



SAN FRANCISCO PLANNING DEPARTMENT

January 7, 2013

Ms. Angela Calvillo, Clerk
Honorable Supervisor Breed
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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

Reception:
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Planning
Information:
415.558.6377

**Re: Transmittal of Planning Department Case Number 2012.0258ETZC:
Establish the 1500 Page Street Affordable Housing Special Use District
Board File No. 131086
Planning Commission Recommendation: Approval with Modifications**

Dear Ms. Calvillo and Supervisor Breed,

On December 19, 2013, the Planning Commission conducted a duly noticed public hearing at regularly scheduled meetings to consider the proposed Ordinance that would establish the 1500 Page Street Affordable Housing Special Use District introduced by Supervisor London Breed on November 5, 2013. At the hearing, the Planning Commission recommended approval with modifications as identified in the attached Exhibit B of the Planning Commission case packet.

On December 6, 2013, the Department determined that the proposed ordinance would result in no physical impact on the environment. The Project was determined to be exempt from environmental review under the General Rule Exclusion (Section 15061(b)(3) of the CEQA Guidelines) as described in the determination contained in the Planning Department files for this Project.

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commissions.

Please find attached documents relating to the actions of the Planning Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "AM-Rodgers", with a horizontal line extending to the right.

AnMarie Rodgers
Manager of Legislative Affairs

cc:

Judith A Boyajain, Deputy City Attorney
Connor Johnston, Aide to Supervisor Breed
Alisa Miller, Office of the Clerk of the Board

Attachments

Planning Commission Resolution
Planning Department Executive Summary
Exhibit B



SAN FRANCISCO PLANNING DEPARTMENT

Draft Planning Commission Resolution

HEARING DATE DECEMBER 19, 2013

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Suite 400
San Francisco,
CA 94103-2479

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Date: December 12, 2013
Case No.: **2012.0258ETZC**
Project Address: **1500 Page Street**
Zoning: RM-1 (Residential, Mixed, Low-Density)
55-X Height and Bulk District
Block/Lot: 1223/004
Project Sponsor: Tim Dunn
Mercy Housing of California
1360 Mission Street, Suite 300
San Francisco, CA 94103
Staff Contact: Sara Vellve – (415) 558 - 6263
sara.vellve@sfgov.org

Recommendation: Recommend that the Board of Supervisors Approve the Proposed Ordinance as Revised

RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE A PROPOSED ORDINANCE TO AMEND THE PLANNING CODE AND ZONING MAP BY (1) ADDING SECTION 249.47 CREATING THE 1500 PAGE STREET AFFORDABLE HOUSING SPECIAL USE DISTRICT; (2) CHANGE SECTIONAL SHEET SU06 TO INCLUDE THE 1500 PAGE STREET AFFORDABLE HOUSING SPECIAL USE DISTRICT; (3) CHANGE ZONING MAP SHEET HT06 FROM 55-X TO 40; (4) TO RESCIND SECTION 249.41A FOR THE 1500 PAGE STREET RESIDENTIAL CARE SPECIAL USE DISTRICT; (5) RESCIND SECTION 263.22A THE PERMITTED BUILDING HEIGHT IN THE 1500 PAGE STREET RESIDENTIAL CARE SPECIAL USE DISTRICT, BEING ALL OF LOT 004 IN ASSESSOR'S BLOCK 1223, RM-1 (RESIDENTIAL, MIXED, LOW-DENSITY); 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 November 5, 2013, Supervisor Breed introduced an Ordinance under Board of Supervisors (hereinafter "Board") File Number 131086 for text changes and map amendments to create the 1500 Page Street Affordable Housing Special Use District, which would 1) create a new Planning Code Section 249.47 establishing the 1500 Page Street Affordable Housing Special Use District, 2) amend the Special Use District Map Sheet SU06, 3) amend Sectional Map HT06 from 55-X to 40-X; 4) rescind Section 249.41A, the 1500 Page Street Residential Care Special Use District; 5) rescind Section 263.22A Permitted Building Height in the 1500 Page Street Residential Care Special Use District of the City and County of San Francisco.

