



SAN FRANCISCO PLANNING DEPARTMENT

March 04, 2011

Ms. Angela Calvillo, Clerk
Board of Supervisors
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**Re: Transmittal of Planning Department Case Number 2008.0021EPMTZW
Parkmerced Mixed-Use Development Program**

**BOS File No: _____ (pending)
Planning Commission Recommendation: Approval**

Dear Ms. Calvillo,

On February 10, 2011 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance and Development Agreement associated with the Parkmerced Mixed-Use Development Program.

The proposed Ordinances include the following amendments:

Planning Code Amendments

- Create Planning Code Section 249.64, the "Parkmerced Special Use District" (PMSUD)
 - The PMSUD would establish sub-district zoning categories that include Residential, Mixed-Use, School, Community, and Open Space districts; height and bulk restrictions, parking regulations, car-share, bicycle-parking requirements; and establish a design review process for the phased development plan;
 - The PMSUD would allow for the demolition and replacement of 1,538 rent-controlled dwelling units;
 - The PMSUD would establish that the controls in the SUD be regulated by the *Parkmerced Design Standards and Guidelines* document as adopted and periodically amended by the Planning Commission, except for those controls specifically enumerated in the SUD; and
 - The PMSUD would establish a process for project design review, approval and the consideration of modifications to the controls of the SUD and the *Design Standards*.
- Amend Planning Code Section 270 (Bulk Limits) to create a new Bulk District ("PM") for the proposed "Parkmerced Special Use District."
- Amend Planning Code Sections 102.5 and 201 to include the Parkmerced Zoning Districts.

Zoning Map Amendments

- Amend Zoning Map SU13 to designate the Site as the proposed new “Parkmerced Special Use District;”
- Amend Zoning Map HT13 to reclassify the height limits within the Site according to the proposed Project; and
- Amend Zoning Map ZN13 to delete references to existing zoning within the Site and to refer to the proposed new “Parkmerced Special Use District” zoning districts [Parkmerced Residential (PM-R), Parkmerced Mixed Use – Social Heart (PM-MU1), Parkmerced Mixed Use – Neighborhood Commons (PM-MU2), Parkmerced School (PM-S), Parkmerced Community/Fitness (PM-CF), and Parkmerced Open Space (PM-OS)].

General Plan Map Amendment

- Amend the General Plan Urban Design Element Height Map (Map 4) to reflect the proposed height restrictions as described in the proposed Project.

Amendment of Local Coastal Program by California Coastal Commission

- In order to fully implement the proposed Project, the Board of Supervisors must request an amendment of the Local Coastal Program by the California Coastal Commission to reflect the adoption of the Planning Code Text Amendments, Zoning Reclassification, and General Plan Amendments, and must further request that such amendments will become effective immediately upon approval by the California Coastal Commission, without further action required by the City and County of San Francisco.

The core elements of the Development Agreement include the following requirements:

- The Project Sponsor’s obligation to maintain 3,221 rent controlled units (1,683 existing units and 1,538 replacement units) on the Site for the life of the project; and
- The Project Sponsor’s obligation to construct Below-Market Rate units in accordance with the requirements of Planning Code section 415, with not less than 1/3 of such units constructed on-site or within 1,000 feet of the Site; and
- The Project Sponsor’s obligation to construct and/or implement certain Community Improvements, including the proposed Muni M-Oceanview Realignment, other transportation system improvements, on-going transportation services such as the Daly City BART shuttle, open spaces and athletic fields, and the stormwater management infrastructure.

The Planning Commission certified the Final Environmental Impact Report for the Project on February 10, 2011, through Motion NO. 18629.


At the February 10, 2011, hearing, the Commission voted to recommend **approval** of the proposed Ordinance and draft Development Agreement. Please find attached documents relating to the Commission’s action. Subsequent to the Commission’s action, the Office of Economic and Workforce Development (OEWD) and the City Attorney continued negotiations with the Project Sponsor to revise the draft Development Agreement consistent with the Commission’s resolution which authorized the Planning Director to “take such actions and make such changes as deemed necessary and appropriate to implement this Commission's recommendation of approval,

provided that such changes do not materially increase any obligations of the City or materially decrease any benefits to the City contained in the Development Agreement." Accordingly, the draft Development Agreement attached to the draft Ordinance incorporates many non-substantive revisions and minor substantive changes consistent with this authorization in the following areas:

- Clarification of the Development Phase Approval process, including the Sub-Phases
- Clarification of implementation and enforcement provisions for the MUNI Project
- Clarification that the project's BMR requirements are those in effect at the Effective Date
- Requirement that Section 8 Housing Vouchers be accepted for Replacement Units
- Restricting use of Excusable Delays in regard to delivery of Community Improvements
- Reorganization of the Transfer and Assignment provisions to ensure that City reviews and approves any action that affects a Community Improvement or other public benefit; clarification that any implementation triggers in the Phasing Plan or any Development Phase Approval apply to the entire Project Site regardless of any transfers and/or cross-default indemnifications.

If you have any questions or require further information please do not hesitate to contact me.

Sincerely,



for John Rahaim
Planning Director

cc:

Mayor's Office, Starr Terrell
Michael Yarne, Office of Workforce and Economic Development
Supervisor Malia Cohen
Supervisor Eric Mar
Supervisor Scott Wiener

Attachments (one copy of the following):

Planning Commission Executive Summary for Case No. 2008.0021EPMTZW
Planning Commission EIR Certification Resolution No. 18269
Planning Commission CEQA Findings Motion No. 18270
Planning Commission Text, Map, and General Plan Amendments Resolution No. 18271
Draft Ordinances: Text, Map, and General Plan Amendments
Planning Commission Local Coastal Zone Permit Motion No. 18272
Planning Commission Development Agreement Resolution No. 18273
Draft Development Agreement
Draft Ordinance: Development Agreement
Parkmerced Guiding Documents: Vision Plan, Transportation Plan, Design Standards & Guidelines, Sustainability Plan, and Infrastructure Report