



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary

HEARING DATE: JULY 14, 2011

Date: July 7, 2011
Case No.: **2010.0420CETZ**
Project Address: **3151 – 3155 SCOTT STREET**
Current Zoning: NC-3 (Neighborhood Commercial, Moderate Scale)
40-X Height and Bulk District
Proposed Zoning: Lombard and Scott Street Affordable Group Housing Special Use District
Block/Lot: 0937/001
Initiated by: Supervisors Chiu, Avalos, Kim, Mar, Mirkarimi
Project Sponsor: Community Housing Partnership
280 Turk Street
San Francisco, CA 94102
Sponsor Contact: Gail Gilman, Executive Director
Staff Contact: Sara Vellve – (415) 558-6263
sara.vellve@sfgov.org
Recommendation: **1) Recommend the Board of Supervisors Adopt the proposed Ordinance**
2) Approve the Conditional Use Authorization with Conditions

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PROJECT DESCRIPTION

Community Housing Partnership proposes to convert the vacant tourist hotel (formerly d.b.a. Edward II Inn) to 24 affordable group housing units for transitional-age youth between the ages of 18 and 24 earning a maximum of 50% Area Median Income, and one unit for a resident manager, for an overall unit count of 25. The use will generally accommodate one person for each bedroom. Interior building modifications would reduce the number of on-site bedrooms from 29 to 25 (including the manager's unit) on the second and third floors, create bathrooms for each unit, construct a kitchen, offices and rooms for programmatic needs on the ground floor, and create a laundry room, entertainment room and parking for a minimum of nine bicycles in the basement. Exterior modifications would include window replacement, painting, new signage and façade enhancements. The proposal does not involve alterations to the building's size or height; although mechanical equipment will be located on the building's roof in the future.

The project as proposed requires Planning Code and Zoning Map Amendments to create the Lombard and Scott Street Affordable Group Housing Special Use District (SUD) as an overlay in this NC-3 District. The SUD would:

1. Permit one unit for every 143 square feet of lot area for a total of 24 group housing units and one manager's unit (Planning Code Section 204.4 exempts managers unit's from the density calculation for group housing) where one unit for every 210 square feet of lot area for a total of 16 group housing units and one manager's unit is permitted as-of-right by Planning Code Sections 208 and 712.92;

2. Eliminate the rear yard requirement where a minimum rear yard of approximately 15 feet is required by Planning Code Section 134;
3. Eliminate the open space requirement where a minimum of approximately 675 square feet of private open space and approximately 875 square feet of common open space would be required by Planning Code Section 135;
4. Modify the exposure requirement for approximately 13 group housing units that do not face a street, alley or Code-compliant rear yard or courtyard as required by Planning Code Section 140.

On June 14, 2011, Supervisors Chiu, Avalos, Kim, Mar and Mirkarimi introduced an Ordinance proposing to create the SUD at 3151 – 3155 Scott Street. The Planning Commission will consider a Planning Code Text Amendment to create the SUD by adding Planning Code Section 249.55 pursuant to Planning Code Sections 302 and 306. The Planning Commission will also consider a Zoning Map Amendment pursuant to Planning Code Sections 302 and 306 that would establish the SUD at Lot 001 in Assessor's Block 0937 on Zoning Map Sheet SU02.

SITE DESCRIPTION AND PRESENT USE

The subject property is Lot 001 in Assessor's Block 0937, located on the southwest corner of Lombard and Scott Streets. The Scott Street frontage is approximately 69 feet, with 50 feet of frontage on Lombard Street. The lot area is approximately 3,450 square feet.

The project site is located in the Marina District and is developed with an approximately 8,100 square foot three-story building with a basement formerly used as a tourist hotel (d.b.a. Edward II Inn) with a pub at the ground floor fronting Lombard Street. The building occupies most of the lot except for an approximately 7-foot setback from the south property line. The property does not currently provide any off-street parking or open space for users/occupants. The building was constructed in 1914 and has been altered.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The site is located in an NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District and 40-X Height and Bulk District. Lots fronting Lombard Street to the east and west are zoned NC-3, while lots fronting Scott Street to the south of the site are zoned RH-2 and RM-2. The site is located one block south of the Chestnut Street shopping district and three blocks northwest of the Union Street shopping district. Properties in the vicinity fronting Lombard Street contain a mix of uses including restaurants, hotels, personal services, retail stores, and automotive repair shops. Building heights range from one to four stories with residential uses generally above the ground-floor commercial uses. Properties fronting Scott Street south of Lombard Street generally contain residential uses with building heights ranging from two to four stories. The height designation for the entire neighborhood is 40-X.

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 Community Housing Partnership Group Housing Project, Case 2010.0420E, and has prepared a Mitigated Negative Declaration, the appeal of which the Planning Commission will consider prior to consideration of the Ordinance and Conditional Use authorization.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	June 24, 2011	June 22, 2011	22 days
Posted Notice	20 days	June 24, 2011	June 24, 2011	20 days
Mailed Notice	20 days	June 24, 2011	June 24, 2011	20 days

PUBLIC COMMENT

The Department has received correspondence in opposition from neighborhood residents and community organizations on a broad range of topics including but not limited to: a decline in the quality of life for existing neighborhood residents and businesses, reduction of property values, increased density, lack of off-street parking and open space, and the inadequacy of the subject building for the proposed use and proposed occupant services and the necessity of an Institutional Master Plan.

ISSUES AND OTHER CONSIDERATIONS

- The property was purchased in July 2010 by CHP Scott St LLC, an affiliate of the project sponsor, for the proposed use. The Mayor’s Office of Housing has played a prominent role in funding the site acquisition
- The site is well served by public transportation along Lombard, Chestnut, Union and Fillmore Streets which will reduce reliance on private transportation on a site that does not provide off-street parking. The Sponsor anticipates that the building’s intended use will generate less parking demand than its prior use as a tourist hotel.
- As a result of concerns expressed by the neighborhood, Community Housing Partnership will provide 24-hour on-site staffing and create a Project Advisory Committee to discuss operational issues.
- The site is located in a stable residential/mixed-use neighborhood that provides well-balanced service and commercial sectors which future residents can access for goods and services. While there are nearby properties (such as the Bridge Hotel) at which undesirable activities take place, the Marina, Union Street and Cow Hollow neighborhoods are generally known to be highly desirable and stable neighborhoods in which to reside.
- Overall, the proposal will reduce the number of occupied rooms from 29 tourist hotel rooms to 24 affordable group housing units for San Francisco residents, plus one manager’s unit, for an overall unit count of 25.

- Up to 16 units of group housing are permitted as-of-right on the subject property in the NC-3 zoning district.

REQUIRED COMMISSION ACTIONS

In considering the project's compliance with the California Environmental Quality Act (CEQA) the Commission must adopt the Mitigated Negative Declaration.

In considering Planning Code and Zoning Map Amendment including the proposed Ordinance to establish the Lombard and Scott Street Affordable Group Housing Special Use District, the Commission may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

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

BASIS FOR RECOMMENDATION

- On balance the project, including the Planning Code and Zoning Map Amendments to establish the Lombard and Scott Street Affordable Group Housing Special Use District, is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.
- Specifically, establishing the Lombard and Scott Street Affordable Group Housing 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 provide up to 24 permanently affordable group housing units, which are greatly needed to increase and diversify the City's housing stock. Including the manager's unit, there would be 25 units on the property.
- The project is well served by public transit which is consistent with the City's Transit First Policy and should not adversely affect traffic, public transit or access to existing off-street parking for surrounding residential or commercial uses.
- The project's residential use is compatible with the adjacent residential neighborhood and neighborhood-serving commercial uses within the immediate and broader communities.
- The proposed project meets all applicable requirements of the Planning Code and the Lombard and Scott Street Affordable Group Housing Special Use District.

**RECOMMENDATION: 1) Recommend that the Board of Supervisors Adopt the proposed Ordinance
2) Approve the Conditional Use Authorization with Conditions**

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Resolution | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Environmental Determination | <input 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 type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | <input checked="" type="checkbox"/> Correspondence |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Draft Legislation |
| <input checked="" type="checkbox"/> Aerial Photo | |
| <input checked="" type="checkbox"/> Context Photos | |
| <input type="checkbox"/> Site Photos | |

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

Planner's Initials

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SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Text Amendment/Rezoning Draft Resolution

HEARING DATE: JULY 14, 2011

1650 Mission St.
Suite 400
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Staff Contact: Sara Vellve – (415) 558-6263
sara.vellve@sfgov.org
Recommendation: **Recommend adoption by the Board of Supervisors**

RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE A PROPOSED ORDINANCE TO AMEND THE PLANNING CODE BY ADDING SECTION 249.55, CREATING THE LOMBARD AND SCOTT STREET AFFORDABLE GROUP HOUSING SPECIAL USE DISTRICT (SUD); TO AMEND SHEET SU02 OF THE SPECIAL USE DISTRICT MAP TO INCLUDE THE LOMBARD AND SCOTT STREET AFFORDABLE GROUP HOUSING SPECIAL USE DISTRICT OF THE CITY AND COUNTY OF SAN FRANCISCO TO RECLASSIFY 3151 – 3155 SCOTT STREET, BEING ALL OF LOT 001 IN ASSESSOR'S BLOCK 0937, WITHIN THE NC-3 (NEIGHBORHOOD COMMERCIAL, MODERATE-SCALE), 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 June 14, 2011, Supervisors Chiu, Avalos, Kim, Mar, Mirkarimi introduced an Ordinance under Board of Supervisors (hereinafter "Board") File Number 110589 for a Planning Code text change and Zoning Map amendment to create the Lombard and Scott Street Affordable Group Housing Special Use District (SUD), which would 1) create a new Planning Code Section 249.55, the Lombard and Scott Street Affordable Group Housing Special Use District, 2) amend the Special Use District Map sheet SU02 of the City and County of San Francisco to refer to this new Special Use District.