The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance for Application No. 2012.0258TZ on December 19, 2013; and,

The Commission adopted the resolution on December 19, 2013, to approve the text change and map amendment creating the 1500 Page Street Affordable Housing Special Use District, and rescinding the 1500 Page Street Residential Care Special Use District, and rescinding the Permitted Building Height in the 1500 Page Street Residential Care Special Use District; and,

December 6, 2013, finding that the Project is exempt from environmental review under the General Rule Exclusion (Section 15061(b)(3) of the CEQA Guidelines) as described in the determination contained in the Planning Department files for this Project; and

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

The Project Site consists of one Assessor's parcel (Lot 004) of approximately 5,400 square feet in area on Assessor's Block 1223. The parcel is at the northwest corner of Page Street and Masonic Avenue, and currently contains a vacant four-story building; and

The proposed map change and text amendment has been found to be consistent with the following relevant Objectives and Policies of the General Plan:

HOUSING ELEMENT

OBJECTIVE 1:

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

Policy 1.1:

Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

Policy 1.3:

Work proactively to identify and secure opportunity sites for permanently affordable housing.

Policy 1.10:

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

The proposed development would create up to 16 permanently affordable units and one manager's unit in an area within close proximity to a number of public transit choices (MUNI 6, 7, 21, 33, 37, 43, 66, 71, 71L) and amenities along Haight Street. No fewer than four bicycle storage spaces will be provided.

Objective 2:

RETAIN EXISTING HOUSING UNITS, AND PROMOTE SAFETY AND MAINTENANCE STANDARDS, WITHOUT JEOPARDIZING AFFORDABILITY.

Policy 2.3:

Prevent the removal or reduction of housing for parking.

The proposed affordable housing development would remove two off-street parking spaces to create open space for residents. The existing vacant building will be rehabilitated to current Building Code standards

and will be affordable to lower and very low income households. The existing curb cuts will be filled and on-street parking will be restored.

Objective 4:

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.4:

Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

Policy 4.5:

Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

With the exception of the manager's unit, all units would be available for rent to residents who qualify as lower or very low income per the proposed SUD. The development is located in a diverse and mixed residential and neighborhood commercial district.

Objective 7

SECURE FUNDING AND RESOURCES FOR PERMANENTLY AFFORDABLE HOUSING, INCLUDING INNOVATIVE PROGRAMS THAT ARE NOT SOLELY RELIANT ON TRADITIONAL MECHANISMS OR CAPITAL.

POLICY 7.5

Encourage the production of affordable housing through process and zoning accommodations, and prioritize affordable housing in the review and approval processes.

POLICY 7.6

Acquire and rehabilitate existing housing to maximize effective use of affordable housing resources.

Support of the proposed Special Use District and conversion of the SRO encourage the production of permanently affordable housing for income-restricted occupants in an existing building that will be upgraded to contemporary Building Code and living standards at a density that is compatible with the neighborhood.

URBAN DESIGN ELEMENT

OBJECTIVE 4:

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

Policy 3:

Provide adequate lighting in public areas.

Policy 15:

Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

The Project will enhance the pedestrian environment and increase personal safety, comfort, pride and opportunity by increasing foot traffic. The Project will upgrade and improve a historic resource through aesthetic improvements. The Project will activate a prominent corner property that has been underutilized for many years.

TRANSPORTATION ELEMENT

OBJECTIVE 11:

ESTABLISH 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.

Policy 11.3:

Encourage development that efficiently coordinates land use with transit service, requiring that developers address transit concerns as well as mitigate traffic problems.

Due to the Project Site's close proximity to numerous transit lines (MUNI 6, 7, 21, 33, 37, 43, 66, 71, 71L), it is anticipated that most of the employees and residents will not require vehicles but will walk or use public transit, thereby advancing the City's Transit First Policy.

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 6: MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

POLICY 1: Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

POLICY 7: Promote high quality urban design on commercial streets.

Increasing the number of residents in this neighborhood will provide local merchants with an expanded market for goods and services.

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 Project would rehabilitate the existing residential structure to create permanently affordable housing. Residents, visitors, employees and guests of the development are likely to patronize area retailers as the site is approximately one block from the Haight Street Neighborhood Commercial District. There are no existing commercial uses on the site.

