



SAN FRANCISCO PLANNING DEPARTMENT

November 4, 2016

Ms. Angela Calvillo, Clerk
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

**Re: Transmittal of Planning Department
Case Number 2014.0926GPAPCAMAP:
Mission and 9th Street Special Use District**

**BOS File No: 161067 Planning Code, Zoning Map – Mission & 9th St. SUD
Planning Commission Recommendation: Approval with Modifications**

**BOS File No: (pending) General Plan Amendment
Planning Commission Recommendation: Approval of General Plan Amendment**

Dear Ms. Calvillo,

On October 4, 2016 the Supervisor Kim introduced the proposed Planning Code, Zoning Map Amendment Ordinance.

On October 6, 2016 the Planning Commission initiated a General Plan Amendment to amend Map 5, "Proposed Height and Bulk Districts" of the Downtown Area Plan to change the height and bulk district of Assessor's Block 3701, Lots 020 and 021 from 120-X to 200-X.

On October 27, 2016 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the adoption of the proposed Planning Code, Zoning Map Amendment Ordinance and the related General Plan Amendment Ordinance, initiated by the Planning Commission.

The two Proposed Ordinances, would 1.) create Section 249.15 to establish the Mission and 9th Street Special Use District and 2.) amend Map 5, Proposed Height and Bulk Districts" of the Downtown Area Plan of the General Plan to change the height and bulk district of Assessor's Block 3701, Lots 020 and 021 from 120-X to 200-X. Specifically, the Mission and 9th Street Special Use District would:

- Allow for a height increase of the subject parcels from 120-feet to 200-feet;
- Require the provision of on-site affordable units in the amount of 21.5% of the number of units construction on-site at the following income levels:

1650 Mission St.
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- 13.5% of the units affordable to households earning 55% or less of Area Median Income (AMI);
- 4% of the units affordable to households earning 70% or less of AMI; and
- 4% of units affordable to households earning 90% or less of AMI.

Please note that the Planning Commission recommends the Ordinance be amended to require an additional 3.5% of the units constructed on-site to be made affordable to households whose incomes do not exceed 150% AMI.

- Waive the floor area ratio (FAR) limits otherwise applicable; and
- Permit a certain portion of usable open space required pursuant to Planning Code Section 135 to be provided off-site, either with the SUD or within 900 feet of the boundaries of the SUD.

Supervisor Kim, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission that would require an additional 3.5% of the units constructed on-site to be made affordable to households whose incomes do not exceed 150% AMI.

At the October 27, 2016 hearing, the Commission voted to recommend **approval** of the proposed General Plan and **approval with modifications** of the Planning Code Amendment Ordinances. Please find attached documents relating to the Commission's action. The original, signed to form and Microsoft Word versions of the Ordinances will be sent directly to the Clerk from the City Attorney, Audrey Pearson. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,


AnMarie Rodgers
Senior Policy Advisor

cc:

Mayor's Office, Nicole Elliot
Supervisor Jane Kim
District 6 Legislative Aide, April Ang
Deputy City Attorney, Audrey Pearson
Deputy City Attorney, Jon Givner

Attachments (one copy of the following):

Final Mitigated Negative Declaration for 1270 Mission Street
Planning Commission Resolution No. 19766
Planning Commission Resolution No. 19767



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution 19766

HEARING DATE: OCTOBER 27, 2016

Project Name: 1270 Mission Street
Case Number: 2014.0926GPA
Project Sponsor: Brian Baker
AGI Avant
100 Bush Street, Suite 1450
San Francisco, CA 94104
Staff Contact: Tina Chang, Planner
tina.chang@sfgov.org, 415-575-9108
Reviewed by: AnMarie Rodgers, Senior Policy Advisor
anmarie.rodgers@sfov.org, 415-558-6395

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RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT FINDINGS RELATING TO AMENDMENTS TO GENERAL PLAN MAP 5 OF THE DOWNTOWN PLAN AREA, TO CHANGE THE HEIGHT DESIGNATION SHOWN ON THE MAP FOR ASSESSOR'S BLOCK 3701, BLOCKS 020 AND 021 TO FACILITATE THE CREATION OF THE MISSION AND 9TH STREET SPECIAL USE DISTRICT; AND MAKE AND ADOPT FINDINGS, INCLUDING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.

