

September 24, 2018

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

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BOARD OF SUPERVISORS
SAN FRANCISCO

2018 SEP 24 PM 3:31

BY



**RE: Case No. 2014-001400ENX 2750 19th Street
Appeal of the August 23, 2018 Planning Commission Decision**

Dear Members of the Board Supervisors:

We are writing on behalf of Our Mission No Eviction regarding our upcoming appeal hearing in front of you for proposed project at **2750 19th Street**. We are appealing the decision of the Planning Commission made on August 23, 2018, including the adoption of CEQA findings under Section 15183 of the CEQA guidelines and Public Resources Code Section 21083.3.1, including the underlying Certificate of Determination and Findings of the Community Plan Evaluation and Initial Study-Community Plan Evaluation and Checklist.

The appeal of the adoption of the Community Plan Exemptions and CEQA Findings are filed on the following basis.

1. The cumulative impacts of this project have not been properly analyzed with the Letter of Determination and Community Plan Checklist erroneously concluding that there would be no significant impacts of this project that were not evaluated in the Eastern Neighborhoods Plan EIR (PEIR), either individually or cumulatively. The assumptions upon which the PEIR is based are now outdated and the PEIR cannot be relied on to accurately evaluate the cumulative impacts of the project. The PEIR examined a cumulative production of 2,054 housing units for the Mission during the period of 2008 to 2025. Currently, these projections for housing, including this Project and those constructed, entitled and/or in the construction pipeline have been exceeded.
2. The PEIR envisioned a scenario of up to 2054 units in the Mission over a 18 year period, evaluating significant impact and proposing mitigation of those impacts. We are just past half way through this period and are exceeding production by a factor of 75%. It would be a mistake to assume that those significant impacts would not become more significant and would not require additional mitigations. It would also be a mistake to assume that other

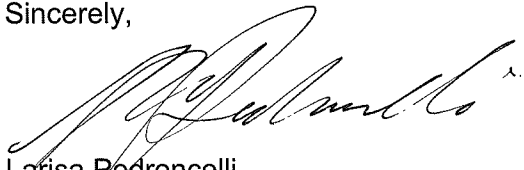
impacts, which may not have been identified as significant in the PEIR would not be significant given the substantial increase in the number of units. However, the PEIR makes these exact assumptions.

3. The CEQA findings did not take into account the potential impacts due to gentrification and displacement of businesses, residents, and non-profits and impacts on cultural resources. Community benefits under the Eastern Neighborhoods Area Plan as outlined in the 2008 PEIR, its approvals and the Statement of Overriding Considerations have not been fully funded, implemented or are underperforming. The determinations and findings for the proposed Project rely on the claimed benefits to mitigate impact outlined in the PEIR and are not supported.
4. Substantial new information affecting environmental analysis has become available. When new information becomes available, CEQA Guidelines require comprehensive analysis of these issues. (CEQA Guidelines Section 15183) Numerous changes have take place on the ground, including:
 - **An Unanticipated Rapid Pace of Development.** The PEIR was prepared in the midst of the the “great recession” and did not project the steep increases in housing prices that has been especially exacerbated by the increase in high paying jobs that have come to San Francisco. As a result, development has accelerated at a faster pace than anticipated by the PEIR. Major unforeseen development projects in the Eastern Neighborhoods such as the UCSF Hospital buildout, Pier 70 buildout, 5M project, Mission Bay buildout, Warriors Stadium, and the new Central SOMA plan bringing with it significant - and unanticipated - new office space to the area.
 - **Disproportionate Construction of Market Rate Units as compared with Affordable Units.** The 2017Q1 Residential Pipeline Report states that San Francisco has exceeded it 2015-2022 RHNA housing production goals of 28,869 units and has built or entitled 217.2% of the RHNA Goals for above moderate income housing (greater than 120% AMI). According to Housing Balance Report No. 7, Table 2 Projected Housing Balance Calculation, 2018 Q2, Districts 9 and 10 continue low income housing production (D9 13.6%, D10 17.4%) that is well below targets, even if one equates housing rehabilitation with housing production.

- **Tech Shuttle Gentrification and Displacement Impacts.** The PEIR did not anticipate the impact of tech shuttles from a traffic standpoint but also from the perspective of demand for housing in proximity to these new shuttle stops. The desire by high-earning tech employees to move to areas within a few blocks of a free ride to work has exacerbated the already high demand for housing. These shuttle stops are disproportionately in the Mission. The Anti-Eviction Mapping Project has documented the connection between shuttle stops and higher incidences of no-fault evictions. <http://www.antievictionmappingproject.net/techbusevictions.html>
- **Gentrification Has Caused Unanticipated Increases in Traffic and Automobile Ownership.** The unanticipated influx of high earners in the Mission has resulted and will continue to result in a substantial increase in the rate of automobile ownership and TNC use in the Mission. It is now well recognized that high earners are twice as likely to own an automobile than their low income counterparts, even in transit rich areas such as the Mission. The TNC “ride-share” phenomena, increased frequency of amazon/meal/grocery deliveries and the implementation of Mission St “red lanes” have resulted in significantly changed traffic patterns. Additionally, the rise in “displacement commutes” of Mission families driving back long distances to their jobs and children’s schools in San Francisco, as well as the plethora of new Silicon Valley “reverse commutes” were not anticipated and have significantly changed the traffic picture. A recent INRIX Global Traffic Scorecard shows that *in 2017 San Francisco driving now ranked 5th most congested city in the world*, with its average driver spending 79 hours a year stuck in traffic at a cost of \$10.6 billion per year (<http://inrix.com/press-releases/scorecard-2017/>). Although a traffic study was done for this project, it did not contain any cumulative analysis and based its Mode Share Projections on 2011-2014 projections. **We cannot know the exact issues related to cumulative impacts on traffic and circulation because they have not been studied.**

CEQA requires a cumulative environmental analysis based on current and reasonably anticipated circumstances. Because there have been numerous changes on the ground, substantial new information has become available and their resulting impacts have yet to be studied, San Francisco has fallen short of its CEQA obligation to inform of and recommend mitigation measures that would ease these impacts. This results in the approval of projects that have unexamined environmental effects and insufficient mitigation measures, to the detriment of Mission residents.

Sincerely,



Larisa Pedroncelli

Kelly Hill

Members, Our Mission No Eviction



Attachments: Planning Commission Motion No 20264
Residential Pipeline, Entitled Housing Units 2017 Q1
Housing Balance Report No. 7, 1 July 2008- 30 June 2018

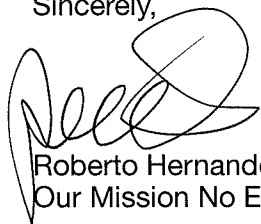
cc: Environmental Review Officer, San Francisco Planning Department

September 21, 2018

To whom it may concern-

I, Roberto Hernandez working for Our Mission No Eviction, authorize Larisa Pedroncelli and Kelly Hill to file an appeal to the Board of Supervisors of the August 23, 2018 Planning Commission decision to the project at 2750 19th Street, San Francisco, CA.

Sincerely,

A handwritten signature in black ink, appearing to read 'Roberto Hernandez', with a large, stylized flourish at the end.

Roberto Hernandez
Our Mission No Eviction



SAN FRANCISCO PLANNING DEPARTMENT

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2018 SEP 24 PM 3:31

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REVISED Certificate of Determination Community Plan Evaluation

Case No.: 2014.0999ENV
Project Address: 2750 19th Street
Zoning: UMU (Urban Mixed Use) Zoning District
68-X Height and Bulk District
Block/Lot: 4023/004A
Lot Size: 15,000 square feet
Plan Area: Eastern Neighborhoods Area Plan, Mission Subarea
Project Sponsor: Steve Perry, Perry Architects 415-806-1203
Staff Contact: Justin Horner, Justin.horner@sfgov.org 415-575-9023

THIS COMMUNITY PLAN EVALUATION (CPE) SUPERSEDES THE CPE THAT WAS PUBLISHED ON NOVEMBER 21, 2017. FOLLOWING PUBLICATION OF THE PREVIOUS CPE, THE PROPOSED PROJECT WAS REVISED.

PROJECT DESCRIPTION

The 15,000-square-foot (sf) project site is on the northeast corner of the intersection of Bryant Street and 19th Street in the Mission neighborhood. The project site is currently occupied by three, one-story, 22-foot-tall industrial buildings built between 1880 and 1914, totaling 10,935 sf of Production, Distribution and Repair (PDR) uses. The project site is located in the UMU (Urban Mixed Use) Zoning District and a 68-X Height and Bulk District.

(Continued on next page.)

CEQA DETERMINATION

The project is eligible for streamlined environmental review per Section 15183 of the California Environmental Quality Act (CEQA) Guidelines and California Public Resources Code Section 21083.3

DETERMINATION

I do hereby certify that the above determination has been made pursuant to state and local requirements.

Lisa Gibson
Environmental Review Officer

5/30/18

Date

cc: Steve Perry, Project Sponsor; Supervisor Malia Cohen, District 10; Ella Samonsky, Current Planning Division; Virna Byrd, M.D.F.; Exemption/Exclusion File

PROJECT DESCRIPTION (continued)

The proposed project would include the demolition of the three existing industrial buildings, retention of the principal two-story façade along 19th and Bryant streets, and construction of a six-story, 68-foot-tall (77-foot, 7-inch tall with rooftop equipment) mixed-use building with approximately 10,000 square feet of ground-floor PDR, 60 residential units (35 one-bedroom units and 25 two-bedroom units) above and bicycle and vehicle parking in a basement (Figures 2-8). The proposed project would include 3,200 sf of common open space on the second floor and a 4,800 sf roof deck. The residential lobby entrance would be located on Bryant Street and basement vehicle parking entry would be located on 19th Street. The proposed project would include 60 Class 1 bicycle parking spaces in the basement, three Class 2 bicycle parking spaces along 19th Street, and 26 vehicle parking spaces in the basement.¹ The proposed project would remove an existing curb cut on Bryant Street and would retain an existing 10-foot curb cut off of 19th Street that would be used for the proposed garage entrance. Construction of the project would require approximately 8,533 cubic yards of excavation to a depth of approximately 15 feet and would last approximately 18 months. The proposed project would be built upon a mat-slab foundation with a series of inter-connected, reinforced concrete footings.