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

The Project would not affect existing housing or neighborhood character. The Project will preserve and rehabilitate the existing building, and improve the neighborhood through its renovation. The project will result in an increased amount of housing for income-restricted occupants. The proposed density is compatible with the neighborhood.

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

The proposal would remove approximately 38 SRO "units" and the building would be rehabilitated to contain 16 units of affordable housing and one manager's unit. While the SRO housing could be considered affordable, the building has been vacant for a number of years, thus removing it from the rental market. As approval of the subject proposal is tied to the Special Use District, should the subject project be abandoned, the building would retain its SRO status.

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

The Project will not impede Municipal Railway transit service or overburden our streets or neighborhood parking. The Project will remain residential in nature and does not require off-street parking. The Project is ideally located close to many public transit services including MUNI 6, 7, 21, 33, 37, 43, 66, 71 and 71L lines.

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

The Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project. The building has historically been used for residential uses.

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

The Project is designed and will be rehabilitated to comply with Building Code standards as articulated in the San Francisco Building Code.

- G. That landmarks and historic buildings be preserved.

The building is identified on the Planning Department's UMB Survey and was constructed in approximately 1903. A Historic Resources Evaluation Response (HRER) dated March 17, 2008 determined that the subject property is a historic resource. All original materials, detailing and openings would be retained. The Planning Department has found that the proposed project is consistent with the relevant Secretary of the Interior's Standards and CEQA.

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

The project will have no negative effect on existing parks and open spaces. The project does not involve a vertical expansion that would require review under Section 295 of the Planning Code.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board APPROVE the proposed Ordinance as described in this Resolution No. XX to create the 1500 Page Street Affordable Housing Special Use District (SUD), amend the Zoning Map to include the SUD, amend the Zoning Map to reflect the change in the Height and Bulk District, rescind the 1500 Page Street Residential Care Special Use District and to rescind the Permitted Building Height in the 1500 Page Street Residential Care Special Use District

The Planning Commission made this recommendation with a condition that the development proposal associated with the 1500 Page Street Affordable Housing Special Use District shall be granted Conditional Use Authorization.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on December 19, 2013.

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: December 19, 2013



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code Text and Zoning Map Changes Conditional Use

HEARING DATE: DECEMBER 19, 2013

Date: December 12, 2013
Case No.: **2012.0258ETZC**
Project Address: **1500 Page Street**
Zoning: RM-1 (Residential, Mixed, Low-Density)
55-X Height and Bulk District
Block/Lot: 1223/004
Project Sponsor: Tim Dunn
Mercy Housing of California
1360 Mission Street, Suite 300
San Francisco, CA 94103
Staff Contact: Sara Vellve – (415) 558 - 6263
sara.vellve@sfgov.org
Recommendation: **Approval with Conditions**
Approve a Resolution to recommend that the Board of Supervisors approve the proposed Ordinance with modifications

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PROJECT DESCRIPTION

The applicant proposes to convert a long-vacant SRO to 16 units of affordable housing and one manager's unit. Residents of the building are will be developmentally disabled adults who qualify as "Lower income households" as defined in Section 50079.5 of the California Health and Safety Code or "Very low income households" as defined in Section 50105 of the California Health and Safety Code.

The building would be modified to provide up to 17 dwelling units (16 studios and one 1-bedroom apartment) on floors 2-4. One unit will be hearing and visually impaired accessible, one unit will be wheelchair accessible meeting UFAS standards, and the remainder of the units will be adaptable. The ground floor would contain a lobby/dining/kitchen area with access to common open space, two management offices, a laundry, bicycle storage, and trash and maintenance rooms. An entry court would be located along the Masonic Avenue frontage, parallel to the north (side) property line, and would provide common open space. A second open space area would be located at the rear of the building parallel to the west (rear) property line. Exterior modifications are minimal and include reestablishing windows that were filled in along Masonic Avenue and the north building elevation. A small mechanical building located in the rear yard and not visible from the street would be demolished. The proposal does not involve an increase in the building's volume.

The proposed use will be an independent living situation for building residents. Some programming and social services will be provided on-site and it is anticipated that up to three staff members will be available as described below.

