



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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| <input type="checkbox"/> Inclusionary Housing (Sec. 315) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 313) | <input type="checkbox"/> Child Care Requirement (Sec. 314) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 139) | <input type="checkbox"/> Other |

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Planning Commission Motion No. 17546

Hearing Date: February 7, 2008
Case No.: **2007.0916 C**
Project Address: **52-54 DORE STREET**
Zoning: SLR (Service/Light Industrial/Residential)
50-X Height and Bulk District
Block/Lot: 3518/042, 043
Project Sponsor: Neil Dickman
Progress Foundation
368 Fell Street
San Francisco, CA 94102
Staff Contact: Corey Teague —415.575.9081
corey.teague@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION UNDER PLANNING CODE SECTIONS 816.18 (RESIDENTIAL CARE), 816.21 (ASSEMBLY AND SOCIAL SERVICE), 890.50(e), 890.50(a), AND 303 TO ALLOW A SOCIAL SERVICE PROVIDER AND RESIDENTIAL CARE FACILITY IN AN SLR (SERVICE, LIGHT INDUSTRIAL, RESIDENTIAL) ZONING DISTRICT, AND A 50-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On October 25, 2007, Progress Foundation (hereinafter "Project Sponsor,") made an application (hereinafter "Application") for Conditional Use authorization on the property at 52-54 Dore Street, Lot 042 and 043 in Assessor's Block 3518 (hereinafter "Property") to establish a social service provider and residential care facility, within a SLR (Service, Light Industrial, Residential) Zoning District and a 50-X Height and Bulk District, pursuant to Planning Sections 816.18 (Residential Care), 816.21 (Assembly and Social Service), 890.50(e), 890.50(a), and 303. The Project is in general conformity with Plans filed with the Application and labeled "Exhibit B" (hereinafter "Project").

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act, the Planning Department of the City and County of San Francisco (hereinafter "Department") determined that the proposed Conditional Use application was categorically exempt from the environmental review process under Section 15061(b)(3) of the State CEQA Guidelines,

pursuant to Title 14 of the California Administrative Code. The San Francisco Planning Commission (hereinafter "Commission") concurs with said determination.

On January 24, 2008, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2007.0916C. Conditional Use authorization is required for a social service provider and residential care facility in the SLR District pursuant to Sections 816.18, 816.21, 890.50(e), and 890.50(a).

In reviewing the Application, the Commission has had available for its review and consideration reports, plans, and other materials pertaining to the Project contained in the Department's case files, and has reviewed and heard testimony and received materials from interested parties during the public hearings on the Project.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2007.0916C, 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.** The Site, located on the southwest side of Dore Street, contains a 2-story building that covers the entire site. The lot area is approximately 4,680 square feet. The existing building is two stories in height and contains approximately 9,049 square feet of useable floor area.
3. **Surrounding Neighborhood.** The Site is located in a primarily mixed use area in the Western SOMA neighborhood. The Site is surrounded by several uses, including residential, automobile service, office, industrial, and other uses consistent with the SLR District.

The Service/Light Industrial/Residential (SLR) Mixed Use District is designed to maintain and facilitate the growth and expansion of small-scale light industrial, home and business service, wholesale distribution, arts production and performance/exhibition activities, general commercial and neighborhood-serving retail and personal service activities while protecting existing housing and encouraging the development of housing at a scale and density compatible with the existing neighborhood.

Housing is encouraged over ground floor commercial/service/light industrial activity. New residential or mixed use developments are encouraged to provide as much mixed-income rental housing as possible. Existing group housing and dwelling units would be protected from demolition or conversion to nonresidential use by requiring conditional use review. General

office, hotels, nighttime entertainment, movie theaters, adult entertainment and heavy industrial uses are not permitted.

4. **Project Description.** The proposal is to establish a social service provider and residential care facility in an SLR zoning district. In operation since 1969, Progress Foundation is a non-profit agency dedicated to providing community-based residential treatment and supported housing programs as alternatives to institutional treatment for individuals with mental disabilities. No exterior building expansion and moderate façade changes are proposed for the existing 2-story building. Interior renovations consist of tenant improvements only. There will be no more than 31 employees. The Urgent Care Center (social service provider) will operate everyday from 8:00am to 7:00pm. The 14-bed Acute Diversion Unit (residential care) will be a 24/7 residential program that is staffed at all times. The Acute Diversion Unit will provide 3 meals per day for its 14 residents. All meals will be prepared on site by clients with staff supervision.
5. **Public Comment.** The Department received two letters of support for the proposal. Additionally, the Project Sponsor held two community outreach meetings on December 3rd and 10th, 2007, which permitted members of the public to make comments, ask questions, and hear responses from the Project Sponsor. The Western SoMa Citizens Task Force is aware of the Project and has provided no comments.
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. **Floor Area Ratio (FAR).** Section 124 establishes the minimum Floor Area Ratio (FAR) for the SLR District as 3 to 1.