PROJECT APPROVAL

The proposed project requires Large Project Authorization (LPA) from the Planning Commission. The granting of the LPA shall be the Approval Action for the proposed project. The Approval Action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EVALUATION OVERVIEW

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide that projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an Environmental Impact Report (EIR) was certified, shall not be subject to additional environmental review except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts that were not discussed in the underlying EIR; or d) are previously identified in the EIR, but which, as a result of substantial new information that was not known at the time that the EIR was certified, are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

¹ Section 155.1(a) of the planning code defines class 1 bicycle spaces as “spaces in secure, weather-protected facilities intended for use as long-term, overnight, and work-day bicycle storage by dwelling unit residents, nonresidential occupants, and employees” and defines class 2 bicycle spaces as “spaces located in a publicly-accessible, highly visible location intended for transient or short-term use by visitors, guests, and patrons to the building or use.”

This determination evaluates the potential project-specific environmental effects of the 2750 19th Street project described above, and incorporates by reference information contained in the Programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR).² Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

After several years of analysis, community outreach, and public review, the Eastern Neighborhoods PEIR was adopted in December 2008. The Eastern Neighborhoods PEIR was adopted in part to support housing development in some areas previously zoned to allow industrial uses, while preserving an adequate supply of space for existing and future production, distribution, and repair (PDR) employment and businesses. The Eastern Neighborhoods PEIR also included changes to existing height and bulk districts in some areas, including the project site at 2750 19th Street.

The Planning Commission held public hearings to consider the various aspects of the proposed Eastern Neighborhoods Rezoning and Area Plans and related Planning Code and Zoning Map amendments. On August 7, 2008, the Planning Commission certified the Eastern Neighborhoods PEIR by Motion 17659 and adopted the Preferred Project for final recommendation to the Board of Supervisors.^{3,4}

In December 2008, after further public hearings, the Board of Supervisors approved and the Mayor signed the Eastern Neighborhoods Rezoning and Planning Code amendments. New zoning districts include districts that would permit PDR uses in combination with commercial uses; districts mixing residential and commercial uses and residential and PDR uses; and new residential-only districts. The districts replaced existing industrial, commercial, residential single-use, and mixed-use districts.

The Eastern Neighborhoods PEIR is a comprehensive programmatic document that presents an analysis of the environmental effects of implementation of the Eastern Neighborhoods Rezoning and Area Plans, as well as the potential impacts under several proposed alternative scenarios. The Eastern Neighborhoods Draft EIR evaluated three rezoning alternatives, two community-proposed alternatives which focused largely on the Mission District, and a “No Project” alternative. The alternative selected, or the Preferred Project, represents a combination of Options B and C. The Planning Commission adopted the Preferred Project after fully considering the environmental effects of the Preferred Project and the various scenarios discussed in the PEIR. The Eastern Neighborhoods PEIR estimated that implementation of the Eastern Neighborhoods Plan could result in approximately 7,400 to 9,900 net dwelling units and 3,200,000 to 6,600,000 square feet of net non-residential space (excluding PDR loss) built in the Plan Area throughout the lifetime of the Plan (year 2025). The Eastern Neighborhoods PEIR projected that this level of development would result in a total population increase of approximately 23,900 to 33,000 people throughout the lifetime of the plan.⁵

A major issue of discussion in the Eastern Neighborhoods rezoning process was the degree to which existing industrially-zoned land would be rezoned to primarily residential and mixed-use districts, thus reducing the availability of land traditionally used for PDR employment and businesses. Among other

² Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

³ San Francisco Planning Department. Eastern Neighborhoods Rezoning and Area Plans Final Environmental Impact Report (FEIR), Planning Department Case No. 2004.0160E, certified August 7, 2008. Available online at: <http://www.sf-planning.org/index.aspx?page=1893>, accessed August 17, 2012.

⁴ San Francisco Planning Department. San Francisco Planning Commission Motion 17659, August 7, 2008. Available online at: <http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=1268>, accessed August 17, 2012.

⁵ Table 2 Forecast Growth by Rezoning Option Chapter IV of the Eastern Neighborhoods Draft EIR shows projected net growth based on proposed rezoning scenarios. A baseline for existing conditions in the year 2000 was included to provide context for the scenario figures for parcels affected by the rezoning.

topics, the Eastern Neighborhoods PEIR assesses the significance of the cumulative land use effects of the rezoning by analyzing its effects on the City's ability to meet its future PDR space needs as well as its ability to meet its housing needs as expressed in the City's General Plan.

As a result of the Eastern Neighborhoods rezoning process, the project site has been rezoned to UMU (Urban Mixed Use) District. The UMU District is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. It is also intended to serve as a buffer between residential districts and PDR districts in the Eastern Neighborhoods. The proposed project and its relation to PDR land supply and cumulative land use effects is discussed further in the Community Plan Evaluation (CPE) Checklist, under Land Use. The 2750 19th Street site, which is located in the Mission District of the Eastern Neighborhoods, was designated as a site with building up to 68 feet in height.

Individual projects that could occur in the future under the Eastern Neighborhoods Rezoning and Area Plans will undergo project-level environmental evaluation to determine if they would result in further impacts specific to the development proposal, the site, and the time of development and to assess whether additional environmental review would be required. This determination concludes that the proposed project at 2750 19th Street is consistent with and was encompassed within the analysis in the Eastern Neighborhoods PEIR, including the Eastern Neighborhoods PEIR development projections. This determination also finds that the Eastern Neighborhoods PEIR adequately anticipated and described the impacts of the proposed 2750 19th Street project and identified the mitigation measures applicable to the 2750 19th Street project. The proposed project is also consistent with the zoning controls and the provisions of the Planning Code applicable to the project site.^{6,7} Therefore, no further CEQA evaluation for the 2750 19th Street project is required. In sum, the Eastern Neighborhoods PEIR and this Certificate of Determination and accompanying project-specific initial study comprise the full and complete CEQA evaluation necessary for the proposed project.

PROJECT SETTING

The 15,000-square-foot (sf) project site is on the northeast corner of the intersection of Bryant Street and 19th Street in the Mission neighborhood. The project site is currently occupied by three, one-story, 22-foot-tall industrial buildings built in 1907, totaling 10,935 sf of Production, Distribution and Repair uses. The project site is located in the UMU (Urban Mixed Use) Zoning District and a 68-X Height and Bulk District.

The project vicinity is a mix of residential, industrial and commercial uses. The industrial and commercial businesses in the project vicinity are mostly housed in one- and two-story structures. The residential buildings range from two to five stories in height.

Immediately adjacent to the north of the project site is a two-story, approximately 25-foot-tall commercial building constructed in 1964. Immediately adjacent to the project site to the east is a one-story, approximately 20-foot-tall commercial building constructed in 1908. At the northwest intersection of

⁶ Steve Wertheim, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Citywide Planning and Policy Analysis, 2750 19th Street, March 23, 2017. This document (and all other documents cited in this report, unless otherwise noted), is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, as part of Case File No. 2014.0999ENV.

⁷ Jeff Joslin, San Francisco Planning Department, Community Plan Evaluation Eligibility Determination, Current Planning Analysis, 2750 19th Street, February 22, 2016.

Bryant and 19 streets, which is across the street to the west of the project site, are three residential properties: a two-story, approximately 25-foot-tall building built in 1907, a three-story, approximately 40-foot-tall building built in 1900, and a two-story, approximately 22-foot-tall building built in 1907. A portion of a two-story, approximately 30-foot-tall industrial building built in 1934 is located across Bryant Street from the project site. Across 19th Street, to the south of the project site, is a four-story, approximately 60-foot-tall mixed-use residential building constructed in 1919.

The project site is served by transit lines (Muni lines 8, 9, 9R, 14X, 27, and 33) and bicycle facilities (there are bike lanes on 17th, 23rd, Folsom and Harrison streets). Zoning districts in the vicinity of the project site are UMU, PDR-1-G (Production, Distribution and Repair-1-General) and RH-2 (Residential-Housing-Two Family). Height and bulk districts in the project vicinity include 40-X, 58-X, 65-X, and 68-X.

POTENTIAL ENVIRONMENTAL EFFECTS

The Eastern Neighborhoods PEIR included analyses of environmental issues including: land use; plans and policies; visual quality and urban design; population, housing, business activity, and employment (growth inducement); transportation; noise; air quality; parks, recreation and open space; shadow; archeological resources; historic architectural resources; hazards; and other issues not addressed in the previously issued initial study for the Eastern Neighborhoods Rezoning and Area Plans. The proposed 2750 19th Street project is in conformance with the height, use and density for the site described in the Eastern Neighborhoods PEIR and would represent a small part of the growth that was forecast for the Eastern Neighborhoods plan areas. Thus, the plan analyzed in the Eastern Neighborhoods PEIR considered the incremental impacts of the proposed 2750 19th Street project. As a result, the proposed project would not result in any new or substantially more severe impacts than were identified in the Eastern Neighborhoods PEIR.

Significant and unavoidable impacts were identified in the Eastern Neighborhoods PEIR for the following topics: land use, historic architectural resources, transportation and circulation, and shadow. The proposed project would include displacement of approximately 11,000 of existing PDR use. The proposed project, which includes 10,000 square feet of PDR uses, would result in a net loss of 1,000 square feet of PDR uses. However, the net loss of approximately 1,000 square feet of PDR building space would not constitute a cumulatively considerable contribution to the significant and unavoidable land use impact identified in the Eastern Neighborhoods PEIR. Additionally, as discussed in the CPE initial study, the proposed project would not impact a historical resource, and therefore would not contribute to the significant and unavoidable historic architectural resources impact identified in the PEIR. The proposed project would not generate cumulatively considerable new transit trips, and would therefore not contribute to the significant and unavoidable transportation impacts identified in the PEIR. As the shadow analysis contained in the CPE initial study describes, the proposed project would not cast substantial new shadow that would negatively affect the use and enjoyment of a recreational resource, and would therefore not contribute to the significant and unavoidable shadow impacts described in the Eastern Neighborhoods PEIR.

The Eastern Neighborhoods PEIR identified feasible mitigation measures to address significant impacts related to noise, air quality, archeological resources, historical resources, hazardous materials, and transportation. **Table 1** below lists the mitigation measures identified in the Eastern Neighborhoods PEIR and states whether each measure would apply to the proposed project.

