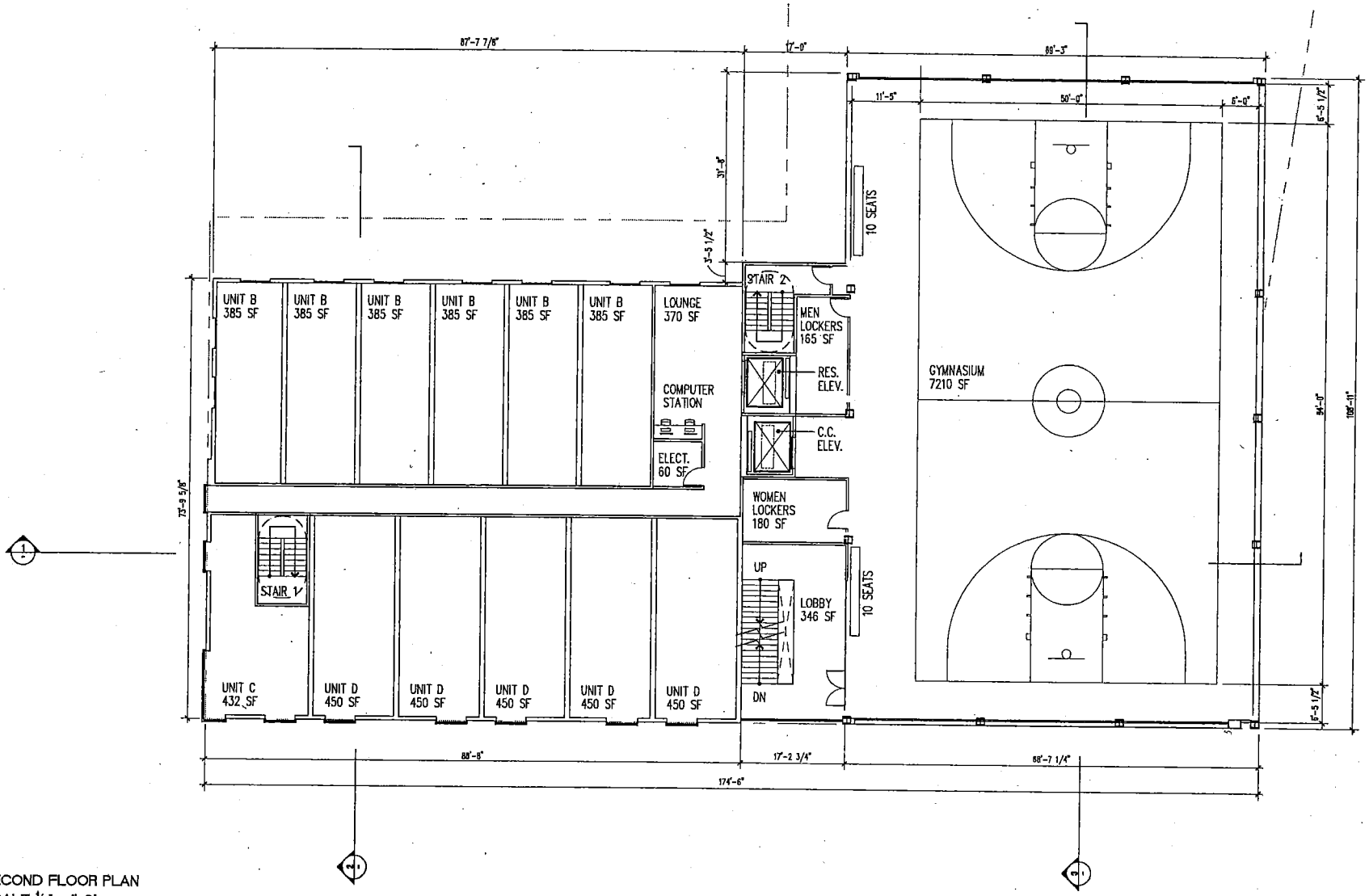


FIRST FLOOR PLAN
SCALE 1/16" = 1'-0"

2080

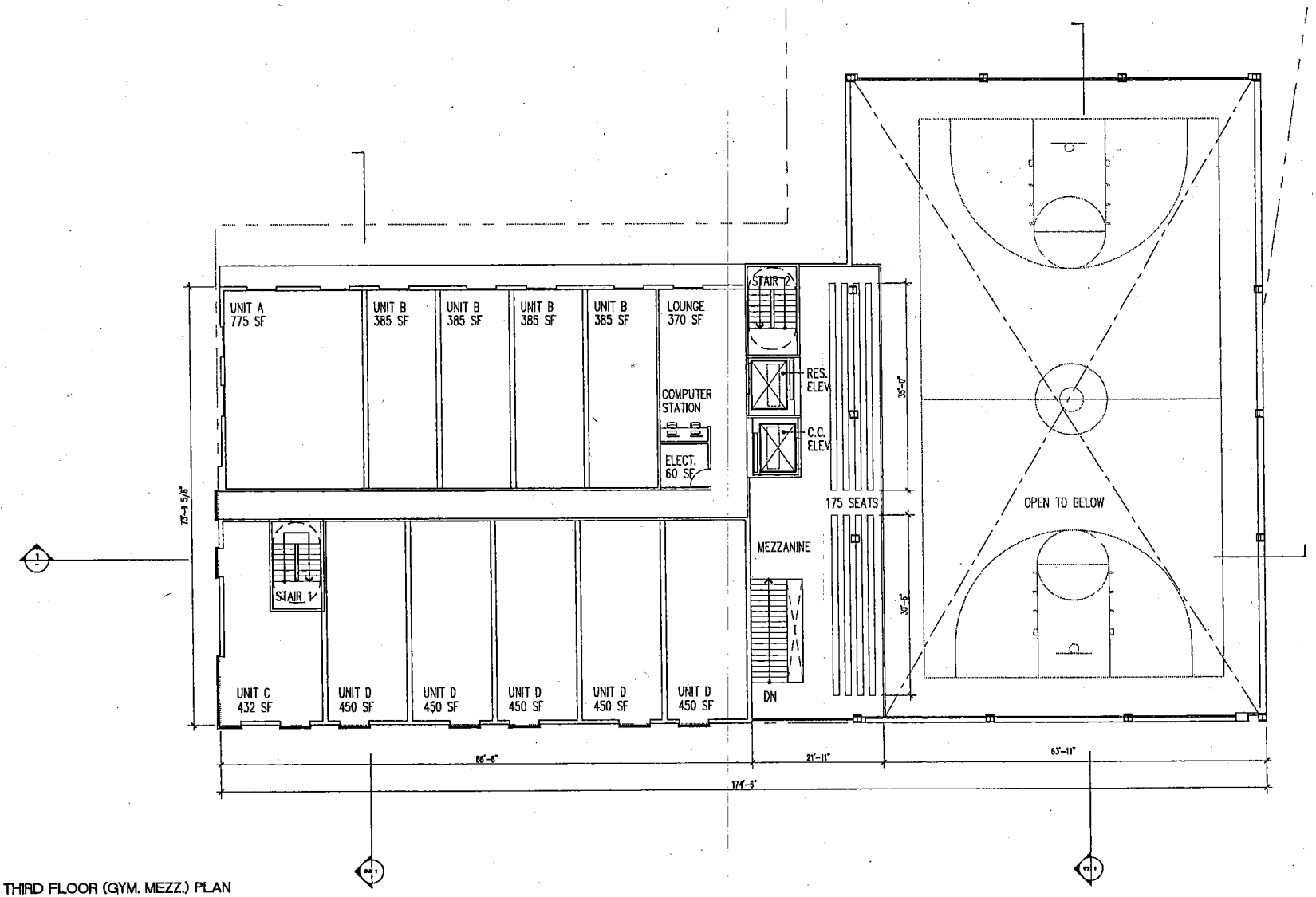
A4



SECOND FLOOR PLAN
SCALE 1/16" = 1'-0"

2081

A5



THIRD FLOOR (GYM. MEZZ.) PLAN
SCALE 1/16" = 1'-0"

A6

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San Francisco, California

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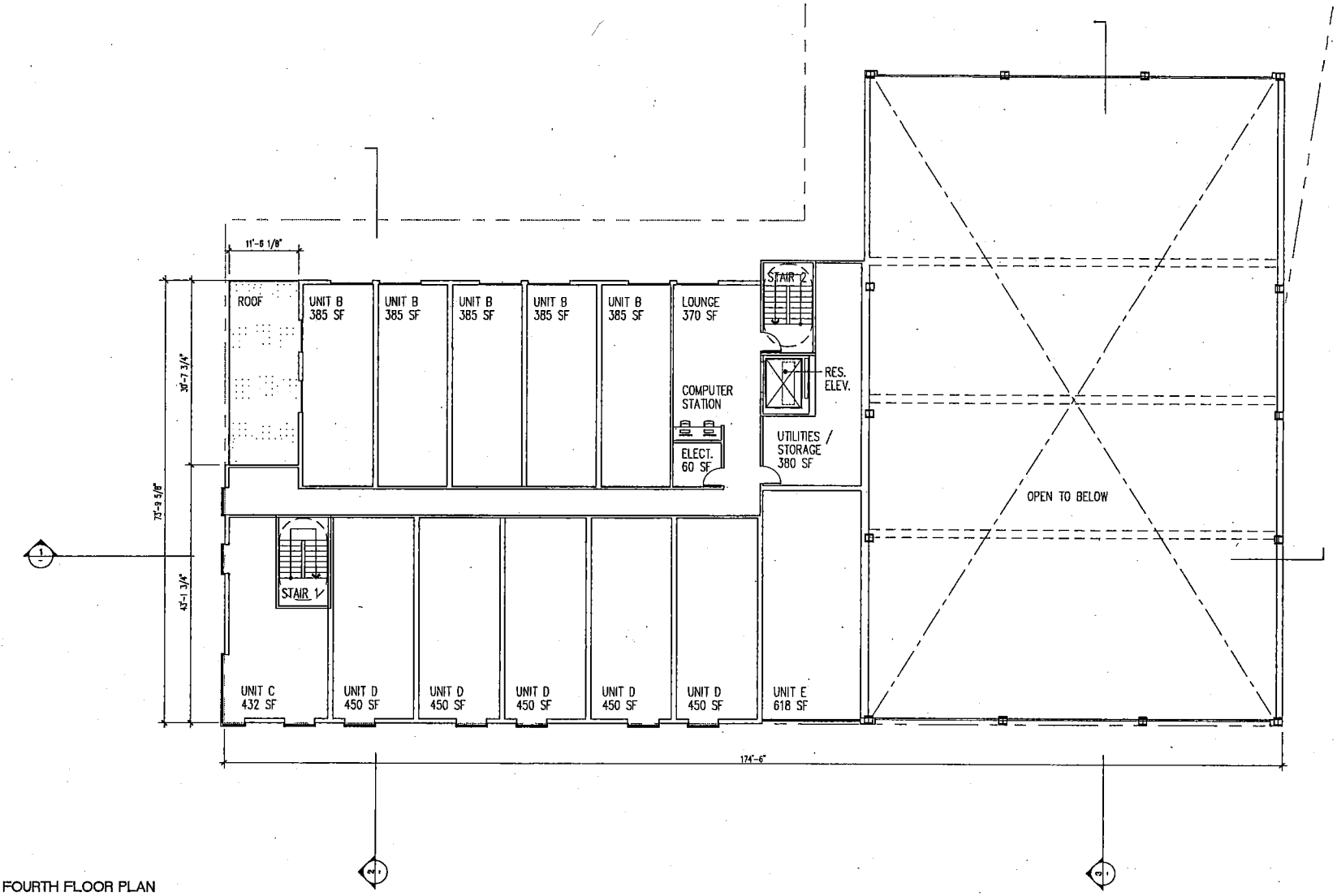
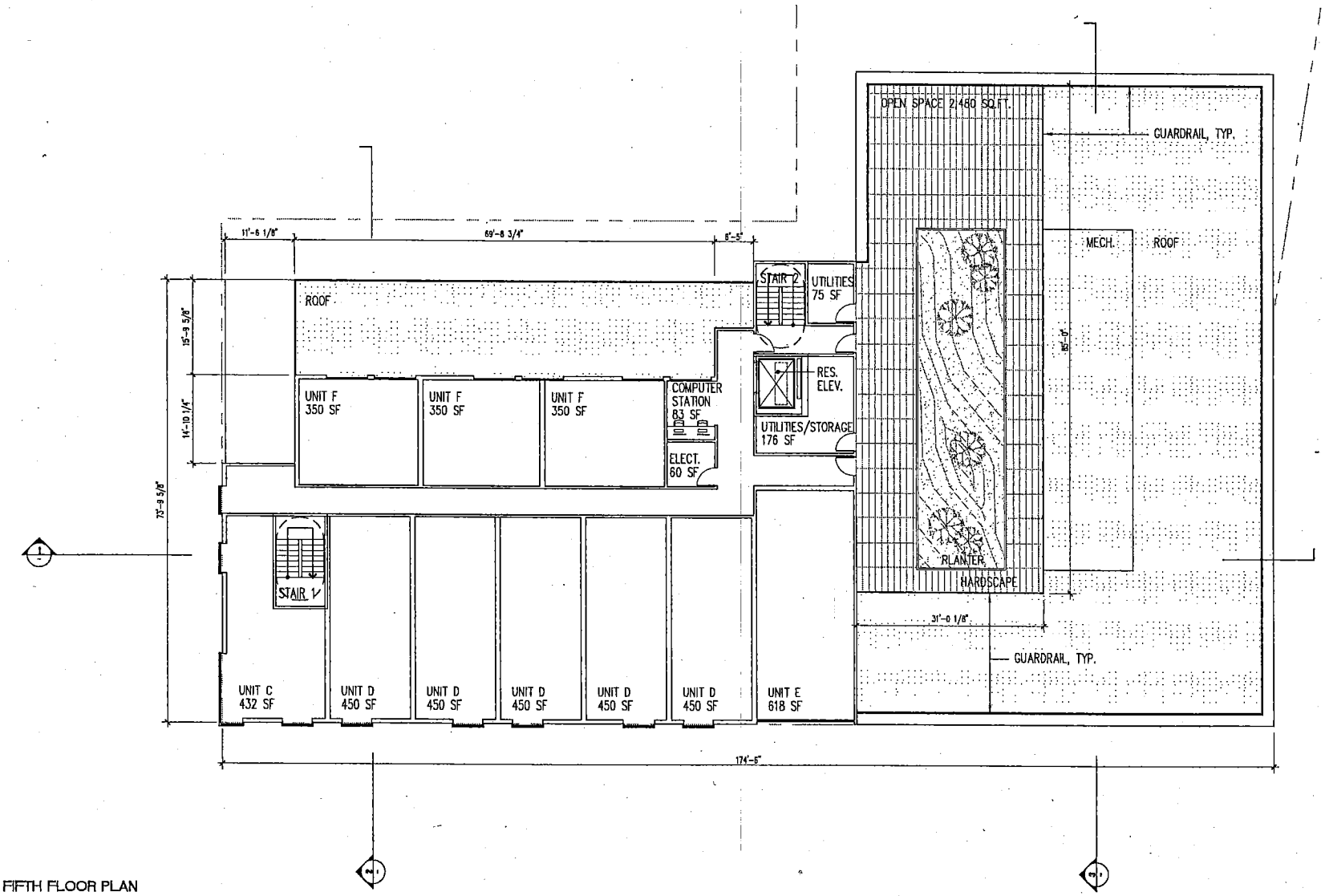
2082