Whereas, the Planning Department, as Lead Agency responsible for the implementation of the California Environmental Quality Act, has undertaken the environmental review process for the proposed Community Housing Partnership Group Housing Project and provided appropriate public hearings before the Planning Commission; and

Whereas, the Commission adopted a Mitigated Negative Declaration for the Project per State CEQA Guidelines on July 14, 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. 2010.0420TZ on July 14, 2011; and,

Whereas, the Commission adopted the resolution on July 14, 2011, to approve the text change and map amendment creating the Lombard and Scott Street Affordable Group Housing Special Use District; 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 001) of approximately 3,450 square feet in area on Assessor's Block 0937. The parcel is at the southwest corner of the intersection of Scott and Lombard Streets, and currently contains a three-story with basement structure formerly used as a tourist hotel with a bar; and

Whereas, a project at the subject property proposes to convert a building containing 29 bedrooms formerly used as a tourist hotel and bar to a permanent group housing use containing up to 24 group housing units and one manager's unit (25 units total) for transitional age youth between the ages of 18 and 24 with a maximum income of 50% of Area Median Income; 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 Community Housing Partnership's Group Housing Project which includes the proposed Ordinance described above; and

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

Whereas, the new Lombard and Scott Street Affordable Group Housing Special Use District would allow for a project that proposes to convert a 29 room tourist hotel to a use containing 24 units of group housing, one manager's unit (25 total units), and rooms for programmatic needs for low to very-low income transitional 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:

Whereas, on June 21, 2011 the Board of Supervisors adopted the 2009 Housing Element, which was signed by the Mayor on June 29, 2011 to become effective on June 29, 2011, and the Project complies with the update based on the following Policies and Objectives.

2009 HOUSING ELEMENT

Objectives and Policies

OBJECTIVE 1:

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY 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 project will be located in the Marina/Cow Hollow/Union Street neighborhoods that provide a mix of housing densities, necessary amenities and access to public transportation. There are ample public transportation opportunities nearby, including: Muni lines #22, 30, 30X, 41, and 45, all of which stop within three blocks of the project site; and Golden Gate bus service to the North Bay, which stops near the project site. In addition, the project site is located near the Chestnut and Union Street Neighborhood Commercial corridors making it convenient for residents without private transportation to access a wide variety of commercial goods and services. The project site is located close to four banks and ATMs, several smaller neighborhood markets and coffee shops, many restaurants of varying affordability, and two movie theaters. The project site is also located near many cultural and educational opportunities including a branch of the SF Public Library, City College's Fort Mason Campus, the Exploratorium, the Palace of Fine Arts, and GGNRA interpretive programs in the Presidio. In addition, the project site is within five blocks of the Presidio YMCA, the Moscone Recreation Center and the Lyon Street entrance of the Presidio, and is also near Crissy Field and the Marina Green.

OBJECTIVE 2.

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

Policy 2.5: Encourage and support the seismic retrofitting of the existing housing stock.

Although the project site is not currently used as housing, the proposed rehabilitation will include seismic and structural upgrades as deemed necessary by a qualified structural engineer and consistent with the Department of Building Inspection's requirements.

OBJECTIVE 3:

PROTECT THE AFFORDABILITY OF THE EXISTING HOUSING STOCK, ESPECIALLY RENTAL UNITS.

Policy 3.1: Preserve rental units, especially rent controlled units, to meet the City's affordable housing needs.

Policy 3.5: Retain permanently affordable residential hotels and single room occupancy (SRO) units.

The Special Use District will facilitate up to 24 new affordable group housing units, and will help to decrease the high demand for affordable group housing units. The creation of new group housing units will help to prevent displacement of tenants currently residing in affordable group housing units elsewhere in the City.

OBJECTIVE 4:

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

Policy 4.2: Provide a range of housing options for residents with special needs for housing support and services.

Policy 4.4: Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

Policy 4.5: Ensure that the 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.

Policy 4.7: Consider environmental justice issues when planning for new housing, especially affordable housing.

The proposed legislation will enable transitional age youth who are aging out of foster care and trying to prevent, or exit, homelessness, to permanently reside and receive supportive services in a financially and socially stable neighborhood. The Mayor's Office of Housing has played an active role in site acquisition and project facilitation to create a permanent housing situation in an existing structure. The project represents a collaboration between governmental (Mayor's Office of Housing) and non-profit organizations (Community Housing Partnership) to create this opportunity for permanent affordable housing. While some properties within close proximity to the site may have undesirable uses on them, in general, the neighborhood is considered a very desirable area that provides its residents with amenities and services that promote a high quality of life. The project will provide housing for economically disadvantaged youth in the generally affluent neighborhood of Cow Hollow/Marina, promoting economic integration of permanently affordable housing and market rate housing.

Objective 5:

ENSURE THAT ALL RESIDENTS HAVE EQUAL ACCESS TO AVAILABLE UNITS.

Policy 5.2: Increase access to housing, particularly for households who might not be aware of their housing choices.

Policy 5.4: Provide a range of unit types for all segments of need, and work to move residents between unit types as their needs change.

The legislation will facilitate a project that will, when combined with the project sponsor's placement efforts, provide increased housing access to individuals who otherwise, due to their young age and low income, would be unlikely to be informed about available housing choices. The Project will be a permanent source of supportive housing for low-income at-risk youth, as opposed to temporary housing provided only on a weekly or monthly basis. Most youth in permanent supportive housing are eager to transition to fully-independent living situations, and the project will be able to provide developmentally-appropriate services targeted to residents to assist them in this time of growth and transition.

Objective 6:

REDUCE HOMELESSNESS AND THE RISK OF HOMELESSNESS.

Policy 6.1: Prioritize permanent housing solutions while pursuing both short- and long-term strategies to eliminate homelessness.

Policy 6.2: Prioritize the highest incidences of homelessness, as well as those most in need, including families and immigrants.

The legislation will facilitate permanent housing and social support services for transition-age youth and reduce the need for temporary homeless shelters when youth leave the foster care system. This housing opportunity will enable youth to develop the necessary skills to transition to fully independent living situations.

At this time, demand for affordable units to serve the target population far exceeds the City's supply. The Project will greatly increase the stock of housing for low-income youth who are too old for foster care or who have left the foster care system and, as a result, have a high incidence of homelessness. Such youth are particularly underserved in the City.

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.

The proposed Special Use District which modifies group housing density, open space, rear yard and exposure requirements of the Planning Code will allow the project to provide a greater number of group housing units than is otherwise permitted within the existing building envelope. As such, the Special Use District will facilitate permanent affordable housing without adversely affecting the scale or character of the surrounding neighborhood. Overall, the number of occupied rooms in the building will be reduced from 29 to 24 with one manager's unit, for 25 units total.

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1: Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.3: Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.7: Respect San Francisco's historic fabric, by preserving landmark buildings and ensuring consistency with historic districts.

The proposed legislation will enable a residential use to be established in a building that was constructed on the subject property in approximately 1914 without modifying the building's envelope or height. As the building will not be newly constructed, or substantially altered, it will continue to compliment, and be compatible with, the Marina/Cow Hollow/Union Street commercial and residential neighborhoods as they have developed over time.

The proposed legislation will allow the replacement of the prior tourist hotel use with a residential use that will have less effect on the surrounding neighborhood by reducing the total potential occupancy from as many as sixty hotel guests (at maximum occupancy) plus hotel employees to twenty-four residents (generally), one live-in manager, and seven employees. By converting the existing building from a tourist hotel to a residential building without substantial structural modification, the project will create new housing while maintaining the same neighborhood scale and character as currently exists.

The proposed legislation will not affect a historic resource. Pursuant to an Historic Resources Evaluation Report, dated May 19, 2010, prepared by Architectural Resources Group, a copy of which is on file with the Planning Department, it was determined that the property is not an historical resource. In addition, the building on the project site is not listed in any standard lists of significant or historic structures. Furthermore, the appearance of the building will remain substantially unmodified.

OBJECTIVE 12:

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.1: Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

Policy 12.2: Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

The proposed legislation will allow group housing units to be located on a site that is well-served by existing public transit lines, including: Muni lines #22, 30, 30X, 41, and 45, all of which stop within three blocks of the project site; and Golden Gate bus service to the North Bay, which stops near the project site. Due to the required income level of residents, they are unlikely to own cars. The project will provide a minimum of nine (9) Class 1 bicycle storage spaces for use by residents. As a result, the project will provide housing that relies on public transit use and environmentally sustainable patterns of movement such as walking and bike riding.

An abundance of neighborhood services, cultural amenities and significant open spaces are located within close proximity to the project. For example, the project site is located within approximately ½ mile of four banks and ATMs, one major grocery store, several smaller neighborhood markets and retail outlets for shopping and possible resident employment. The project site is also located near the Exploratorium, the Palace of Fine Arts, Fort Mason and the Presidio. Within five blocks of the site are the Moscone Recreation Center, Crissy Field, and the Marina Green.

OBJECTIVE 13:

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1: Support “smart” regional growth that locates new housing close to jobs and transit.

Policy 13.3: Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

Policy 13.4: Promote the highest feasible level of “green” development in both private and municipally-supported housing.

The proposed legislation would allow the location of group housing in an area with an abundance of public transportation and employment opportunities. It is unlikely that residents will own private cars due to affordability restrictions. A minimum of nine (9) Class 1 bicycle storage spaces will be available to the residents to promote an alternative mode of transportation.

As currently proposed, the Project would meet Leadership in Energy and Environmental Design (LEED) Silver certification criteria and would include recycled materials where feasible, low-water use showerheads

and faucets and EnergyStar rated appliances. If feasible, the project may also include solar panels and other green energy devices.

2004 HOUSING ELEMENT Objectives and Policies

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 legislation would facilitate a residential project in an area surrounded by buildings of similar scale and character, including residential and mixed-use retail-residential buildings. By converting the existing building from a tourist hotel to a residential building without substantial structural modifications, the project will create new housing and increased residential density while maintaining the same neighborhood scale and character. In addition, the project will have a minimal effect on parking and traffic because: (1) the project is well-served by existing public transit lines; (2) most residents of the project are unlikely to have their own cars, and bicycle storage will be provided; (3) the project converts an existing tourist hotel use which generated parking demand and traffic; and (4) the existence of kitchen and other common area facilities and on-site support programs will help to reduce the demand on street infrastructure.