Table 1 – Eastern Neighborhoods PEIR Mitigation Measures

Mitigation Measure	Applicability to Project	Compliance
F. Noise		
F-1: Construction Noise (Pile Driving)	Not Applicable: pile driving not proposed	N/A
F-2: Construction Noise	Applicable: temporary construction noise from use of heavy equipment	The project sponsor has agreed to Project Mitigation Measure 2: Construction Noise.
F-3: Interior Noise Levels	Not Applicable: The proposed project would be required to meet the Interior Noise Standards of Title 24 of the California Building Code.	N/A
F-4: Siting of Noise-Sensitive Uses	Not Applicable: The proposed project would be required to meet the Interior Noise Standards of Title 24 of the California Building Code	N/A
F-5: Siting of Noise-Generating Uses	Applicable for Project: includes PDR, a use that would generate noise at a level that could increase the ambient noise level in the project vicinity.	Project sponsor prepared an acoustic study consistent with Mitigation Measure F-5. Acoustic study found that the project would not exceed applicable standards in the Noise Ordinance.
F-6: Open Space in Noisy Environments	Not Applicable: CEQA no longer requires the consideration of the effects of the existing environment on a proposed project’s future users or residents where that project would not exacerbate existing noise levels	N/A
G. Air Quality		
G-1: Construction Air Quality	Not Applicable: proposed project does not meet BAAQMD screening levels and is not located in Air Pollution Exposure Zone (APEZ).	N/A
G-2: Air Quality for Sensitive Land	Not Applicable: superseded by applicable Article 38	N/A

Mitigation Measure	Applicability to Project	Compliance
Uses	requirements	
G-3: Siting of Uses that Emit DPM	Not Applicable: the proposed uses are not expected to emit substantial levels of DPM	N/A
G-4: Siting of Uses that Emit other TACs	Not Applicable: proposed project would not include a backup diesel generator or other use that emits TACs	N/A
J. Archeological Resources		
J-1: Properties with Previous Studies	Not Applicable: The project site is not located in an area with a previous archeological study.	N/A
J-2: Properties with no Previous Studies	Applicable: The project site is located in an area with no previous archeological study.	Project Mitigation Measure 1: Archeological Resources agreed to by project sponsor.
J-3: Mission Dolores Archeological District	Not Applicable: The project site is not located in the Mission Dolores Archeological District	N/A
K. Historical Resources		
K-1: Interim Procedures for Permit Review in the Eastern Neighborhoods Plan area	Not Applicable: plan-level mitigation completed by Planning Department	N/A
K-2: Amendments to Article 10 of the Planning Code Pertaining to Vertical Additions in the South End Historic District (East SoMa)	Not Applicable: plan-level mitigation completed by Planning Commission	N/A
K-3: Amendments to Article 10 of the Planning Code Pertaining to Alterations and Infill Development in the Dogpatch Historic District (Central Waterfront)	Not Applicable: plan-level mitigation completed by Planning Commission	N/A
L. Hazardous Materials		
L-1: Hazardous Building Materials	Applicable: Proposed project includes demolition of an existing building.	Project Mitigation Measure 3: Hazardous Building Materials agreed to by project sponsor.
E. Transportation		

Mitigation Measure	Applicability to Project	Compliance
E-1: Traffic Signal Installation	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-2: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-3: Enhanced Funding	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-4: Intelligent Traffic Management	Not Applicable: automobile delay removed from CEQA analysis	N/A
E-5: Enhanced Transit Funding	Not Applicable: plan level mitigation by SFMTA	N/A
E-6: Transit Corridor Improvements	Not Applicable: plan level mitigation by SFMTA	N/A
E-7: Transit Accessibility	Not Applicable: plan level mitigation by SFMTA	N/A
E-8: Muni Storage and Maintenance	Not Applicable: plan level mitigation by SFMTA	N/A
E-9: Rider Improvements	Not Applicable: plan level mitigation by SFMTA	N/A
E-10: Transit Enhancement	Not Applicable: plan level mitigation by SFMTA	N/A
E-11: Transportation Demand Management	Not Applicable: plan level mitigation by SFMTA	N/A

Please see the attached Mitigation Monitoring and Reporting Program (MMRP) for the complete text of the applicable mitigation measures. With implementation of these mitigation measures the proposed project would not result in significant impacts beyond those analyzed in the Eastern Neighborhoods PEIR.

PUBLIC NOTICE AND COMMENT

A “Notification of Project Receiving Environmental Review” was mailed on December 3, 2015 to adjacent occupants and owners of properties within 300 feet of the project site. Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated in the environmental review as appropriate for CEQA analysis. Commenters expressed concerns about

potential shadow impacts, traffic impacts, and air quality impacts from vehicle emissions, and potential wind effects. The Community Plan Evaluation checklist for the proposed project includes analysis of these potential impacts and found that the proposed project would not result in any new, or more severe, impacts in these resource areas that were not disclosed in the Eastern Neighborhoods EIR. There were also comments that were not related to CEQA, including concerns about the physical size of the project, the proposed project's impacts on nearby property values, and the project's compliance with Mission Area Plan policies and objectives. The proposed project would not result in significant adverse environmental impacts associated with the issues identified by the public beyond those identified in the Eastern Neighborhoods PEIR.

CONCLUSION

As summarized above and further discussed in the CPE Checklist⁸:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
2. The proposed project would not result in effects on the environment that are peculiar to the project, or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;
4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake feasible mitigation measures specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

Therefore, no further environmental review shall be required for the proposed project pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

⁸ The CPE Checklist is available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2014.0999ENV.



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|---|--|
| <input checked="" type="checkbox"/> Affordable Housing (Sec. 415) | <input checked="" type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input checked="" type="checkbox"/> Child Care Requirement (Sec. 414A) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input checked="" type="checkbox"/> Other (EN Impact Fees, Sec 423; TSF, Sec 411A) |

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Planning Commission Motion No. 20264

HEARING DATE: AUGUST 23, 2018

Case No.: 2014-001400ENX
Project Address: 2750 19th STREET
Zoning: UMU (Urban Mixed Use) Zoning District
68-X Height and Bulk District
Block/Lot: 4023/004A
Project Sponsor: Mark Loper, Reuben, Junius & Rose, LLP
One Bush Street, Suite 600
San Francisco, CA 94104
Staff Contact: Ella Samonsky – (415) 575-9112
ella.samonsky@sfgov.org

ADOPTING FINDINGS RELATING TO A LARGE PROJECT AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 329, TO ALLOW EXCEPTIONS TO 1) REAR YARD PURSUANT TO PLANNING CODE SECTION 134, AND 2) DWELLING UNIT EXPOSURE PURSUANT TO PLANNING CODE 140 AND TO ALLOW CONSTRUCTION OF A NEW SIX-STORY, 68-FT TALL, RESIDENTIAL BUILDING (APPROXIMATELY 72,635 SQUARE FEET) WITH 60 DWELLING UNITS (CONSISTING OF 35 1-BEDROOM UNITS AND 25 2-BEDROOM UNITS), 10,000 SQUARE FEET OF GROUND FLOOR PRODUCTION, DISTRIBUTION AND REPAIR (PDR) SPACE, AND 24 OFF-STREET PARKING SPACES, LOCATED AT 2750 19th STREET, LOT 004A IN ASSESSOR'S BLOCK 4023, WITHIN THE UMU (URBAN MIXED-USE) ZONING DISTRICTS AND A 68-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On May 5, 2016, Mark Loper of Reuben, Junius and Rose, LLP, on behalf of Willin Properties LLC (hereinafter "Project Sponsor") filed Application No. 2014-001400ENX (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Large Project Authorization to construct a new six-story, 68-ft tall, mixed-use building with 60 dwelling units and 10,000 square feet of ground floor commercial space at 2750 19th Street (Block 4023, Lot 004A) in San Francisco, California.

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Eastern Neighborhoods Area Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public

hearing on August 7, 2008, by Motion No. 17661, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

The Eastern Neighborhoods EIR is a Program EIR. Pursuant to CEQA Guideline 15168(c)(2), if the lead agency finds that no new effects could occur or no new mitigation measures would be required of a proposed project, the agency may approve the project as being within the scope of the project covered by the program EIR, and no additional or new environmental review is required. In approving the Eastern Neighborhoods Plan, the Commission adopted CEQA Findings in its Motion No. 17661 and hereby incorporates such Findings by reference.

Additionally, State CEQA Guidelines Section 15183 provides a streamlined environmental review for projects that are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that (a) are peculiar to the project or parcel on which the project would be located, (b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent, (c) are potentially significant off-site and cumulative impacts which were not discussed in the underlying EIR, or (d) are previously identified in the EIR, but which are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for that project solely on the basis of that impact.

On May 31, 2018, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Eastern Neighborhoods Area Plan and was encompassed within the analysis contained in the Eastern Neighborhoods Final EIR. Since the Eastern Neighborhoods Final EIR was finalized, there have been no substantial changes to the Eastern Neighborhoods Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the Final EIR. The file for this project, including the Eastern Neighborhoods Final EIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP) setting forth mitigation measures that were identified in the Eastern Neighborhoods Plan EIR that are applicable to the project. These mitigation measures are set forth in their entirety in the MMRP attached to the draft Motion as Exhibit C.

The Planning Department Commission Secretary is the custodian of records, located in the File for Case No. 2014-001400ENX at 1650 Mission Street, Fourth Floor, San Francisco, California.

On October 26, 2107, the Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2014-001400ENX and continued the item to November 30, 2017.

On November 30, 2017, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2014-001400ENX and continued the item to January 25, 2018.

On January 25, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2014-001400ENX and continued the item to March 15, 2018.

On March 15, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2014-001400ENX and continued the item to May 10, 2018.

On May 10, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2014-001400ENX and continued the item to June 7, 2018.

On June 7, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2014-001400ENX and continued the item to June 28, 2018.

On June 28, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2014-001400ENX and continued the item to August 23, 2018.

On August 23, 2018, the Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Large Project Authorization Application No. 2014-001400ENX.