FOURTH FLOOR PLAN
SCALE 1/16" = 1'-0"

2083

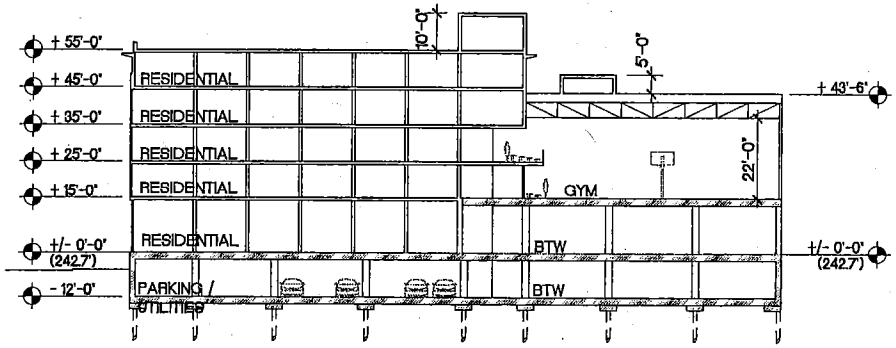
A7



FIFTH FLOOR PLAN
SCALE 1/16" = 1'-0"

2084

A8



SECTION 1

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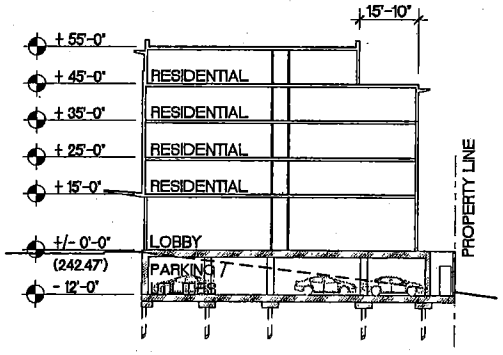

SECTION 2

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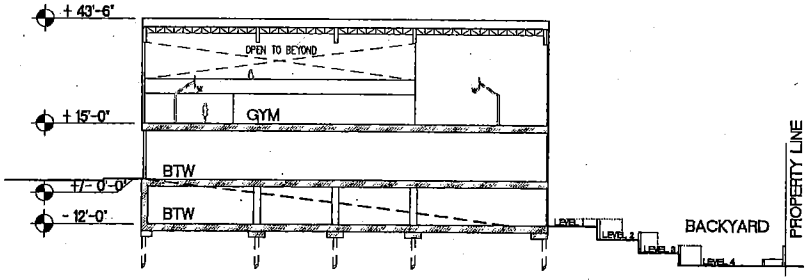
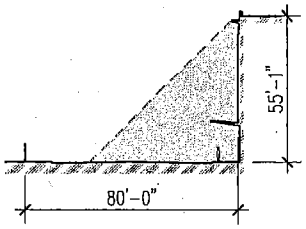


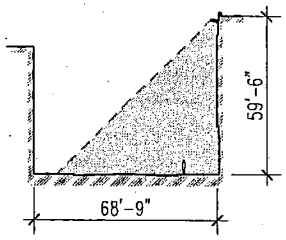
SECTION 3

SCALE: 1/32" = 1'-0"

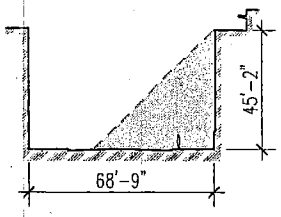
2085



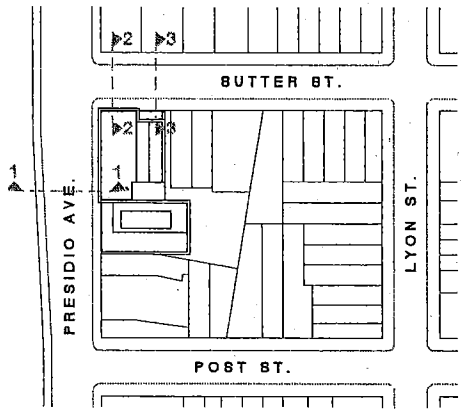
1 - PRESIDIO AVE.



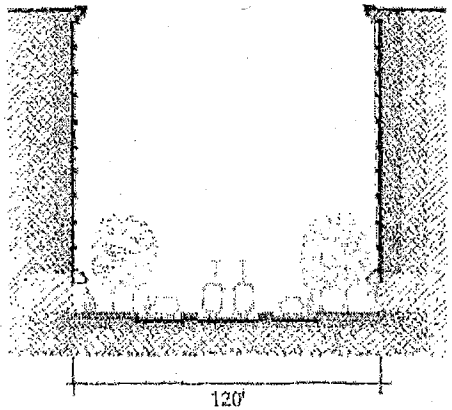
2 - SUTTER ST.



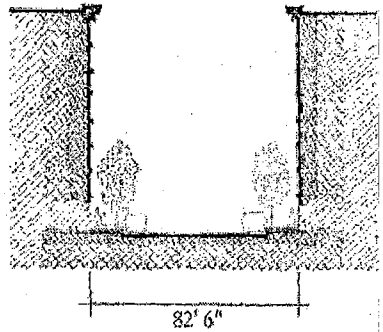
3 - SUTTER ST.



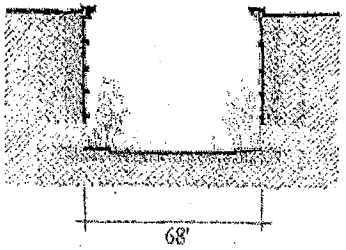
PROPOSED BUILDING HEIGHT TO STREET WIDTH RATIOS



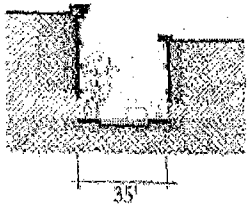
Market Street / Van Ness



South of Market Street



North of Market Street

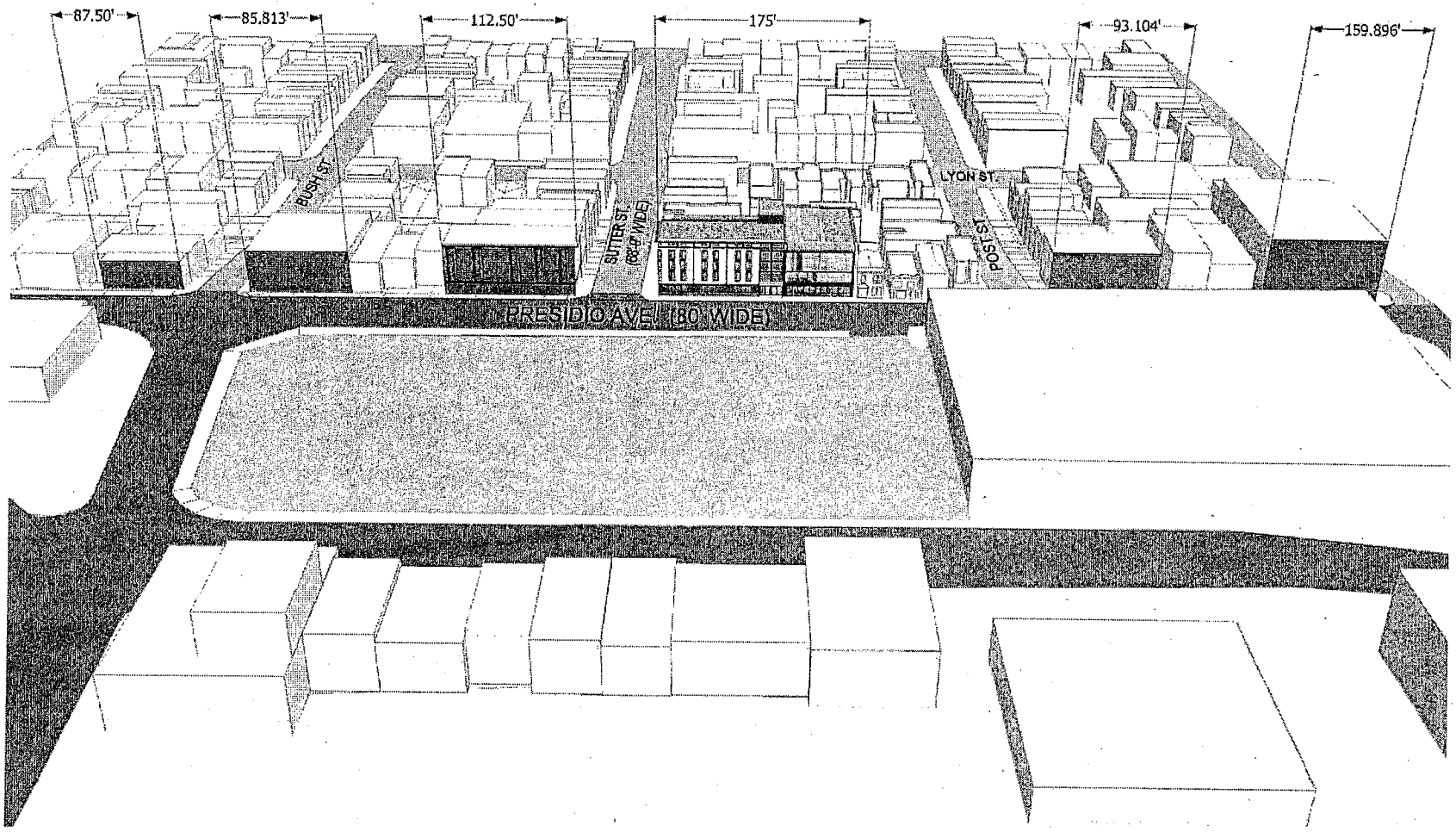


Typical Alley

HISTORICAL BUILDING HEIGHT TO STREET WIDTH RATIOS IN SAN FRANCISCO

IMAGES BY SAN FRANCISCO PLANNING DEPARTMENT

2086

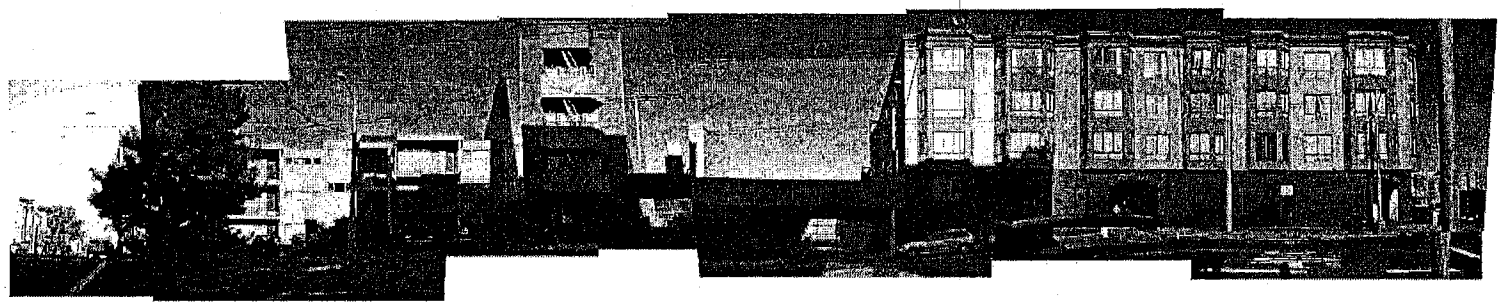

87.50'
85.813'
112.50'
175'
93.104'
159.896'
BUSH ST.
SUTTER ST.
(80' WIDE)
LYON ST.
POST ST.
PRESIDIO AVE. (80' WIDE)

