

File No. 090388

Committee Item No. 1

Board Item No. 24

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee Land Use & Economic Development Date November 9, 2009

Board of Supervisors Meeting Date November 17, 2009

Cmte Board

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OTHER

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Completed by: Linda Laws
Completed by: *Linda Laws*

Date November 6, 2009
Date November 12, 2009

An asterisked item represents the cover sheet to a document that exceeds 20 pages. The complete document is in the file.

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1 [Zoning—Establishing the 1500 Page Street Residential Care Special Use District.]

2
3 Ordinance amending the San Francisco Planning Code by adding Sections 249.41 and
4 263.22 to establish the 1500 Page Street Residential Care Special Use District s(SUD),
5 encompassing the real property located at 1500 Page Street (Assessor's Block 1223,
6 Lot 004), to permit the expansion of a building used for residential care; and adopting
7 General Plan, Planning Code and environmental findings.

8 Note: Additions are single-underline italics Times New Roman;
9 deletions are ~~strikethrough-italics Times New Roman~~.
10 Board amendment additions are double underlined.
11 Board amendment deletions are ~~strikethrough-normal~~.

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

13 Section 1. Findings. The Board of Supervisors of the City and County of San
14 Francisco hereby finds and determines that:

15 A. Pursuant to Planning Code Section 302, the Board of Supervisors finds that this
16 project will serve the public necessity, convenience, and welfare for the reasons set forth in
17 Planning Commission Resolution No. 17829 and incorporates such Resolution
18 herein by reference. A copy of said Planning Commission Resolution is on file with the Clerk
19 of the Board of Supervisors in File No. 090388.

20 B. The Board of Supervisors finds that this ordinance is in conformity with the
21 General Plan and the Priority Policies of Planning Code Section 101.1 for the reasons set
22 forth in Planning Commission Resolution No. 17829, and hereby incorporates those
23 reasons by reference.

24 C. The Planning Department issued a Certificate of Determination of categorical
25 exemption from environmental review on October 16, 2008 finding that the Project is
categorically exempt from environmental review as a Class 1 and 31 [State CEQA Guidelines

1 Section 15301(e) and 15331] exemption, in compliance with the California Environmental
2 Quality Act (California Public Resources Code sections 21000 et seq., "CEQA"), the State
3 CEQA Guidelines (California Code of Regulations Title 14 sections 15000 et seq.), and
4 Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). Said determination is
5 on file with the Clerk of the Board of Supervisors in File No. 090388 and is
6 incorporated herein by reference.

7 D. This proposed Ordinance approving Planning Code amendments is being
8 undertaken in combination with a companion ordinance to alter the Zoning Map to change the
9 height and bulk limitations of the property from 40-X to 55-X and Conditional Use
10 Authorization. Disapproval of the companions ordinance and Motion will invalidate all
11 legislation pertaining to the subject project at 1500 Page Street.

12 E. The City wishes to ensure the rehabilitation and continued use of the Property
13 as a publicly funded residential care use, and to ensure an appropriate development of the
14 Project Site.

15 F. On February 19, 2009, at a duly noticed public hearing, the Planning
16 Commission adopted the proposed Planning Code amendments in Motion _____
17 creating the 1500 Page Street Residential Care Special Use District in Resolution No.
18 17829.

19 G. The letter from the Planning Department transmitting the proposed Planning
20 Code amendment to the Board of Supervisors, the Determination of Exemption with respect to
21 the approval of the Project, and the Resolution approving the proposed Planning Code
22 amendment are on file with the Clerk of the Board in File No. 090388. These and
23 any and all other documents referenced in this Ordinance have been made available to, and
24 have been reviewed by, the Board of Supervisors, and may be found in the files of the City
25

1 Planning Department, as the custodian of records, at 1650 Mission Street in San Francisco,
2 and in File No. 090388 with the Clerk of the Board of Supervisors at One Dr. Carlton
3 B. Goodlett Place, San Francisco and are incorporated herein by reference.