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 authorizes the Large Project Authorization requested in Application No. 2014-001400ENX, 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 and Present Use.** The project site is a rectangular lot) located at the northeast corner of the intersection of Bryant and 19th Streets. The Project site has a lot area of 15,000 square feet, with 100-foot of frontage along 19th Street and 150-foot of frontage along Bryant Streets. Currently, the subject property is occupied by a single-story brick masonry and wood-frame building (10,934 square feet), which houses warehouse and office space for furniture manufacturing services, the Fitzgerald Furniture Company.
3. **Surrounding Properties and Neighborhood.** The project site is located within the UMU Zoning Districts in the Mission Area Plan. The project site is located within the UMU Zoning Districts in the Mission Area Plan. The neighborhood is mixed in character with residential, industrial, and commercial uses. Immediately adjacent to the project site to the east and north are one to two-story masonry office and industrial buildings. Across, 19th Street is a four-story residential and office building, and a two-story live/work building. Currently, across Bryant Street from the project are two and three-story residential buildings and industrial warehouse building. However a Large Project Authorization (Case No. 2013.0677X) was approved to demolish these building and construct a six-story mixed-use building containing 199 units and ground floor retail and PDR space. The surrounding neighborhood transitions from predominately two to four-story commercial and industrial properties to the north and west to two-to-three-story residential development on small lots on adjacent blocks to the south and east and. Other zoning districts in the vicinity of the project site include: RH-2 (Residential-House, Two Family), PDR-1-G (Production, Distribution & Repair – 1- General) and P (Public) Zoning District.
4. **Project Description.** The proposed Project includes demolition of the existing industrial building on the project site, with the exception of the brick facade, and construction of a six-story, 68-foot tall, mixed-use building (approximately 72,635 square feet). The Project would contain 60 dwelling units, with a dwelling unit mix consisting of 25 two-bedroom units and 35 one-bedroom units, approximately 10,000 square feet ground floor Production, Distribution and Repair (PDR), 24 below-grade off-street parking spaces, 2 car-share parking space, 84 Class 1 bicycle parking spaces, and 6 Class 2 bicycle parking spaces. The Project includes 4,800 square feet of common open space roof deck.
5. **Public Comment.** The Department has received public correspondences regarding the proposed project.

The Department has received communication from United to Save the Mission, La Raza Centro Legal, Calle 24 Latino Cultural District and the Pacific Felt Factory and Spike Kahn in opposition to the proposal. They have expressed opposition to this project because the project is not proposing to provide on-site affordable housing, does not have a commitment to hiring union labor and does not provide replacement PDR space, and because 45 vehicle parking spaces is too high for a transit corridor. They further believe the project to be counter to the goals of the Mission Area Plan or the objective of the Mission Interim Controls and Map 2020, and that it does not contribute positively to the neighborhood and the affordability of housing. They also raise

concerns that the environmental evaluation was inadequate because of the underlying EIR's assumptions on the cumulative total of units built.

The Department has received 17 letters of opposition from neighborhood residents and 1 business owner concerned that the height and density of the building is inappropriate for the neighborhood and requesting it be lowered to three to four stories. One resident encouraged increased on-site parking, two expressed concern for the loss of the PDR space, one wanted on-site affordable housing and one was supportive of more retail space.

The Department has received 51 letters in support of the proposal, including from the Mission Creek Merchants Association, 3 local business owners, and 4 from the Fitzgerald Furniture Company. They expressed support for the design of the building, development of new housing and the proposed community benefits package to develop partnerships with local high school, arts organizations, and community base organization, create an on-site restaurant accelerator space and commitment to hiring small and local businesses.

The Project Sponsor also has provided a list of 64 signatures in support, including employees of the Fitzgerald Furniture Company.

The Department has taken part in the dialogue between community members and the Project Sponsors to review aspects of the project, including the inclusion of on-site PDR space, on-site affordable housing, inclusion of artwork and the project's larger public benefits.

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. **Permitted Uses in UMU Zoning Districts.** Planning Code Section 843.20 and 843.79 states that residential and light manufacturing uses are a principally permitted use within the UMU Zoning District.

The Project would construct 60 new dwelling units and 10,000 square feet of ground floor light manufacturing use within the UMU Zoning District; therefore, the Project complies with Planning Code Section 843.

- B. **Floor Area Ratio.** Planning Code Section 124 establishes a FAR (Floor Area Ratio) of 5.0 to 1 for properties within the UMU Zoning District and a 68-X Height and Bulk District.

The subject lot is 15,000 square feet, thus resulting in a maximum allowable floor area of 75,000 square feet for non-residential uses. The Project would construct a total of 10,000 gross square feet of non-residential space, and would comply with Planning Code Section 124.

- C. **Rear Yard.** Planning Code Section 134 requires a minimum rear yard equal to 25 percent of the total lot depth of the lot to be provided at every residential level. The Project would require a rear yard of 25 feet in depth from the rear lot line.

The Project is seeking an exception to the rear yard requirement as part of the Large Project Authorization. The proposed building encroaches into the required rear yard at the second level and above along 19th Street. The Project would provide a rear yard that is approximately 27 feet in depth (measuring approximately 3,216 square feet) at the second level and above. However, this open area is a courtyard and does not extend the full width of the lot (as required by the Planning Code), because of the residential units facing onto 19th Street. While the block does not currently have a clearly defined mid-block open space, the location of the courtyard would align with a developing central mid-block open space.

- D. Useable Open Space.** Planning Code Section 135 requires a minimum of 80 square feet of open space per dwelling units, or a total of 4,800 square feet of open space for the 60 dwelling units. Private useable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 square feet is located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 square feet if located on open ground, a terrace or the surface of an inner or outer court. Common useable open space shall be at least 15 feet in every horizontal dimension and shall be a minimum area of 300 sq ft. Further, inner courts may be credited as common useable open space if the enclosed space is not less than 20 feet in every horizontal dimension and 400 square feet in area, and if the height of the walls and projections above the court on at least three sides is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.

The Project satisfies this requirement with a 4,800 square-foot common roof deck.

- E. Dwelling Unit Exposure.** Planning Code Section 140 requires that at least one room of all dwelling units face onto a public street, rear yard or other open area that meets minimum requirements for area and horizontal dimensions. To meet exposure requirements, a public street, public alley at least 20-ft wide, side yard or rear yard must be at least 25 ft in width, or an open area (either an inner court or a space between separate buildings on the same lot) must be no less than 25 ft in every horizontal dimension for the floor at which the dwelling unit is located and the floor above and then increase of five feet in every horizontal dimension at each subsequent floor above the fifth floor.

Under the Large Project Authorization, the Project is seeking an exception to the dwelling unit exposure requirements for fifteen of the dwelling units at the 2nd, 3rd and 4th floors that face onto the courtyard, which does not meet the dimensional requirements of the Planning Code. Otherwise, all other dwelling units face onto a public street or compliant open area.

- F. Street Frontage in Mixed Use Districts.** Planning Code Section 145.1 requires off-street parking at street grade on a development lot to be set back at least 25 feet on the ground floor; that no more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new structure parallel to and facing a street shall be devoted to parking and loading ingress or egress; that space for active uses be provided within the first 25 feet of building depth on the ground floor; that non-residential uses have a minimum floor-to-floor height of 17 feet; that the floors of street-fronting interior spaces housing non-residential active uses and lobbies be as close as possible to the level of the adjacent sidewalk at the

principal entrance to these spaces; and that frontages with active uses that are not residential or PDR be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level.

The Project meets the requirements of Planning Code Section 145.1; all off-street parking is located below-grade, the garage door and curb cut are 10-feet wide, the ground floor ceiling height is 17 feet and the Project features active uses on the ground floor with a 10,000 square feet PDR space and the residential lobby, and residences on the upper floors.

- G. **Off-Street Parking.** Off-Street vehicular parking is not required within the UMU Zoning District. Rather, per Planning Code Section 151.1, off-street parking is principally permitted at a maximum ratio of .75 per dwelling unit in the UMU Zoning District.

The Project would construct 60 dwelling units and therefore is allowed to have a maximum of 45 off-street parking spaces. The Project provides 24 off-street parking spaces, therefore, the Project complies with Planning Code Section 151.1.

- H. **Bicycle Parking.** Per Planning Code Section 155.2, one Class 1 bicycle parking space is required for each dwelling unit and one Class 2 bicycle parking space for each 20 dwelling units. For industrial uses one Class 1 bicycle parking space is required for each 12,000 square feet with a minimum of two, and a minimum of two Class 2 bicycle parking spaces are required.

The Project includes 60 dwelling units and 10,000 square feet of light industrial; use; therefore, the Project is required to provide 62 Class 1 bicycle parking spaces and 5 Class 2 bicycle parking spaces. The Project will provide 84 Class 1 bicycle parking spaces and 13 Class 2 bicycle parking spaces. Therefore, the Project complies with Planning Code Section 155.2.

- I. **Car Share Requirements.** Planning Code Section 166 requires one car-share parking space for projects with 50 to 200 residential units.

Since the Project includes 60 dwelling units, it is required to provide a minimum of one car-share parking space. The Project provides two car-share parking spaces. Therefore, the Project complies with Planning Code Section 166.

- J. **Unbundled Parking.** Planning Code Section 167 requires that all off-street parking spaces accessory to residential uses in new structures of 10 dwelling units or more be leased or sold separately from the rental or purchase fees for dwelling units for the life of the dwelling units.

The Project is providing off-street parking that is accessory to the dwelling units. These spaces will be unbundled and sold and/or leased separately from the dwelling units; therefore, the Project meets this requirement.

- K. Transportation Demand Management (TDM) Plan.** Pursuant to Planning Code Section 169 and the TDM Program Standards, the Project shall finalize a TDM Plan prior Planning Department approval of the first Building Permit or Site Permit. As currently proposed, the Project must achieve a target of 14 points.

The Project submitted a completed Environmental Evaluation Application prior to September 4, 2016. Therefore, the Project must only achieve 50% of the point target established in the TDM Program Standards, resulting in a required target of 7 points. As currently proposed, the Project will achieve its required 7 points through the following TDM measures:

1. *Unbundled Parking*
2. *Parking Supply*
3. *Car Share (Option B)*
4. *Bicycle Parking (Option B)*
5. *Bicycle Repair Station*
6. *Onsite Affordable Housing (Option B)*

- L. Conversion of PDR.** Planning Code Section 202.8 requires that the conversion or removal of building space where the prior use in such space was a Production, Distribution, and Repair (PDR) use of at least 5,000 square feet, an Institutional Community use of at least 2,500 square feet, or an Arts Activities use, shall be replaced at a ratio of 0.75 square feet per square foot removed.

The Project would demolish 10,934 square feet of PDR use and would replace it with 10,000 square feet of PDR use. However, the PDR replacement controls do not apply to this project, since the legislation exempts projects which would convert less than 15,000 square feet of PDR, Institutional, Community or Arts Activities use and for which an Environmental Evaluation Application on or before June 14, 2016.

- M. Dwelling Unit Mix.** Planning Code Section 207.6 requires that no less than 40 percent of the total number of proposed dwelling units contain at least two bedrooms, or no less than 30 percent of the total number of proposed dwelling units contain at least three bedrooms, or no less than 35 percent of the total number of proposed Dwelling Units shall contain at least two or three bedrooms with at least 10 percent of the total number of proposed Dwelling Units containing three bedrooms.