2087

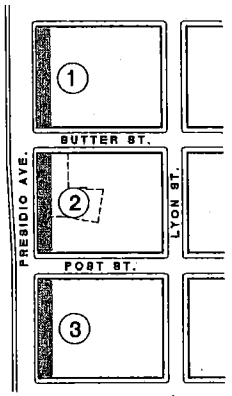
A11

① PRESIDIO EAST ELEVATION

② PRESIDIO EAST ELEVATION

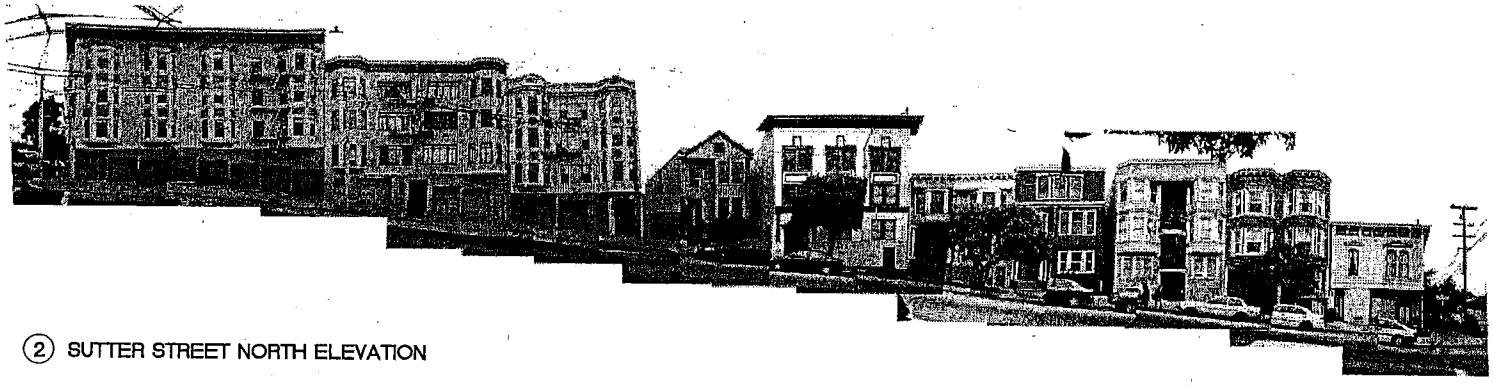


③ PRESIDIO EAST ELEVATION

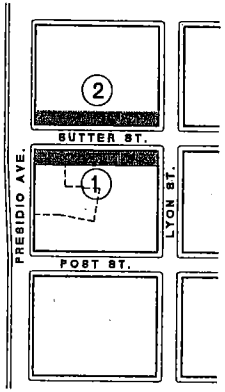


2088

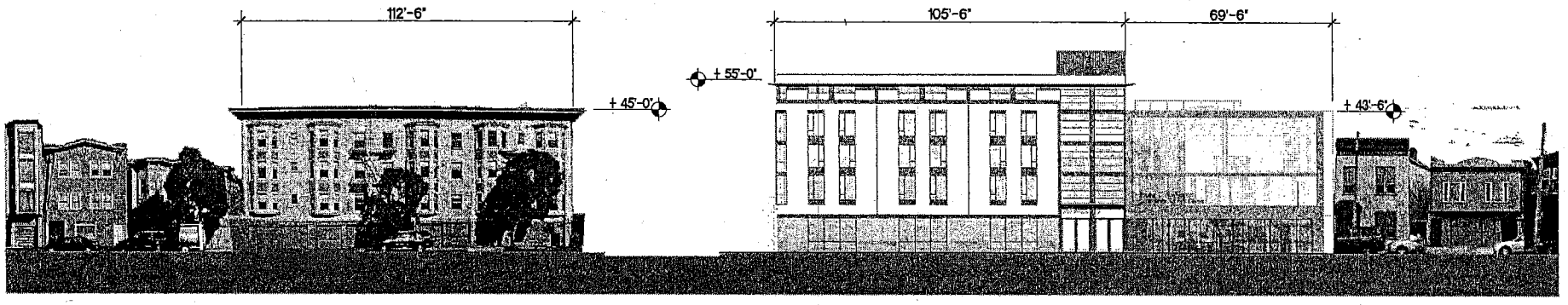
① SUTTER STREET SOUTH ELEVATION



② SUTTER STREET NORTH ELEVATION

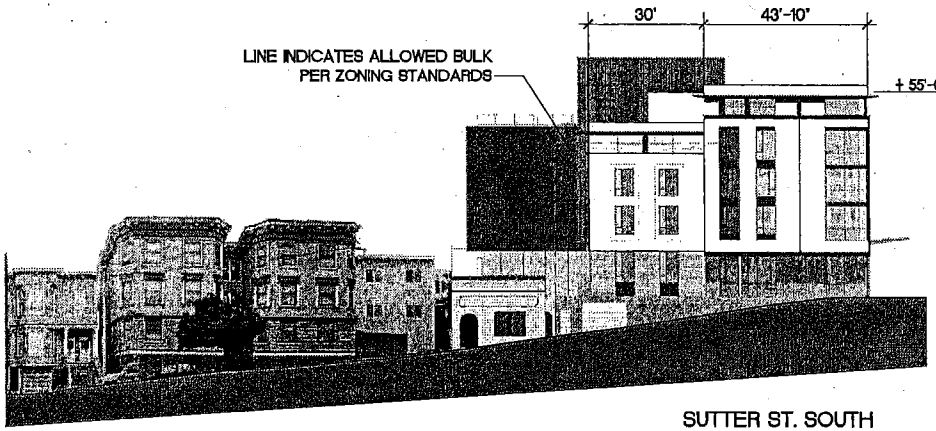


2089

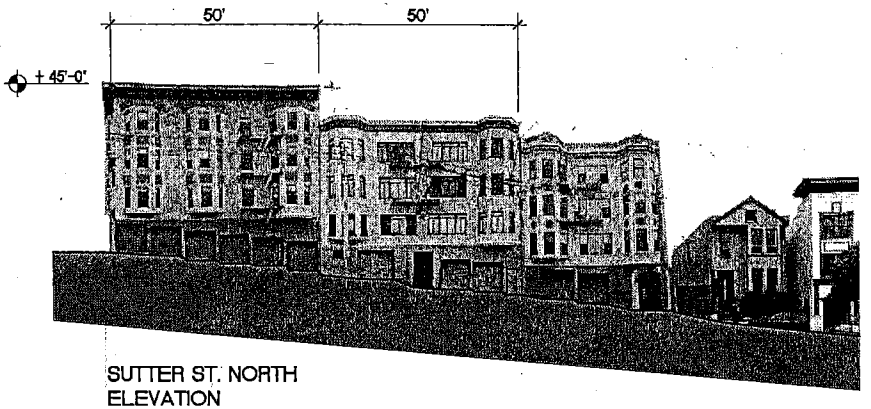


PRESIDIO AVE. EAST
ELEVATION

2090



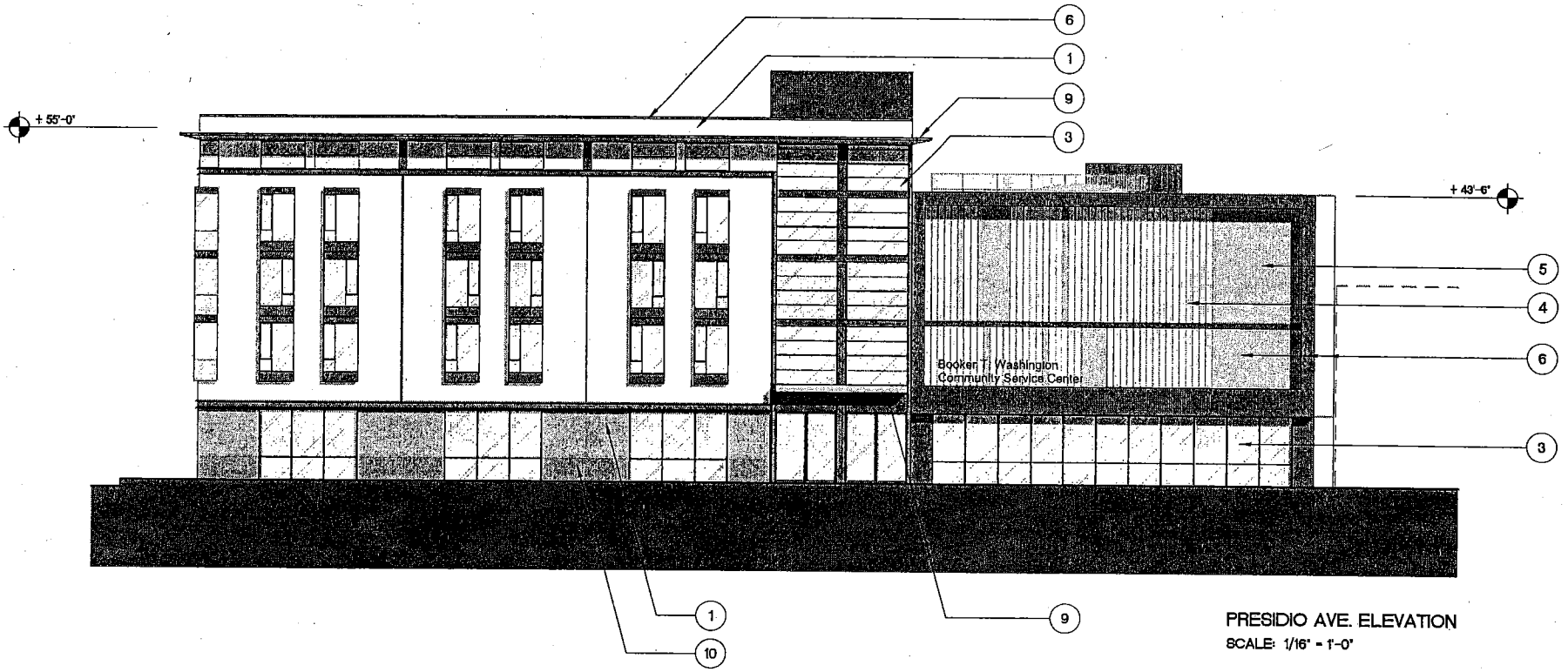
SUTTER ST. SOUTH
ELEVATION



SUTTER ST. NORTH
ELEVATION

LEGEND:

1. EXTERIOR PLASTER ON CAVITY WALL
2. HARDIE PLANK ON CAVITY WALL
3. 1" INSULATED GLASS UNIT W/ ALUM. FRAME
4. DOUBLE GLAZED TRANSLUCENT CHANNEL GLASS W/ INSULATION
5. INSULATED METAL PANEL
6. METAL PANEL
7. CAST IN PLACE CONCRETE
8. GUARDRAIL VERT. PTD STL PICKET, TOP + BOT. RAIL
9. PROJECTED CORNICE W/ MTL. PANEL FINISH
10. EXTERIOR TILE
11. CAST CONCRETE
12. HIGH DENSITY PHENOLIC RESIN PANEL W/ WOOD FINISH



PRESIDIO AVE. ELEVATION
SCALE: 1/16" = 1'-0"

2091

A15

LEGEND:

1. EXTERIOR PLASTER ON CAVITY WALL
2. HARDIE PLANK ON CAVITY WALL
3. 1" INSULATED GLASS UNIT W/ ALUM. FRAME
4. DOUBLE GLAZED TRANSLUCENT CHANNEL GLASS W/ INSULATION
5. INSULATED METAL PANEL
6. METAL PANEL
7. CAST IN PLACE CONCRETE
8. GUARDRAIL VERT. PTD STL PICKET, TOP + BOT. RAIL
9. PROJECTED CORNICE W/ MTL. PANEL FINISH
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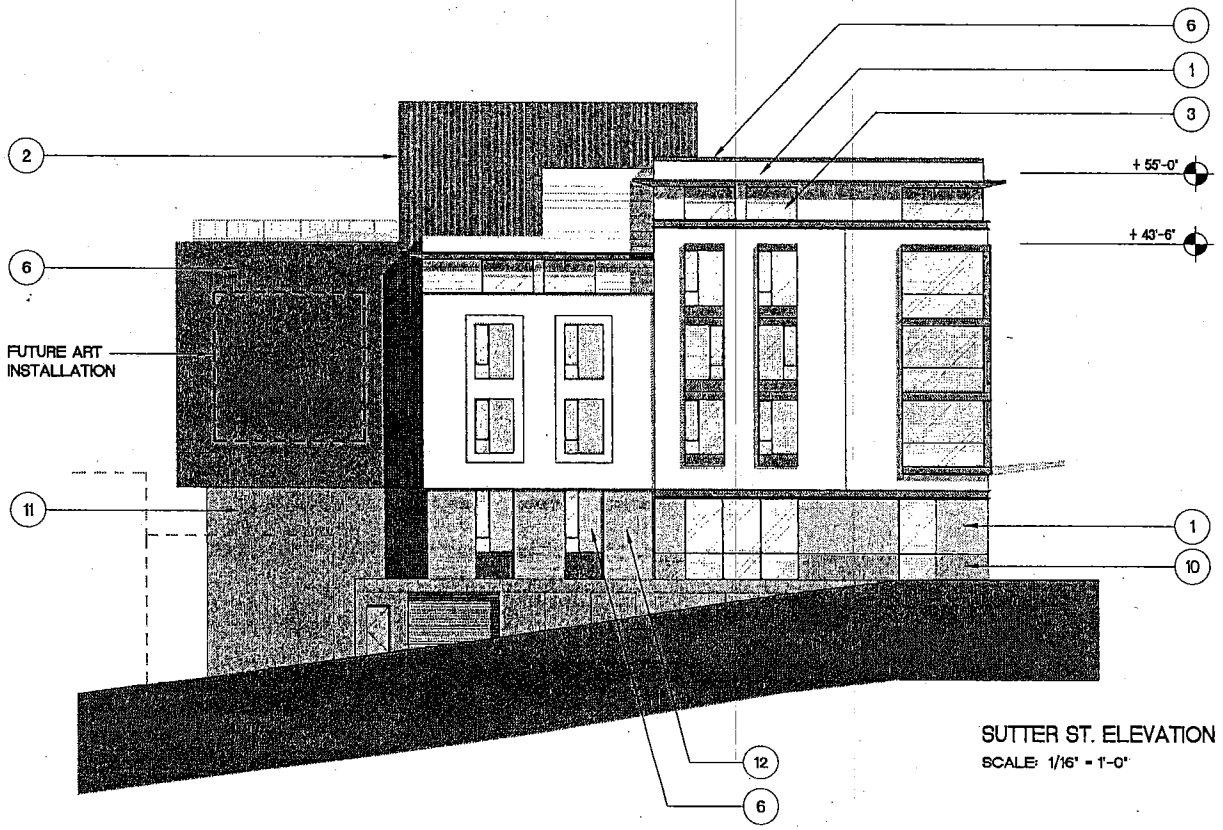
12. HIGH DENSITY PHENOLIC RESIN PANEL W/ WOOD FINISH



SUTTER ST. ELEVATION

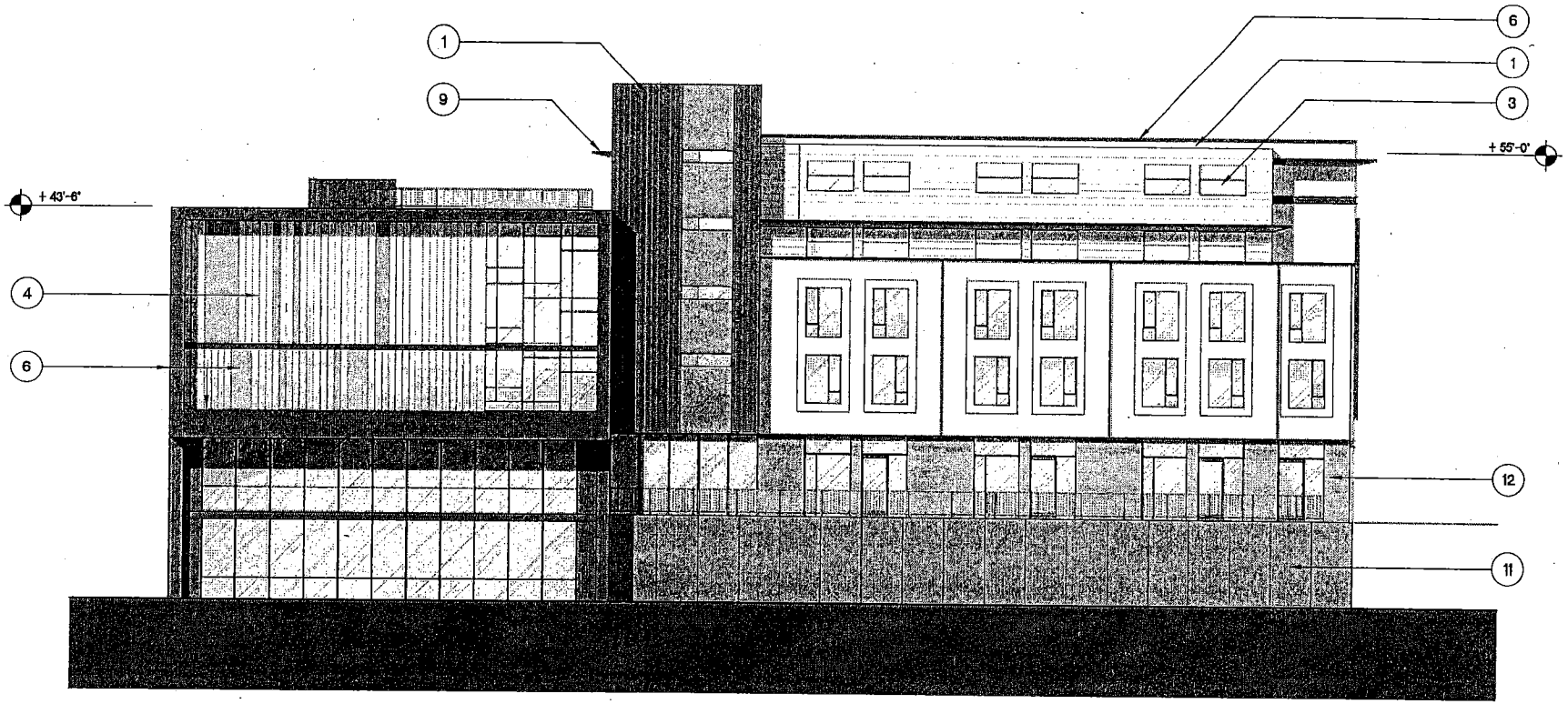
SCALE: 1/16" = 1'-0"

2092

A16

LEGEND:

1. EXTERIOR PLASTER ON CAVITY WALL
2. HARDIE PLANK ON CAVITY WALL
3. 1" INSULATED GLASS UNIT W/ ALUM. FRAME
4. DOUBLE GLAZED TRANSLUCENT CHANNEL GLASS W/ INSULATION
5. INSULATED METAL PANEL
6. METAL PANEL
7. CAST IN PLACE CONCRETE
8. GUARDRAIL VERT. PTD STL PICKET, TOP + BOT. RAIL
9. PROJECTED CORNICE W/ MTL. PANEL FINISH
10. EXTERIOR TILE
11. CAST CONCRETE
12. HIGH DENSITY PHENOLIC RESIN PANEL W/ WOOD FINISH



REAR YARD ELEVATION

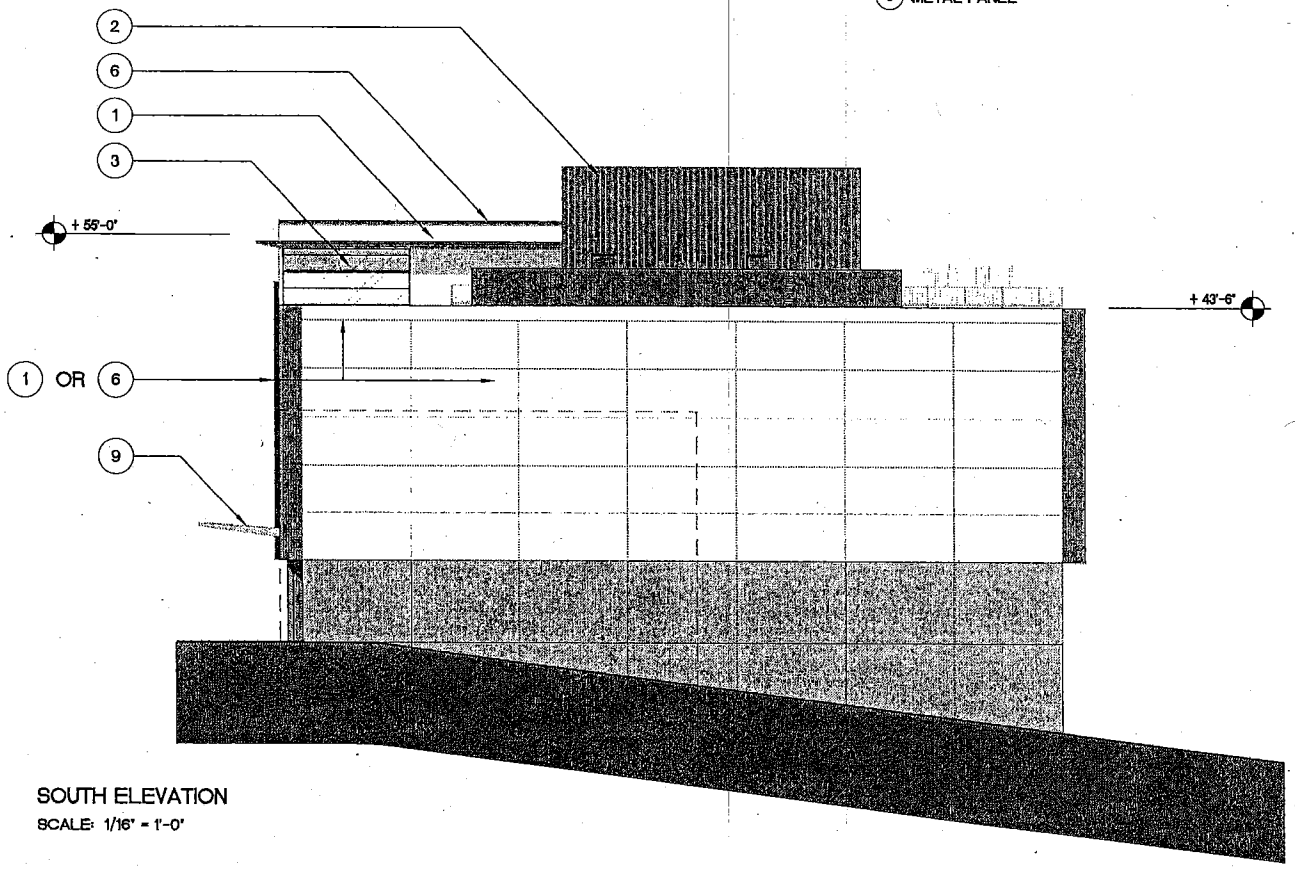
SCALE: 1/16" = 1'-0"

A17

2093

LEGEND:

1. EXTERIOR PLASTER ON CAVITY WALL
2. HARDIE PLANK ON CAVITY WALL
3. 1" INSULATED GLASS UNIT W/ ALUM. FRAME
4. DOUBLE GLAZED TRANSLUCENT CHANNEL GLASS W/ INSULATION
5. INSULATED METAL PANEL
6. METAL PANEL
7. CAST IN PLACE CONCRETE
8. GUARDRAIL VERT. PTD STL PICKET, TOP + BOT. RAIL
9. PROJECTED CORNICE W/ MTL. PANEL FINISH
10. EXTERIOR TILE
11. CAST CONCRETE
12. HIGH DENSITY PHENOLIC RESIN PANEL W/ WOOD FINISH