4 I. The Board of Supervisors has reviewed and adopted a companion height
5 reclassification ordinance to change the height and bulk district of the property from 40-X to
6 55-X pursuant to Ordinance No. _____.

7 Section 2. The San Francisco Planning Code is hereby amended by adding new
8 Section 249.41 to read as follows:

9 SEC. 249.41: 1500 PAGE STREET RESIDENTIAL CARE SPECIAL USE DISTRICT.

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

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

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

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

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

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

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

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

15 (2) A modification or exception to Section 124 to allow the maximum floor area ratio to be
16 2.89:1;

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

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

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

5 Section 3. The San Francisco Planning Code is hereby amended by adding new
6 Section 263.22 to read as follows:

7 Section 263.22: HEIGHT LIMITS: PERMITTED BUILDING HEIGHT IN THE 1500 PAGE
8 STREET RESIDENTIAL CARE SPECIAL USE DISTRICT.

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

14 (b) Homeless Use and Affordability. In determining whether to allow exceptions under this
15 Section, the Planning Commission shall, in addition to the criteria set forth in Section 303(c) of this
16 Code, consider the extent to which the project seeking the exception would be available to the
17 homeless and low and very low income levels, as defined in Sections 50079.5 and 50105 of the Health
18 and Safety Code.

19
20 APPROVED AS TO FORM:
21 DENNIS J. HERRERA, City Attorney

22 By:

23 
24 Kate Herrmann Stacy
25 Deputy City Attorney



SAN FRANCISCO PLANNING DEPARTMENT

March 20, 2009

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

Re: Transmittal of Planning Department Case Number 2007.1259TZ:
Zoning Map and Planning Code Changes for 1500 Page Street
Planning Commission Recommendation: Approval

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Dear Ms. Calvillo,

On February 19, 2009, the San Francisco Planning Commission (hereinafter "Commission") conducted duly noticed public hearings at a regularly scheduled meeting to consider the proposed Ordinances;

The proposed Ordinances would facilitate the following Zoning Map reclassifications and Planning Code amendments at 1500 Page Street:


- Amend Zoning Map 6SU to include the 1500 Page Street Residential Care Special Use District (SUD);
- Amend Zoning Map 6H to reclassify the height district from 40-X to 55-X;
- Amend the Planning Code to incorporate the new SUD through Section 249.37;
- Amend the Planning Code to incorporate a new SUD through Section 263.22.

The proposed zoning changes have been determined to be categorically exempt from environmental review under California Environmental Quality Act Sections 15301(e) and 15331.

At the February 19 hearing, the Commission voted to recommend approval of the proposed Ordinances.

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

Sincerely,



John Rahaim
Director of Planning

Attachments (one copy of the following):

Planning Commission Resolution No. 17829

Planning Commission Executive Summary for Case No. 2007.1259EKTZC



SAN FRANCISCO
PLANNING DEPARTMENT

SAN FRANCISCO
PLANNING COMMISSION
RESOLUTION NO. 17829

RESOLUTION OF INTENTION OF THE PLANNING COMMISSION TO AMEND THE PLANNING CODE AND ZONING MAPS OF THE CITY AND COUNTY OF SAN FRANCISCO INCLUDING (1) THE AMENDMENT OF SECTION MAPS 6SU AND 6H OF THE ZONING MAP TO MAP THE 1500 PAGE STREET RESIDENTIAL CARE SPECIAL USE DISTRICT, AND RECLASSIFY THE HEIGHT AND BULK DISTRICT OF THE SUBJECT PROPERTY FROM 40-X TO 55-X AND, (2) THE ADDITION OF ADD PLANNING CODE SECTIONS 249.41 AND 263.22 TO ESTABLISH THE 1500 PAGE STREET SPECIAL USE DISTRICT AND TO ESTABLISH A 55-X HEIGHT AND BULK DISTRICT FOR THE PROPERTY LOCATED AT 1500 PAGE STREET, BLOCK 1223 LOT 004, AND ADOPT GENERAL PLAN, PLANNING CODE AND ENVIRONMENTAL FINDINGS.

