



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion No. 18078

HEARING DATE: APRIL 22, 2010

Date: April 8, 2010
Case No.: 2008.1398 **RTZ**
Project Address: **150 OTIS STREET**
Zoning: P (Public Use District)
Proposed SUD: Veterans Commons Special Use District
Height/Bulk 85-X
Proposed Ht/Bulk 125-X
Block/Lot: 3513/007
Project Sponsor: Joan McNamara, Mayor's Office of Housing
Staff Contact: Diego R Sánchez – (415) 575-9082
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Recommendation: **Approval**

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ADOPTING FINDINGS RELATING TO THE FINDING OF CONSISTENCY WITH THE GENERAL PLAN OF THE CITY AND COUNTY OF SAN FRANCISCO PURSUANT TO SECTION 4.105 OF THE CITY CHARTER FOR A PROPOSED ORDINANCE ADDING PLANNING CODE SECTION 249.46 TO ESTABLISH THE VETERANS COMMONS SPECIAL USE DISTRICT, TO AMEND SHEET SU07 OF THE ZONING MAP TO REFLECT THIS NEW SPECIAL USE DISTRICT AND TO AMEND SHEET HT07 OF THE ZONING MAP TO CHANGE THE HEIGHT AND BULK DESIGNATION TO 125-X FOR THE PROPERTY AT 150 OTIS STREET (LOT 007 IN ASSESSOR'S BLOCK 3513) LOCATED ON THE WEST SIDE OF OTIS STREET BETWEEN MCCOPPIN STREET AND DUBOCE AVENUE, TO FACILITATE THE DEVELOPMENT OF 76 AFFORDABLE DWELLING UNITS, RESIDENTIAL SERVICES AND COMMON AREA AND MAKING ENVIRONMENTAL FINDINGS AND FINDINGS OF CONSISTENCY WITH THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.

PREAMBLE

On February 19, 2010 Joan McNamara (Project Sponsor) filed an application with the Planning Department (hereinafter "Department") for General Plan Referral as required by Section 4.105 of the San Francisco Charter and Section 2A.53 of the San Francisco Administrative Code in conjunction with the application to amend the San Francisco Planning Code by adding Section 249.46 to create the Veterans Commons Special Use District ("SUD"), to amend Sheet SU07 of the Zoning Map of the City and County of San Francisco and to amend Sheet HT07 of the Zoning Map of the City and County of San Francisco to reflect this new SUD and change in height and bulk designation to allow dwelling units, social services and exceptions from the Planning Code for rear yard, usable open space, dwelling unit exposure, bicycle parking, dwelling unit mix and density restrictions for establishment of a 76 unit affordable housing

development at 150 Otis Street, located on the west side of Otis Street, between McCoppin Street and Duboce Avenue, (Lot 007 in Assessor's Block 3513).

On April 22, 2010, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on the proposed text amendment, map change and general plan referral, Application No. 2008.1398 RTZ.

On March 31, 2010 Preliminary Negative Declaration (PND) for the Project was prepared and published for public review; and

The PND was available for public comment until April 20, 2010 and

On April 21, 2010, the Planning Department reviewed and considered the Final Negative Declaration (FND) and found that the contents of said report and the procedures through which the FND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"); and

The Planning Department found the FND was adequate, accurate and objective, reflected the independent analysis and judgment of the Department of City Planning and the Planning Commission, [and that the summary of comments and responses contained no significant revisions to the PND, and approved the FND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

The Planning Department, Linda Avery, is the custodian of records, located in the File for Case No. 2008.1398E at 1650 Mission Street, Fourth Floor, San Francisco, California.

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 finds the proposed text amendment, map change and general plan referral in Application No. 2008.1398RTZ, is, on balance, in conformity with the San Francisco General Plan 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 located mid-block on the west side of Otis Street between McCoppin Street and Duboce Avenue, within the Market and Octavia Neighborhood Plan area. The existing structure, originally constructed in 1916 as the Juvenile

Court and Detention Home, has nine stories with an elevated entry fronting Otis Street. The site is currently used as a seasonal shelter for homeless adult males and as storage for the City of San Francisco.