PREAMBLE

On May 5, 2015, 1270 Mission, LLC ("Project Sponsor") filed an application requesting approval of a Downtown Project Authorization pursuant to Section 309 of the San Francisco Planning Code to facilitate the construction of a mixed-use residential project located at 1270 Mission Street ("Project") with a 200-foot tall building providing on-site inclusionary affordable dwellings units in excess of the amounts required by the City's Inclusionary Affordable Housing Program (Planning Code section 415) in exchange for a density bonus conveyed by amendment of the Planning Code, Zoning Map and the General Plan to increase the permitted building height at the project site from 120 feet to 200 feet. The Downtown Project Authorization application included exceptions from rear yard requirements per Section 134 and ground-level wind currents per Section 148 of the Planning Code.

On June 28, 2016, the Project Sponsor filed a Variance application with the Planning Department from exposure requirements pursuant to Planning Code Section 140.

On August 24, 2016, a Preliminary Mitigated Negative Declaration ("PMND") was published. Since no appeals or comments were filed within 20 days of the publication date, the Planning Department's Environmental Review Officer finalized the Mitigated Negative Declaration ("MND") for the 1270

Mission Project, including the General Plan, Planning Code Text and Zoning Map Amendment and determined that the MND was adequate, accurate and complete and reflected the independent judgment of the Planning Department. A copy of the MND and this Determination is on file with the Clerk of the Board of Supervisors in File No. 161067 and is incorporated herein by reference.

On October 4, 2016, Supervisor Jane Kim introduced the legislation entitled, "Ordinance amending the San Francisco Planning Code to add Section 249.15 to create the Mission and 9th Street Special Use District in the area generally bounded by Mission Street on the south, Laskie Street on the east, Assessor's Block 3701, Lots 22, 23 and 24 on the west, and Assessor's Block 3701, Lot 66 to the north; amending the Zoning Map Sheet SU07 to create the Mission and Ninth Street Special Use District; amending Zoning Map Sheet HT07 to change the height limit on Assessors Block 3701, Lots 20 and 21, from 120-X to 200-X; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1."

On October 6, 2016, the Planning Commission initiated legislation entitled, "Ordinance amending the General Plan by revising the height designation for Assessor's Block 3701 Lots 20 and 21 on Map 5 of the Downtown Area Plan from 120-X to 200-X; adopting and making findings regarding the Mitigated Negative Declaration prepared in compliance with the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1."

On October 27, 2016 the Commission conducted a duly noticed public hearing at a regularly scheduled meeting regarding (1) the General Plan Amendment; and (2) the ordinance amending the Planning Code to add the Mission and Ninth Street Special Use District, and revise Zoning Map SU07 and H07. At that meeting, the Commission adopted (1) Resolution No. 19766, recommending that the Board of Supervisors approve the requested General Plan Amendment; and (2) Resolution No. 19767 recommending that the Board of Supervisors approve the requested Planning Code and Text and Map Amendment. The Commission heard and considered the testimony presented to it at the public hearing and further considered written materials and oral testimony presented on behalf of the applicant, Department staff and other interested parties, and the record as a whole.

The Planning Department, Jonas P. Ionin, is the custodian of records; all pertinent documents are located in the File for Case No. 2014.0926GPAPCAMAPDNXVAR, at 1650 Mission Street, Fourth Floor, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting program (MMRP), which material was made available to the public and this Commission for this Commission's review, consideration and action.