1. WHEREAS, On April 4, 2008, 1500 Page Street, LLC (herein after "Project Sponsor"), in cooperation with the Mayor's Office of Housing, filed applications for (1) a Zoning Map Amendment to amend Section Maps 6SU and 6H of the Zoning Map of the City and County of San Francisco to map the 1500 Page Street Residential Care Special Use District ("SUD") and to reclassify the height and bulk district from 40-X to 55-X, and (2) a Planning Code Text Amendment to add Planning Code Sections 249.37 and 263.22 to the San Francisco Planning Code to create the 1500 Page Street Special Use District ("SUD") for the property described as Assessor's Block 1223, Lot 004 located at the northwest corner of Page Street and Masonic Avenue.
2. WHEREAS, The Project Sponsor proposes to rehabilitate and expand the existing 4-story, 15,897 sq. ft. masonry building, and to construct a new partial fifth story for an overall area of approximately 17,900 square feet. The property will continue to be used as residential care, but will be upgraded to provide permanent supportive housing for lower and very low income formerly homeless persons with special needs. The subject building will contain up to 32 bedrooms and accommodate up to 48 residents between the ages of 18 and 64 years of age earning 15 – 20% of the Bay Area Median Income. The proposed 5th floor will accommodate a recreation room, lounge and counseling rooms for facility residents of approximately 2,017 square feet, and new open space of approximately 1,465 square feet. The building will be staffed 24 hours a day, 7 days a week.
3. WHEREAS, Section 340 of the Planning Code provides that Planning Code and Zoning Map amendments may be initiated by an application by one or more property owners, residents or commercial lessees or their authorized agents.
4. WHEREAS, The Project will promote the public necessity, convenience, and general welfare in that it will provide a residential care use that is consistent and compatible with


the scale, use and character of existing, proposed and planned development in the surrounding area.

5. WHEREAS, The proposed rehabilitation of and fifth-floor addition to the residential care use will improve the site, creating a project that is desirable for and compatible with the neighborhood and the larger community, which provides a highly desirable service for the City's homeless population. The Project would result in a renovated facility and a new top-floor counseling, lounge and recreation room for facility residents and approximately 1,465 square feet of open space in the form of a rooftop garden.
6. WHEREAS, Two proposed ordinances, attached hereto as Exhibits A and B, have been prepared in order to make the necessary amendments to the Planning Code and Zoning Maps to implement the Project.
7. WHEREAS, The Office of the City Attorney has reviewed the Proposed Ordinances and approved them as to form.
8. WHEREAS, The Planning Department, Major Environmental Analysis Division, has determined that this Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 and 31 [State CEQA Guidelines Section 15301(e) and 15331] exemption.

NOW, THEREFORE BE IT RESOLVED, That pursuant to Planning Code Section 340, the Planning Commission adopts a Resolution of Intention to initiate amendments to the Planning Code and Zoning Map of the City and County of San Francisco, in order to implement the proposed Project.

AND BE IT FURTHER RESOLVED, That pursuant to Planning Code Section 306.3, the Planning Commission authorizes the Department to provide appropriate notice for a public hearing to consider the above referenced ordinances attached as Exhibits A and B as though fully set forth herein, to be considered at a publicly noticed hearing on or after February 19, 2009.

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission on February 19, 2009.


Linda Avery
Commission Secretary

AYES: Commissioners Antonini, Borden, Lee, Miguel, Moore, Olague and Sugaya
NAYS: None
ABSENT: None
ADOPTED: February 19, 2009

Attachments: EXHIBIT A (Planning Code Text Ordinance)
EXHIBIT B (Zoning Map Ordinance)



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code and Zoning Map Amendments Conditional Use Authorization

HEARING DATE: FEBRUARY 19, 2009

Date: February 10, 2009
Case No.: 2007.1259EKZTC
Project Address: 1500 Page Street
Zoning: RM-1 (Residential, Mixed, Low Density)
40-X Height and Bulk District
Block/Lot: 1223/004
Project Sponsors: Nadir Shabahangi
1500 Page Street LLC
551 Page Street
San Francisco, CA 94117
Staff Contact: Sara Vellve – (415) 558-6263
Sara.vellve@sfgov.org
Recommendation: Adopt a Resolution to amend the Planning Code and Zoning Maps. Approve Conditional Use Authorization.