The project site is a former tourist hotel in an established residential/commercial neighborhood. The proposed permanently affordable group housing use is appropriate to the location and promotes this policy. The need for affordable housing for transitional age youth has been established through a 2007 study and report conducted by the Mayor's Transitional Youth Task Force titled Disconnected Youth in San Francisco: A Roadmap to Improve the Life Chances of San Francisco's Most Vulnerable Young Adults.

OBJECTIVE 4:

SUPPORT AFFORDABLE HOUSING PRODUCTION BY INCREASING SITE AVAILABILITY AND CAPACITY.

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

The tourist hotel building, located in a residential/commercial area, is currently unoccupied 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 one manager unit, the Project proposes 24 units of group housing units for transitional-age occupants. Overall, the project proposes 25 units.

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

The legislation will create the Lombard and Scott Street Affordable Group Housing SUD, which allows a density bonus for the creation of affordable housing for transition-age youth earning a maximum of 50% Area Median Income. In addition, the legislation would exempt the proposal from the Planning Code's rear yard and open space requirements, as well as modify the exposure requirement.

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 Community Housing Partnership (CHP), a non-profit organization that has served San Francisco's formerly homeless individuals and families since 1990. CHP has partnered with the Mayor's Office of Housing to secure funding for the proposal and with Larkin Street Youth Services for client programming and services. These partnerships will enable CHP to expand their capacity to produce and manage the proposal as well as providing necessary client services and programming.

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 group housing units in the proposal will be rental units that are permanently affordable to transition age youth and will promote this objective and policy.

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

The 24 group housing units will be permanent housing designated for emancipated foster youth and homeless youth, who will be able to access on-site supportive services to transition to independent living and to successfully integrate into society. One unit will be used by a resident manager.

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 pursue 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 CHP and its partners will be designed to provide the tenants a stable residential environment with supportive services to help them become contributing members of society.

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 6

MAINTAIN AND STRENGTHEN VIABLE NEIGHBOHROOD COMMERCIAL AREAS EASILY ACCESIBLE TO CITY RESIDENTS.

Policy 6.3

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of exiting affordable housing and needed expansion of commercial activity.

The proposed legislation will create new affordable housing in an established NC-3 (Moderate Scale, Neighborhood Commercial) district. The proposed density will permit a higher number of people to reside at the project site than would be otherwise permitted, which will permanently increase the number of people on the street at different times of the day, increasing safety and business vitality on evenings and weekends. The proposed legislation will not jeopardize existing affordable housing as the subject building was previously used as a tourist hotel.

TRANSPORTATION

Objectives and Policies

OBJECTIVE 1:

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAND FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONEMENT OF THE BAY AREA.

Policy 1.3

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

Policy 1.7

Assure expanded mobility for the disadvantaged.

As a result of the proposed legislation, the project would locate permanent residents within very close proximity to significant public transportation opportunities in the neighborhood. As off-street parking would not be provided, the project would promote walking and bicycling amongst the residents. Due to income limitations of residents, it is not expected that many will own private automobiles. Promoting the use of public transportation, bicycling and walking is consistent with the city's Transit First policy.

The proposed legislation will facilitate the location of permanent housing for economically disadvantaged and underemployed workers close Muni lines #22, 30, 30X, 41, and 45. This affordable transportation choice can be used as a tool for improving the economic and social situation of project residents to provide access to employment, educational institutions, medical services and recreation facilities.

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 16.6: 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.

The project will include a minimum of nine (9) Class 1 bicycle parking spaces for resident and employee use.

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.

A minimum of nine (9) Class 1 bicycle parking spaces are proposed in the basement level.

AIR QUALITY

Objectives and Policies

OBJECTIVE 3

DECREASE THE AIR QUALITY IMPACTS OF DEVELOPMENT BY COORDINATION OF LAND USE AND TRANSPORTATION DECISIONS.

Policy 3.1:

Take advantage of the high density development in San Francisco to improve the transit infrastructure and also encourage high density and compact development where an extensive transportation infrastructure exists.

The proposed legislation would increase the group housing density from a ratio of 1 unit for every 210 square feet of lot area to a ratio of 1 unit for every 143 square feet of lot area resulting in more group housing units on the property than allowed by the Planning Code for the NC-3 (Moderate Scale, Neighborhood Commercial) district. As the site is within close proximity to Muni lines #22, 30, 30X, 41, and 45, the Project would result in a high density development where an extensive transportation infrastructure exists.

URBAN DESIGN

Objectives and Policies

OBJECTIVE 4

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

Policy 9

Maximize the use of recreation areas for recreational purposes.

The site is located within close proximity to the Moscone Recreation Center, Crissy Field, and the Marina Green, and use of these recreational spaces by occupants is consistent with this policy.

Policy 15

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

The proposed legislation does not facilitate the construction of a new building that would be incompatible with the existing livability and character of residential buildings. The proposed group housing units would be accommodated within a building that was constructed on the site in 1914.

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:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The previous tourist hotel use was discontinued in September 2010, and the use accommodated tourists rather than residents. The project will enhance the neighborhood-serving retail uses in that the project will increase the neighborhood's permanent resident population resulting in a broader consumer base for neighborhood retail businesses in the Marina, Union Street and Cow Hollow neighborhoods. It is possible that residents of the proposed project could be employed by such businesses as well.

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

The text and map amendments will not alter the housing, neighborhood character, cultural or economic diversity of the neighborhood. The existing building does not currently contain any residential housing and the project does not include a building expansion or exterior changes that would alter its character. The Lombard and Scott Street Affordable Group Housing SUD allows for a higher density with no rear yard or open space requirements, and certain exposure exceptions. The existing building was constructed prior to creation of the Planning Code, and as a result, the site does not currently provide any on-site, off-street parking, open space or Code compliant rear yard setback. The exposure requirement is met only for those rooms that front Lombard and Scott Streets. Overall, the Project is consistent with the neighborhood's existing mix of uses. Increased density will add to the neighborhood character in that it will bring residents and consumers to this transit-oriented, mixed-use neighborhood. The Project could promote economic diversity by housing low-income at-risk youth in this generally affluent area.

3. That the City's supply of affordable housing be preserved and enhanced;

The text and map amendments for the Lombard and Scott Street Affordable group Housing SUD will facilitate the creation of up to 24 group housing units for at-risk low-income youth, plus one manager's unit for an overall unit count of 25. The project will not result in the removal any existing legal residential units as the building has been used as a tourist hotel since its construction in approximately 1914.

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

Although the project text and map amendments would result in additional density, the site is located on Lombard Street, which is a major transit corridor. Due to the required income levels of residents, it is unlikely that they will own private vehicles for commuting. Storage for a minimum of nine bicycles will be provided on the site. The Planning Code does not require off-street parking for group housing.

5. 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 text and map amendments involve the creation of affordable group housing units.

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

Development pursuant to the text and map amendments must meet current Building Code requirements. The proposed amendments will not alter any such requirements.

7. That the landmarks and historic buildings be preserved;

The text and map amendments would not affect any historic buildings. Through CEQA review of the proposal, it was determined that the building is not a historic resource.

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

The text and map amendment would not alter the existing building height, or height district of the property. The subject building does not currently exceed a height of 40 and the proposal does not include the expansion of the building that would exceed a height of 40 feet. The Project will have no negative affect on existing parks and open spaces.

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 Lombard and Street Affordable Group Housing Special Use District Street Affordable Group Housing Special Use District

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on July 14, 2011.

Linda D. Avery
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: July 14, 2011.



SAN FRANCISCO PLANNING DEPARTMENT

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

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Planning Commission Conditional Use Draft Motion

HEARING DATE: JULY 14, 2011

Date: July 7, 2011
Case No.: **2010.00420CETZ**
Project Address: **3151 – 3155 SCOTT STREET**
Current Zoning: NC-3 (Neighborhood Commercial, Moderate Scale)
 40-X Height and Bulk District
Proposed Zoning: Scott Street Affordable Group Housing Special Use District
Block/Lot: 0937/001
Project Sponsor: Community Housing Partnership
 280 Turk Street
 San Francisco, CA 94102
Sponsor Contact: Gail Gilman, Executive Director
Staff Contact: Sara Vellve – (415) 558-6263
 sara.vellve@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 249.55 TO CONVERT A VACANT TOURIST HOTEL (d.b.a. EDWARD II INN) TO A GROUP HOUSING USE CONTAINING UP TO 25 UNITS (24 UNITS FOR TRANSITIONAL AGE YOUTH BETWEEN 18 AND 24, AND ONE MANAGER’S UNIT) WITHIN THE NC-3 (MODERATE SCALE, NEIGHBORHOOD COMMERCIAL) DISTRICT, THE LOMBARD AND SCOTT STREET AFFORDABLE GROUP HOUSING SPECIAL USE DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On March 11, 2011 Gail Gilman (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Section 303 of the Planning Code to allow establishment of up to 24 group housing units to be occupied by transitional age youth and a manager’s unit (25 units total), within the NC-3 (Moderate Scale, Neighborhood Commercial) District, the Lombard and Scott Street Affordable Group Housing Special Use District (SUD) and a 40-X Height and Bulk District.

On July 14, 2011, the San Francisco Planning Commission (hereinafter "Commission"), by Motion No. _____ adopted the Final Mitigated Negative Declaration, Case No. 2010.0420E, for the project at 3151 – 3155 Scott Street.

On July 14, 2011 the Commission adopted Resolution No. _____, Case No. 2010.0420TZ recommending to the Board of Supervisors to adopt the text change and map amendment creating the Lombard and Scott Street Affordable Group Housing Special Use District; and,

On July 14, 2011 the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.0420C.

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 requested in Application No. 2010.0420C, 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 subject property is Lot 001 in Assessor's Block 0937, located on the southwest corner of Lombard and Scott Streets. The Scott Street frontage is approximately 69 feet, with 50 feet of frontage on Lombard Street. The lot area is approximately 3,450 square feet.

