

1 [Zoning Map Amendment for One Capitol Avenue]

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3 **Ordinance amending Section Maps ZN12 of the Zoning Maps of the City and County of**
4 **San Francisco for the real property at One Capitol Avenue (Assessor's Block 7148/Lot**
5 **040), to reclassify the property from a P (Public) Zoning District to an RH-1 (Residential,**
6 **House, One-Family) Zoning District; and adopting General Plan, Planning Code Section**
7 **101.1, and environmental findings.**

8 Note: Additions are single-underline italics Times New Roman;
9 deletions are ~~strikethrough-italics Times New Roman~~.
10 Board amendment additions are double underlined.
11 Board amendment deletions are ~~strikethrough-normal~~.

12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. Findings. The Board of Supervisors of the City and County of San
14 Francisco hereby finds and determines that:

15 (a) On January 28, 2010, the Project Sponsor filed an application for an amendment
16 of Sectional Map 12 of the Zoning Map of the City and County of San Francisco to change the
17 zoning classification of the property located at One Capitol Avenue (Assessor's Block 7148;
18 Lot 040) ("Project Site") from P (Public) to RH-1 (Residential, House: One-Family) (the
19 "Proposed Zoning Map Amendment").

20 (b) The Proposed Zoning Map Amendment is part of a project proposed by the
21 Project Sponsor to construct 28 single-family dwellings as part of a Planned Unit
22 Development. The dwelling-units range in size from approximately 1,450 to 2,330 square feet,
23 with a total of 41 off-street parking spaces and one car share parking space. Each of the 28
24 parcels would grant an easement from a common 20-foot-wide one-way westbound driveway
25 connecting Capitol Avenue to Alemany Boulevard that would provide vehicular and pedestrian

1 access to each unit. Currently, the property at One Capitol Avenue is an undeveloped parcel
2 zoned P (Public), under private ownership. The property, which is located north of, and runs
3 parallel to, the Interstate 280 Freeway, was previously owned by Caltrans, and transferred to
4 the current owner in 1979. The owner of the site proposes to subdivide the existing 43,077
5 square-foot parcel into 28 parcels, with lot sizes ranging from 942 to 3,317 square feet
6 ("Project").

7 (c) The Project Sponsor has also filed an application for a Conditional Use
8 authorization pursuant to Planning Code Section 303 and 304 to construct a Planned Unit
9 Development with modifications to the lot size and width (Section 121), to the location and
10 configuration of the rear yard (Section 134) and open space (Section 135), and to the
11 dwelling-unit exposure (Section 140).

12 (d) On May 13, 2010, the Planning Commission reviewed and considered the Final
13 Mitigated Negative Declaration (FMND) and found that the contents of said report and the
14 procedures through which the FMND was prepared, publicized, and reviewed complied with
15 the California Environmental Quality Act (California Public Resources Code Sections 21000 et
16 seq.) (CEQA), 14 California Code of Regulations Sections 15000 et seq. (the "CEQA
17 Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). The
18 Planning Commission found that the FMND was adequate, accurate and objective, reflected
19 the independent analysis and judgment of the Planning Department and the Planning
20 Commission, and approved the FMND for the Project in compliance with CEQA, the CEQA
21 Guidelines and Chapter 31. Documentation of that review is on file with the Clerk of the Board
22 of Supervisors in File No. 100467.

23 (e) At the same hearing during which the Planning Commission reviewed and
24 considered the Final Mitigated Negative Declaration, the Planning Commission adopted
25

1 CEQA Findings with respect to the approval of the proposed Project, in Motion No. 18084 and
2 adopted the Proposed Zoning Map Amendment in Resolution No. 18085.

3 (f) The letter from the Planning Department transmitting the Proposed Zoning Map
4 Amendment to the Board of Supervisors, the Final Mitigated Negative Declaration, the CEQA
5 Findings adopted by the Planning Commission with respect to the approval of the Project,
6 including a mitigation monitoring and reporting program, the Proposed Zoning Map
7 Amendments and the Resolution approving the Proposed Zoning Map Amendments are on
8 file with the Clerk of the Board in File No. 100467. These and any and all other documents
9 reference in this Ordinance have been made available to, and have been reviewed by, the
10 Board of Supervisors, and may be found in either the files of the Planning Department or the
11 custodian of records, at 1650 Mission Street in San Francisco, or in File No. 100467 with the
12 Clerk of the Board of Supervisors at 1 Dr. Carlton B. Goodlett Place, San Francisco, and are
13 incorporated herein by reference thereto.