3. **Surrounding Properties and Neighborhood.** The subject property is located within the Market and Octavia Plan area. Immediately to the west of the property are buildings owned and operated by the City of San Francisco, including the Human Services Agency building. Further west are residential structures, primarily multi-family buildings. To the east, opposite Otis Street, are buildings that house other City Agencies, including the Department of Building Inspection, the Department of Public Works – Bureau of Construction Management and Engineering and the Planning Department. Further to the south of the site is the Central Freeway, separating the northern end of the Mission District from this portion of the Market and Octavia Plan area. To the north are properties used for commercial and institutional purposes including City College of San Francisco.
4. **Project Description.** The proposed Ordinance would amend the Planning Code to establish the Veterans Commons Special Use District for the property at 150 Otis (Lot 007 in Assessor's Block 3513) and amend the City Zoning Map to change the height district from 85 to 125 feet, reflecting the boundaries of the Veterans Commons Special Use District. The amendments would facilitate the conversion of an existing structure currently used as a seasonal homeless shelter and City storage into 76 units of permanently affordable housing for formerly homeless veterans and a resident manager and accompanying social service space on lower floors for the residents of the development.

The proposed Special Use District utilizes the zoning controls of the Residential, Transit Oriented (RTO) District and will allow the proposed project on the identified site. As part of the SUD the project will be exempt from the controls regarding rear yard, usable open space, dwelling unit exposure, bicycle parking, dwelling unit mix and density requirements. The SUD will also allow the lower floors to be used to provide social services to the residents of the proposed project.

5. **Public Comment.** The Department has not received any public comment on this matter as of the date of this document.
6. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

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 1.1

Encourage higher residential density in areas adjacent to downtown, in underutilized commercial and industrial areas proposed for conversion to housing, and in neighborhood commercial districts where higher density will not have harmful effects, especially if the higher density provides a significant number of units that are affordable to lower income households. Set allowable densities in established residential areas at levels which will promote compatibility with prevailing neighborhood scale and character where there is neighborhoods support.

The proposed project is a high density development just to the west of the downtown area, situated in a building that the City of San Francisco has identified as part of its Surplus Property program. The proposed project will adaptively re-use a publicly held site that currently serves as a seasonal homeless shelter and a storage site for the City of San Francisco into 76 permanently affordable units for formerly homeless veterans and a resident manager and space for supportive social services for the residents of the building.

Policy 1.3

Identify opportunities for housing and mixed-use districts near downtown and former industrial portions of the City.

The proposed project is a high density development just to the west of the downtown area within a building that has been identified by the City of San Francisco to be a part of its Surplus Property program.

Policy 1.5

Support development of affordable housing on surplus public lands.

The proposed project will adaptively re-use a publicly held site that currently serves as a seasonal homeless shelter and a storage site for the City of San Francisco and one that has been identified by the City of San Francisco to be a part of its Surplus Property program into 76 permanently affordable units for formerly homeless veterans and a resident manager and space for supportive social services for the residents of the building.

OBJECTIVE 3

ENHANCE THE PHYSICAL CONDITION AND SAFETY OF HOUSING WITHOUT JEOPARDIZING USE OR AFFORDABILITY.

Policy 3.1

Ensure that existing housing is maintained in a decent, safe, and sanitary condition, without increasing rents or displacing low-income households.

As part of the scope of work for the rehabilitation of the existing 90 plus year old structure, the project proposes seismic, building system, and accessibility upgrades as well as the reconfiguration of interior spaces and the addition of a new, exterior elevator tower. The project will create 76 units of permanently affordable housing for formerly homeless veterans and a resident manager.

Policy 3.5

Improve the seismic stability of existing housing without reducing the supply of affordable housing.

As part of the creation of 76 units of permanently affordable units, the project proposes seismic upgrades to meet current building code standards.

Policy 3.6

Preserve landmark and historic residential buildings.

The proposed project would result in the conservation of an existing historic resource.

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 proposed project site is part of the City of San Francisco Surplus Property program, and as such is the result of the identification of sites for permanently affordable housing. The project proposes to create 76 units of permanently affordable housing on publicly held land.

Policy 4.3

Encourage the construction of affordable units for single households in residential hotels and "efficiency" units.