The project site is located in the Marina District and is developed with an approximately 8,100 square foot three-story building with a basement formerly used as a tourist hotel (d.b.a. Edward II Inn) with a pub at the ground floor fronting Lombard Street. The building occupies most of the lot except for an approximately 7-foot setback from the south property line. The property does not currently provide any off-street parking or open space for users/occupants. The building was constructed in 1914 and has been altered.

3. **Surrounding Properties and Neighborhood.** The site is located in an NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District and 40-X Height and Bulk District. Lots fronting Lombard Street to the east and west are zoned NC-3, while lots fronting Scott Street to the south of the site are zoned RH-2 and RM-2. The site is located one block south of the Chestnut Street shopping district and three blocks northwest of the Union Street shopping district. Properties in the vicinity fronting Lombard Street contain a mix of uses including restaurants, hotels, personal services, retail stores, and automotive repair shops. Buildings heights range from one to four

stories with residential uses generally above the ground-floor commercial uses. Properties fronting Scott Street south of Lombard Street generally contain residential uses with building heights ranging from two to four stories. The height designation for the entire neighborhood is 40-X.

4. **Project Description.** Community Housing Partnership proposes to convert the vacant tourist hotel (formerly d.b.a. Edward II Inn) to 24 affordable group housing units for transitional-age youth between the ages of 18 and 24 earning a maximum of 50% Area Median Income, and one unit for a resident manager, for an overall unit count of 25. The use will generally accommodate one person for each bedroom. Interior building modifications would reduce the number of on-site bedrooms from 29 to 25 (including the manager's unit) on the second and third floors, create bathrooms for each unit, construct a kitchen, offices and rooms for programmatic needs on the ground floor, and create a laundry room, entertainment room and parking for a minimum of nine bicycles in the basement. Exterior modifications would include window replacement, painting, new signage and façade enhancements. The proposal does not involve alterations to the building's size or height; although mechanical equipment will be located on the building's roof in the future.

The project as proposed requires Planning Code and Zoning Map Amendments to create the Lombard and Scott Street Affordable Group Housing Special Use District (SUD) as an overlay in this NC-3 District. The SUD would:

1. Permit one unit for every 143 square feet of lot area for a total of 24 group housing units and one manager's unit (Planning Code Section 204.4 exempts managers unit's from the density calculation for group housing) where one unit for every 210 square feet of lot area for a total of 16 group housing units and one manager's unit is permitted as-of-right by Planning code Sections 208 and 712.92;
2. Eliminate the rear yard requirement where a minimum rear yard of approximately 15 feet is required by Planning Code Section 134;
3. Eliminate the open space requirement where a minimum of approximately 675 square feet of private open space and approximately 875 square feet of common open space would be required by Planning Code Section 135;
4. Modify the exposure requirement for approximately 13 group housing units that do not face a street, alley or Code-compliant rear yard or courtyard as required by Planning Code Section 140.

On June 14, 2011, Supervisors Chiu, Avalos, Kim, Mar and Mirkarimi introduced an Ordinance proposing to create the SUD at 3151 – 3155 Scott Street. The Planning Commission will consider a Planning Code Text Amendment to create the SUD by adding Planning Code Section 249.55 pursuant to Planning Code Sections 302 and 306. The Planning Commission will also consider a Zoning Map Amendment pursuant to Planning Code Sections 302 and 306 that would establish the SUD at Lot 001 in Assessor's Block 0937 on Zoning Map Sheet SU02.

5. **Public Comment.** The Department has received correspondence in opposition from neighborhood residents and community organizations on a broad range of topics including but not limited to: a decline in the quality of life for existing neighborhood residents and businesses, reduction of property values, increased density, lack of off-street parking and open space, and the inadequacy subject building for the proposed use and proposed occupant services.
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. **Lombard and Scott Street Affordable Group Housing Special Use District (SUD).** Planning Code Section 249.55 establishes the Lombard and Scott Street Affordable Group Housing SUD which allows a project containing an affordable group housing and manager's unit, with Planning Commission approval, an increase in the group housing density, and exemptions from the open space, rear yard and exposure requirements. Up to 24 of the units would be for transitional age youth between the ages of 18 and 24 who earn a maximum of 50% Area Median Income. The 25th unit would be used by a resident manager.

The project is proposed to contain up to 24 permanently affordable group housing units for transitional age youth between the ages of 18 and 24 earning a maximum of 50% Area Median Income, and one manager's unit; thus the Commission may approve the increased density, open space, rear yard and exposure exemptions for the project.

- B. **Open Space.** Planning Section 135 of the Planning Code requires approximately 27 square feet of private or approximately 35 square feet of common open space per group housing unit.

The subject building was constructed as a tourist hotel in approximately 1914 and does not provide any outside area that qualifies as private or common open space. The only undeveloped area on the lot is an approximately 7-foot wide corridor along the lot's south property line. The project is proposed to contain up to 24 permanently affordable group housing units for youth earning a maximum of 50% AMI and one manager's unit; thus the Commission may approve the open space exemption for the project pursuant to the Lombard and Scott Street Affordable Group Housing SUD.

- C. **Rear Yard.** Planning Code Section 134(a)(1)(C) requires a rear yard equaling 25% or 15 feet, whichever is greater, of the total lot depth at each level containing a dwelling unit.

The subject building was constructed as a tourist hotel in 1914 prior to creation of the rear yard requirement. As such, the existing building extends to within seven feet of the south property line and is a noncomplying structure. Conversion of a tourist hotel to a residential use requires implementation of the rear yard requirement, which equals approximately 15 feet measured from the south property line. As the project is proposed to contain up to 24 permanently affordable group housing units for youth earning a maximum of 50% AMI and one manager's unit; the Commission may approve the rear yard exemption for the project pursuant to the Lombard and Scott Street Affordable Group Housing SUD.

- D. **Parking.** Planning Code Section 151 does not require off-street parking for group housing uses of any kind unless such a use is located within an RH-2 (Residential, House, Two-Family) District.

The subject lot is located within an NC-3 (Moderate Scale, Neighborhood Commercial) District and the group housing use is not required to provide off-street parking for residents or managers.

- E. **Exposure.** Planning Code Section 140 requires that each dwelling unit shall face directly on to a public street or alley, a side yard of at least 25 feet in width, a Code compliant rear yard, or a courtyard that is no less than 25 feet in every horizontal direction.

The subject building was constructed as a tourist hotel in approximately 1914 with frontages on Lombard and Scott Streets. As originally constructed, the building does not provide a Code compliant side or rear yard, or contain a courtyard that is 25 feet in every horizontal direction. As originally constructed, the building contains approximately 12 occupiable guest rooms with windows that front on Lombard and Scott Streets. After modifications to the building to accommodate the proposed group housing use, approximately 12 of 25 occupiable rooms will meet the exposure requirement as they front on Lombard and Scott Streets. The remaining 13 rooms will face a lightwell area in the middle of the building and/or the 7-foot-wide rear building setback. As the project is proposed to contain up to 24 permanently affordable group housing units at 50% AMI; and one manager's unit, the Commission may approve the exposure modification for the project pursuant to the Lombard and Scott Street Affordable Group Housing SUD.

- F. **Bicycle Parking.** Planning Code Section 155.5 requires one Class 1 bicycle parking space for every three group housing units regardless of zoning district.

A minimum of nine restricted access Class 1 bicycle parking/storage spaces will be located in the basement of the subject building.

- G. **Signage.** Currently, there is not a proposed sign program on file with the Planning Department. The proposed business does not have a name as of this writing. Any proposed signage will be subject to the review and approval of the Planning Department.

7. **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 new residential group housing use is permitted as-of-right in the NC-3 (Neighborhood Commercial, Moderate Scale) District pursuant to Planning Code Section 712.92. The site is located in a block that contains lots zoned RH-2 (Residential, House, Two-Family) and RM-2 (Mixed, Moderate Density) and the residential nature of the proposal is consistent with the zoning of the block.

Although the density of group housing units exceeds the maximum permitted by the Planning Code, the overall number of people occupying the group housing use is expected to be less in comparison to the previous tourist hotel use. The proposed density is consistent with the Lombard and Scott Street Affordable Group Housing SUD. The proposed use will not affect traffic as residents are not expected to own private vehicles. A minimum of nine bicycle storage spaces will be available for residents. The project will occur within an existing building and expansion of the building is not proposed.

- 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;

Modifications to the existing building that would change its height and bulk are not proposed. The existing building was constructed on the site in approximately 1914 and will remain an integral part of the neighborhood character.

- 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 Planning Code does not require parking or loading for group housing. It is not expected that residents of the site will own private automobiles due to their level of income. A minimum of nine on-site bicycle storage spaces will be made available to residents. The subject neighborhood is well served by public transportation and it is expected that residents will use this service for much of their transportation needs.

- 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 uses. All interior and exterior lighting will direct illumination downward.

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

The proposed residential use does not propose any such features referenced above that would require additional review and/or conditions to ensure that they are appropriate for the site and neighborhood.

- 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 all 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 Lombard and Scott Street Affordable Group Housing Special Use District.

The proposed project is consistent with the stated purpose of the Lombard and Scott Street Affordable Group Housing Special Use District. The project will create up to 24 permanently affordable group housing units for transitional age youth between the ages of 18 -24 with an income level not to exceed 50% of the Area Median Income. One unit will be used for the manager for a total unit count of 25.

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

On June 21, 2011 the Board of Supervisors adopted the 2009 Housing Element, which was signed by the Mayor on June 29, 2011 to become effective on June 29, 2011, and the Project complies with the update based on the following Policies and Objectives.