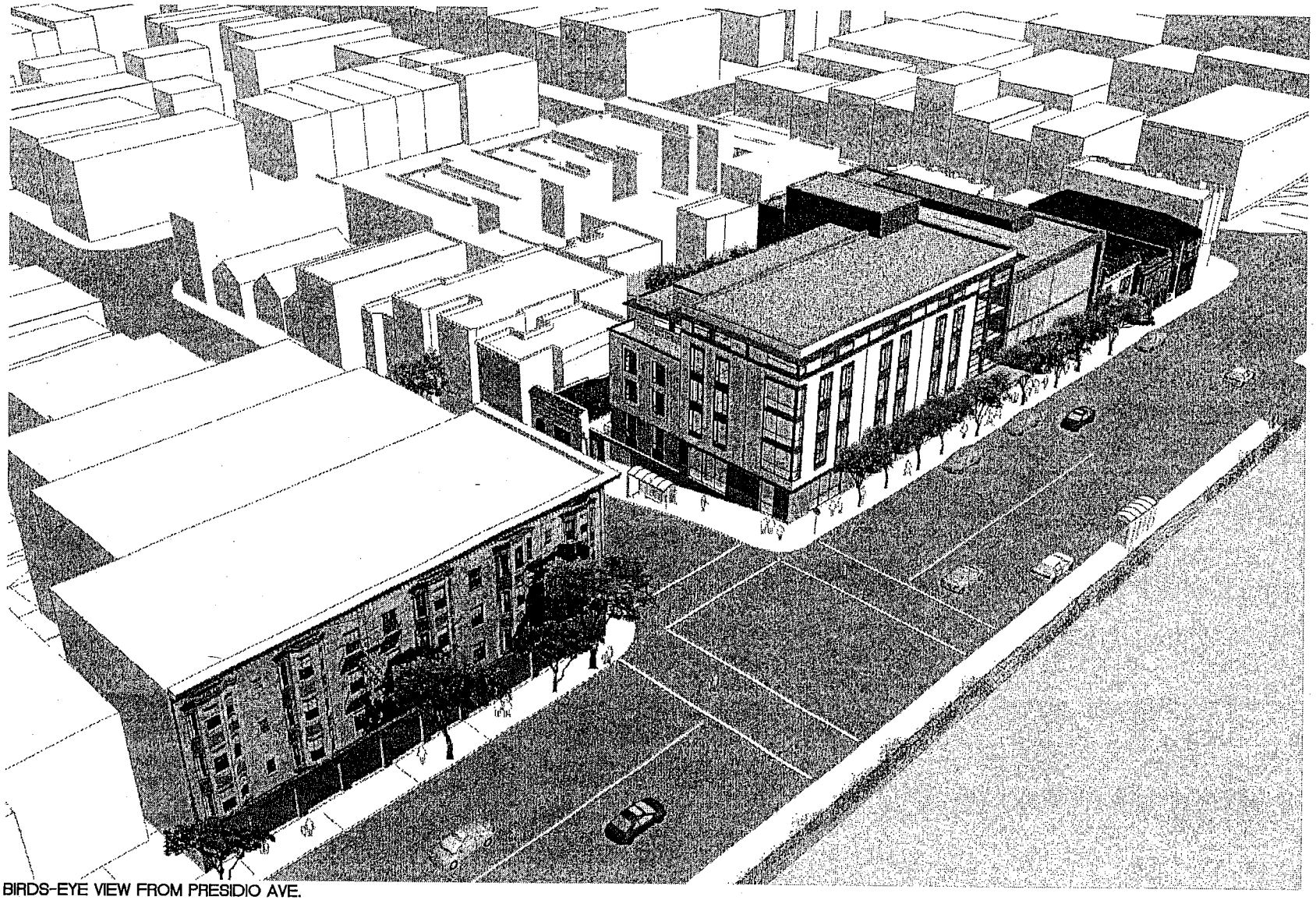


SOUTH ELEVATION

SCALE: 1/16" = 1'-0"

2094

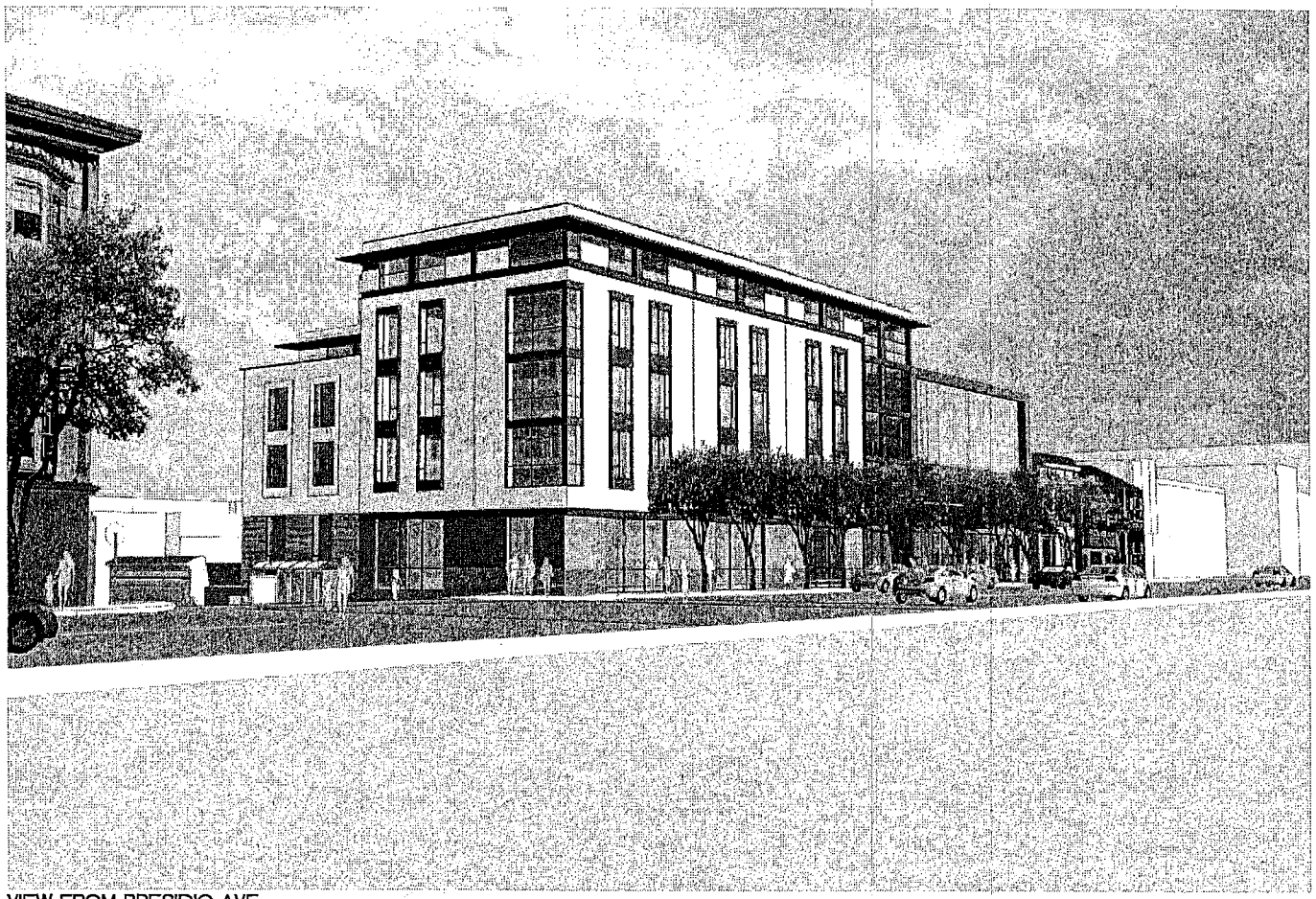
A18



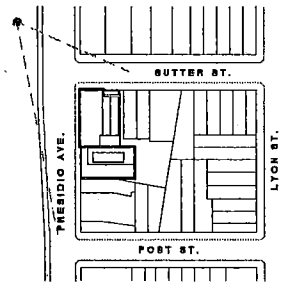
BIRDS-EYE VIEW FROM PRESIDIO AVE.

2095

2096



VIEW FROM PRESIDIO AVE.



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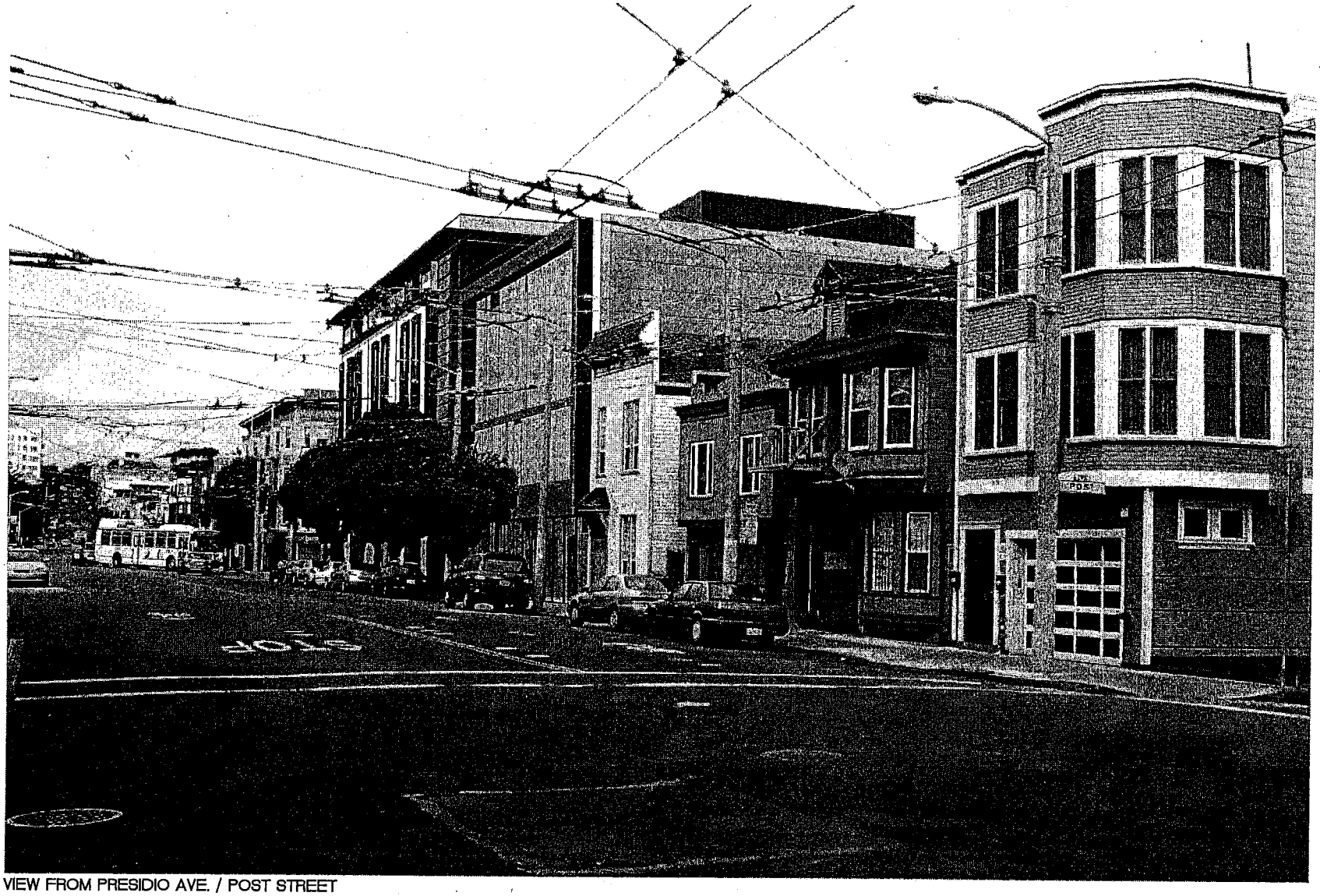