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

Reception:
415.558.6378

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PROJECT DESCRIPTION

The project sponsor, with support from the Mayor's Office of Housing, has purchased the property to use the building as permanent supportive housing for up to 55 formerly homeless residents between the ages of 18 and 80 and earning 15 – 20% of the Bay Area Median Income.

The applicant proposes to continue the building's original residential care type of use and add a fifth floor and rear egress stair, as well as remodel the interior of the building, increasing the overall area of the building from approximately 14,480 square feet to approximately 17,000 square feet. The proposed fifth floor of approximately 2,017 square feet would accommodate two counseling rooms, a recreation room, a lounge, storage and bathrooms. This addition would be set back approximately 10 feet from the Masonic Avenue façade and approximately 15 feet from the Page Street façade. An approximately 1,500 square foot rooftop garden/open space area would be developed in the Page Street setback at the fifth floor. Currently, there is no viable open space on the lot for resident use. A required egress stair of approximately 200 square feet would be located in an enclosed stairwell at the rear of the building. Interior modifications would bring the building up to current Building Code and contemporary living standards. Along the east façade where the building is set back from the north property line, a "gateway" type of architectural feature would be created to provide an entrance to the building's north side. Façade

alterations to windows, building details, materials and openings are not proposed. While the building will not be LEED certified, the sponsor is anticipating incorporating a number of "green" elements including: low VOC paints, adhesives and carpeting; radiant floor heating; maximization of natural lighting; formaldehyde-free insulation and Energy Star appliances.

Residents would not come and go from the facility on a daily basis - they would be permanent residents with designated bedrooms who receive on-site services in order to help them reintegrate into society. The length of stay will largely depend on an individual's personal situation. It is expected that most residents will live on the premises on a permanent basis while living a reintegrated life. The premises will not be used on a short-term shelter basis. The rehabilitated building would provide up to 32 bedrooms, as well as kitchen, bathroom counseling and storage space on floors two through four; dining room, kitchen, pantry, trash, utility, office, clinic and reception space on floor one; and recreational, counseling, restroom and storage, in addition to a rooftop garden at floor five. A local organization, AgeSong, will operate the building and programs in collaboration with many local non-profit and government agencies. AgeSong would employ approximately 36 employees to facilitate 24/7 oversight, programming and services. Residents will have access to many psychosocial, vocational and rehabilitative services on an as-requested basis. In some cases, off-site services would be appropriate and transportation to those services would be provided.

SITE DESCRIPTION AND PRESENT USE

The project is located in the Haight Ashbury neighborhood on the northwest corner of the intersection of Page Street and Masonic Avenue, Block 1223, Lot 004. The property is located within the RM-1 (Residential, Mixed, Low Density) District with 40-X height and bulk district. The property is developed with a four-story building of approximately 14,880 square feet constructed in approximately 1903. The Department's Parcel Information Database indicates the building was originally used to provide convalescent and nursing home type of use, and has been used for such purposes since. The lot is approximately 5,397 square feet and is approximately 75% covered by the subject building, with the rear yard perpendicular to Page Street.

SURROUNDING PROPERTIES & NEIGHBORHOOD

Saint Agnes Church occupies a large portion of the land surrounding the project site to the north and west as seen in the attached Parcel Map. The Urban School is located at 1563 Page Street on the opposite side of Page Street from 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 STATUS

The Project was determined by the San Francisco Planning Department (hereinafter "Department") to be categorically exempt from environmental review per Class 1 and 31 [State CEQA Guidelines Section 15301(e) and 15331]. The Commission has reviewed and concurs with said determination.