2009 HOUSING ELEMENT Objectives and Policies

OBJECTIVE 1:

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY 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 project will be located in the Marina/Cow Hollow/Union Street neighborhoods that provide a mix of housing densities, necessary amenities and access to public transportation. There are ample public transportation opportunities nearby, including: Muni lines #22, 30, 30X, 41, and 45, all of which stop within three blocks of the project site; and Golden Gate bus service to the North Bay, which stops near the project site. In addition, the project site is located near the Chestnut and Union Street Neighborhood Commercial corridors making it convenient for residents without private transportation to access a wide variety of commercial goods and services. The project site is located close to four banks and ATMs, several smaller neighborhood markets and coffee shops, many restaurants of varying affordability, and two movie theaters. The project site is also located near many cultural and educational opportunities including a branch of the SF Public Library, City College's Fort Mason Campus, the Exploratorium, the Palace of Fine Arts, and GGNRA interpretive programs in the Presidio. In addition, the project site is within five blocks of the Presidio YMCA, the Moscone Recreation Center and the Lyon Street entrance of the Presidio, and is also near Crissy Field and the Marina Green.

OBJECTIVE 2.

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

Policy 2.5: Encourage and support the seismic retrofitting of the existing housing stock.

Although the project site is not currently used as housing, the proposed rehabilitation will include seismic and structural upgrades as deemed necessary by a qualified structural engineer and consistent with the Department of Building Inspection's requirements.

OBJECTIVE 3:

PROTECT THE AFFORDABILITY OF THE EXISTING HOUSING STOCK, ESPECIALLY RENTAL UNITS.

Policy 3.1: Preserve rental units, especially rent controlled units, to meet the City's affordable housing needs.

Policy 3.5: Retain permanently affordable residential hotels and single room occupancy (SRO) units.

The Special Use District will facilitate up to 24 new affordable group housing units, and will help to decrease the high demand for affordable group housing units. The creation of new group housing units will help to prevent displacement of tenants currently residing in affordable group housing units elsewhere in the City.

OBJECTIVE 4:

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

Policy 4.2: Provide a range of housing options for residents with special needs for housing support and services.

Policy 4.4: Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

Policy 4.5: Ensure that the 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.

Policy 4.7: Consider environmental justice issues when planning for new housing, especially affordable housing.

The proposed project will enable transitional age youth who are aging out of foster care and trying to prevent, or exit, homelessness, to permanently reside and receive supportive services in a financially and socially stable neighborhood. The Mayor's Office of Housing has played an active role in site acquisition and project facilitation to create a permanent housing situation in an existing structure. The project represents a collaboration between governmental (Mayor's Office of Housing) and non-profit organizations (Community Housing Partnership) to create this opportunity for permanent affordable housing. While some properties within close proximity to the site may have undesirable uses on them, in general, the neighborhood is considered a very desirable area that provides its residents with amenities and services that promote a high quality of life. The project will provide housing for economically disadvantaged youth in the generally affluent neighborhood of Cow Hollow/Marina, promoting economic integration of permanently affordable housing and market rate housing.

Objective 5:

ENSURE THAT ALL RESIDENTS HAVE EQUAL ACCESS TO AVAILABLE UNITS.

Policy 5.2: Increase access to housing, particularly for households who might not be aware of their housing choices.

Policy 5.4: Provide a range of unit types for all segments of need, and work to move residents between unit types as their needs change.

The project will facilitate a project that will, when combined with the project sponsor's placement efforts, provide increased housing access to individuals who otherwise, due to their young age and low income, would be unlikely to be informed about available housing choices. The Project will be a permanent source of supportive housing for low-income at-risk youth, as opposed to temporary housing provided only on a weekly or monthly basis. Most youth in permanent supportive housing are eager to transition to fully-independent living situations, and the project will be able to provide developmentally-appropriate services targeted to residents to assist them in this time of growth and transition.

Objective 6:

REDUCE HOMELESSNESS AND THE RISK OF HOMELESSNESS.

Policy 6.1: Prioritize permanent housing solutions while pursuing both short- and long-term strategies to eliminate homelessness.

Policy 6.2: Prioritize the highest incidences of homelessness, as well as those most in need, including families and immigrants.

The project will facilitate permanent housing and social support services for transition-age youth and reduce the need for temporary homeless shelters when youth leave the foster care system. This housing opportunity will enable youth to develop the necessary skills to transition to fully independent living situations.

At this time, demand for affordable units to serve the target population far exceeds the City's supply. The Project will greatly increase the stock of housing for low-income youth who are too old for foster care or who have left the foster care system and, as a result, have a high incidence of homelessness. Such youth are particularly underserved in the City.

OBJECTIVE 7:

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

The proposed Special Use District which modifies group housing density, open space, rear yard and exposure requirements of the Planning Code will allow the project to provide a greater number of group housing units than is otherwise permitted within the existing building envelope. As such, the Special Use District will facilitate permanent affordable housing without adversely affecting the scale or character of

the surrounding neighborhood. Overall, the number of occupied rooms in the building will be reduced from 29 to 24 with one manager's unit, for 25 units total.

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1: Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.3: Ensure growth is accommodated without substantially and adversely impacting existing residential neighborhood character.

Policy 11.7: Respect San Francisco's historic fabric, by preserving landmark buildings and ensuring consistency with historic districts.

The proposed project will enable a residential use to be established in a building that was constructed on the subject property in approximately 1914 without modifying the building's envelope or height. As the building will not be newly constructed, or substantially altered, it will continue to compliment, and be compatible with, the Marina/Cow Hollow/Union Street commercial and residential neighborhoods as they have developed over time.

The proposed project will allow the replacement of the prior tourist hotel use with a residential use that will have less effect on the surrounding neighborhood by reducing the total potential occupancy from as many as sixty hotel guests (at maximum occupancy) plus hotel employees to twenty-four residents (generally), one live-in manager, and seven employees. By converting the existing building from a tourist hotel to a residential building without substantial structural modification, the project will create new housing while maintaining the same neighborhood scale and character as currently exists.

The proposed project will not affect a historic resource. Pursuant to an Historic Resources Evaluation Report, dated May 19, 2010, prepared by Architectural Resources Group, a copy of which is on file with the Planning Department, it was determined that the property is not an historical resource. In addition, the building on the project site is not listed in any standard lists of significant or historic structures. Furthermore, the appearance of the building will remain substantially unmodified.

OBJECTIVE 12:

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.1: Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

Policy 12.2: Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

The proposed project will allow group housing units to be located on a site that is well-served by existing public transit lines, including: Muni lines #22, 30, 30X, 41, and 45, all of which stop within three blocks of the project site; and Golden Gate bus service to the North Bay, which stops near the project site. Due to the required income level of residents, they are unlikely to own cars. The project will provide a minimum of nine (9) Class 1 bicycle storage spaces for use by residents. As a result, the project will provide housing that relies on public transit use and environmentally sustainable patterns of movement such as walking and bike riding.

An abundance of neighborhood services, cultural amenities and significant open spaces are located within close proximity to the project. For example, the project site is located within approximately ½ mile of four banks and ATMs, one major grocery store, several smaller neighborhood markets and retail outlets for shopping and possible resident employment. The project site is also located near the Exploratorium, the Palace of Fine Arts, Fort Mason and the Presidio. Within five blocks of the site are the Moscone Recreation Center, Crissy Field, and the Marina Green.

OBJECTIVE 13:

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

Policy 13.1: Support “smart” regional growth that locates new housing close to jobs and transit.

Policy 13.3: Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

Policy 13.4: Promote the highest feasible level of “green” development in both private and municipally-supported housing.

The proposed project would allow the location of group housing in an area with an abundance of public transportation and employment opportunities. It is unlikely that residents will own private cars due to affordability restrictions. A minimum of nine (9) Class 1 bicycle storage spaces will be available to the residents to promote an alternative mode of transportation.

As currently proposed, the Project would meet Leadership in Energy and Environmental Design (LEED) Silver certification criteria and would include recycled materials where feasible, low-water use showerheads and faucets and EnergyStar rated appliances. If feasible, the project may also include solar panels and other green energy devices.

2004 HOUSING ELEMENT
Objectives and Policies

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 would facilitate a residential project in an area surrounded by buildings of similar scale and character, including residential and mixed-use retail-residential buildings. By converting the existing building from a tourist hotel to a residential building without substantial structural modifications, the project will create new housing and increased residential density while maintaining the same neighborhood scale and character. In addition, the project will have a minimal effect on parking and traffic because: (1) the project is well-served by existing public transit lines; (2) most residents of the project are unlikely to have their own cars, and bicycle storage will be provided; (3) the project converts an existing tourist hotel use which generated parking demand and traffic; and (4) the existence of kitchen and other common area facilities and on-site support programs will help to reduce the demand on street infrastructure.

The project site is a former tourist hotel in an established residential/commercial neighborhood. The proposed permanently affordable group housing use is appropriate to the location and promotes this policy. The need for affordable housing for transitional age youth has been established through a 2007 study and report conducted by the Mayor's Transitional Youth Task Force titled Disconnected Youth in San Francisco: A Roadmap to Improve the Life Chances of San Francisco's Most Vulnerable Young Adults.

OBJECTIVE 4:

SUPPORT AFFORDABLE HOUSING PRODUCTION BY INCREASING SITE AVAILABILITY AND CAPACITY.

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

The tourist hotel building, located in a residential/commercial area, is currently unoccupied 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 one manager unit, the Project proposes 24 units of group housing units for transitional-age occupants. Overall, the project proposes 25 units.

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

The project will create the Lombard and Scott Street Affordable Group Housing SUD, which allows a density bonus for the creation of affordable housing for transition-age youth earning a maximum of 50% Area Median Income. In addition, the legislation would exempt the proposal from the Planning Code's rear yard and open space requirements, as well as modify the exposure requirement.

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 Community Housing Partnership (CHP), a non-profit organization that has served San Francisco's formerly homeless individuals and families since 1990. CHP has partnered with the Mayor's Office of Housing to secure funding for the proposal and with Larkin Street Youth Services for client programming and services. These partnerships will enable CHP to expand their capacity to produce and manage the proposal as well as providing necessary client services and programming.

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 group housing units in the proposal will be rental units that are permanently affordable to transition age youth and will promote this objective and policy.