VIEW FROM PRESIDIO AVE. / POST STREET

2098

VIEW FROM SUTTER STREET

A22

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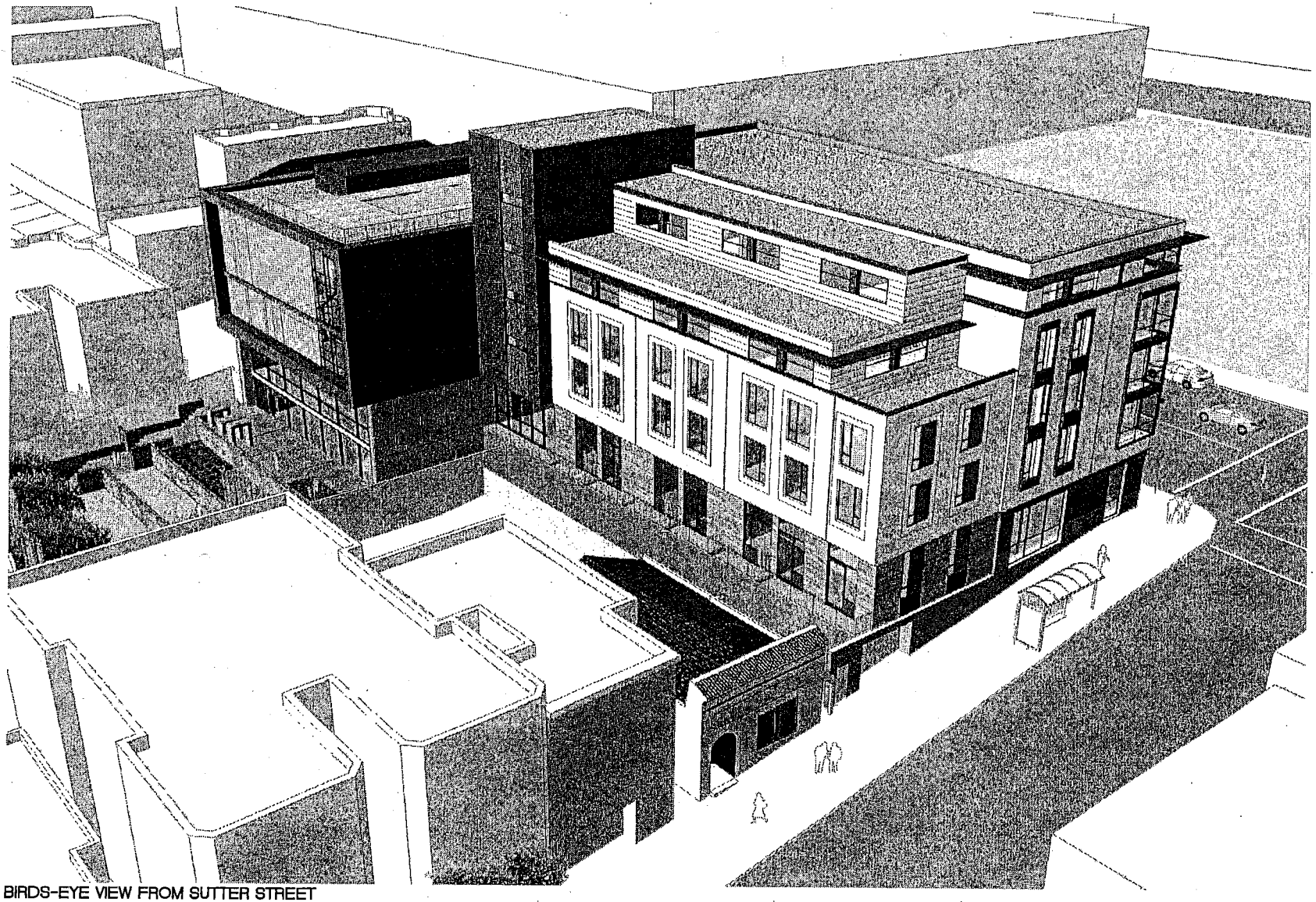
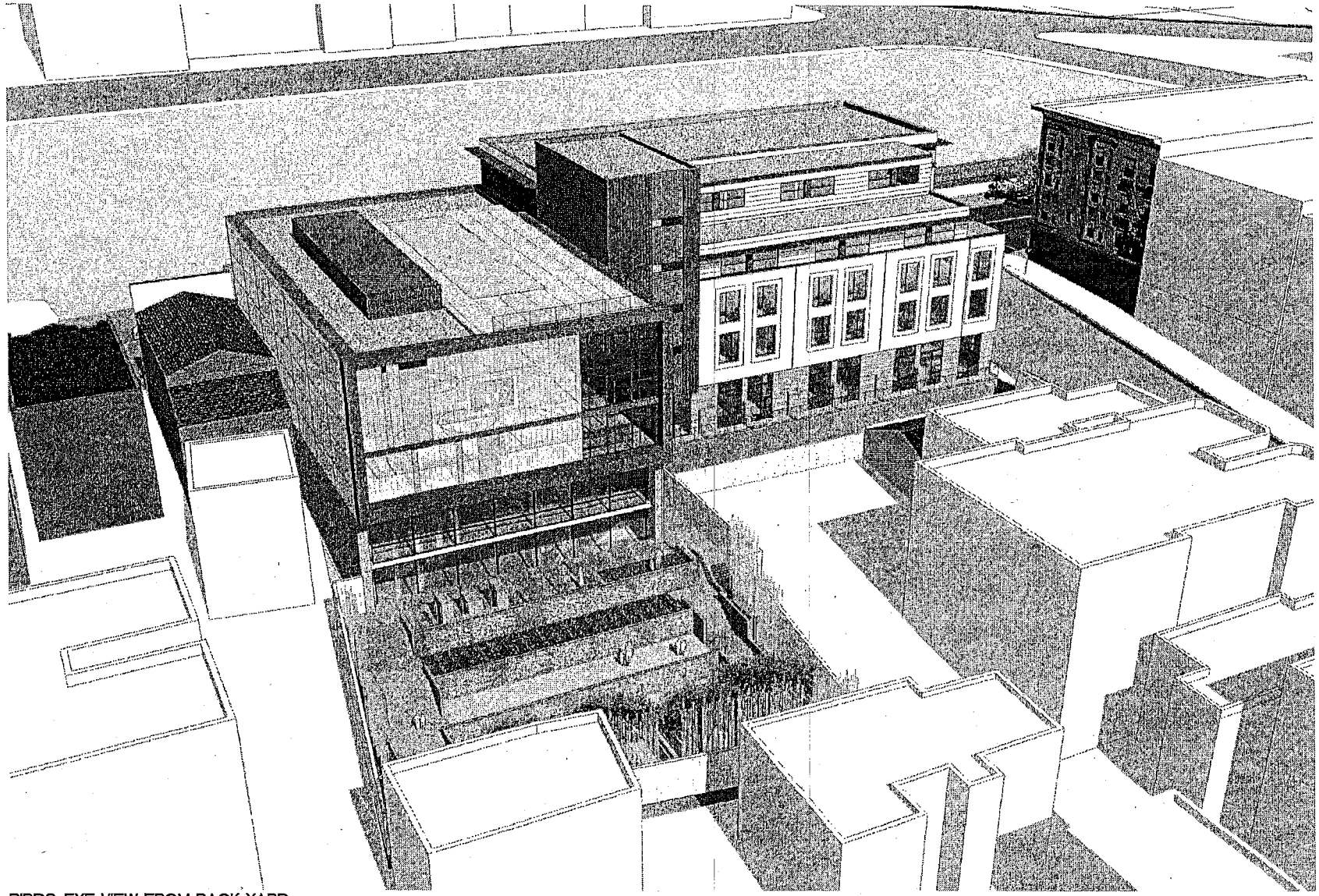
2099