The Project is not adding any Gross Floor Area (GFA) as defined by the Planning Code and does not change the existing FAR.

- B. **Dimensional Requirements.** Sections 132, 134, 250, and 260 establish front yard, rear yard, bulk, and height requirements, respectively.

The Project will be housed completely within the existing building, which covers nearly the entire lot. The existing structure and lot comply with said standards and no changes are proposed.

- C. **Parking.** Planning Code Section 151 requires one off-street parking space for each 500 square feet of occupied floor area of the social service provider, where the occupied floor area exceeds 5,000 square feet. Additionally, one off-street parking space is required for every 10 residents of the residential care facility.

The project site currently has an 18-space parking deficiency. The proposal requires only 6 off-street parking spaces, much less parking than the existing deficiency. Therefore, no new off-street parking spaces are required.

- D. **Street Trees.** Planning Code Section 143 requires that in any R, SPD, RSD, NC, C-3, SLR, SLI, or SSO District, street trees shall be installed in the case of a change of 20 percent or more of the occupied floor area of an existing building to another use. The street trees installed shall be a minimum of one tree of 15-gallon size for each 20 feet of frontage of the property along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located either within a setback area on the lot or within the public right-of-way along such lot.

The Project is changing the use of more than 20 percent of the occupied floor area. Its frontage of 75 feet on Dore Street requires 4 street trees. There are currently no existing street trees at the project site. The Project Sponsor will work with the Department of Public Works to install the 4 required street trees on Dore Street.

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 Project is necessary and desirable for, and compatible with, the neighborhood and community. The Project will be completely housed within an existing building that meets current Planning Code requirements. The surrounding neighborhood includes a variety of uses and intensities. The Project will provide specialized health care and placement services to underserved populations within the City.

- 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;

The size, shape, and exterior finish of the building will not change.

- 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 Project site provides no off-street parking to attract vehicle traffic. Most employees will not drive to the site, and the sponsor is exploring the possibility of obtaining 4 parking spaces from a nearby parking vendor. Clients will not access the site by car and will rely on being dropped off, walking, bicycling, and public transportation. The Project Site is well-served by public transit. The Project Site is within 3 blocks of 7 bus routes, and within 5 blocks of the Van Ness and Civic Center MUNI/BART stations.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The functions of the Project do not produce any fumes, noxious odors, glare, or dust.

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

The existing structure occupies the entire lot, leaving no room for landscaping beyond the required street trees in the public right-of-way.

- 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.

- 8. **General Plan Compliance.** The Project is consistent with the Objectives and Policies of the General Plan in that:

TRANSPORTATION

Objectives and Policies

OBJECTIVE 12:

DEVELOP AND IMPLEMENT PROGRAMS IN THE PUBLIC AND PRIVATE SECTORS, WHICH WILL SUPPORT CONGESTION MANAGEMENT AND AIR QUALITY OBJECTIVES, MAINTAIN MOBILITY AND ENHANCE BUSINESS VITALITY AT MINIMUM COST.

Policy 12.1:

Develop and implement strategies which provide incentives for individuals to use public transit, ridesharing, bicycling and walking to the best advantage, thereby reducing the number of single occupant auto trips.

The Project Site is well-served by public transit. The Project Site is within 3 blocks of 7 bus routes, and within 5 blocks of the Van Ness and Civic Center MUNI/BART stations.

COMMUNITY FACILITIES

Objectives and Policies

OBJECTIVE 3:

ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.

Policy 3.1:

Provide neighborhood centers in areas lacking adequate community facilities.

Policy 3.2:

Assure that neighborhood centers complement and do not duplicate existing public and private facilities.

Policy 3.4:

Locate neighborhood centers so they are easily accessible and near the natural center of activity.

The Project will provide needed services to large numbers of people from underserved populations within the community. The Project is easily accessible by walking and public transportation.

SOUTH OF MARKET AREA PLAN

Objectives and Policies

OBJECTIVE 8:

IMPROVE AREA LIVABILITY BY PROVIDING ESSENTIAL COMMUNITY SERVICES AND FACILITIES.

Policy 8.1:

Encourage the careful location and expansion of essential neighborhood-serving community and human service activities throughout the South of Market, exclusive of the residential enclaves.

The Project provides needed urgent care, residential care, and placement services.

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:

- 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 Project does not displace any existing retail uses.