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

The 24 group housing units will be permanent housing designated for emancipated foster youth and homeless youth, who will be able to access on-site supportive services to transition to independent living and to successfully integrate into society. One unit will be used by a resident manager.

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 pursue 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 CHP and its partners will be designed to provide the tenants a stable residential environment with supportive services to help them become contributing members of society.

NEIGHBORHOOD COMMERCE
Objectives and Policies

OBJECTIVE 6

MAINTAIN AND STRENGTHEN VIABLE NEIGHBOHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.3

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of exiting affordable housing and needed expansion of commercial activity.

The proposed project will create new affordable housing in an established NC-3 (Moderate Scale, Neighborhood Commercial) district. The proposed density will permit a higher number of people to reside at the project site than would be otherwise permitted, which will permanently increase the number of people on the street at different times of the day, increasing safety and business vitality on evenings and weekends. The proposed project will not jeopardize existing affordable housing as the subject building was previously used as a tourist hotel.

**TRANSPORTATION
Objectives and Policies**

OBJECTIVE 1:

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAND FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.3

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

Policy 1.7

Assure expanded mobility for the disadvantaged.

As a result of the proposed project, the Project would locate permanent residents within very close proximity to significant public transportation opportunities in the neighborhood. As off-street parking would not be provided, the Project would promote walking and bicycling amongst the residents. Due to income limitations of residents, it is not expected that many will own private automobiles. Promoting the use of public transportation, bicycling and walking is consistent with the city's Transit First policy.

The proposed project will facilitate the location of permanent housing for economically disadvantaged and underemployed workers close Muni lines #22, 30, 30X, 41, and 45. This affordable transportation choice can be used as a tool for improving the economic and social situation of Project residents to provide access to employment, educational institutions, medical services and recreation facilities.

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 16.6: 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.

The project will include a minimum of eight (9) Class 1 bicycle parking spaces for resident and employee use.

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.

A minimum of nine (9) Class 1 bicycle parking spaces are proposed in the basement level.

AIR QUALITY

Objectives and Policies

OBJECTIVE 3

DECREASE THE AIR QUALITY IMPACTS OF DEVELOPMENT BY COORDINATION OF LAND USE AND TRANSPORTATION DECISIONS.

Policy 3.1:

Take advantage of the high density development in San Francisco to improve the transit infrastructure and also encourage high density and compact development where an extensive transportation infrastructure exists.

The proposed project would increase the group housing density from a ratio of 1 unit for every 210 square feet of lot area to a ratio of 1 unit for every 143 square feet of lot area resulting in more group housing units on the property than allowed by the Planning Code for the NC-3 (Moderate Scale, Neighborhood Commercial) district. As the site is within close proximity to Muni lines #22, 30, 30X, 41, and 45, the Project would result in a high density development where an extensive transportation infrastructure exists.

URBAN DESIGN

Objectives and Policies

OBJECTIVE 4

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

Policy 9

Maximize the use of recreation areas for recreational purposes.

The site is located within close proximity to the Moscone Recreation Center, Crissy Field, and the Marina Green, and use of these recreational spaces by occupants is consistent with this policy.

Policy 15

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

The proposed project does not facilitate the construction of a new building that would be incompatible with the existing livability and character of residential buildings. The proposed group housing units would be accommodated within a building that was constructed on the site in 1914.

9. **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:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The previous tourist hotel use was discontinued in September 2010, and the use accommodated tourists rather than residents. The project will enhance the neighborhood-serving retail uses in that the project will increase the neighborhood's permanent resident population resulting in a broader consumer base for neighborhood retail businesses in the Marina, Union Street and Cow Hollow neighborhoods. It is possible that residents of the proposed project could be employed by such businesses as well.

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

The project will not alter the housing, neighborhood character, cultural or economic diversity of the neighborhood. The existing building does not currently contain any residential housing and the project does not include a building expansion or exterior alterations that would alter its character. The Lombard and Scott Street Affordable Group Housing SUD allows for a higher density with no rear yard or open space requirements, and certain exposure exceptions. Overall, the Project is consistent with the neighborhood's existing mix of uses. Increased density will add to the neighborhood character in that it will bring residents and consumers to this transit-oriented, mixed-use neighborhood. The Project could promote economic diversity by housing low-income at-risk youth in the generally affluent area of Cow Hollow.

3. That the City's supply of affordable housing be preserved and enhanced;

The project will facilitate the creation of up to 24 group housing units for at-risk low-income youth, plus one manager's unit for an overall unit count of 25. The project will not result in the removal any existing legal residential units as the building has been used as a tourist hotel since its construction in approximately 1914.

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

Although the Project would result in additional density, the site is located on Lombard Street, which is a major transit corridor. . Due to the required income levels of residents, it is unlikely that they will own private vehicles for commuting. Storage for a minimum of nine bicycles will be provided on the site. The Planning Code does not require off-street parking for group housing.

5. 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 involves the creation of group housing units.

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

Development pursuant to the project must meet current Building Code requirements. The proposed amendments will not alter any such requirements.

7. That the landmarks and historic buildings be preserved;

The project would not affect any historic buildings. Through CEQA review of the proposal, it was determined that the building does not qualify as a historic resource.

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

The project would not alter the existing building height, or height district of the property. The subject building does not currently exceed a height of 40 and the proposal does not include the expansion of the building that would exceed a height of 40 feet. The Project will have no negative effect on existing parks and open spaces

10. 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.

11. 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. 2010.0420C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated July 14, 2011, 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. XXXXX. 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 July 14, 2011.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: July 14, 2011

EXHIBIT A

AUTHORIZATION

1. This authorization is for a conditional use to allow a group housing use containing up to 24 group housing units and one manager's unit (25 units total), with exemptions from the open space, rear yard and exposure requirements located at 3151 – 3155 Scott Street, Lot 001 in Assessor's Block 0937 pursuant to Planning Code Section(s) 303 within the **NC-3 (Moderate-Scale Neighborhood Commercial)** District, **Lombard and Scott Street Affordable Group Housing SUD** and a **40-X** Height and Bulk District; in general conformance with plans, dated **XXXXXX**, and stamped "EXHIBIT B" included in the docket for Case No. **2010.0420CTZ** and subject to conditions of approval reviewed and approved by the Commission on **July 14, 2011** under Motion No **XXXXXX**. 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 Mitigated Negative Declaration, Case No. 2010.0420E, shall be Conditions of Approval and are accepted by the project applicant and any successor-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

RECORDATION OF CONDITIONS OF APPROVAL

3. 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 **July 14, 2011** under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

4. The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **XXXXXX** 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

5. 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

6. 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.

PERFORMANCE

7. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for four 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 four (4) 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 four (4) years have passed since the Motion was approved.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

DESIGN

8. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.

PARKING AND TRAFFIC

9. **Bicycle Parking.** The project shall provide no fewer than 9 Class 1 bicycle parking spaces required by Planning Code Section 155.5.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

MONITORING

10. **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

11. **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

12. **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 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

13. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designated 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

OPERATION

14. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>*

MITIGATION MONITORING AND REPORTING PROGRAM
EXHIBIT "C"
Page 1 of 1

MEASURES ADOPTED AS CONDITIONS OF APPROVAL	Responsibility for Implementation	Schedule	Monitoring/Report Responsibility	Status/Date Completed
<i>Air Quality Mitigation Measure</i>				
<p>AQ-1: Mitigation Measure: Building Air Filtration and Ventilation Requirements To reduce the potential for exposure of building occupants to PM2.5 and other toxic air contaminants, the project shall be designed to incorporate a mechanical ventilation system with air filtration that is capable of removing 80 percent of ambient PM2.5. This level of filtration requires filters with at least a MERV (minimum efficiency reporting value) rating of 12 per American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 52.2 (equivalent to approximately ASHRAE Standard 52.1 Dust Spot 85%). In addition, the project's air intakes shall be located on the eastern, western, or southern half of the building as specified in the Air Quality Technical Report to increase the separation from traffic emissions on Lombard Street. The ventilation system shall be designed by an engineer certified by ASHRAE, who shall provide a written report documenting that the system offers the best available technology to minimize outdoor to indoor transmission of air pollution. In addition to installation of air filtration, the project sponsor shall present a plan that ensures ongoing maintenance plan for the ventilation and filtration systems.</p>	<p>Project sponsor as part of structural design and construction of the project.</p>	<p>During construction.</p>	<p>Planning Department, Department of Public Health (DPH), and the Department of Building Inspection (DBI)</p>	<p>Considered complete upon approval of final construction documents showing the mechanical ventilation system, as appropriate.</p>

1 [Planning Code - Zoning Map - Establishing the Lombard and Scott Street Affordable Group
2 Housing Special Use District - 3151-3155 Scott Street]

3 **Ordinance amending the San Francisco Planning Code by adding Section 249.55 and**
4 **amending Section Map 2SU to: 1) create the Lombard and Scott Street Affordable**
5 **Group Housing Special Use District for the real property encompassing 3151-3155**
6 **Scott Street (Assessor’s Block No. 0937, Lot No. 001), at the southwest corner of Scott**
7 **and Lombard Streets, in order to facilitate the development of an affordable group**
8 **housing project; and 2) making environmental findings, Planning Code Section 302**
9 **findings, and findings of consistency with the General Plan and the Priority Policies of**
10 **Planning Code Section 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 ~~strikethrough 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 determines that:

17 (a) The Planning Department has determined that the actions contemplated in this
18 ordinance comply with the California Environmental Quality Act (Public Resources Code
19 Section 21000 et seq.) Said determination is on file with the Clerk of the Board of Supervisors
20 in File No. _____ and is incorporated herein by reference.

21 (b) Pursuant to Section 302 of the Planning Code, the Board finds that this ordinance
22 will serve the public necessity, convenience, and welfare for the reasons set forth in Planning
23 Commission Resolution No. _____ and the Board incorporates those reasons herein by
24 reference. A copy of Planning Commission Resolution No. _____ is on file with the Clerk of
25 the Board of Supervisors in File No. _____.