- Property manager, probably on-site about 10 hours per week
- Maintenance/Janitor, probably on-site about 10 hours per week
- Supportive services, probably on-site about 20 hours per week.

In 2009 a previous proposal to provide permanent affordable housing and counseling services for up to 55 formerly homeless adults was approved by the Planning Commission through Conditional Use authorization and Board of Supervisors through a special use district and a height and bulk change. The project was abandoned and the authorizations have expired.

To implement the subject proposal, modifications to the Planning Code are required. On November 5, 2013, Supervisor London Breed introduced an Ordinance to establish the 1500 Page Street Affordable Housing Special Use District (SUD) to modify the dwelling unit density, area of useable open space, open space dimensional requirements, obstructions in the front and rear setbacks, dwelling unit exposure and removal of off-street parking, and to reclassify the Height and Bulk District from 55-X to 40-X. The Ordinance includes language to rescind the former special use district and special use height district for the abandoned proposal approved in 2009.

SITE DESCRIPTION AND PRESENT USE

The 5,390 square foot project site is located in the Haight Ashbury neighborhood at the northwest corner of Page Street and Masonic Avenue. The existing 4-story building was constructed in approximately 1903 and is a historic resource. Approximately 90 percent of the lot is covered by the building. There is a side setback of approximately 12 feet wide and 70' deep along the north property line, and a rear setback of approximately 11 feet at the west property line. Based on City records and information submitted by the sponsor, the building is currently classified as a 38-room SRO. The building has been vacant for a number of years.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

Saint Agnes Church occupies a large portion of the land surrounding the project site to the north and west. The Urban School is located at 1563 Page Street, west of the subject property. The subject block is split-zoned between RM-1 (Residential, Mixed, Low Density) and RH-3 (Residential, House, Three Family) with the subject and church properties within an RM-1 District. A large portion of the neighborhood's surrounding residential properties are zoned RM-1 with the RH-3 lots clustered at the corner of Page and Ashbury Streets, west of the subject property. The Haight Street Neighborhood Commercial District is located one block south of the property and Golden Gate Park's Panhandle is located one block north of the property.

ENVIRONMENTAL REVIEW

December 6, 2013, finding that the Project is exempt from environmental review under the General Rule Exclusion (Section 15061(b)(3) of the CEQA Guidelines) as described in the determination contained in the Planning Department files for this Project.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	November 28, 2013	November 27, 2013	21 days
Posted Notice	20 days	November 28, 2013	November 28, 2013	20 days
Mailed Notice	20 days	November 28, 2013	November 28, 2013	20 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

PUBLIC COMMENT

To date the Department has not received any public comment regarding the proposal.

ISSUES AND OTHER CONSIDERATIONS

- On February 19, 2009 the Planning Commission approved a request for Conditional Use authorization to establish a residential care facility at the subject site through Case No. 2007.1259C. At that hearing the Planning Commission recommended that the Board of Supervisors approve an ordinance to establish the 1500 Page Street Residential Care SUD and the Permitted Building Height in the 1500 Page Street Residential Care SUD. On December 3, 2009 the Board of Supervisors approved an ordinance establishing the two SUDs and changing the height limit from 40-X to 55-X through Ordinance 248-09. The residential care facility project associated with these entitlements was abandoned and the Conditional Use authorization and SUDs have expired. The 55-X Height and Bulk District remains in place.
- The subject proposal requires entitlements and zoning changes similar to the 2009 project.
 - *Conditional Use authorization* to implement the proposed 1500 Page Street Affordable Housing SUD, and to address the replacement of SRO rooms with dwelling units at a ratio of less than 1:1 under Chapter 41 of the Administrative Code.
 - *Adoption of a Resolution of Intent* to create the proposed SUD, map the SUD, change the Height/Bulk District from 55-X to 40-X, and to rescind the previous SUDs and zoning map changes.
- The proposed 1500 Page Street Affordable Housing Special Use District will address the following Planning Code requirements that the project does not comply with.
 - Dwelling Unit Density
 - Usable Open Space
 - Open Space Dimensional Requirement
 - Obstructions in the Front and Rear Setbacks
 - Dwelling Unit Exposure
 - Removal of Existing Off-Street Parking
- The Department of Building Inspection considers the building to contain a 38-room SRO. The building has been vacant for a number of years. Chapter 41 of the Administrative Code requires

Conditional Use authorization to convert the building from an SRO to a residential use at a density of less than 1:1.