HEARING NOTIFICATION REQUIREMENTS

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20	January 20, 2009	January 20, 2009	20
Posted Notice	20	January 20, 2009	January 20, 2009	20
Mailed Notice	10	February 9, 2009	January 20, 2009	20

PUBLIC COMMENT

- To date, the project sponsor has conducted two community outreach meetings. The first, held on October 15, 2008 was not attended by any members of the public. However, after notice of the hearing, the Department and sponsor received many inquiries and concerns that the premises would be used as a temporary shelter with people coming and going on a day-to-day basis. A second meeting was held on February 5, 2009, and was attended by approximately 30 community members. Following is a summary of community comments and concerns submitted by the sponsor:
 - Giving priority placement to neighborhood residents;
 - Permitting smoking on the roof deck to prevent smoking at street level;
 - Creating a precedent for additional height reclassifications in the neighborhood;
 - The concentration of social services currently located in the Haight/Ashbury neighborhood.

The project sponsor has committed to the neighborhood to provide a well-managed program and facility, and will make every effort to address the communities concerns. The Planning Department has developed conditions regarding smoking and included findings suggesting that the height reclassification is to enhance an existing use and should not set a precedent within the neighborhood or zoning district.

Letters of support and opposition are attached.

ISSUES AND OTHER CONSIDERATIONS

- Since 1995 AgeSong Inc. has successfully developed and run five similar projects in the Bay Area. Their most recent project in San Francisco is located at 580 Hayes Street, which is a mixed-use development that will provide 42 senior group-housing units.

REQUIRED COMMISSION ACTIONS

- The subject "T and Z" cases are to address amendments to the Planning Code and Zoning Map that must ultimately be adopted by the Board of Supervisors. The Commission must adopt a Resolution of to initiate the amendments.
- Adopt a Resolution to initiate amendments to the Planning Code to create the 1500 Page Street Residential Care Special Use District (SUD) (T). The proposed SUD would provide modifications and/or exceptions to the following Planning Code requirements.
 - Expansion of a use which requires conditional use authorization.
 - Exceeding the allowable FAR
 - Expansion of a noncomplying building into the required rear yard
- Adopt a Resolution to initiate an amendment to the Planning Code to create a special height exception for the 1500 Page Street Residential Care Special Use District (SUD) (T).
- Adopt a Resolution to initiate proposed amendments to Zoning Maps 6H and 6SU to reclassify the property height from 40-X to 55-X on Map 6H and incorporate the 1500 Page Street Residential Care Special Use District on Map 6SU (Z).

BASIS FOR RECOMMENDATION

- The project will provide much-needed housing for the formerly homeless population who have been un-served, underserved and/or chronically homeless. Housing, health and substance abuse services will be provided on-site and will help to stabilize residents and promote their reintegration into society.
- The project is a collaboration between private non-profit and public entities including the Mayor's Office of Housing, the Pacific Institute, the Department of Public Health, Housing and Urban Health, and Community Behavioral Health Services.
- The proposal would continue the building's historic use while upgrading internal and structural systems and introducing additional space for program services and open space without compromising the building's integrity.
- The proposal retains affordable housing for an underserved population.
- The project is consistent with many objectives and policies of the General Plan.

RECOMMENDATION:	Adopt a Resolution for amendments to the Planning Code and Zoning Maps. Approval of Conditions.
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Attachments:

Resolution
Ordinances

Executive Summary
February 19, 2009

CASE NO. 2007.1259EKZTC
1500 Page Street

- Existing and Proposed Height Map (6H)
- Existing and Proposed Special Use District Map (6SU)
- Motion with Conditions of Approval
- Letters of Support and Opposition
- Aerial Photo
- Sanborn Map
- Sponsor's Submittal
 - Plans
 - Photosimulations and Context Photos
 - Letters of Support

Attachments above included in this packet.

Planner's Initials

