

**REVISED LEGISLATIVE DIGEST**

(4/3/2018, Amended in Board)

[San Francisco Conservatory of Music Development Agreement]

**Ordinance approving a Development Agreement between the City and County of San Francisco and the San Francisco Conservatory of Music, a California non-profit public benefit corporation (“SFCM”), for certain real property located at 200-214 Van Ness Avenue between Hayes Street and the Dr. Tom Waddell Place mid-block alley; making findings under the California Environmental Quality Act and findings of conformity with the City’s General Plan and with the eight priority policies of Planning Code Section 101.1(b); setting the impact fees and exactions as set forth in the Development Agreement; and confirming compliance with or waiving certain provisions of Administrative Code Chapters 14B and 56.**

Existing Law

California Government Code section 65864 *et seq.* (the “Development Agreement Statute”) and Chapter 56 of the San Francisco Administrative Code (“Chapter 56”) authorize the City to enter into a development agreement regarding the development of real property. Chapters 37 and 37A of the San Francisco Administrative Code (the “Rent Ordinance”) establishes certain tenant protections and rights with respect to rental units that are covered by the Rent Ordinance. As a general matter, rental units that are created after the effective date of the Rent Ordinance, or June 13, 1979, are not covered by the Rent Ordinance.

Amendments to Current Law

The proposed ordinance, if adopted, would result in the approval of the proposed development agreement (the “Development Agreement”) with SFCM (“Developer”) in accordance with the Development Agreement Statute and Chapter 56. The Development Agreement would provide to Developer the vested right to develop the project site as described in the Development Agreement over a 10 year term. There are no proposed amendments to current law. The parties have agreed to impose the Rent Ordinance on the 27 replacement units.

Background Information

Under the Development Agreement, the Developer proposes to demolish the two existing building on the Project Site and create student housing with approximately 420 beds in 113

FILE NO. 180115

units, three faculty units, 27 residential units constituting one-for-one replacement of the existing residential units under a tenant Replacement Housing and Interim Relocation Plan, educational and performance space, and ground floor retail/restaurant and related uses, all in an approximately 168,200-grou-square-foot building.

By separate legislation, the Board is considering taking a number of actions in furtherance of the proposed project, including the approval of amendments to the City's General Plan and Planning Code.

n:\legana\as2018\1800380\01250544.doc