- In support of the project, District 5 Supervisor London Breed introduced the proposed ordinance to the Board of Supervisors on November 5, 2013.

- To clearly articulate the proposed Ordinance (Exhibit A) and include all necessary Planning Code modifications, the Planning Department recommends changes to the Ordinance as shown in Exhibit B. Some changes are minor and some are more substantive. The more substantive changes are listed below.
 - Specify purpose of SUD and required actions in the introductory paragraph
 - At the sponsor's request, reduce the number of affordable units from 17 to 16
 - Add a Planning Code modification for the dimensional requirement of open space
 - Add a modification to allow removal of existing off-street parking

REQUIRED COMMISSION ACTION

In order for the project to proceed, two actions must be taken.

- The Commission must approve Conditional Use authorization to:
 - implement the proposed SUD;
 - allow conversion of an SRO to dwelling units at a ratio of less than 1:1.
- The Commission must adopt a Resolution of Intent to:
 - establish the 1500 Page Street Affordable Housing SUD and change the Height and Bulk District of the property from 55-X to 40-X;
 - rescind 1500 Page Street Residential Care Special Use District and the Permitted Building Height in the 1500 Page Street Residential Care SUD;
 - Make minor changes to the proposed Ordinance as shown in Exhibit B.

BASIS FOR RECOMMENDATION

- The project promotes the development of 16 units of affordable housing.
- The project promotes the rehabilitation of a historic resource in a manner consistent with the Secretary of the Interior's Standards.
- The project is compatible with the residential density of the existing neighborhood.
- The project meets all applicable requirements of the Planning Code and General Plan

RECOMMENDATION:	Approval with Conditions
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Attachments

Draft Motion	Height and Bulk Map
Draft Resolution	Special Use District Map
CEQA Certificate of Determination	Aerial Photo
Ordinance initiated by Supervisor Breed (Exhibit A)	Project Sponsor Submittal including: plans and
Ordinance with Recommended Changes (Exhibit B)	letters of support
Sanborn Map	Block Book Map

Attachment Checklist

- | | |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Wireless Telecommunications Materials |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Site Photos | <input type="checkbox"/> RF Report |
| | <input type="checkbox"/> Community Meeting Notice |
| | <input type="checkbox"/> Housing Documents |
| | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |
| | <input type="checkbox"/> Residential Pipeline |

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

Planner's Initials

1 [Planning Code - 1500 Page Street Affordable Housing Special Use District]

2
3 **Ordinance amending the Planning Code to establish the 1500 Page Street Affordable**
4 **Housing Special Use District (SUD) for the property located at 1500 Page Street**
5 **(Assessor’s Block 1223, Lot 004) and amending the Zoning Map to add the 1500 Page**
6 **Street Affordable Housing SUD, modify the height and bulk limit for the lot and repeal**
7 **the provisions establishing the 1500 Page Street Residential Care SUD and the**
8 **Permitted Building Height in the 1500 Page Street Residential Care SUD; ~~amending the~~**
9 **~~Zoning Map to add the 1500 Page Street Affordable Housing SUD, delete the 1500 Page~~**
10 **~~Street Residential Care SUD, and modify the height and bulk limit for the lot~~; and**
11 **making environmental findings and findings of consistency with the General Plan and**
12 **the eight priority policies of Planning Code Section 101.1.**

13
14 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.
15 **Additions to Codes** are in *single-underline italics Times New Roman font*.
16 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
17 **Board amendment additions** are in double-underlined Arial font.
18 **Board amendment deletions** are in ~~strikethrough Arial font~~.
19 **Asterisks (* * * *)** indicate the omission of unchanged Code
20 subsections or parts of tables.