The Commission has reviewed the proposed General Plan Amendment Ordinance; and

RESOLVED, that the Planning Commission hereby recommends that the Board of Supervisors approve the proposed General Plan Amendment Ordinance, and adopts this resolution to that effect.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments and the record as a whole, including all information pertaining to the Project in the Planning Department's case files, this Commission finds, concludes, and determines as follows:

1. The Commission finds that the Mission and 9th Street Special Use District and the Project at 1270 Mission Street to be a beneficial development to the City that could not be accommodated without the actions requested.
2. The Project would address the City's severe need for additional housing for very low, low and moderate income households, by providing on-site inclusionary affordable dwellings units in excess of the amounts required by the City's Inclusionary Affordable Housing Program (Planning Code section 415).
3. The proposed General Plan Amendment and Special Use District would permit the development of a greater number of residential uses than currently permitted at the project site. As the General Plan recognizes, building standards can be relaxed in order to promote lower cost home construction. An additional portion of San Francisco's affordable housing needs can be supplied (with no public subsidies or financing) by private sector housing developers developing inclusionary affordable units in their market-rate projects in exchange for the density and other bonuses. The Project would provide on-site inclusionary affordable dwellings units in excess of the amounts required by the City's Inclusionary Affordable Housing Program (Planning Code section 415) in exchange for the density bonus conveyed by the proposed General Plan Amendment and Special Use District.
4. The Project proposes neighborhood-serving amenities, such as new ground floor retail, and pedestrian safety improvements to surrounding streets; proposes new publicly accessible open space; and would incorporate sustainability features into the Project.
5. The General Plan Amendments are necessary in order to approve the Project;
6. **General Plan Compliance.** The Project is, on balance, consistent with the Objectives and Policies of the General Plan, as it is proposed to be amended:

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 1.8

Promote mixed use development, and include housing, particularly permanently affordable housing, in new commercial, institutional or other single use development projects.

The Project supports this Policy. The proposed Project would construct a significant amount of new housing units within an existing urban environment that is in need of more access to housing. The Project proposes to demolish a one-story commercial garage and surface parking lot and construct a mixed-use residential building above ground floor retail that contains 235 market rate units and 64 on-site affordable units compliant with Section 415 of the Planning Code and the Mission and 9th Street Special Use District (or 75 on site units if the Mission and 9th Street SUD is modified as recommended by the Department). Additionally, 2,012 square feet of ground-floor retail use is proposed. The Property is an ideal site for new housing due to its central, Downtown location, and proximity to public transportation. The current development of this location, with a surface parking lot and on-story commercial building, represents an under-utilized site within the Downtown core. By developing and maintaining space dedicated to retail use within the building, the Project will continue the pattern of active ground floor retail along the Mission Street frontage while activating the Laskie Street frontages.

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 supports this Policy. It is anticipated that because of the central Downtown location of the Project, most residents would either walk, bike, or use public transportation for daily travel. The Project is located along Mission Street, a major and bus-transit corridor, 1.5 blocks away from the Civic Center BART and MUNI stations, and within one block of at least 6 MUNI bus lines. The Project provides 200 Class 1 and 18 Class 2 bicycle parking spaces with a convenient and separate entrance designated for bicyclists, encouraging the use of bikes as a mode of transportation.

OBJECTIVE 5:

ENSURE THAT ALL RESIDENTS HAVE EQUAL ACCESS TO AVAILABLE UNITS.

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 supports this Policy. The Project would create 299 dwelling units, of which 75 (25%) are studios, 59 (19%) are junior one-bedroom, 98 (33%) are one-bedroom, 56 (19%) are two-bedroom and 11 (4%) are three-bedroom units. The Project provides a range of unit types to serve a variety of needs, and will provide 21.5 percent on-site affordable units comprising of the similar dwelling unit mix, namely 25% studios, 19% junior one-bedroom, 33% one-bedrooms, 19% two-bedroom and 11% three-bedroom units.

OBJECTIVE 7:

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

In compliance with this policy, the Project includes an SUD that requires the provision of 21.5% on-site affordable housing for projects that are 120 feet or taller, thereby enhancing the City's affordable housing.

Further, the Planning Department recommends that for projects of 120 feet or taller, an additional 3.5% (at no more than 150%AMI) for a total of 25% of the total constructed units be affordable. .

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 11.2

Ensure implementation of accepted design standards in project approvals

Policy 11.3

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

Policy 11.4

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

Policy 11.6

Foster a sense of community through architectural design, using features that promote community interaction.