For the 60 dwelling units, the Project is required to provide either 25 two-bedroom units or 20 three-bedroom units or 21 two or three-bedroom units, with no less than 6 three-bedroom units. Currently, the Project provides 25 two bedrooms units; therefore, the proposed project complies with Planning Code Section 207.6.

- N. Transportation Sustainability Fee.** Planning Code Section 411A is applicable to new development that results in more than twenty dwelling units.

The Project includes approximately 50,175 gsf of new residential use. This square footage shall be subject to the Transportation Sustainability Fee, as outlined in Planning Code Section 411A. The Project shall receive a prior use credit for the 10,934 sq ft of existing PDR space.

- O. **Residential Child-Care Impact Fee.** Planning Code Section 414A is applicable to new development that results in at least one net new residential unit.

The Project includes approximately 50,175 gsf of new residential use associated with the new construction of 60 dwelling units. This square footage shall be subject to the Residential Child-Care Impact Fee, as outlined in Planning Code Section 411A.

- P. **Inclusionary Affordable Housing Program.** Planning Code Section 415 sets forth the requirements and procedures for the Inclusionary Affordable Housing Program. Under Planning Code Section 415.3, these requirements apply to projects that consist of 10 or more units. The applicable percentage is dependent on the number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted on November 17, 2014; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 17.5% of the proposed dwelling units as affordable.

The Project Sponsor has demonstrated that it is eligible for the On-Site Affordable Housing Alternative under Planning Code Section 415.5 and 415.6, and has submitted an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to satisfy the requirements of the Inclusionary Affordable Housing Program by providing the affordable housing on-site instead of through payment of the Affordable Housing Fee. In order for the Project Sponsor to be eligible for the On-Site Affordable Housing Alternative, the Project Sponsor must submit an 'Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415,' to the Planning Department stating that any affordable units designated as on-site units shall be sold as ownership units and will remain as ownership units for the life of the project or submit to the Department a contract demonstrating that the project's on- or off-site units are not subject to the Costa Hawkins Rental Housing Act, California Civil Code Section 1954.50 because, under Section 1954.52(b), the Project Sponsor has entered into an agreement with a public entity in consideration for a direct financial contribution or any other form of assistance specified in California Government Code Sections 65915 et seq. and submits an Affidavit of such to the Department. All such contracts entered into with the City and County of San Francisco must be reviewed and approved by the Mayor's Office Housing and Community Development and the City Attorney's Office. The Project Sponsor has indicated the intention to enter into an agreement with the City to qualify for a waiver from the Costa-Hawkins Rental Housing Act based upon the proposed density bonus and concessions provided by the City and approved herein. The Project Sponsor submitted such Affidavit on November 17, 2017. The applicable percentage is dependent on the total number of units in the project, the zoning of the property, and the date that the project submitted a complete Environmental Evaluation Application. A complete Environmental Evaluation Application was submitted November 17, 2014; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 17.5% of the total

proposed dwelling units as affordable. Eleven units (six one-bedroom and five two-bedroom) of the total 60 units provided will be affordable units. If the Project becomes ineligible to meet its Inclusionary Affordable Housing Program obligation through the On-site Affordable Housing Alternative, it must pay the Affordable Housing Fee with interest, if applicable.

- Q. Eastern Neighborhood Infrastructure Impact Fees.** Planning Code Section 423 is applicable to any development project within the UMU (Urban Mixed Use) Zoning District that results in the addition of gross square feet of non-residential space.

The Project includes approximately 72,635 gross square feet of new development consisting of approximately 50,175 square feet of new residential use, 12,460 square feet of circulation, mechanical and utility space and 10,000 square feet of PDR use. These uses are subject to Eastern Neighborhood Infrastructure Impact Fees, as outlined in Planning Code Section 423. These fees must be paid prior to the issuance of the building permit application.

- 7. Large Project Authorization in Eastern Neighborhoods Mixed Use District.** Planning Code Section 329(c) lists nine aspects of design review in which a project must comply; the Planning Commission finds that the project is compliant with these nine aspects as follows:

- A. Overall building mass and scale.**

The Project mass and scale is appropriate for the corner lot, given the larger neighborhood context, which includes one-and-four-story industrial buildings, two-and-three-story residential buildings, and larger six-story mixed use buildings permitted and/or under construction. As part of the Eastern Neighborhoods Area Plan, this portion of the Mission Area Plan was rezoned from industrial to mixed-use to increase the overall height and density. The Project fulfills this intent of the by providing for a new six-story, mixed-use building and introducing new height and density to the neighborhood. The Project defines the corners of Bryant and 19th Streets with the full six-story massing and orients the second floor courtyard to align with the future mid-block open space as the block redevelops. The mass extends to the front property lines on both frontages, and is relatively plane with a regular pattern of recessed window openings, complementary to existing large industrial buildings. Thus, the Project is appropriate and consistent with the mass and scale of the surrounding neighborhood.

- B. Architectural treatments, facade design and building materials:**

The Project's architectural treatments, facade design and building materials include brick, textured fiber cement panel, zinc and copper/bronze metal panels, aluminum storefront, and darkened steel and bronze frame windows. While the project preserves the brick facade of the existing building, it is overall a contemporary in character, with the palette of materials reflecting the nearby industrial uses. Overall, the Project offers a high quality architectural treatment that is consistent and compatible with the surrounding mixed use neighborhood.

- C. The design of lower floors, including building setback areas, commercial space, townhouses, entries, utilities, and the design and siting of rear yards, parking and loading access;**

Overall, the design of the lower floors enhances the pedestrian experience and will promote street activity by providing entrances to the commercial space on both frontages and a prominent residential lobby on Bryant Street. The retention of the brick facade of the existing industrial building, paired with full wall transparent glass at the ground floor will create a unique streetscape. The vehicular access to the below grade parking is on 19th Street, with a single curb cut. The Project's rear courtyard aligns with the developing mid-block open space.

- D. The provision of required open space, both on- and off-site. In the case of off-site publicly accessible open space, the design, location, access, size, and equivalence in quality with that otherwise required on-site;

The Project provides the required open space via a common roof deck. The project also includes a courtyard at the ground floor and second floor level that is accessible to residents.

- E. The provision of mid-block alleys and pathways on frontages between 200 and 300 linear feet per the criteria of Section 270, and the design of mid-block alleys and pathways as required by and pursuant to the criteria set forth in Section 270.2;

Planning Code Section 270.2 does not apply to the Project, since the project does not possess more than 200-ft of frontage along any single street.

- F. Streetscape and other public improvements, including tree planting, street furniture, and lighting.

In compliance with Planning Code Section 138.1, the Project includes new streetscape elements, such as new sidewalks, corner bulb-out, bicycle racks and street trees. These improvements would vastly improve the public realm and surrounding streetscape.

- G. Circulation, including streets, alleys and mid-block pedestrian pathways;

The Project provides ample circulation in and around the project site. The residential lobby is located on Bryant Street, and connects directly to a ground floor courtyard with open stairs to second floor courtyard. Entries to the ground floor PDR space are located on Bryant and 19th Street. Automobile access is limited to the one entry/exit on 19th Street. An off-street loading zone is provided along Bryant Street, near the residential lobby.

- H. Bulk limits;

The Project is within an 'X' Bulk District, which does not restrict bulk.

- I. Other changes necessary to bring a project into conformance with any relevant design guidelines, Area Plan or Element of the General Plan;

The Project, on balance, meets the Objectives and Policies of the General Plan. See Below.

8. **Large Project Authorization Exceptions.** Proposed Planning Code Section 329 allows exceptions for Large Projects in the Eastern Neighborhoods Mixed Use Districts:

A. **Rear Yard:** Exception for rear yards, pursuant to the requirements of Section 134(f);

Modification of Requirements in the Eastern Neighborhoods Mixed Use Districts. The rear yard requirement in Eastern Neighborhoods Mixed Use Districts may be modified or waived by the Planning Commission pursuant to Section 329...provided that:

(1) A comparable, but not necessarily equal amount of square footage as would be created in a code conforming rear yard is provided elsewhere within the development;

The Project provides for a comparable amount of open space, in lieu of the required rear yard. The Project site is 15,000 square feet and would be required to provide a rear yard measuring 3,750 square feet, or 25 percent of the lot depth. The Project provides a courtyard of 3,216 square feet and a roof deck of 4,800 square feet. The common open space provided by the project exceeds the amount of area that would have been provided in a code-conforming rear yard.

(2) The proposed new or expanding structure will not significantly impede the access to light and air from adjacent properties or adversely affect the interior block open space formed by the rear yards of adjacent properties; and

The Project does not impede access to light and air for the adjacent properties. The Project is located on corner lot, abutting industrial properties with no established pattern of mid-block open space. The courtyard is designed to appropriately terminate a midblock open space that would develop if the adjacent properties were to redevelop with residential uses.

(3) The modification request is not combined with any other residential open space modification or exposure variance for the project, except exposure modifications in designated landmark buildings under Section 307(h)(1).

The Project is not seeking an exception to the open space requirements; however, the Project is seeking an exception to the exposure requirements for 15 of the 60 dwelling units. The fourteen dwelling units that require the exception to the exposure requirements face onto the sizeable second floor courtyard, approximately 27 feet in depth, by 117 feet in width, which will provide access to light and air. Given the overall design and composition of the Project, the Commission finds this exception is warranted, due to the Project's quality of design and comparable amounts of open space, provided at the second floor and roof level, in place of a code complaint rear yard.

B. Where not specified elsewhere in Planning Code Section 329(d), modification of other Code requirements which could otherwise be modified as a Planned Unit Development (as set forth in Section 304), irrespective of the zoning district in which the property is located;

In addition to the modification of the requirements for rear yard, the Project is seeking modifications of the requirements for dwelling unit exposure (Planning Code Section 140).

Under Planning Code Section 140 at least one room of all dwelling units must face onto a public street, code-complaint rear yard or other open space no less than 25 feet in every horizontal dimension for the floor at which the Dwelling Unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor. As proposed, fifteen dwelling units (five on the second, third and fourth floors) do not face onto an open area which meets the dimensional requirements to increase in area at upper floors. These dwelling units still face onto the second-floor courtyard that provides reasonable access to light and air. The Commission finds this exception is warranted, given the Project's quality of design and suitable access to light and air provided by the courtyard.

9. **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

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

Policy 1.1

Plan for the full range of housing needs in the City and County of San Francisco, especially affordable housing.