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

22 Section 1. Findings.

23 A. On June 25, 2013, Mercy Housing California (“Applicant”) filed entitlement
24 applications with the Planning Department for the conversion of a vacant ~~residential-care~~
25 ~~facility~~ SRO building adjacent to St. Agnes Catholic Church at the ~~southwest-northwest~~ corner
of Page Street and Masonic Avenue (Block 1223, Lot 004) to an affordable housing
development containing up to ~~47-16~~ dwellings for low-income households and one manager’s

1 unit ("Project"). In order for the Project to proceed and be developed as contemplated by the
2 Applicant, amendments to certain provisions of the Planning Code are required.

3 B. At a duly noticed public hearing held on _____, 2013, the Planning
4 Commission found that the public necessity, convenience, and general welfare required the
5 approval of the proposed Planning Code and Zoning Map amendments, and by Resolution
6 No. _____ recommended them for approval. The Planning Commission found that the
7 proposed Planning Code and Zoning Map amendments were, on balance, consistent with the
8 City's General Plan, and with Planning Code Section 101.1 (b). A copy of said Resolution is
9 on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated
10 herein by reference.

11 C. Pursuant to Planning Code Section 302, the Board of Supervisors finds that
12 these Planning Code and Zoning Map amendments will serve the public necessity,
13 convenience, and welfare for the reasons set forth in Planning Commission Resolution No.
14 _____.

15 D. The Board of Supervisors finds that this ordinance is in conformity with the
16 General Plan and the Priority Policies of Planning Code Section 101.1 for the reasons set
17 forth in Planning Commission Resolution No. _____, and hereby incorporates those
18 reasons by reference.

19 E. The Planning Department issued a Certificate of Determination of categorical
20 exemption/exclusion from environmental review on _____, 2013, finding that the Project is
21 exempt from environmental review under the General Rule Exclusion (Section 15061(b)(3) of
22 the CEQA Guidelines). Said determination is on file with the Clerk of the Board of Supervisors
23 in File No. _____ and is incorporated herein by reference.

24 F. Since the Planning Department issued the Certificate of Exemption and
25 approved a Conditional Use authorization for the Project (contingent on this ordinance being

1 enacted), the Board finds that there have been no substantial changes to the Project that
2 would require major revisions to the Certificate of Determination or result in new significant
3 environmental impacts; no substantial changes in circumstances have occurred that would
4 require major revisions to the Certificate of Determination or result in new significant
5 environmental impacts that were not evaluated in the Certificate of Determination; no new
6 information has become available that was not known and could not have been known at the
7 time the Certificate of Determination was issued and that would result in new significant
8 environmental effects.

9
10 Section 2. The Planning Code is hereby amended by adding Section 249.47, to read
11 as follows:

12 **SEC. 249.47. 1500 PAGE STREET AFFORDABLE HOUSING SPECIAL USE DISTRICT.**

13 *(a) General. A special use district entitled the “1500 Page Street Affordable Housing Special*
14 *Use District,” consisting of Assessor’s Block 1223, Lot 004, is hereby established for the purposes set*
15 *forth below. The boundaries of the 1500 Page Street Affordable Housing Special Use District are*
16 *designated on Sectional Map No. SU06 of the Zoning Map.*

17 *(b) Purposes. The purpose of the special use district is to facilitate the rehabilitation of a*
18 *vacant residential care facility to be used for up to 17 residential dwelling units for persons who qualify*
19 *as “lower income households” or “very low income households,” as defined by this Section, and one*
20 *manager’s unit.*

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

22 *(1) “Lower income households” shall be as defined in Section 50079.5 of the California*
23 *Health and Safety Code.*

24 *(2) “Very low income households” shall be as defined in Section 50105 of the*
25 *California Health and Safety Code.*

1 (d) Use Controls. In this special use district, all applicable provisions of the Planning Code
2 shall continue to apply, except as otherwise provided in this Section 249.47. A conditional use
3 approval shall be required for any development subject to this Section 249.47 and such conditional use
4 may modify or grant the following exceptions from or modifications to the requirements of this Code if
5 the facts presented establish that the exception or modification satisfies the criteria of subsections
6 303(c)(1) through 303(c)(3) of this Code. In determining whether to allow exceptions under this
7 Section, the Planning Commission shall, in addition to the criteria set forth in Section 303(c) of this
8 Code, consider the extent to which the project seeking the exception would be available to persons who
9 qualify as “lower income households” or “very low income households.