Policy 11.7

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

The Project supports these Policies. The Project would create 299 dwelling units in the immediate vicinity of existing residential and office buildings, and complies with the existing zoning in terms of land use, height, and density. The Project's design respects the architectural design of adjacent historic resources, with a traditional tripartite façade containing defined base, shaft and top. This new development will enhance the character of the existing neighborhood and is an ideal site for new housing due to its central, Downtown location, and proximity to public transportation. The current development of this location, with a surface parking lot and underutilized commercial building, represents an under-utilized site within the

Downtown core. By developing and maintaining space dedicated to retail use within the building, the Project will continue the pattern of active ground floor retail along the Mission and Laskie Street frontages.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 3:

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1

Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3.2

Avoid extreme contrasts in color, shape and other characteristics which will cause new buildings to stand out in excess of their public importance.

Policy 3.6

Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

The Project uses design to relate to existing development in the neighborhood, which is characterized by mid- to high-rise, mixed-use buildings are characterized by more classical designs typically expressed by tripartite design, vertical expression, punched windows, decorative brickwork and modillion cornices. The proposed Project would replace a one-story commercial building and surface parking lot with a building that respects its context by providing a high-rise, mixed-used building of tripartite design, separated with cornices, and articulated with traditional materials, such as brick and metal. The proposed structure complies with land use and development controls of the Planning Code and the surrounding development.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1:

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

Policy 1.2

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

Policy 1.3

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The Project would add approximately 2,012 square feet of new commercial space that is intended to serve residents in the building and surrounding neighborhood. Retail is encouraged and principally permitted on the ground floor of buildings in the Downtown General District, and is thus consistent with activities in the commercial land use plan.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.2:

Ensure the safety and comfort of pedestrians throughout the city.

A primary objective of the proposed Project is to create a pedestrian-oriented environment at the Project Site that encourages walking as a principal means of transportation. Proposed improvements to the sidewalks would improve pedestrian safety and adhere to the Better Streets Plan. The pedestrian right of way on Mission Street would be repaved and include four new street trees (spaced approximately 20 feet apart from one another) with tree grates and 18 new Class 2 bicycle spaces. Additional improvements along Laskie Street would include a single-surface "shared street" from Mission Street to immediately north of the project garage driveway. The shared street includes raising the elevation of Laskie Street to meet the elevation of existing sidewalks, removing and replacing the existing raised concrete sidewalks along both sides of the roadway with a 3-foot-by-3-inch wide visual/tactile detection strip to delineate pedestrian and vehicular zones; removing the existing street trees and planting at least 10 new street trees (spaced approximately 20 feet apart) with tree grates; and additional pedestrian lighting. Plans also include a raised crosswalk along Laskie Street at the intersection of Mission Street, which would accommodate east-west pedestrian traffic along the north side of Mission Street and serve as a traffic calming device since vehicles would be required to slow down considerably prior to entering or exiting Laskie Street.

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 1.6:

Ensure choices among modes of travel and accommodate each mode when and where it is most appropriate.

The Project would promote Objective 1 and its associated policies by providing for an amount of parking that is sufficient to meet the needs of the future residents so as to not overburden the surrounding neighborhood parking. However, the parking that is being provided is not expected to generate substantial traffic that would adversely impact pedestrian, transit, or bicycle movement. Given the proximity of the Project site to the employment opportunities and retail services of the Downtown Core, it is expected that residents will opt to prioritize walking, bicycle travel, or transit use over private automobile travel. The Project would provide a merely sufficient rather than excessive amount of parking in order to accommodate the parking needs of the future residents of the Project and the neighborhood, while still supporting and encouraging walking, bicycle travel and public transit use.

OBJECTIVE 2:

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.1:

Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

The Project would promote Objective 2 and its associated policies by constructing a residential building with ground floor retail in the Downtown Core, which is the most transit rich area of the City. The Project would provide only 0.24 parking spaces per dwelling and will not provide any parking for the proposed retail use. All of these parking spaces would be shielded by active uses or located underground, and thus be less intrusive to the surrounding pedestrian realm.