The project proposes to create 76 units of permanently affordable housing for formerly homeless veterans and a resident manager. The sizes of the proposed units are generally considered adequate for households of not more than one to two persons and it is anticipated that the vast majority of households in the proposed project will be households of not more than one person.

Policy 4.4

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

As part of the entitlements being sought to realize the proposed project, a Special Use District will be created to grant a density bonus for the project. The creation of 76 units of affordable housing for formerly homeless veterans and a resident manager is a clear public benefit granted in exchange for the increased density at the site.

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 SUD will support a 100% affordable housing project in conjunction with a local non-profit, community-based organization dedicated to the provision of affordable housing and community services.

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 proposed project will create 76 units of permanently affordable rental units. It is anticipated that a number of the residents will be elderly veterans and/or have special needs.

Policy 8.8

Promote the adaptability and maximum accessibility of residential dwellings for disabled and elderly occupants.

The proposed project will meet the latest ADA requirements as imposed by the City of San Francisco to provide the maximum possible accessibility, given site constraints, for disabled and elderly occupants.

OBJECTIVE 10

REDUCE HOMELESSNESS AND THE RISK OF HOMELESSNESS IN COORDINATION WITH RELEVANT AGENCIES AND SERVICE PROVIDERS.

Policy 10.1

Focus efforts on the provision of permanent affordable and service-enriched housing to reduce the need for temporary homeless shelters.

The proposed project seeks to convert a site currently used as a seasonal shelter for the homeless into 76 units of permanently affordable dwellings with space on lower floors for social services designed and aimed for the residents of the project.

TRANSPORTATION ELEMENT:

Objectives and Policies

OBJECTIVE 11

ESTABLISH PUBLIC TRANSIT AS THE PRIMARY MODE OF TRANSPORTATION IN SAN FRANCISCO AND AS A MEANS THROUGH WHICH TO GUIDE FUTURE DEVELOPMENT AND IMPROVE REGIONAL MOBILITY AND AIR QUALITY.

Policy 11.3

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

The proposed project coordinates the establishment of 76 permanently affordable units for formerly homeless veterans and a resident manager with the rich network of public transit found along Market Street, Mission Street and other intersections all within walking distance of the project site. Because off-street parking is not a part of the proposed project, there are no traffic problems to mitigate for the developer.

**AIR QUALITY ELEMENT:
Objectives and Policies**

OBJECTIVE 3

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

Policy 3.2:

Encourage mixed land use development near transit lines and provide retail and other types of service oriented uses within walking distance to minimize automobile dependent development.

The SUD will permit greater density adjacent to transit infrastructure thus reducing potential air quality impacts.

**ENVIRONMENTAL PROTECTION ELEMENT:
Objectives and Policies**

OBJECTIVE 4

ASSURE THAT THE AMBIENT AIR OF SAN FRANCISCO AND THE BAY REGION IS CLEAN, PROVIDES MAXIMUM VISIBILITY, AND MEETS AIR QUALITY STANDARDS.

Policy 4.2:

Encourage the development and use of urban mass transportation systems in accordance with the objectives and policies of the Transportation Element.

Because the proposed project does not include off-street parking spaces, residents of the project will be using mass transit and other forms of transportation to commute to their places of work and recreation.

OBJECTIVE 13

ENHANCE THE ENERGY EFFICIENCY OF HOUSING IN SAN FRANCISCO.

Policy 13.1

Improve the energy efficiency of existing homes and apartment buildings.

Policy 13.4

Encourage the use of energy conserving appliances and lighting systems.

Policy 13.5

Emphasize energy conservation in local government housing assistance programs.

As part of the renovation of the existing building, the proposed project will incorporate numerous energy efficiency improvements including the use of energy conserving appliances and lighting systems. The project sponsor will assure that the renovations achieve at least the City required minimum rating under the Green Point Rated system and the proposed project is also participating in the Energy Star pilot program.

OBJECTIVE 15

INCREASE THE ENERGY EFFICIENCY OF TRANSPORTATION AND ENCOURAGE LAND USE PATTERNS AND METHODS OF TRANSPORTATION WHICH USE LESS ENERGY.

Policy 15.3:

Encourage an urban design pattern that will minimize travel requirements among working, shopping, recreation, school and childcare areas.

With the approval of the SUD, the proposed project will achieve a greater density adjacent to transit infrastructure thus encouraging less energy-intensive transit use.

