

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

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3 **Ordinance amending the San Francisco Planning Code by adding Section 259.53 to**
4 **establish the Presidio-Sutter Special Use District for property at 800 Presidio Avenue**
5 **(Assessor's Block No. 1073, Lot No. 13); amending Sheet HT03 of the Zoning Map to**
6 **change the Height and Bulk District from 40-X to 55-X and amending Sheet SU-03 of the**
7 **Zoning Map to reflect the boundaries of the Presidio-Sutter Special Use District;**
8 **adopting findings, including environmental findings, Section 302 findings, and findings**
9 **of consistency with the General Plan and the Priority Policies of Planning Code Section**
10 **101.1.**

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

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

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

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

19 (b) In a certified Environmental Impact Report adopted on _____, 2010, the
20 Planning Department has determined that the actions contemplated in this Ordinance will not
21 have a negative impact on the environment as provided under the California Environmental
22 Quality Act (California Public Resources Code sections 21000 et seq.). The certified
23 Environmental Impact Report is on file with the Clerk of the Board in File No. _____, and
24 is incorporated herein by reference. The Board adopts, as though fully set forth herein, the
25 environmental findings and affirms the conclusion of the Planning Commission

1 ("Commission") in its Resolution No. _____, adopted after a duly noticed public hearing
2 on _____, 2010. A copy of said Resolution is on file with the Clerk of the
3 Board in File No. _____, and is incorporated herein by reference.

4 (c) On _____, 2010, the Planning Commission in Resolution No. _____
5 approved, and recommended for adoption by the Board, the Presidio-Sutter Special Use
6 District and the Zoning Map amendments to change the Height and Bulk District for the
7 property at 800 Presidio Avenue and to reflect the boundaries of the Presidio-Sutter Special
8 Use District. A copy of Planning Commission Resolution No. _____ is on file with the Clerk
9 of the Board of Supervisors in File No. _____.

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

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

18 Section 2. The San Francisco Planning Code is hereby amended by adding Section
19 249.53 to read as follows:

20 SEC. 249.53. PRESIDIO-SUTTER SPECIAL USE DISTRICT.

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

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

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

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

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

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

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

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

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

3 **(1) "Density bonus"** shall mean a density increase of no more than 0.5 times the otherwise
4 maximum allowable residential density pursuant to a Planned Unit Development application in a RM-1
5 zoning district (one unit per 600 square feet of lot area minus one), which is equivalent to an additional
6 18 units over the currently permitted 36 units.

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

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

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

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

19 **(c) Planned Unit Development.** In this special use district, a modification to, or exception
20 from, otherwise applicable requirements of this Code may be appropriate in order to further the
21 critical goal of creating affordable housing. A Planned Unit Development approval for a housing
22 development subject to this Section may grant the height bonus, density bonus, and a modification or
23 exception to the requirements of this Code if the facts presented are such as to establish that the
24 modification or exception satisfies the criteria of Section 304(d) of this Code
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1 (d) Controls. Notwithstanding any other provision of this Code, the following controls shall
2 govern the uses in the Presidio-Sutter Special Use District.

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

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

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

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

21 Section 3. Pursuant to Sections 106 and 302(c) of the Planning Code, Sheet HT03 of
22 the Zoning Map of the City and County of San Francisco, sheet is hereby amended, as
23 follows:
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<u>Description of Property</u>	<u>Height and Bulk District To Be Superseded</u>	<u>Height and Bulk District Hereby Approved</u>
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
Deputy City Attorney