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 Project is located within a neighborhood rich with public transportation and the people occupying the building are expected to rely heavily on public transit, bicycling, or walking for the majority of their daily trips. The project includes bicycle parking for 218 bicycles (200 Class 1, 18 Class 2). Within a few blocks of the Project Site, there is an abundance of local and regional transit lines, including MUNI bus lines, MUNI Metro rail lines and BART. Additionally, such transit lines also provide access to AC Transit (Transbay Terminal) and Cal Train.

DOWNTOWN AREA PLAN

Objectives and Policies

OBJECTIVE 1:

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1

Encourage development which produces substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences which cannot be mitigated.

The Project would bring additional housing into a neighborhood that is well served by public transit on the edge of Downtown. The Project would not displace any housing because the existing structure at 1270 Mission Street is a one-story commercial space and surface parking lot. The Project would improve the existing character of the neighborhood by removing the surface parking lot and one-story commercial space currently occupied by a pizza shop doing business as SF Pizza. The proposed retail space, which includes ground floor retail space, is consistent and compatible with the existing retail uses in the neighborhood and is also consistent with the pedestrian-friendly uses in the immediate neighborhood and the Downtown core.

The Project therefore creates substantial net benefits for the City with minimal undesirable consequences.

OBJECTIVE 7:

EXPAND THE SUPPLY OF HOUSING IN AND ADJACENT TO DOWNTOWN.

Policy 7.1.1

Promote the inclusion of housing in downtown commercial developments.

Policy 7.2

Facilitate conversion of underused industrial and commercial areas to residential use.

The Project would demolish an underutilized commercial space and surface parking lot and construct a 200-foot tall, 21-story-over-basement, 299-unit residential building over ground floor retail, within easy commuting distance of jobs located within the Downtown core, other neighborhoods of the City as well as other areas in the Bay Area.

The Project includes approximately 2,012 square feet of ground floor commercial space with Mission and Laskie Street frontages; these spaces would provide services to the immediate neighborhood, and would create pedestrian-oriented, active uses on each of the two frontages.

OBJECTIVE 13:

CREATE AN URBAN FORM FOR DOWNTOWN THAT ENHANCES SAN FRANCISCO'S STATURE AS ONE OF THE WORLD'S MOST VISUALLY ATTRACTIVE CITIES.

Policy 13.1

Relate the height of buildings to important attributes of the city pattern and to the height and character of existing and proposed development (See Map 5).

The height of the proposed building will relate to the height and character of existing and proposed development. Although the Project is located within a 120-X height and bulk district, it is surrounded by parcels that are zoned for taller heights. The parcel immediately to the north is zoned 200-S and that across Laskie Street is zoned 150-S. The Project includes a General Plan Amendment to amend Assessor's Block 3701 Lots 020 and 021 of Map 5 to 200-X, relating the building the height and character of existing and proposed development.

OBJECTIVE 16:

CREATE AND MAINTAIN ATTRACTIVE, INTERESTING URBAN STREETSCAPES.

Policy 16.4

Use designs and materials and include amenities at the ground floor to create pedestrian interest.

The Project would promote Objective 16 by providing a shared street along Laskie Street which includes streetscape improvements along both the sidewalk immediately adjacent to the property as well as that on the opposite side of the street. The elevated roadway and crosswalk at Mission Street will meet sidewalk grade along and include improved paving materials, landscaping and streetlights. The shared-street coupled with ground floor retail along Mission Street that wraps the corner onto Laskie Street will create pedestrian interest and better activate the block of Mission Street between 8th and 9th Streets.

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 complies 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 would preserve space for new neighborhood-serving retail, providing continued opportunities for resident employment and ownership. In addition to 299 residential units, the Project would include approximately 2,012 square feet of retail space. The Project would have a positive effect on existing neighborhood-serving retail uses because it would bring additional residents to the neighborhood, thus increasing the customer base of existing neighborhood-serving retail. The Project would enhance neighborhood-serving retail by adding new retail space, which could strengthen nearby neighborhood retail uses by attracting pedestrians and passersby and broadening the consumer base and demand for existing neighborhood-serving retail services. The addition of this new space would also complement the pedestrian-friendly Downtown core and would continue the pattern of active ground floor retail along the Mission Street frontage.