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.

OBJECTIVE 4

FOSTER A HOUSING STOCK THAT MEETS THE NEEDS OF ALL RESIDENTS ACROSS LIFECYCLES.

Policy 4.1

Develop new housing, and encourage the remodeling of existing housing, for families with children.

Policy 4.4

Encourage sufficient and suitable rental housing opportunities, emphasizing permanently affordable rental units wherever possible.

The Project is a higher density residential mixed-use development, which provides 60 new dwelling units in a mixed-use area. The project site was recently rezoned as part of a long range planning goal to create a cohesive residential and mixed-use neighborhood. The Project provides a mix of one-bedroom and two-bedroom units, with an average size of 794 square feet, which will suite a range of households. The Project

includes a minimum of 11 on-site affordable dwelling units, which complies with the inclusionary affordable housing requirements. The Project Sponsor has volunteered to increase the amount on-site affordable housing to 20 percent of the total number of dwelling units in the building (equivalent to 12 units). The Project is also in proximity to public transportation options and exceeds minimum requirements for bicycle parking for future tenants.

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 11.3

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 11.8

Consider a neighborhood's character when integrating new uses, and minimize disruption caused by expansion of institutions into residential areas.

The design of this Project responds to the site's location within a mixed-use area with industrial, commercial and residential uses, and proximity to existing and proposed five to six-story buildings along the Bryant Street corridor. The massing and scale are appropriate for a corner parcel and is in keeping with the development controls applicable to this site. The Project design includes continuing the ground floor PDR uses with new residences above. The Project retains the existing brick facade at the ground floor and utilizes a limited palette of quality materials that reflect the industrial character of the site to create a contemporary building that is compatible with the diverse neighborhood and visually interesting.

RECREATION AND OPEN SPACE ELEMENT

Objectives and Policies

OBJECTIVE 2:

INCREASE RECREATION AND OPEN SPACE TO MEET THE LONG-TERM NEEDS OF THE CITY AND BY REGION

Policy 2.11:

Assure that privately developed residential open spaces are usable, beautiful, and environmentally sustainable.

OBJECTIVE 3:

IMPROVE ACCESS AND CONNECTIVITY TO OPEN SPACE

Policy 3.6:

Maintain, restore, expand and fund the urban forest.

The Project proposes landscaped open space at the ground level, second floor and roof deck. The proposed Project will add to the urban forest with the addition of street trees.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 25:

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

Policy 25.2:

Maintain and expand the planting of street trees and the infrastructure to support them.

Policy 25.3:

Install pedestrian-serving street furniture where appropriate.

Policy 25.4:

Preserve pedestrian-oriented building frontages.

The Project includes new street trees along the public rights-of-way and streetscape elements, including new sidewalks, curb bulb-outs and bicycle racks. The ground floor frontages are designed with active spaces oriented at the pedestrian level. The new garage entrance/exit is narrow in width and assists in minimizing pedestrian and bicycle conflicts.

OBJECTIVE 30:

PROVIDE SECURE AND CONVENIENT PARKING FACILITIES FOR BICYCLES.

Policy 30.1:

Provide secure bicycle parking in new governmental, commercial, and residential developments.

Policy 30.3:

Provide parking facilities which are safe, secure, and convenient.

The Project includes 84 Class 1 bicycle parking spaces and 13 Class 2 bicycle parking spaces in secure, convenient locations, thus exceeding the amount required by the Planning Code.

OBJECTIVE 36:

RELATE THE AMOUNT OF PARKING IN RESIDENTIAL AREAS AND NEIGHBORHOOD COMMERCIAL DISTRICTS TO THE CAPACITY OF THE CITY'S STREET SYSTEM AND LAND USE PATTERNS.

Policy 36.1:

Regulate off-street parking in new housing so as to guarantee needed spaces without requiring excesses and to encourage low auto ownership in neighborhoods that are well served by transit and are convenient to neighborhood shopping.

Policy 36.5:

Minimize the construction of new curb cuts in areas where on-street parking is in short supply and locate them in a manner such that they retain or minimally diminish the number of existing on-street parking spaces.

The Project proposes accessory vehicular parking at a rate of 0.4, which is principally permitted parking amounts within the Planning Code. The parking spaces are accessed by one 10-foot wide ingress and egress point on 19th Street. Parking is adequate for the project and complies with maximums prescribed by the Planning Code.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.3:

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

Policy 1.7:

Recognize the natural boundaries of districts, and promote connections between districts.

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 3.3:

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

The Project is located within the Mission neighborhood, which is characterized by the mix of uses, in an area of the neighborhood that transitions from predominately industrial and commercial uses to small scale residential uses. As such, the Project provides new high-density residential on top of active ground floor PDR uses in a building that is complimentary in scale and mass to existing industrial buildings in the surroundings. The Project combines the existing brick facade with contemporary facade of vertically oriented panels of metal and glass, which respond to the form, scale and material palette of the existing neighborhood.

MISSION AREA PLAN

Objectives and Policies

Land Use

OBJECTIVE 1.1

STRENGTHEN THE MISSION'S EXISTING MIXED USE CHARACTER, WHILE MAINTAINING THE NEIGHBORHOOD AS A PLACE TO LIVE AND WORK

Policy 1.1.2

Revise land use controls in portions of the Northeast Mission Industrial Zone outside the core industrial area to create new mixed use areas, allowing mixed income housing as a principal use, as well as limited amounts of retail, office, and research and development uses, while protecting against the wholesale displacement of PDR uses.

Policy 1.1.4

In higher density residential areas of the Mission, recognize proximity to good transit service by eliminating density limits and minimum parking requirements; permit small neighborhood-serving retail.

OBJECTIVE 1.2

IN AREAS OF THE MISSION WHERE HOUSING AND MIXED-USE IS ENCOURAGED, MAXIMIZE DEVELOPMENT POTENTIAL IN KEEPING WITH NEIGHBORHOOD CHARACTER.

Policy 1.2.1

Ensure that in-fill housing development is compatible with its surroundings.

Policy 1.2.2

For new construction, and as part of major expansion of existing buildings in neighborhood commercial districts, require ground floor commercial uses in new housing development. In other mixed-use districts encourage housing over commercial or PDR where appropriate.

Policy 1.2.3

In general, where residential development is permitted, control residential density through building height and bulk guidelines and bedroom mix requirements.

Housing

OBJECTIVE 2.1

ENSURE THAT A SIGNIFICANT PERCENTAGE OF NEW HOUSING CREATED IN THE MISSION IS AFFORDABLE TO PEOPLE WITH A WIDE RANGE OF INCOMES

Policy 2.1.1

Require developers in some formally industrial areas to contribute towards the City's very low-, low-, moderate- and middle-income needs as identified in the Housing Element of the General Plan.

Policy 2.1.2

Provide land and funding for the construction of new housing affordable to very low- and low-income households.

OBJECTIVE 2.3

ENSURE THAT NEW RESIDENTIAL DEVELOPMENTS SATISFY AN ARRAY OF HOUSING NEEDS WITH RESPECT TO TENURE, UNIT MIX AND COMMUNITY SERVICES

Policy 2.3.3

Require that a significant number of units in new developments have two or more bedrooms, except Senior Housing and SRO developments unless all Below Market Rate units are two or more bedrooms.

Policy 2.3.5

Explore a range of revenue-generating tools including impact fees, public funds and grants, assessment districts, and other private funding sources, to fund community and neighborhood improvements.

Policy 2.3.6

Establish an impact fee to be allocated towards an Eastern Neighborhoods Public Benefit Fund to mitigate the impacts of new development on transit, pedestrian, bicycle, and street improvements, park and recreational facilities, and community facilities such as libraries, child care and other neighborhood services in the area.

Built Form

OBJECTIVE 3.1

PROMOTE AN URBAN FORM THAT REINFORCES THE MISSION'S DISTINCTIVE PLACE IN THE CITY'S LARGER FORM AND STRENGTHENS ITS

PHYSICAL FABRIC AND CHARACTER

Policy 3.1.1

Adopt heights that are appropriate for the Mission's location in the city, the prevailing street and block pattern, and the anticipated land uses, while preserving the character of its neighborhood enclaves.

Policy 3.1.6

New buildings should epitomize the best in contemporary architecture, but should do so with full awareness of, and respect for, the height, mass, articulation and materials of the best of the older buildings that surrounds them.

Policy 3.1.8

New development should respect existing patterns of rear yard open space. Where an existing pattern of rear yard open space does not exist, new development on mixed-use-zoned parcels should have greater flexibility as to where open space can be located.

OBJECTIVE 3.2

PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE, ACTIVE AND SAFE PUBLIC REALM

Policy 3.2.1

Require high quality design of street-facing building exteriors.

Policy 3.2.2

Make ground floor retail and PDR uses as tall, roomy and permeable as possible.

Policy 3.2.3

Minimize the visual impact of parking.

Policy 3.2.4

Strengthen the relationship between a building and its fronting sidewalk.

Overall, the Project provides the mix of uses encouraged by the Area Plan for this location. The Project would add 60 new dwelling units and retain approximately 10,000 square feet of PDR space on the ground floor. In addition, the Project is designed within the prescribed height and bulk limits, and includes the appropriate dwelling-unit mix, since 25 of the 60 units are two-bedroom dwelling units. Project introduces a contemporary architectural vocabulary that is sensitive to the prevailing scale and mixed industrial character of the neighborhood. The Project utilized a material palette, including brick, fiber cement and metal panels, and dark steel and bronze frame windows, that is compatible with the neighborhood. The ground floor of the building would be 17 feet in height and contain street facing active uses. The visual impact of the off-street parking would be minimized by placing it below grade and proposing a single entrance along 19th Street. The project will meet the City's affordable housing requirements by providing 11 on-site affordable units, and has volunteered one additional on-site affordable unit. The Project will also pay the appropriate development impact fees, including the Eastern Neighborhoods Impact Fees.

Transportation

OBJECTIVE 4.7

IMPROVE PUBLIC TRANSIT TO BETTER SERVE EXISTING AND NEW DEVELOPMENT IN THE MISSION

Policy 4.7.2

Provide secure, accessible and abundant bicycle parking, particularly at transit stations, within shopping areas and at concentrations of employment.

OBJECTIVE 4.8

ENCOURAGE ALTERNATIVES TO CAR OWNERSHIP AND THE REDUCTION OF PRIVATE VEHICLE TRIPS

Policy 4.8.1

Continue to require car-sharing arrangements in new residential and commercial developments, as well as any new parking garages.