1 (c) The Board of Supervisors finds that this ordinance is in conformity with the General
2 Plan and the Priority Policies of Section 101.1 for the reasons set forth in Planning
3 Commission Resolution No. _____ and the Board incorporates those reasons herein by
4 reference.

5 (d) The property commonly known as 3151 - 3155 Scott Street is located on the
6 southwest corner of Scott and Lombard Streets (Block 0937, Lot 001) in the City and County
7 of San Francisco. The property is zoned NC-3 and is within a 40-X height and bulk district. It
8 currently contains a three-story building that functions as a tourist hotel with no permanent
9 residents. No open space, off-street parking or rear yard currently exist for the building.

10 (e) With public funding to provide an affordability level at a maximum of 50% AMI, a
11 local nonprofit housing developer proposes to rehabilitate the property and provide
12 approximately 24 affordable group housing units on the site exclusively for transition-age
13 youth. The proposed project would also include one on-site manager's unit. The proposed
14 density of the group housing exceeds the Planning Code maximum.

15 (f) This Special Use District is being established in order to allow the sponsor to
16 develop the affordable group housing project on the subject site to the proposed density with
17 no required open space, parking or rear yard.

18 (g) On _____, 2011, at a duly noticed public hearing, the Planning Commission
19 adopted proposed Planning Code and Zoning Map amendments in Resolution No.
20 _____ creating the Lombard and Scott Street Affordable Group Housing Special Use
21 District.

22 (h) The letter from the Planning Department transmitting the proposed Planning Code
23 and Zoning Map amendments to the Board of Supervisors, the Mitigated Negative Declaration
24 with respect to the approval of the Project, and the Resolution approving the proposed
25 Planning Code amendments are on file with the Clerk of the Board in File No. _____.

1 These and any and all other documents referenced in this ordinance have been made
2 available to, and have been reviewed by, the Board of Supervisors, and may be found in the
3 files of the Planning Department, as the custodian of records, at 1650 Mission Street in San
4 Francisco, and in File No._____. With the Clerk of the Board of Supervisors at One Dr.
5 Carlton B. Goodlett Place, San Francisco, and are incorporated herein by reference.
6

7 Section 2. The San Francisco Planning Code is hereby amended by adding Section
8 249.55, to read as follows:

9 **SEC. 249.55 LOMBARD AND SCOTT STREET AFFORDABLE GROUP HOUSING**
10 **SPECIAL USE DISTRICT.**

11 In order to facilitate the establishment of affordable group housing use on the subject
12 property, there shall be established the Lombard and Scott Street Affordable Group Housing
13 Special Use District located at 3151 – 3155 Scott Street (Assessor’s block 0937, Lot 001), as
14 designated on Sectional Map 2SU of the Zoning Map of the City and County of San
15 Francisco. The following provisions shall apply within the Special Use District.

16 (a) **Purpose.** The Lombard and Scott Street Affordable Group Housing Special Use
17 District is hereby established in order to facilitate the development of an affordable group
18 housing project exclusively for transition-age youth.

19 (b) **Applicability.** The provisions of this Special Use District shall apply only to an
20 affordable group housing project exclusively for transition-age youth by a nonprofit housing
21 developer that receives funding from the San Francisco Mayor's Office of Housing to develop
22 the project and any successors or assigns of the developer.

23 (c) **Conditional Use Approval.** In this Special Use District exceptions from otherwise
24 applicable requirements of this Code may be appropriate in order to further the critical goal of
25 creating affordable housing for transition-age youth. A conditional use approval shall be

1 required for any development subject to this Section 249.55. Such conditional use may grant
2 the following exceptions from the requirements of this Code if the facts presented establish
3 that the exceptions satisfy the criteria of Subsections 303(c)(1) through 303(c)(3) of this Code.
4 The following exceptions from the requirements of this Code are appropriate in order to further
5 the goal of preserving and enhancing a group housing use for transition-age youth.

6 (i) **Density.** An affordable group housing project meeting the requirements of
7 subsection (b) above is authorized to have a density of up to 24 units of group housing and
8 one manager's unit, with a minimum number of 143 square feet of lot area for each bedroom.
9 The rules for calculating density set forth in Section 208 of this Code shall apply.

10 (ii) **Rear Yard.** The rear yard requirement for NC-3 zoning districts set forth in Section
11 134 of this Code shall not apply to a rehabilitation project authorized by this Special Use
12 District.

13 (iii) **Open Space.** The useable open space requirements for NC-3 zoning districts set
14 forth in Section 135 of this Code shall not apply to a rehabilitation project authorized by this
15 Special Use District.

16 (iv) **Exposure.** The exposure requirement set forth in Section 140 of this Code shall not
17 apply for interior group housing units that do not face Scott Street or Lombard Street to a
18 rehabilitation project authorized by this Special Use District.

19
20 Section 3. Pursuant to Sections 106 and 302(c) of the Planning Code, and as duly
21 approved by resolution of the Planning Commission, Section Map 2SU of the Zoning Map of
22 the City and County of San Francisco shall designate the following real property as the
23 Lombard and Scott Street Affordable Group Housing Special Use District:
24
25

1	<u>Description of Property</u>	<u>Special Use District to be Approved</u>
2	Assessor's Block 0937, Lot 001	Scott Street Affordable Group Housing
3	3151 – 3155 Scott Street	Special Use District

4 (d) **Expiration of Special Use District.** In the event that the group housing facility
5 described in subsection (a) has not received a certificate of final completion or certificate of
6 final occupancy by December 31, 2015, the authorization and right vested by this ordinance
7 shall be deemed void and cancelled, and this section 249. 55 shall expire on January 1, 2016.

8
9 Section 4. Effective Date. This ordinance shall become effective 30 days from the date
10 of passage.

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

13 By: _____
14 JUDITH A. BOYAJIAN
15 Deputy City Attorney

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25



Sally Saedi
<sally@twittermoms.com>
11/22/2010 12:53 PM

To sara.vellve@sfgov.org
cc
bcc

Subject Opposition to the King Edward II Project

Dear Sara,

I'm a resident of the Marina District and writing to you about my concern and opposition for the King Edward II project. I hope that you can please take into serious consideration to cancel this project. There are several reasons for my strong opposition to this project. To begin, this project is costing over \$9.1M in federal tax dollars. I have also been told at the Marina neighborhood meetings that the city has never done a project like this and at a high head count as this. Secondly, these are at risk youth that have come from either Juvenile hall, jail, foster care or homeless kids and considered "at risk" because of past involvement with drugs, crimes, sex crimes, theft, violence, etc. They are "High Risk" for a reason and once they reach the age of 18 their file is closed on their past crimes.

To make matters even scarier for a Marina resident like myself, the Project Housing will only have 1 night manager on staff to watch the building, and no additional security is allocated to the building. Furthermore, each of the 24 residents will be allowed to have an overnight guest stay with them for 14 nights out of the month. Also, no checks or restrictions will be placed to make sure these residents are in compliance of this rule. So basically, there really won't be any strict rules in place and legally, the building can occupy up to 48 guests at any point in time.

Another thing that I asked was if there were any safeguards in place to make sure that the at risk youth residents of the housing project didn't attract crime into the neighborhood (i.e. additional police/neighborhood watch, anything of that sorts). Nothing. No additional resources allocated to our neighborhood to make sure that residents are safe.

So at any point if we are walking home from dinner with our families, there is a high potential of crime because of this project.

We moved to the Marina neighborhood to raise our kids in a safe place. I will not feel safe pushing my stroller at any given time of the day if this housing project is there. Residents in the marina have a right to feel safe, with this project there are no safeguards to protect us. Please take into serious consideration to cancel this project. As mothers in the marina we need to feel safe with our children. Please respond so that I know you have taken my letter into consideration.

Thank you in advance,
Sally

--



march89@aol.com
12/07/2010 01:32 PM

To sara.vellve@sfgov.org
cc
bcc

Subject King Edward II Conversion

History:  This message has been replied to.

Hello Sara. My name is Paul DeMartini who along with my brother Pete, own the building of 3125-3127 Scott Street, San Francisco, Ca 94123. We are located about three buildings up from the King Edward. We have just heard that the city is looking into turning that building into transitional housing for youth thanks to a current tenant who was kind enough to pass along the information to us. Neither my brother nor I live on Scott Street anymore, however many fond memories with our families will always be with us. Having owned the building for 23 years, I find it amazing that my brother or I would not be notified as to the intentions of the city with regard to the conversion of the King Edward II. I would like to voice my frustration about never receiving notice on this project until now and harbor strong reservations regarding the proposed conversion. We ask that the city postpone any binding actions until we have time to get up to speed on this project that will so closely affect our property.

I can be reached at 415-892-4185, 415-328-5394

My mailing address is : 50 Las Tardes Court
Novato, CA 94945

Thank you for you attention to this matter. Regards, Paul DeMartini



"David W. Greenthal"
<greenthal@pacbell.net>
08/02/2010 11:44 PM

To <Sara.Vellve@sfgov.org>
cc <Linda.Avery@sfgov.org>,
<info@cowhollowassociation.org>
bcc

Subject Lombard & Scott Transitional Group Housing Project -
Edward II Property

Commissioners,

Please deny the Special Use District application for this project based on the below:

1. The parcel is current zoned as NC-3 and allows up to 16 units of group housing or 6 residential units. This Special Use District seeks to allow 24 group housing units plus one manager's unit for a total of 25 units. The existing NC-3 zoning allows for 1 bedroom per every 210 square feet of lot area and the project proponents are seeking to allow for 1 bedroom per every 143 square feet of lot area. **This "spot-zoning" proposal to increase the density to 25 units with a shared kitchen – limiting each unit to approximately 250 sq-ft of living space – is a disservice to the residents and is intended only to serve the private investors seeking additional tax credits. Please urge the Planning Commission to limit the project to 16 units, which is what the current law allows.**

2. At approximately \$9.1 Million (\$1,040 per sq-ft), this project is dramatically more expensive than any comparable project in San Francisco. It is the equivalent of purchasing three apartment buildings with more than 27-units each – each of which would have a private kitchen and more than 250 sq-ft. We ask that the project proponents seek alternate plans and sites before pushing forward on this overpriced plan that may be an improper use of public funds.