- 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 would not negatively affect the existing housing and neighborhood character. The Project would not displace any housing because the existing structure at 1270 Mission Street is an underutilized commercial building and surface parking lot. The Project would improve the existing character of the neighborhood by removing the one-story structure and surface parking lot. The proposed retail space is consistent and compatible with the existing retail uses in the neighborhood and is also consistent with the pedestrian-friendly uses in the immediate neighborhood and the downtown core.

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

There is currently no housing on the site; therefore, no affordable housing will be lost as part of this Project. The Project would enhance the City's supply of affordable housing by providing 64 on-site affordable dwelling units, (or, 75 if the SUD is modified to require 25% inclusionary unit as recommended by the Department) in compliance with the affordable housing requirements of Planning Code Section 249.15(b)(1).

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

The Project would not impede MUNI transit service or overburden local streets or parking. The Project is well-served by transit as it is located in a major transit corridor and would promote rather than impede the use of MUNI transit service. Future residents and employees of the Project could access both the existing MUNI rail and bus services and the BART system. The Project also provides a sufficient amount of off-street parking for future residents so that neighborhood parking will not be overburdened by the addition of new residents.

- 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 would not negatively affect the industrial and service sectors because it is largely residential in nature and would not displace any existing industrial uses. The Project would also be consistent with the character of existing development in the neighborhood, which is characterized by commercial office and mid- to high-rise residential buildings.

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

The Project will be consistent with the City's goal to achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake. The building will be constructed in compliance with all current building codes to ensure a high level of seismic safety.

- g. That landmarks and historic buildings be preserved.

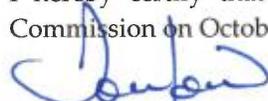
The Planning Department has determined that the one-story commercial space d.b.a SF Pizza and surface parking lot, is not individually eligible for listing on the California Register, nor is it located in an historic district. Accordingly, the Project has no impact on any landmarks or historic buildings. The Project has been designed in a way that respects the existing neighborhood fabric with a traditional tripartite façade and the use of more traditional materials, such as brick and metal.

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

The Project would not cast any new shadows on parks under the jurisdiction of the San Francisco Parks and Recreation Department.

- 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, and also in that, as designed, the Project would address the City's severe need for additional housing for very low, low and moderate income households, by providing on-site inclusionary affordable dwellings units in excess of the amounts required by the City's Inclusionary Affordable Housing Program (Planning Code section 415).
- 9. Based on the foregoing, the public necessity, convenience and general welfare require the proposed General Plan Amendment.

I hereby certify that the foregoing RESOLUTION was ADOPTED by the San Francisco Planning Commission on October 27, 2016.



Jonas P. Ionin

Commission Secretary

AYES: Fong, Richards, Hillis, Koppel, Johnson, Moore

NOES: None

ABSENT: Melgar

ADOPTED: October 27, 2016



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 19767

Planning Code Text Amendment Zoning Map Amendment

HEARING DATE: OCTOBER 27, 2016

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Case No.: 2014.0926PCAMAP
Project Address: 1270 Mission Street
Current Zoning: C-3-G (Downtown General)
120-X Height and Bulk District
Proposed Zoning Mission and Ninth Street SUD
200-X
Block/Lot: 3701 / 021, 021
Project Sponsor: Brian Baker – (415) 775.7005
AGI Avant
100 Bush Street, Suite 1450
San Francisco, CA 94104
Staff Contact: Tina Chang – (415) 575-9197
Tina.Chang@sfgov.org