14 (g) The Board of Supervisors has reviewed and considered the Final Mitigated
15 Negative Declaration, the environmental documents on file referred to herein, and the CEQA
16 Findings adopted by the Planning Commission in support of the approval of the proposed
17 Project, including the mitigation monitoring and reporting program. The Board of Supervisors
18 has adopted the Planning Commission's CEQA findings as its own and hereby incorporates
19 them by reference as though fully set forth herein.

20 (h) The Board of Supervisors finds, pursuant to Planning Code Section 302, that the
21 Proposed Zoning Map Amendment will serve the public necessity, convenience and general
22 welfare for the reasons set forth in Planning Commission Resolution No. 18085 and
23 incorporates those reasons herein by reference.

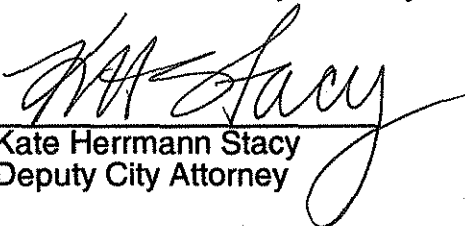
1 (i) The Board of Supervisors finds that the Proposed Zoning Map Amendment is in
2 conformity with the General Plan, as amended, and the eight priority policies of Planning
3 Code Section 101.1 for the reasons set forth in Planning Commission Resolution No. 18085.
4 The Board hereby adopts the findings set forth in Planning Commission Resolution No.
5 18085 and incorporates those findings herein by reference.

6
7 Section 2. Pursuant to Sections 106 and 302(c) of the Planning Code, the following
8 change in use classifications is hereby adopted as an amendment to Sectional Map 12 of the
9 Zoning Map of the City and County of San Francisco:

Description of Property	Zoning District to be Superseded	Zoning District Approved
12 1 Capitol Avenue (Assessor's 13 Block 7148, Lot 040) (as shown 14 in the drawings on file with the 15 Clerk of the Board of Supervisors in File No. <u>100467</u>)	P (Public)	RH-1 (Residential, House: One-Family)

16
17 APPROVED AS TO FORM:
18 DENNIS J. HERRERA, City Attorney

19
20 By:


Kate Herrmann Stacy
Deputy City Attorney



City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100467

Date Passed: August 03, 2010

Ordinance amending Section Maps ZN12 of the Zoning Maps of the City and County of San Francisco for the real property at One Capitol Avenue (Assessor's Block No. 7148/Lot No. 040), to reclassify the property from a P (Public) Zoning District to an RH-1 (Residential, House, One-Family) Zoning District; and adopting General Plan, Planning Code Section 101.1, and environmental findings.

July 27, 2010 Board of Supervisors - PASSED, ON FIRST READING

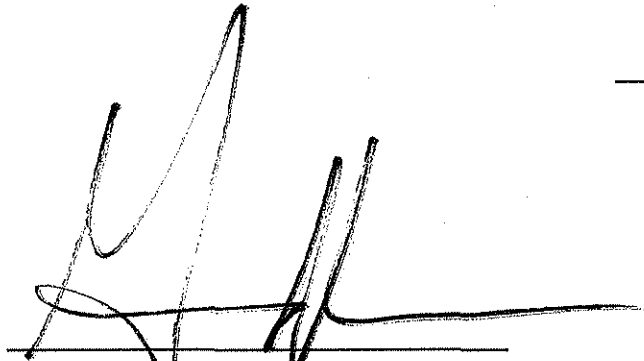
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell and Mirkarimi

August 03, 2010 Board of Supervisors - FINALLY PASSED


Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100467

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
8/3/2010 by the Board of Supervisors of the
City and County of San Francisco.



Mayor Gavin Newsom



Angela Calvillo
Clerk of the Board



August 12, 2010
Date Approved