Policy 4.8.3

Develop a Transportation Demand Management (TDM) program for the Eastern Neighborhoods that provides information and incentives for employees, visitors and residents to use alternative transportation modes and travel times.

Streets & Open Space

OBJECTIVE 5.3

CREATE A NETWORK OF GREEN STREETS THAT CONNECTS OPEN SPACES AND IMPROVES THE WALKABILITY, AESTHETICS AND ECOLOGICAL SUSTAINABILITY OF THE NEIGHBORHOOD.

Policy 5.3.1

Redesign underutilized portions of streets as public open spaces, including widened sidewalks or medians, curb bulb-outs, "living streets" or green connector streets.

Policy 5.3.2

Maximize sidewalk landscaping, street trees and pedestrian scale street furnishing to the greatest extent feasible.

The Project improves the public rights of way with new streetscape improvements and street trees. The project has submitted a Transportation Demand Management Plan that includes measures such as providing bicycle parking in excess of the code requirement, bicycle repair stations and real-time information on public transportation to promote alternative modes of transportation. The Project minimizes the impact of off-street parking, provides a car share space, and is in proximity to public transit options.

Economic Development

OBJECTIVE 6.1

SUPPORT THE ECONOMIC WELLBEING OF A VARIETY OF BUSINESSES IN THE EASTERN NEIGHBORHOODS

Policy 6.1.3

Provide business assistance for new and existing small businesses in the Eastern Neighborhoods.

The Project includes 10,000 square feet of PDR space, which is encouraged to be retained within the Mission to assist in diversifying the neighborhood economy. The existing furniture upholstery business is owned by the property owner, who is part of the Project Sponsor team, and will voluntarily relocate during construction and then reestablish their business on the site. Additionally, the Project Sponsor has voluntarily committed to spending at least 50% of the project costs on professional services with local business enterprises. The Project will promote new opportunities for local small businesses while retaining the existing PDR tenant.

10. **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 site does not possess any neighborhood-serving retail uses and is a PDR use (furniture upholstery). The Project would retain this use, and provide 60 new dwelling units, which will enhance the nearby retail uses by providing new residents, who may patronize and/or own these businesses.

- 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 site does possess any existing housing. The Project would provide 60 new dwelling units, thus resulting in an overall increase in the neighborhood housing stock. Additionally the project continues to provide approximately 10,000 square feet of ground floor PDR space, and will retain the current PDR tenant.. The massing and scale of the building and the palette of metal, brick and glass reflects nearby industrial buildings and uses. Overall, the Project offers an architectural treatment and design that is contemporary, yet consistent and compatible with the surrounding neighborhood. For these reasons, the proposed Project would protect and preserve the cultural and economic diversity of the neighborhood.

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

The Project will not displace any affordable housing because there is currently no housing on the site. The Project will provide 11 on-site affordable dwelling units, thus increasing the City's stock of affordable housing units. The Project Sponsor has volunteered to increase the amount on-site

affordable housing to 20 percent of the total number of dwelling units in the building (equivalent to 12 units).

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

The project site is served by nearby public transportation options. The Project is located along a Muni bus line (27-Bryant), and is within walking distance of the 9- San Bruno, 9R-San Bruno Rapid, and 33-Ashby/18th bus routes. The Project also provides off-street parking at the principally permitted amounts and bicycle parking for commercial tenants and residents and their guests.

- 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 include commercial office development. The Project would retain 10,000 square feet PDR use on site, protecting the industrial and service sectors and assist in creating opportunities for local employment and ownership.

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

The Project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

Currently, the project site does not contain any City Landmarks or historic buildings.

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

The Project does not have shadow impacts on public parks and open space.

11. **First Source Hiring.** The Project is subject to the requirements of the First Source Hiring Program as they apply to permits for residential development (Section 83.4(m) of the Administrative Code), and the Project Sponsor shall comply with the requirements of this Program as to all construction work and on-going employment required for the Project. Prior to the issuance of any building permit to construct or a First Addendum to the Site Permit, the Project Sponsor shall have a First Source Hiring Construction and Employment Program approved by the First Source Hiring Administrator, and evidenced in writing. In the event that both the Director of Planning and the First Source Hiring Administrator agree, the approval of the Employment Program may be delayed as needed.

The Project Sponsor submitted a First Source Hiring Affidavit and prior to issuance of a building permit will execute a First Source Hiring Memorandum of Understanding and a First Source Hiring Agreement with the City's First Source Hiring Administration.

12. 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.
13. The Commission hereby finds that approval of the Large Project 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 Large Project Authorization Application No. 2014-001400ENX** under Planning Code Section 329 to allow the new construction of a six-story, 68-foot tall, residential building with 60 dwelling units and 10,000 square feet of production, distribution and repair (PDR) space , and a modification to the requirements for: 1) rear yard (Planning Code Section 134) and ; 2) dwelling unit exposure (Planning Code Section 140) within the UMU (Urban Mixed Use) Zoning District and a 68-X Height and Bulk District. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 14, 2018 , and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

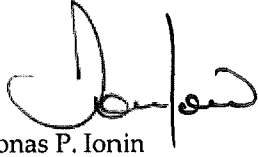
The Planning Commission hereby adopts the MMRP attached hereto as Exhibit C and incorporated herein as part of this Motion by this reference thereto. All required mitigation measures identified in the Eastern Neighborhoods Plan EIR and contained in the MMRP are included as conditions of approval.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Section 329 Large Project Authorization to the Board of Appeals within fifteen (15) days after the date of this Motion. The effective date of this Motion shall be the date of adoption of this Motion if not appealed (after the 15-day period has expired) OR the date of the decision of the Board of Appeals if appealed to the Board of Appeals. For further information, please contact the Board of Appeals at (415) 575-6880, 1660 Mission, Room 3036, San Francisco, CA 94103.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives NOTICE that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on August 23, 2018.



Jonas P. Ionin
Commission Secretary

AYES: Fong, Hillis, Koppel, Melgar, Richards

NAYS: Moore

ABSENT: Johnson

ADOPTED: August 23, 2018

EXHIBIT A

AUTHORIZATION

This authorization is for a Large Project Authorization to allow for the new construction of a six-story, 68-ft tall, mixed-use building with 60 dwelling units and 10,000 square feet of ground floor commercial space, and exceptions to the requirements for rear yard and dwelling unit exposure located at 2750 19th Street, Lot 004A in Assessor's Block 4023, pursuant to Planning Code Section 329, within the UMU (Urban Mixed Use) Zoning District, and a 68-X Height and Bulk District; in general conformance with plans, dated August 14, 2018, and stamped "EXHIBIT B" included in the docket for Case No. 2014-001400ENX and subject to conditions of approval reviewed and approved by the Commission on August 23, 2018 under Motion No. 20264. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on August 23, 2018 under Motion No. 20264.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 20264 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Office Development Authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

- 1. Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
- 2. Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
- 3. Diligent Pursuit.** 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 diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
- 4. Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
- 5. Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

6. **Mitigation Measures.** Mitigation measures described in the MMRP for the Eastern Neighborhoods Plan EIR (Case No. 2014.0999ENV) attached as Exhibit C are necessary to avoid potential significant effects of the proposed project and have been agreed to by the project sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN – COMPLIANCE AT PLAN STAGE

7. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

8. **Arts Programming.** The Project shall feature public art, of a minimum dimension of 17 feet by 24 feet or equivalent area, commissioned by a local Mission artist on its façade in substantially the same location as the public art depicted on the plans attached as **Exhibit B**.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

9. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

10. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application for each building. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

11. **Transformer Vault.** The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

- a. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
- b. On-site, in a driveway, underground;
- c. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-way;
- d. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
- e. Public right-of-way, underground; and based on Better Streets Plan guidelines;
- f. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
- g. On-site, in a ground floor façade (the least desirable location).

Unless otherwise specified by the Planning Department, Department of Public Work's Bureau of Street Use and Mapping (DPW BSM) should use this preference schedule for all new transformer vault installation requests.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>

PARKING AND TRAFFIC

12. **Unbundled Parking.** All off-street parking spaces shall be made available to Project residents only as a separate "add-on" option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit. Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner's rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

13. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than 24 off-street parking spaces for the 60 dwelling units in the UMU Zoning District.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

14. **Parking for Affordable Units.** All off-street parking spaces shall be made available to Project residents only as a separate "add-on" option for purchase or rent and shall not be bundled with any Project dwelling unit for the life of the dwelling units. The required parking spaces may be made available to residents within a quarter mile of the project. All affordable dwelling units pursuant to Planning Code Section 415 shall have equal access to use of the parking as the market rate units, with parking spaces priced commensurate with the affordability of the dwelling unit.

Each unit within the Project shall have the first right of refusal to rent or purchase a parking space until the number of residential parking spaces are no longer available. No conditions may be placed on the purchase or rental of dwelling units, nor may homeowner's rules be established, which prevent or preclude the separation of parking spaces from dwelling units.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

15. **Car Share.** Pursuant to Planning Code Section 166, no fewer than one car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers. Currently, the Project provides two car share spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

16. **Bicycle Parking.** Pursuant to Planning Code Sections 155.2, the Project shall provide no fewer than 62 Class 1 bicycle parking spaces and 5 Class 2 bicycle parking spaces. Currently, the Project provides 84 Class 1 bicycle parking spaces and 6 Class 2 bicycle parking spaces.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

17. **Transportation Demand Management (TDM) Program.** Pursuant to Planning Code Section 169, the Project shall finalize a TDM Plan prior to the issuance of the first Building Permit or Site Permit to construct the project and/or commence the approved uses. The Property Owner, and all successors, shall ensure ongoing compliance with the TDM Program for the life of the Project, which may include providing a TDM Coordinator, providing access to City staff for site inspections, submitting appropriate documentation, paying application fees associated with required monitoring and reporting, and other actions. Prior to the issuance of the first Building Permit or Site Permit, the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property to document compliance with the TDM Program. This Notice shall provide the finalized TDM Plan for the Project, including the relevant details associated with each TDM measure included in the Plan, as well as associated monitoring, reporting, and compliance requirements.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

18. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

19. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
20. **Child Care Fee - Residential.** The Project is subject to the Residential Child Care Fee, as applicable, pursuant to Planning Code Section 414A.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
21. **Eastern Neighborhoods Infrastructure Impact Fee.** Pursuant to Planning Code Section 423 (formerly 327), the Project Sponsor shall comply with the Eastern Neighborhoods Public Benefit Fund provisions through payment of an Impact Fee pursuant to Article 4.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
22. **Anti-Discriminatory Housing.** The Project shall adhere to the requirements of the Anti-Discriminatory Housing policy, pursuant to Administrative Code Section 1.61.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
23. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.
For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.onestopSF.org

MONITORING

24. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
25. **Revocation Due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning

Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

26. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>

27. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>

28. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

29. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

INCLUSIONARY HOUSING

Affordable Units. The following Inclusionary Affordable Housing Requirements are those in effect at the time of Planning Commission action. In the event that the requirements change, the Project Sponsor shall comply with the requirements in place at the time of issuance of first construction document.