10 The following exceptions to or modifications from the requirements of this Code are
11 appropriate in order to further the goal of preserving and enhancing a residential use for persons who
12 qualify as “lower income households” or “very low income households.

13 (1) Dwelling Unit Density. Dwellings for lower income households and very low
14 income households plus one manager’s unit at a density ratio of up to one dwelling unit for each
15 approximately 295 square feet of lot area are permitted.

16 (2) Usable Open Space. There shall be a minimum of approximately 609 square feet of
17 usable common space for each dwelling unit

18 (3) Dimensions of Usable Open Space. One dimension in each of the proposed open
19 spaces may be a minimum horizontal dimension of 11 feet. ~~with a minimum horizontal~~
20 ~~dimension of 11 feet.~~

21 (34) Obstructions in Required Rear Yard. One fence/gate system no more than 11 feet
22 in height may be permitted as an obstruction in the required rear yard. ~~Fences no more than 10 feet in~~
23 ~~height above grade may be permitted as an obstruction in the required rear yard.~~

1 ~~(45) Obstructions in Required Front Setback. One fence/gate system no more than 11~~
2 ~~feet in height may be permitted as an obstruction in the required front setback. Fences no more than 10~~
3 ~~feet in height above grade may be permitted as an obstruction in the required front setback.~~

4 ~~(56) Unit Exposure. The dwelling unit exposure requirement shall not apply to up to~~
5 ~~five units that face the north property line. Section 140 unit exposure requirements shall not apply to~~
6 ~~Units 204, 304, 400, 404, and 410.~~

7 ~~(7) Removal of Existing Off-Street Parking. The removal of two existing off-street~~
8 ~~parking spaces shall be permitted.~~

9 ~~(e) Sunset Provision. This Section 249.47 shall expire five years after its initial effective date~~
10 ~~unless the development authorized by this Section has received a building permit or, in the case of a~~
11 ~~site permit, an addendum that authorizes construction of the development, or the Board of Supervisors~~
12 ~~extends or re-enacts this Section 249.47 before its expiration date. Upon expiration of this Section~~
13 ~~249.47, the City Attorney shall cause it to be removed from the Planning Code.~~

14
15 Section 3. The Zoning Map of the City and County of San Francisco is hereby
16 amended by amending Sectional Map SU06, as follows:

<u>Description of Property</u>	<u>Special Use District Hereby Superseded</u>	<u>Special Use District Hereby Approved</u>
Assessor's Block 1223, Lot 004	1500 Page Street Residential Care SUD	1500 Page Street Affordable Housing SUD

21 Section 4. The Zoning Map of the City and County of San Francisco is hereby
22 amended by amending Sectional Map HT06, as follows:

<u>Description of Property</u>	<u>Height and Bulk District Hereby Superseded</u>	<u>Height and Bulk District Hereby Approved</u>
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2
3 Section 5. The Planning Code is hereby amended by repealing Sections 249.41A and
4 263.22A, as follows:

5 ~~SEC. 249.41A. 1500 PAGE STREET RESIDENTIAL CARE SPECIAL USE DISTRICT.~~

6 ~~In order to facilitate the rehabilitation, expansion and continued use of the building at 1500~~
7 ~~Page Street for residential care, there shall be established the 1500 Page Street Residential Care~~
8 ~~Special Use District, located at 1500 Page Street at the northwest corner of Page Street and Masonic~~
9 ~~Avenue, applicable to Assessor's Block 1223, Lot 004, as designated on Sectional Map 6SU of the~~
10 ~~Zoning Maps of the City and County of San Francisco. The following provisions shall apply within the~~
11 ~~Special Use District:~~

12 (a) ~~Purposes. To provide for the rehabilitation and expansion of a building used for residential~~
13 ~~care to provide permanent and supportive housing up to 55 formerly homeless people between the ages~~
14 ~~of 18 and 88 on a 24-hour basis who meet the definition of "Lower income households" and/or "Very~~
15 ~~low income households" as defined by this section.~~