BIRDS-EYE VIEW FROM SUTTER STREET

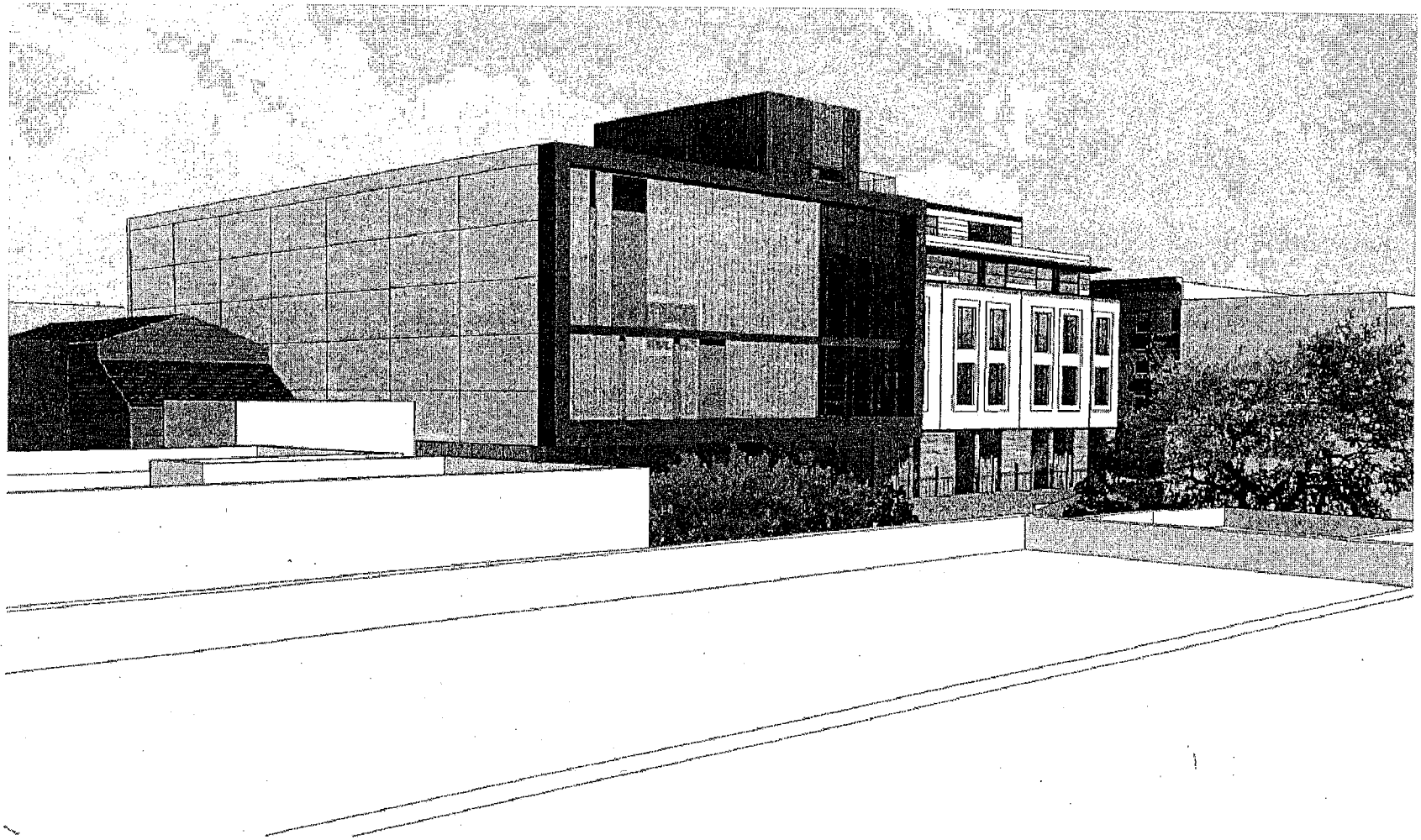
A23



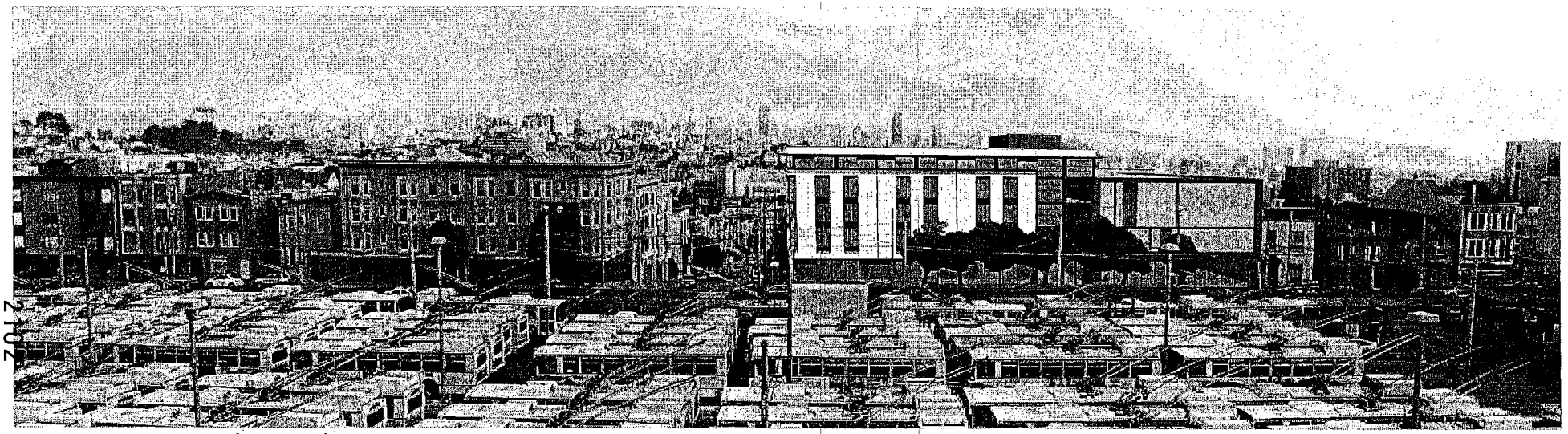
2100

BIRDS-EYE VIEW FROM BACK YARD

A24

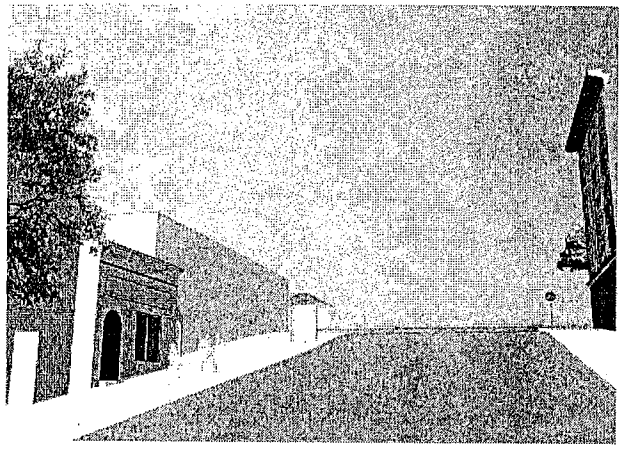


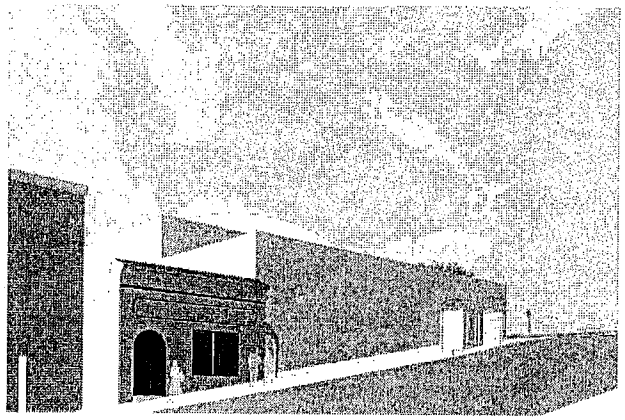
VIEW FROM POST STREET. VIEWPOINT 45' ABOVE STREET LEVEL



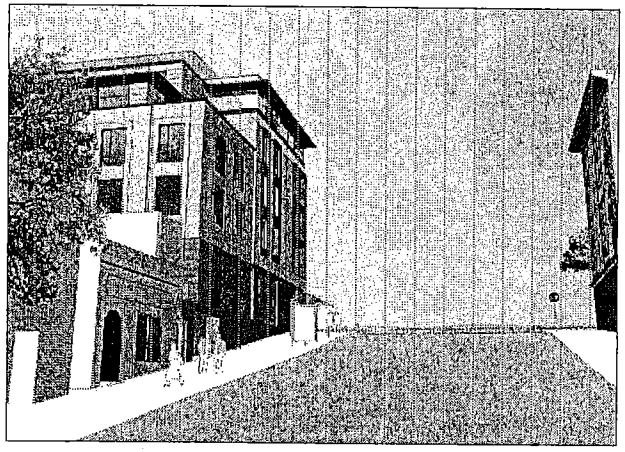
VIEW FROM MASONIC AVE. (SIDEWALK)

EXISTING BTW COMMUNITY CENTER (SUTTER ST)

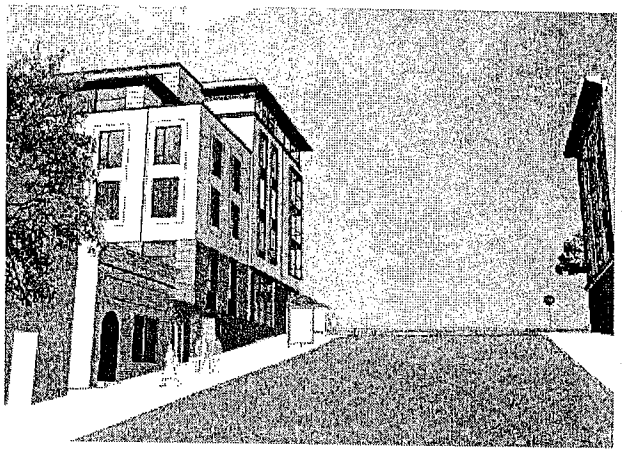


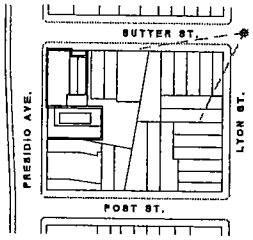


ALLOWABLE MASSING (SUTTER ST)



CURRENT DESIGN (SUTTER ST)





2103

A27

City and County of San Francisco

Phone: (415) 554-5827
Fax: (415) 554-5324

http://www.sfdpw.com
subdivision.mapping@sfdpw.org

Department of Public Works
Office of the City and County Surveyor

875 Stevenson Street, Room 410
San Francisco, CA 94103

Edwin M. Lee,Mayor
Mohammed Nuru,Director

Fuad S. Sweiss, PE, PLS,
City Engineer & Deputy Director of Engineering

Bruce R. Storrs, City and County Surveyor

Date: May 31, 2012

Approval of Tentative Map for

2 Units Multi Use

Address	Block	Lot
800 PRESIDIO AVE	1073	013

Dear Sir/Madam:

This is to advise you that based on our findings the City and County Surveyor has made his decision affirming the approval of the subject Tentative Map.

The City and County Surveyor, together with the Planning Department and Department of Building Inspection have reviewed the application for conformity with the General Plan, and with the requirements of the Subdivision Map Act, the San Francisco Subdivision Code and applicable regulations for the Tentative Map.

Subdivision Code Section 1314 provides that an appeal of the decision of the City and County Surveyor may be made to the Board of Supervisors, located at 1 Dr. Carlton B. Goodlett Place, Room 244, telephone number (415) 554-5184.

Any such appeal must be filed in writing with the Clerk of the Board within ten (10) days of the date of this letter along with a check in the amount of $284 made out to the Department of Public Works.

The file for this project is available for viewing at the Office of the City and County Surveyor located at 875 Stevenson Street, Room 410 during regular business hours.

If you have any questions on this matter, please contact us at (415) 554-5827, or our email address: subdivision.mapping@sfdpw.org

Sincerely,

Bruce R. Storrs, P.L.S.
City and County Surveyor
City and County of San Francisco

City and County of San Francisco

Edwin M. Lee, Mayor
Mohammed Nuru, Director
Fuad S. Sweiss, PE, PLS,
City Engineer & Deputy Director of Engineering

Phone: (415) 554-5827
Fax: (415) 554-5324
www.sfdpw.org
Subdivision.Mapping@sfdpw.org

Department of Public Works
Office of the City and County Surveyor
875 Stevenson Street, Room 410
San Francisco, CA 94103

Bruce R. Storrs, City and County Surveyor

Martin Ron Associates
859 Harrison Street, Suite 200
San Francisco, CA 94107

Tentative Map Approval
PID: 7046
Assessor's Block No.1073 Lot(s) 013
Address: 800 Presidio Ave.
Project type: 2 Multi use Condominium
Date: May 31, 2012

Dear Mr. Ben Ron, PLS:

The Tentative Map which you submitted to this Agency for review is approved, subject to compliance with the following:

The C.C.S.F. Planning Code and all Planning Department conditions outlined in the attached Planning Department memo dated__May 23, 2012_____
[X] Copy of Planning Department approval/conditions (check if attached)

The C.C.S.F. Building Code and all Department of Building Inspection conditions outlined in the attached D.B.I. memo dated_____
[ ] Copy of D.B.I. approval/conditions (check if attached)

The San Francisco Redevelopment Agency conditions outlined in the attached S.F.R.A. memo dated_____
[ ] Copy of S.F.R.A. approval/conditions (check if attached)

The C.C.S.F. Subdivision Code and the California State Map Act

Additionally, please submit:

[X] **Two (2) Check Prints of the final version of this map**

[ ] **One (1) copy of C.F.C. (Certificate of Final Completion)**

[X] **One (1) copy of the Map Checklist (found at our website under: "Information for Mapping Professionals")**

Do not submit check prints without complying with ALL of the above.
Incomplete submittals will be returned and subject to additional handling charges.

Sincerely,

Bruce R. Storrs, PLS
City and County Surveyor

Tentative approval valid for 36 months:
This Tentative Map Approval is valid for 36 months, unless a written request for an extension is received prior to the expiration date. When the approved time frame expires, the project is terminated. A completely new application packet together with new fees must then be submitted to DPW/BSM to reopen or reactivate the project.

Contesting this decision:
If you wish to contest this decision, you may do so by filing an appeal (together with an appeal fee check for $250) with the Clerk of the Board of Supervisors, 1 Dr. Carlton B. Goodlett Place (formerly 400 Van Ness Ave.), Room 244, within ten (10) days of the date of this letter per Section 1314 of the San Francisco Subdivision Code.

City and County of San Francisco

Edwin M. Lee, Mayor
Mohammed Nuru, Director
Fuad S. Sweiss, PE, PLS,
City Engineer & Deputy Director of Engineering

Phone: (415) 554-5827
Fax: (415) 554-5324
www.sfdpw.org
Subdivision.Mapping@sfdpw.org

Department of Public Works
Office of the City and County Surveyor
875 Stevenson Street, Room 410
San Francisco, CA 94103

Bruce R. Storrs, City and County Surveyor

May 31, 2012

Martin M. Ron Associates
859 Harrison Street
Ste 200
San Francisco, Ca 94107

Benjamin B. Ron

Re: 800 Presidio Avenue
San Francisco, California
Tentative Map 7046
Assessor's Block 1073, Lot 013

The Department of Public Works hereby states that the Tentative Map 800 Presidio Avenue, San Francisco, Ca, prepared on behalf of Booker T. Washington Community Service Center by Martin M. Ron Associates and deemed submittable by the Department of Public Works/Bureau of Street Use and Mapping (DPW/BSM) on March 16, 2012, is hereby approved subject to compliance with, but not necessarily limited to, the following findings and conditions:

FINDINGS

This Application requests approval to create one (1) residential condominium unit (which contains up to 50 units of residential housing) and one (1) commercial condominium unit mixed-use condominium project on a single lot.

None of the conditions described in Government Code Sections 66474(a) through (g), inclusive, exist with respect to this subdivision.

The Subdivision meets and performs the requirements or conditions imposed by the California Subdivision Map Act and the City and County of San Francisco (CCSF) Subdivision Code and Regulations.

The Tentative Map approval shall be effective upon execution by the Director of DPW.

Decision. The Tentative Map, which you submitted for review, is approved subject to the following conditions:

DEPARTMENT OF CITY PLANNING

In a letter dated May, 23, 2012, The Planning Department confirmed that:

The project is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1(b). This project is also subject to the Terms and Conditions of Final EIR, Case No.2006.0868E, and San Francisco Planning Commission Motion No. 18340.

PERMITS DEPARTMENT

A Street Improvement permit and other additional permits, as necessary, shall be submitted for the reconstruction of the infrastructure abutting the subject property related to Building Permit Application 2012/04/16/8406.

BUREAU OF ENGINEERING-HYDRAULICS

Re: Improvement plans-side sewers exiting the property shall have side sewer trap and vents in accordance with SFDPW standard plan 87,196. Hydraulic calculations shall be submitted to show calculated storm and sewer flows from property to CCSF sewer for review and approval.

SFPUC-WATER RESOURCES

Recycled Water Systems - The property is not located within the designated recycled water use area as defined in the Reclaimed Water Ordinances 390-91, 391-91 and 393-94. Therefore, installation of a recycled water system(s) for recycled water use is not required.

Non-potable Water Use for Soil Compaction and Dust Control - Non-potable water must be used for soil compaction and dust control activities during project construction as required by CCSF Ordinance 175-91. The SFPUC operates a recycled water truck-fill station at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge. For more information please contact (415) 695-7358.

2) Water Conservation

Landscape - Projects with new or modified landscape area of 1,000 square feet or more require the approval from the SFPUC prior to construction and must meet requirements of the Water Efficient Irrigation Ordinance. The ordinance, adopted as Chapter 63 of Administrative Code, applies to public agency, commercial and residential landscaping projects. For more information about the requirements of the Water Efficient Irrigation Ordinance, visit www.sfwater.org/landscape.

Fixture Efficiency Regulations - Projects with new construction or modifications to buildings require compliance with the San Francisco Commercial or Residential Water Conservation Ordinance (San Francisco Building Code Chapter 13A and San Francisco Housing Code Chapters 12 and 12A). Additionally, please, refer to the maximum flow rate requirements for plumbing fixtures found in Chapter 4 of the San Francisco Plumbing Code. For more information on the Water Conservation Ordinances, please contact the San Francisco Public Utilities Commission Water Conservation Section at (415) 551-4730 or visit www.sfwater.org.

WASTE WATER ENTERPRISE-SFPUC URBAN WATERSHED MANAGEMENT

If development of the subject parcel or parcels disturbs 5,000 square feet or more of ground surface, that development will be subject to the current SFPUC stormwater management regulations and the subdivider must submit a Stormwater Control Plan in compliance with those regulations to the SFPUC for review and approval.