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

The Project does not affect existing housing or neighborhood character.

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

The Project does not reduce or add any market rate or affordable housing units.

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

The Project site provides no off-street parking to attract vehicle traffic. Most employees will not drive to the site, and the sponsor is exploring the possibility of obtaining 4 parking spaces from a nearby parking vendor. Clients will not access the site by car and will rely on being dropped off, walking, bicycling, and public transportation. The Project Site is well-served by public transit. The Project Site is within 3 blocks of 7 bus routes, and within 5 blocks of the Van Ness and Civic Center MUNI/BART stations.

- 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 Project does not displace any industrial or service industry establishments. The existing structure is vacant and was previously used as a social service provider and a temporary residential use.

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

All new interior renovation is designed to meet current building code standards.

- G. That landmarks and historic buildings be preserved.

The existing building is not a landmark, within a historic district, or included in any historic or architectural surveys.

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

The Project will not increase the bulk or height of the existing building, and there are no public open spaces or parks in the immediate area.

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. 2007.0916C** subject to the following conditions attached hereto as "EXHIBIT A" 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. 17546. 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 94012.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on January 24, 2008.

Linda Avery
Commission Secretary

AYES: Commissioners Alexander, Antonini, S. Lee, W. Lee, Moore, Olague

NAYS: Commissioner Sugaya

ABSENT: None

ADOPTED: January 24, 2008

Exhibit A

Conditions of Approval

1. This authorization is pursuant to Planning Code Sections 816.18 (Residential Care), 816.21 (Assembly and Social Service), 890.50(e), 890.50(a), and 303 to establish a social service provider and residential care use, within a SLR (Service, Light Industrial, Residential) Zoning District and a 50-X Height and Bulk District, in general conformance with the plans dated November 26, 2007, and stamped "Exhibit B" and included in the docket for **Case No. 2007.0916C**.
2. Violation of the conditions contained in this Motion or of any other provisions of the Planning Code may be subject to abatement procedures and fines up to \$500 a day in accordance with Planning Code Section 176.
3. Should monitoring of the Conditions of Approval contained in Exhibit A of this Motion be required, the Project Sponsor or successors shall pay fees as established in Planning Code Section 351(e)(1).
4. The property owner shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean condition. Such maintenance shall include, at a minimum, daily litter pickup and disposal, and washing or steam cleaning of the main entrance and abutting sidewalks at least once each week.
5. Signs and exterior lighting for the business shall be reviewed and approved by the Planning Department before they are installed.
6. The Project Sponsor shall comply with the following applicable South of Market "Good Neighbor Policies" for programs and services for indigent transient and homeless populations:
 - a. Adequate waiting area shall be provided within the premises for clients and prospective clients such that sidewalk is not used for queuing or waiting areas.
 - b. Sufficient toilets/restrooms shall be provided for clients and prospective clients to have access to use during the hours of operation of both the drop-in social service center and group housing facility.
 - c. The Project Sponsor shall maintain up-to-date information and referral sheets to give clients and other persons who, for any reason, cannot be served by the establishment.
 - d. The Project Sponsor shall continuously monitor waiting areas to inform prospective clients whether they can be served by the provider because of time or resource constraints, the monitor shall inform the client of alternative programs and locations where they might seek similar services.
 - e. The Project Sponsor shall maintain sidewalks in the vicinity of the facility in a clean and sanitary condition. Employees and/or volunteers of the Project shall walk a one-block radius (from the premises each morning or evening and shall pick up and properly

dispose of any discarded beverage and/or food containers, clothing, and any other trash, which may have been left by clients.

- f. The Project Sponsor shall prominently display and properly illuminate signage at all entrances to and exits from the establishment urging clients leaving the premises and neighborhood to do so in a quiet, peaceful and orderly fashion and to please not loiter or litter.
7. In fulfillment of the requirements of Code Section 143, one street tree shall be provided for each 20 feet of street frontage. The 75 feet of frontage on Dore Street requires four trees. Street trees shall be installed prior to issuance of a certificate of occupancy.
8. The Project Sponsor shall assure the execution and recordation of the specified conditions as a Notice of Special Restrictions at the Office of the County Recorder / County Clerk.
9. The Planning Commission may, in a public hearing, consider the revocation of this conditional use authorization if a site or building permit has not been issued within three (3) 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 thenceforth diligently to completion. The Commission may also consider revoking this conditional use authorization if a permit for the project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved. This authorization may be extended at the discretion of the Zoning Administrator only if the failure to issue a permit by the Department of Building Inspection is delayed by a City, state or federal agency or by appeal of the issuance of such permit.