16 (b) ~~For purposes of this Section, the following definitions shall apply:~~

17 (1) ~~"Lower income households" is defined in Section 50079.5 of the Health and Safety~~
18 ~~Code.~~

19 (2) ~~"Very low income households" is defined in Section 50105 of the Health and Safety~~
20 ~~Code.~~

21 (c) ~~In this special use district, all applicable provisions of the Planning Code shall continue to~~
22 ~~apply, except as otherwise provided in this section 249.41.~~

23 (d) ~~In this special use district, a modification to or exception from otherwise applicable~~
24 ~~requirements of this Code may be appropriate in order to further the goal of maintaining and creating~~
25

1 ~~new permanent supportive housing for lower and very low income households and residents with~~
2 ~~special needs. A conditional use approval shall be required for any development subject to this Section~~
3 ~~249.41 and such conditional use may modify or grant the following exceptions from or modifications to~~
4 ~~the requirements of this Code, if the facts presented establish that the modification or exception~~
5 ~~satisfies the criteria of Subsections 303(c)(1) through 303(c)(3) of this Code. The following~~
6 ~~modifications to or exceptions from the requirements of this Code are appropriate in order to further~~
7 ~~the goal of preserving and enhancing a residential care use for lower and very low income households,~~
8 ~~and those with special needs.~~

9 ~~(1) A modification of or exception to Section 209.3(c) to permit the expansion of a use~~
10 ~~which is permitted only through conditional use authorization;~~

11 ~~(2) A modification or exception to Section 124 to allow the maximum floor area ratio to~~
12 ~~be 2.89:1;~~

13 ~~(3) A modification or exception to the provisions of Sections 188 and 134 to allow the~~
14 ~~construction of a required exterior stairway located within the rear yard setback parallel to the west~~
15 ~~property line;~~

16 ~~(e) In evaluating a conditional use application to grant the exceptions or modifications to the~~
17 ~~Planning Code pursuant to this section, the Planning Commission shall consider the extent to which~~
18 ~~occupying the residential care use would be affordable to the facility occupants and program~~
19 ~~participants, in addition to the considerations and findings required by Planning Code Section 303.~~

20 ~~(f) In the event that the residential care facility described in subsection (a) has not received a~~
21 ~~certificate of final completion or certificate of final occupancy by December 31, 2011, the authorization~~
22 ~~and right vested by this ordinance shall be deemed void and cancelled, and this section 249.37 shall~~
23 ~~expire on January 1, 2012.~~

24 ~~**SEC. 263.22A. HEIGHT LIMITS: PERMITTED BUILDING HEIGHT IN THE 1500 PAGE**~~
25 ~~**STREET RESIDENTIAL CARE SPECIAL USE DISTRICT.**~~

1 ~~(a) **General.** In the 1500 Page Street Residential Care Special Use District, located on Lot 004~~
2 ~~in Assessor's Block 1223, as designated on Section Map 6H of the Zoning Map, located within the~~
3 ~~boundaries of the 40-X Height and Bulk District, exception to the 40-X limit up to a maximum of 55-X~~
4 ~~limit may be approved in accordance with the conditional use procedures and criteria provided in~~
5 ~~Section 303 of this Code, and the criteria and conditions set forth below.~~

6 ~~(b) **Homeless Use and Affordability.** In determining whether to allow exceptions under this~~
7 ~~Section, the Planning Commission shall, in addition to the criteria set forth in Section 303(e) of this~~
8 ~~Code, consider the extent to which the project seeking the exception would be available to the homeless~~
9 ~~and low and very low income levels, as defined in Sections 50079.5 and 50105 of the Health and Safety~~
10 ~~Code.~~

11
12 Section 6. Effective Date. This ordinance shall become effective 30 days after
13 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
14 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
15 of Supervisors overrides the Mayor's veto of the ordinance.

16
17 Section 7. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
18 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
19 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
20 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
21 additions, and Board amendment deletions in accordance with the "Note" that appears under
22 the official title of the ordinance.

23
24 APPROVED AS TO FORM:
25 DENNIS J. HERRERA, City Attorney

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By: _____
JUDITH A. BOYAJIAN
Deputy City Attorney

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