DPW – MAPPING AND SUBDIVISION (BSM):

The Parcel Map 7046 title block shall indicate this project as: A One Residential Unit and One Commercial Unit Mixed-Use Condominium Project.

Sincerely,

Mohammed Nuru
Director of Public Works, and Advisory Agency

Bruce R. Storrs, LS 6914
City and County Surveyor
City and County of San Francisco

cc: Randi Gerson, Equity Community Builders
John Kwong, BSM-Permits

BOS-11
CA-2

Albany
Atlanta
Brussels
Denver
Los Angeles
New York

McKenna Long & Aldridge LLP
121 Spear Street • Suite 200
San Francisco, CA 94105
Tel: 415.356.4600
mckennalong.com

Orange County
Rancho Santa Fe
San Diego
San Francisco
Washington, DC

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 JUL -2 PM 1:29

July 2, 2012

Supervisor David Chiu
President of Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Subject: Board of Supervisors' File No. 120660
Opposition to Appeal of Tentative Parcel Map for 800 Presidio Avenue

Dear Supervisor Chiu,

On May 31, 2012, the City and County Surveyor approved the tentative parcel map for 800 Presidio Avenue with numerous conditions ("Tentative Map"). A copy of the May 31, 2012 approval letter is attached to the appeal filed by the attorney for Neighbors for Fair Planning ("Appellant"). On July 10, 2012, the Board of Supervisors ("Board") will conduct a public hearing on this appeal. The grounds of appeals are (1) the approved Tentative Map violates the San Francisco General Plan and (2) the approved Tentative Map violates the California Environmental Quality Act ("CEQA").

On June 21, 2011, this Board heard appeals by the Appellant challenging the Certification of the Final Environmental Impact Report ("FEIR") for the proposed subdivision, an amendment to the Planning Code allowing an increase in the unit density and height, and the conditional use approved by the Planning Commission. After the duly noticed public hearing, this Board unanimously affirmed the certification of the FEIR, the conditional use authorization for the proposed project, and passed the amendment to the Planning Code by a vote of 9 to 2.

The argument in Appellant's letter dated June 11, 2012 is nothing more than rehashing the same arguments presented to this Board in writing and at the hearing, almost a year earlier, on June 21, 2011. Approval of the Tentative Map in and of itself creates no environmental effect; it is the project that has potential environmental impacts and those impacts were thoroughly analyzed in the FEIR affirmed by this Board. The Project's compliance with the City's general plan was also fully discussed and analyzed by the Planning Commission and this Board on appeal. No new issues are raised by Appellant. Indeed, Appellant failed to state any fact that the processing and approval of

the Tentative Map violated any procedural or substantive provision of The State Subdivision Map Act (Government Code Section 66473 *et seq*) or the City's Subdivision Code.

Finally, Appellant filed a Petition for a Writ of Mandate in the San Francisco Superior Court challenging this Board's decisions on the FEIR, the amendment to the Planning Code and the conditional use. The Superior Court of the City and County of San Francisco denied Appellant's writ of Mandate and upheld this Board's decisions relating to the 800 Presidio Avenue project.[1] A copy of Judge Teri Jackson's "Judgment Denying the Writ of Mandate" and "Order and Statement of Decision" are attached hereto and collectively referred to Exhibit 1. The grounds relied upon by the Appellant to support this appeal is nothing more than an attempt to delay the project and is devoid of merit. Therefore, the Board must deny this appeal.

Very truly yours,

Alice Suet Yee Barkley

cc: Supervisor John Avalos
Supervisor David Campos
Supervisor Carmen Chu
Supervisor Malia Cohen
Supervisor Sean Elsbernd
Supervisor Mark Farrell
Supervisor Jane Kim
Supervisor Eric Mar
Supervisor Christina Olague
Supervisor Scott Wiener
Angela Calvillo, Clerk of the Board
Joy Lamug, Board of Supervisors
Bruce Storrs, City and County Surveyor
AnMarie Rodgers, Planning Department
Steve Williams (via e-mail)
Pat Scott, Booker T. Washington (via e-mail)

[1] Appellant appealed the Superior Court decision to the Court of Appeals. However, the Court's decision affirming this Board's decisions on the FEIR, the conditional use authorization and the Planning Code amendment are not stayed and remains in full force and effect.

ORIGINAL

DENNIS J. HERRERA, State Bar #139669
City Attorney
KRISTEN A. JENSEN, State Bar #130196
SUSAN CLEVELAND-KNOWLES, State Bar #193000
Deputy City Attorneys
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102-4682
Telephone: (415) 554-4700
Facsimile: (415) 554-4757
E-Mail: Susan.Cleveland-Knowles@sfgov.org

Attorneys for Respondent City and County of San Francisco

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ANNE MORRISON EPPERLY, State Bar # 246784
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MCKENNA LONG & ADRIDGE LLC
121 Spear Street, Suite 200
San Francisco, CA 94105
Telephone: (415) 356-4635
Facsimile: (415) 356-3888

Attorneys for Real Party-In-Interest Booker T. Washington Community Service Center, a California not-for profit corporation

FILED
Superior Court of California
County of San Francisco

JUN - 8 2012

CLERK OF THE COURT
BY: _____ Deputy Clerk

** Complete copy of document is located in

File No. 120660

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO, UNLIMITED JURISDICTION

NEIGHBORS FOR FAIR PLANNING, an unincorporated association,

Petitioner,

vs.

CITY AND COUNTY OF SAN FRANCISCO, et al.,

Respondents.

BOOKER T. WASHINGTON COMMUNITY SERVICE CENTER, a California not-for-profit corporation,

Real Party in Interest.

Case No. CPF-11-511499

~~[PROPOSED]~~ JUDGMENT DENYING PETITION FOR WRIT OF MANDATE

California Environmental Quality Act (CEQA)

Hearing Date:	March 12, 2012
Hearing Judge:	Judge Teri L. Jackson
Time:	1:30 p.m.
Place:	Department 503
Date Action Filed:	August 5, 2011
Trial Date:	March 12, 2012

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: **Tuesday, July 10, 2012**

Time: **4:00 p.m.**

Location: **Legislative Chamber, Room 250 located at City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102**

Subject: **File No. 120660. Hearing of persons interested in or objecting to the decision of the Department of Public Works dated May 31, 2012, approving a Tentative Parcel Map for 2-unit multi-use located at 800 Presidio Avenue, Assessor's Block No. 1073, Lot No. 013. (District 2) (Appellant: Stephen M. Williams on behalf of Neighbors for Fair Planning) (Filed June 11, 2012)**

Pursuant to Government Code Section 65009, notice is hereby given, if you challenge, in court, the matter described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official record in these matters, and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102. Information relating to this matter is available in the

Office of the Clerk of the Board and agenda information will be available for public review on Thursday, July 5, 2012.

Angela Calvillo
Clerk of the Board

DATED: June 22, 2012
PUBLISHED: June 27, 2012
MAILED/POSTED: June 29, 2012

RE: Appeal of Tentative Map for 800 Presidio - Request for Project Sponsor Information
Hanley, Robert
to:
Young, Victor
06/13/2012 02:23 PM
Cc:
Ben Ron, "randi@ecbsf.com"
Hide Details
From: "Hanley, Robert" <Robert.Hanley@sfdpw.org>
To: "Young, Victor" <Victor.Young@sfgov.org>,
Cc: Ben Ron <Ben@martinron.com>, "randi@ecbsf.com" <randi@ecbsf.com>

Hello Victor,

Thank you for forwarding the letter regarding the appeal to the Tentative Map for 800 Presidio Ave.

As I suspected, the appeal is based on planning issues that have already been resolved. The EIR was approved, as was the General Plan approval.
I have cc'd both the surveyor (Ben Ron) who prepared the tentative map and the project contact (Randi Gerson) on this e mail.

If you have any further questions, please feel free to call me.

Thank you,
Robert Hanley, PLS
Chief Surveyor

From: Victor Young [mailto:Victor.Young@sfgov.org]
Sent: Wednesday, June 13, 2012 2:02 PM
To: Hanley, Robert
Subject: RE: Appeal of Tentative Map for 800 Presidio - Request for Project Sponsor Information

Please note that I haven't sent this to your department officially yet. I wanted to have the project sponsors name for the letter for the official transmittal letter.

Victor Young
Committee Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Pl., Room 244
San Francisco CA 94102
phone 415-554-7723
fax 415-554-7714

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.
http://www.sfgov.org/site/bdsupvrs_form.asp?id=18548

From: "Hanley, Robert" <Robert.Hanley@sfdpw.org>
To: "Young, Victor" <Victor.Young@sfgov.org>,
Date: 06/13/2012 12:01 PM
Subject: RE: Appeal of Tentative Map for 800 Presidio - Request for Project Sponsor Information

Victor,
Good morning.

Can you forward the appeal to me?

At this stage the basis for appeal is technical in nature, only. The appellant can only appeal on the basis of the proposed subdivision as shown on the tentative map. If the appeal is based on other considerations (zoning, design...etc.), the appeal is not applicable.

Thank you,

Robert Hanley, PLS
Chief Surveyor
415.554.5809

From: Victor Young [mailto:Victor.Young@sfgov.org]
Sent: Wednesday, June 13, 2012 9:51 AM
To: Hanley, Robert
Subject: Appeal of Tentative Map for 800 Presidio - Request for Project Sponsor Information

Good Morning:

I have receive a Tentative Map Appeal for 800 Presidio Ave. I am hoping that you can provide the Project Sponsor contact information as I need to send them a copy of the appeal to their project.

Thanks.

Victor Young
Committee Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Pl., Room 244
San Francisco CA 94102
phone 415-554-7723
fax 415-554-7714

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.
http://www.sfgov.org/site/bdsupvrs_form.asp?id=18548

RE: Appeal of Tentative Map for 800 Presidio - Request for Project Sponsor Information
Hanley, Robert
to:
Young, Victor
06/13/2012 12:01 PM
Hide Details
From: "Hanley, Robert" <Robert.Hanley@sfdpw.org>
To: "Young, Victor" <Victor.Young@sfgov.org>,
History: This message has been replied to.

Victor,
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At this stage the basis for appeal is technical in nature, only. The appellant can only appeal on the basis of the proposed subdivision as shown on the tentative map. If the appeal is based on other considerations (zoning, design...etc.), the appeal is not applicable.

Thank you,

Robert Hanley, PLS
Chief Surveyor
415.554.5809

From: Victor Young [mailto:Victor.Young@sfgov.org]
Sent: Wednesday, June 13, 2012 9:51 AM
To: Hanley, Robert
Subject: Appeal of Tentative Map for 800 Presidio - Request for Project Sponsor Information

Good Morning:

I have receive a Tentative Map Appeal for 800 Presidio Ave. I am hoping that you can provide the Project Sponsor contact information as I need to send them a copy of the appeal to their project.

Thanks.

Victor Young
Committee Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Pl., Room 244
San Francisco CA 94102
phone 415-554-7723
fax 415-554-7714

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.
http://www.sfgov.org/site/bdsupvrs_form.asp?id=18548

Re: Appeal of tentative subdivision Map for 800 Presidio Avenue

Victor Young to: Alice Barkley 06/28/2012 09:49 AM
Cc: Joy Lamug

800 Presidio Tentative Map Appeal.pdf

Ms. Barkley:

I have forward your email to Joy Lamug for inclusion onto the mailing list. Attached is a copy of the appeal letter for 800 Presidio Ave.

Victor Young
Committee Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Pl., Room 244
San Francisco CA 94102
phone 415-554-7723
fax 415-554-7714

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.
http://www.sfgov.org/site/bdsupvrs_form.asp?id=18548

"Alice Barkley"	Mr. Young,	06/27/2012 09:47:28 PM

From: "Alice Barkley" <alicebarkley@sbcglobal.net>
To: <Victor.Young@sfgov.org>,
Date: 06/27/2012 09:47 PM
Subject: Appeal of tentative subdivision Map for 800 Presidio Avenue

Mr. Young,

I will be representing Booker T. Washington Community Center opposing the subject appeal. Please forward to me the appeal letter and other documents in your file. Thank you. If the file is large, I can pick them up Friday morning. Thank you for your attention.

Alice Barkley

Fw: Appeal of tentative subdivision Map for 800 Presidio Avenue

Victor Young to: Joy Lamug 06/28/2012 07:59 AM

From: "Alice Barkley" <alicebarkley@sbcglobal.net>
To: <Victor.Young@sfgov.org>,
Date: 06/27/2012 09:47 PM
Subject: Appeal of tentative subdivision Map for 800 Presidio Avenue

Mr. Young,

I will be representing Booker T. Washington Community Center opposing the subject appeal. Please forward to me the appeal letter and other documents in your file. Thank you. If the file is large, I can pick them up Friday morning. Thank you for your attention.

Alice Barkley