3 The operational policies of the facility are unclear, or inadequate, and have the potential to adversely affect the residents and the surrounding community. Policies include: the ability for an overnight guest to stay up to 14 consecutive days, smoking permitted in the residences, no on-site support services after 9:00 PM, and non-existent outdoor and parking space. I urge the planning commission to seek a continuance until the proponents have adequately defined the program and its operational policies.

David W. Greenthal

Resident of Collow Hollow

Peter Blumberg

2536 Greenwich Street
San Francisco, CA 94123

e-mail :blumbergp@comcast.net
Tel.(415)563-6579
Fax (415)563-6285
27th June 2011.

RECEIVED

Ms Sara Vellve
Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

JUN 23 2011
CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
NEIGHBORHOOD PLANNING

Dear Ms Vellve,

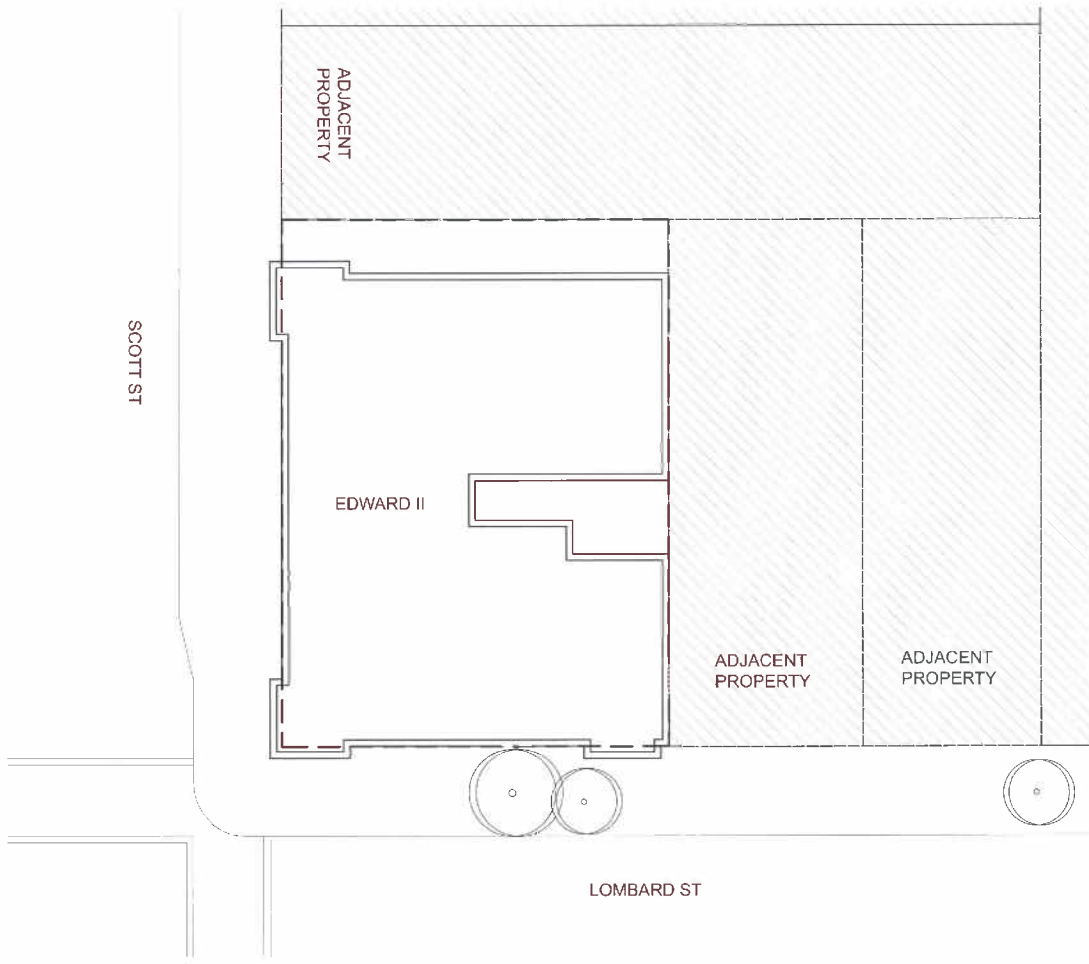
I am writing to express my concern and disapproval for the proposed change at 3155 Scott Street. As an adjacent property owner I am certain that the proposed development will have a negative effect on property values in the neighborhood.. I have serious concerns about noise and pollution.

Furthermore, I do not think that this is a suitable location for young adults with two bars next door and across the road.

The Chestnut Street area is and has always been family friendly with little or no drunkenness or rowdiness and any changes to this would be most undesirable.

Sincerely,





SITE PLAN

**EDWARD II
SAN FRANCISCO, CA.**



BASEMENT FLOOR PLAN

■ ACCESSIBLE ELEVATOR
 ■ PROGRAM SPACES

**EDWARD II
SAN FRANCISCO, CA.**



COMMUNITY HOUSING PARTNERSHIP / LARKIN STREET YOUTH SERVICES





FIRST FLOOR PLAN

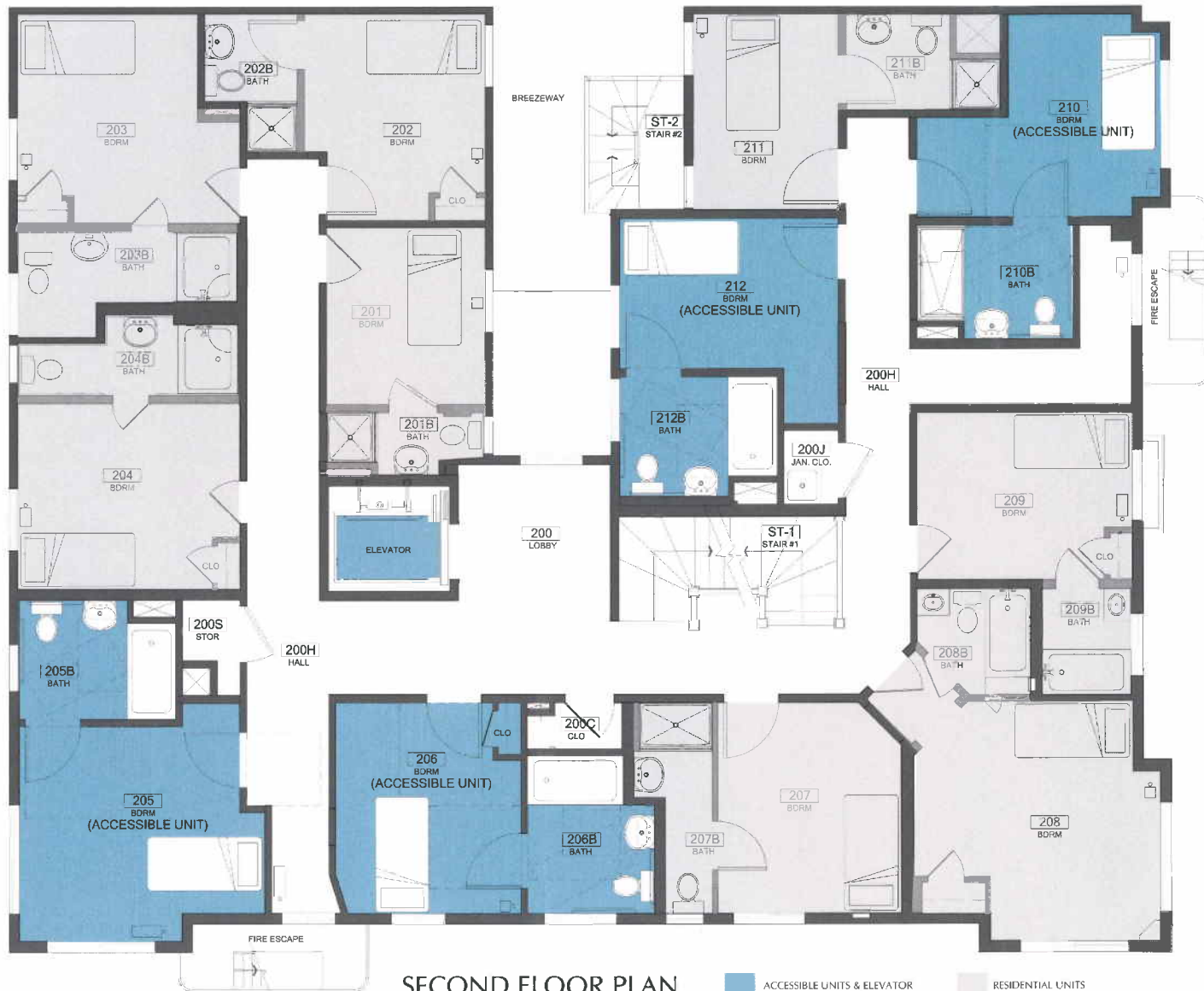
EDWARD II
SAN FRANCISCO, CA.

ACCESSIBLE ELEVATOR PROGRAM SPACES



COMMUNITY HOUSING PARTNERSHIP / LARKIN STREET YOUTH SERVICES

BARCELON &
JANG
ARCHITECTURE/URBAN PLANNING



SECOND FLOOR PLAN

ACCESSIBLE UNITS & ELEVATOR

RESIDENTIAL UNITS

EDWARD II
SAN FRANCISCO, CA.



COMMUNITY HOUSING PARTNERSHIP / LARKIN STREET YOUTH SERVICES





THIRD FLOOR PLAN

RESIDENTIAL UNITS

EDWARD II
SAN FRANCISCO, CA.



COMMUNITY HOUSING PARTNERSHIP / LARKIN STREET YOUTH SERVICES

BARCELON &
JANG
ARCHITECTURE/URBAN PLANNING



SCOTT STREET- EAST EXTERIOR ELEVATION



LOMBARD STREET- NORTH EXTERIOR ELEVATION