MARKET AND OCTAVIA AREA PLAN

Objectives and Policies

OBJECTIVE 1.1

CREATE A LAND USE PLAN THAT EMBRACES THE MARKET AND OCTAVIA NEIGHBORHOOD'S POTENTIAL AS A MIXED-USE URBAN NEIGHBORHOOD.

POLICY 1.1.2

Concentrate more intense uses and activities in those areas best served by transit and most accessible on foot.

The proposed project is located approximately two blocks from Market Street and Van Ness Avenue, and is well-served by transit that will allow residents of the development to easily travel throughout the City and Bay Region.

OBJECTIVE 2.2

ENCOURAGE CONSTRUCTION OF RESIDENTIAL INFILL THROUGHOUT THE PLAN AREA.

POLICY 2.2.5

Encourage additional units in existing buildings.

The proposed project seeks to create 76 permanently affordable units for formerly homeless veterans and a resident manager within an existing building that currently serves as a seasonal homeless shelter.

POLICY 2.2.6

Where possible, simplify zoning and planning controls to expedite the production of housing.

As part of the entitlements being sought to realize the proposed project, the creation of a Special Use District will enable the proposed project to meet planning controls for development on publicly held land.

OBJECTIVE 3.2

PROMOTE THE PRESERVATION OF NOTABLE HISTORIC LANDMARKS, INDIVIDUAL HISTORIC BUILDINGS, AND FEATURES THAT HELP TO PROVIDE CONTINUITY WITH THE PAST.

POLICY 3.2.5

Preserve landmark and other buildings of historic value as invaluable neighborhood assets.

The proposed project will result in the preservation of a landmark building, with improvements made that meet all applicable preservation codes and standards.

POLICY 3.2.6

Encourage rehabilitation and adaptive reuse of historic buildings and resources.

The proposed project is an adaptive re-use of the existing historically significant building. The proposal includes an upgrade to seismic system, building system, and accessibility of the building; the reconfiguration of interior spaces; the addition of a new, exterior elevator tower; the addition of new deck and entrances at rear; and the replacement of windows.

7. **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:
 - A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The proposed project will have no adverse affect upon the existing neighborhood serving retail uses. The addition of 76 dwelling units and accompanying social services will provide many new potential

patrons for the existing neighborhood serving retail, preserving and enhancing the retail base in the immediate vicinity.

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

The proposed project will create 76 additional units of affordable housing for the area, thereby increasing and enhancing the cultural and economic diversity of the neighborhood.

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

The proposed project will enhance the supply of affordable housing by adding 76 units.

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

The proposed project will not impede Muni transit service or overburden streets or neighborhood parking as it is not expected that the residents of this project will own automobiles and it is anticipated that the residents will use public transit or walk as a means for mobility.

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

The proposed project will have no adverse affects upon the industrial and service sectors stemming from commercial office development as the project proposes the creation of 76 affordable dwelling units.

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

The scope of rehabilitation for the proposed project includes seismic upgrades to protect against injury and loss of life in an earthquake.

- G. That landmarks and historic buildings be preserved.

The proposed project will result in the preservation of a landmark building in accordance with the applicable standards.

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

The proposed project will not adversely affect parks and open space and their access to sunlight and vistas as the project has been determined to not cast net new shadow upon any parks or open areas.

8. 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.

9. The Commission hereby finds the proposed text amendment, map change and general referral in Application No. 2008.1398RTZ, is, on balance, in conformity with the San Francisco General Plan.

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 finds the proposed text, map changes and general plan referral under Application 2008.1398RTZ **to be, on balance, in conformity with the General Plan and eight Priority Policies of Planning Code Section 101.1.**

The Planning Commission has reviewed and considered the FND and the record as a whole and finds that there is no substantial evidence that the Project will have a significant effect on the environment and adopts the FND.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this General Plan Referral to the Board of Supervisors within thirty (30) days after the date of this Motion No. 18078. 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 April 22, 2010.



Linda D. Avery
Commission Secretary

AYES: Commissioners Antonini, Lee, Miguel, and Moore

NAYS: None

ABSENT: Commissioners Borden, Olague, and Sugaya (recused)

ADOPTED: April 22, 2010