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT FINDINGS RELATING TO THE PLANNING CODE, INCLUDING 1) AMENDMENT OF PLANNING CODE TEXT TO ADD SECTION 249.15 TO ESTABLISH THE MISSION AND 9TH STREET SPECIAL USE DISTRICT, TO REQUIRE THE PROVISION OF ON-SITE AFFORDABLE UNITS IN THE AMOUNT OF 21.5% OF THE NUMBER OF UNITS CONSTRUCTED ON-SITE; WAIVE FLOOR AREA RATIO LIMITS SET FORTH IN SECTIONS 123 AND 124 OF THE PLANNING CODE FOR BUILDINGS EXCEEDING 120-FEET IN HEIGHT; ALLOW UP TO 40 PERCENT OF USABLE OPEN SPACE REQUIRED BY PLANNING CODE SECTION 135 TO BE PROVIDED OFF-SITE EITHER WITHIN THE SPECIAL USE DISTRICT OR WITHIN 900 FEET OF THE BOUNDARIES OF THE SPECIAL USE DISTRICT; AND 2) AMENDMENTS TO SPECIAL USE DISTRICT MAP SU07 AND HEIGHT AND BULK DISTRICT MAP HT07 TO REFLECT THE CREATION OF THE SPECIAL USE DISTRICT AND ALLOW AN INCREASE IN HEIGHT FOR ASSESSOR'S BLOCK 3701, PARCELS 020 AND 021 FROM 120-X TO 200-X; AND (3) MAKE AND ADOPT FINDINGS, INCLUDING FINDINGS UNDER PLANNING CODE SECTION 302, ENVIRONMENTAL FINDINGS AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.

PREAMBLE

On May 5, 2015, 1270 Mission, LLC ("Project Sponsor") filed an application requesting approval of a Downtown Project Authorization pursuant to Section 309 of the San Francisco Planning Code to facilitate the construction of a mixed-use residential project located at 1270 Mission Street ("Project") with a 200-foot tall building providing on-site inclusionary affordable dwellings units in excess of the amounts required by the City's Inclusionary Affordable Housing Program (Planning Code section 415) in exchange for a density bonus conveyed by amendment of the Planning Code, Zoning Map and the General Plan to increase the permitted building height at the project site from 120 feet to 200 feet. The Downtown Project Authorization application included exceptions from rear yard requirements per Section 134 and ground-level wind currents per Section 148 of the Planning Code.

On June 28, 2016, the Project Sponsor filed a Variance application with the Planning Department from exposure requirements pursuant to Planning Code Section 140.

On August 24, 2016, a Preliminary Mitigated Negative Declaration ("PMND") was published. Since no appeals or comments were filed within 20 days of the publication date, the Planning Department's Environmental Review Officer finalized the Mitigated Negative Declaration ("MND") for the 1270 Mission Project, including the General Plan, Planning Code Text and Zoning Map Amendment and determined that the MND was adequate, accurate and complete and reflected the independent judgment of the Planning Department. A copy of the MND and this Determination is on file with the Clerk of the Board of Supervisors in File No. 161067 and is incorporated herein by reference.

On October 4, 2016, Supervisor Jane Kim introduced the legislation entitled, "Ordinance amending the San Francisco Planning Code to add Section 249.15 to create the Mission and 9th Street Special Use District in the area generally bounded by Mission Street on the south, Laskie Street on the east, Assessor's Block 3701, Lots 22, 23 and 24 on the west, and Assessor's Block 3701, Lot 66 to the north; amending the Zoning Map Sheet SU07 to create the Mission and Ninth Street Special Use District; amending Zoning Map Sheet HT07 to change the height limit on Assessors Block 3701, Lots 20 and 21, from 120-X to 200-X; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1."

On October 6, 2016, the Planning Commission initiated legislation entitled, "Ordinance amending the General Plan by revising the height designation for Assessor's Block 3701 Lots 20 and 21 on Map 5 of the Downtown Area Plan from 120-X to 200-X; adopting and making findings regarding the Mitigated Negative Declaration prepared in compliance with the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1."

On October 27, 2016 the Commission conducted a duly noticed public hearing at a regularly scheduled meeting regarding (1) the General Plan Amendment; and (2) the ordinance amending the Planning Code to add the Mission and Ninth Street Special Use District, and revise Zoning Map SU07 and H07. At that meeting, the Commission adopted (1) Resolution No. 19766, recommending that the Board of Supervisors approve the requested General Plan Amendment; and (2) Resolution No. 197767 recommending that the Board of Supervisors approve the requested Planning Code and Text and Map Amendment. The

Commission heard and considered the testimony presented to it at the public hearing and further considered written materials and oral testimony presented on behalf of the applicant, Department staff and other interested parties, and the record as a whole.

The Planning Department, Jonas P. Ionin, is the custodian of records; all pertinent documents are located in the File for Case No. 2014.0926GPAPCAMAPDNXVAR, at 1650 Mission Street, Fourth Floor, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting program (MMRP), which material was made available to the public and this Commission for this Commission's review, consideration and action.

The Commission has reviewed the proposed Planning Code Text and Zoning Map Amendments Ordinance; and

RESOLVED, that the Planning Commission hereby adopts the MMRP attached as Exhibit C of Motion No. 19768, based on the findings as stated below.

FURTHER RESOLVED, that the Commission hereby recommends that the Board of Supervisors approve the proposed Planning Code and Zoning Map Amendment Ordinances, and adopt the attached Resolution to that effect.

FINDINGS

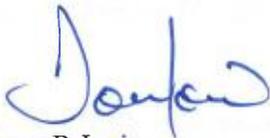
Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments and the record as a whole, including all information pertaining to the Project in the Planning Department's case files, this Commission finds, concludes, and determines as follows:

1. The Commission finds that the Mission and 9th Street Special Use District and the Project at 1270 Mission Street to be a beneficial development to the City that could not be accommodated without the actions requested.
2. The Project would address the City's severe need for additional housing for very low, low and moderate income households, by providing on-site inclusionary affordable dwellings units in excess of the amounts required by the City's Inclusionary Affordable Housing Program (Planning Code section 415).
3. The Planning Commission recommends that the Planning Code Text Amendment Ordinance be amended to require an additional 3.5% of affordable unit made affordable to households whose incomes do not exceed 150% area median income.
4. The proposed General Plan Amendment and Special Use District would permit the development of a greater number of residential uses than currently permitted at the project site. As the General Plan recognizes, building standards can be relaxed in order to promote lower cost home construction. An additional portion of San Francisco's affordable housing needs can be supplied (with no public subsidies or financing) by private sector housing developers developing

inclusionary affordable units in their market-rate projects in exchange for the density and other bonuses. The Project would provide on-site inclusionary affordable dwellings units in excess of the amounts required by the City's Inclusionary Affordable Housing Program (Planning Code section 415) in exchange for the density bonus conveyed by the proposed General Plan Amendment and Special Use District.

5. The Project proposes neighborhood-serving amenities, such as new ground floor retail, and pedestrian safety improvements to surrounding streets; proposes new publicly accessible open space; and would incorporate sustainability features into the Project.
6. The Planning Code and Zoning Map Amendments are necessary in order to approve the Project;
7. **General Plan Compliance.** The Project is, on balance, consistent with the Objectives and Policies of the General Plan, for the reasons set forth in the findings in the Downtown Project Authorization, Motion No. 19768, which are incorporated by reference as though fully set forth herein.
8. **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 complies with said policies, for the reasons set forth in the Downtown Project Authorization, Motion No. 19768 which are incorporated by reference as though fully set forth herein.
9. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) for the reasons set forth in the findings in the Downtown Project Authorization, Motion No. 19768, which are incorporated by reference as though fully set forth herein, and also in that, as designed, the Project would address the City's severe need for additional housing for very low, low and moderate income households, by providing on-site inclusionary affordable dwellings units in excess of the amounts required by the City's Inclusionary Affordable Housing Program (Planning Code section 415).
10. Based on the foregoing, the public necessity, convenience and general welfare require the proposed Planning Code and Zoning Map amendments.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on October 27, 2016.



Jonas P. Ionin
Commission Secretary

AYES: Fong, Richards, Hillis, Koppel, Johnson, Moore

Resolution No. 19767
October 27, 2016

Case No.: 2014.0926PCAMAP
1270 Mission Street

NOES: None

ABSENT: Melgar

ADOPTED: October 27, 2016