30. **Number of Required Units.** Pursuant to Planning Code Section 415.3, the Project is required to provide seventeen and one half percent (17.5%) of the proposed dwelling units as affordable to

qualifying households. The Project contains 60 units; therefore, 11 affordable units are currently required. The Project Sponsor will fulfill this requirement by providing the 11 affordable units on-site. The Project Sponsor has also elected to provide twenty percent (20%) of the units as Inclusionary Units by adding one additional affordable unit beyond what's required by Section 415. The Project Sponsor requested that the additional unit would be subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual") for ease of implementation. Accordingly, all affordable units will be subject to the same requirements and the Procedures Manual. If the number of market-rate units change, the number of required affordable units shall be modified accordingly with written approval from Planning Department staff in consultation with the Mayor's Office of Housing and Community Development ("MOHCD").

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

31. **Voluntary Affordable Units.** The Project Sponsor has elected to provide a total of twenty percent (20%) of the proposed units as Inclusionary Units by adding one additional affordable unit, at 150% AMI, beyond the requirements in Section 415. This one additional moderate income unit is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual").

32. **Unit Mix.** The Project contains 35 one-bedroom, and 25 two-bedroom units; therefore, the required affordable unit mix is 6 one-bedroom and 5 two-bedroom units. If the market-rate unit mix changes, the affordable unit mix will be modified accordingly with written approval from Planning Department staff in consultation with MOHCD.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

33. **Unit Location.** The affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to the issuance of the first construction permit.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

34. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than eighteen percent (18%), or the applicable percentage as discussed above, of the each phase's total number of dwelling units as on-site affordable units.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

35. **Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6, must remain affordable to qualifying households for the life of the project.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

36. **Other Conditions.** The Project is subject to the requirements of the Inclusionary Affordable Housing Program under Section 415 et seq. of the Planning Code and City and County of San Francisco Inclusionary Affordable Housing Program Monitoring and Procedures Manual ("Procedures Manual"). The Procedures Manual, as amended from time to time, is incorporated herein by reference, as published and adopted by the Planning Commission, and as required by Planning Code Section 415. Terms used in these conditions of approval and not otherwise defined shall have the meanings set forth in the Procedures Manual. A copy of the Procedures Manual can be obtained at the MOHCD at 1 South Van Ness Avenue or on the Planning Department or MOHCD websites, including on the internet at:

<http://sf-planning.org/Modules/ShowDocument.aspx?documentid=4451>. As provided in the Inclusionary Affordable Housing Program, the applicable Procedures Manual is the manual in effect at the time the subject units are made available for sale.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org or the Mayor's Office of Housing and Community Development at 415-701-5500, www.sf-moh.org.

- a. The affordable unit(s) shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The affordable unit(s) shall (1) reflect the unit size mix in number of bedrooms of the market rate units, (2) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (3) be evenly distributed throughout the building; and (4) be of comparable overall quality, construction and exterior appearance as the market rate units in the principal project. The interior features in affordable units should be generally the same as those of the market units in the principal project, but need not be the same make, model or type of such item as long they are of good and new quality and are consistent with then-current standards for new housing. Other specific standards for on-site units are outlined in the Procedures Manual.
- b. If the required units in the building are offered for rent, the affordable unit(s) shall be rented to low-income households, as defined in the Planning Code and Procedures Manual. The initial and subsequent rent level of such units shall be calculated according to the Procedures Manual. Limitations on (i) occupancy; (ii) lease changes; (iii) subleasing, and; are set forth in the Inclusionary Affordable Housing Program and the Procedures Manual.
- c. The Project Sponsor is responsible for following the marketing, reporting, and monitoring requirements and procedures as set forth in the Procedures Manual. MOHCD shall be responsible for overseeing and monitoring the marketing of affordable units. The Project Sponsor must contact MOHCD at least six months prior to the beginning of marketing for any unit in the building.

- d. Required parking spaces shall be made available to initial buyers or renters of affordable units according to the Procedures Manual.
- e. Prior to the issuance of the first construction permit by DBI for the Project, the Project Sponsor shall record a Notice of Special Restriction on the property that contains these conditions of approval and a reduced set of plans that identify the affordable units satisfying the requirements of this approval. The Project Sponsor shall promptly provide a copy of the recorded Notice of Special Restriction to the Department and to MOHCD or its successor.
- f. The Project Sponsor has demonstrated that it is eligible for the On-site Affordable Housing Alternative under Planning Code Section 415.6 instead of payment of the Affordable Housing Fee, and has submitted the *Affidavit of Compliance with the Inclusionary Affordable Housing Program: Planning Code Section 415* to the Planning Department.
- g. If the Project Sponsor fails to comply with the Inclusionary Affordable Housing Program requirement, the Director of DBI shall deny any and all site or building permits or certificates of occupancy for the development project until the Planning Department notifies the Director of compliance. A Project Sponsor's failure to comply with the requirements of Planning Code Section 415 et seq. shall constitute cause for the City to record a lien against the development project and to pursue any and all available remedies at law.
- h. If the Project becomes ineligible at any time for the On-site Affordable Housing Alternative, the Project Sponsor or its successor shall pay the Affordable Housing Fee prior to issuance of the first construction permit. If the Project becomes ineligible after issuance of its first construction permit, the Project Sponsor shall notify the Department and MOHCD and pay interest on the Affordable Housing Fee and penalties, if applicable.



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

RESIDENTIAL PIPELINE ENTITLED HOUSING UNITS 2017 Q1

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State law requires each city and county to adopt a Housing Element as a part of its general plan. The State Department of Housing and Community Development (HCD) determines a Regional Housing Need (RHNA) that the Housing Element must address. The need is the minimum number of housing units that a region must plan for in each RHNA period.

This table represents completed units and development projects in the current residential pipeline to the first quarter of 2017 (Q1). The total number of entitled units is tracked by the San Francisco Planning Department and is updated quarterly in coordination with the *Quarterly Pipeline Report*. Subsidized housing units – including moderate and low income units – as well as inclusionary units are tracked by the Mayor’s Office of Housing; these are also updated quarterly.

	RHNA Production Goals 2015 - 2022	New Units Built 2015 Q1 to 2017 Q1	Entitled by Planning in 2017 Q1 Pipeline*	Percent of RHNA Goals Built and Entitled by Planning
Total Units	28,869	9,170	23,773	114.1%
Above Moderate (> 120% AMI)	12,536	7,486	19,740	217.2%
Moderate Income (80 - 120% AMI)	5,460	384	761	21.0%
Low Income (< 80% AMI)	10,873	1,300	3,104	40.5%
<i>Affordability to be Determined</i>			168	

* This column does not include three entitled major development projects with a remaining total of 22,680 net new units: Hunters' Point, Treasure Island and ParkMerced. However, phases of these projects will be included when applications for building permits are filed and proceed along the development pipeline. These three projects will include about 4,920 affordable units (22% affordable).



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: 20 September 2018
TO: City Planning Commission
FROM: John Rahaim, Director of Planning
RE: HOUSING BALANCE REPORT No. 7
1 July 2008 – 30 June 2018

STAFF CONTACT: Teresa Ojeda, 415 558 6251

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SUMMARY

This report is submitted in compliance with Ordinance No. 53-15 requiring the Planning Department to monitor and report on the housing balance between new market rate and new affordable housing production. One of the stated purposes of the Housing Balance is “to ensure that data on meeting affordable housing targets Citywide and within neighborhoods informs the approval process for new housing development.” This report is the seventh in the series and covers the ten-year period from 1 July 2008 through 30 June 2018.

The “Housing Balance” is defined as the proportion of all new affordable housing units to the total number of all new housing units for a 10-year “Housing Balance Period.” In addition, a calculation of “Projected Housing Balance” which includes residential projects that have received approvals from the Planning Commission or Planning Department but have not yet received permits to commence construction will be included.

In the 2008 Q3 -2018 Q2 Housing Balance Period, about 24% of net new housing produced was affordable. By comparison, the expanded Citywide Cumulative Housing Balance is 26%, although this varies by districts. Distribution of the expanded Cumulative Housing Balance over the 11 Board of Supervisor Districts ranges from -277% (District 4) to 72% (District 5). This variation, especially with negative housing balances, is due to the larger number of units permanently withdrawn from rent control protection relative to the number of total net new units and net affordable units built in those districts.

The Projected Housing Balance Citywide is 16%. Three major development projects were identified in the ordinance for exclusion in the projected housing balance calculations until site permits are obtained. Remaining phases for these three projects will add up to over 21,570 net units, including some 4,920 affordable units; this would increase the projected housing balance to 20% if included in the calculations.

BACKGROUND

On 21 April 2015, the Board of Supervisors passed Ordinance No. 53-15 amending the *Planning Code* to include a new *Section 103* requiring the Planning Department to monitor and report on the Housing Balance between new market rate housing and new affordable housing production. The *Housing Balance Report* will be submitted bi-annually by April 1 and October 1 of each year and will also be published on a visible and accessible page on the Planning Department's website. *Planning Code Section 103* also requires an annual hearing at the Board of Supervisors on strategies for achieving and maintaining the required housing balance in accordance with the City's housing production goals. (See *Appendix A* for complete text of Ordinance No. 53-15.)

The stated purposes for the Housing Balance Monitoring and Reporting are: a) to maintain a balance between new affordable and market rate housing Citywide and within neighborhoods; b) to make housing available for all income levels and housing need types; c) to preserve the mixed-income character of the City and its neighborhoods; d) to offset the withdrawal of existing housing units from rent stabilization and the loss of single-room occupancy hotel units; e) to ensure the availability of land and encourage the deployment of resources to provide sufficient housing affordable to households of very low, low, and moderate incomes; f) to ensure adequate housing for families, seniors and the disabled communities; g) to ensure that data on meeting affordable housing targets Citywide and within neighborhoods informs the approval process for new housing development; and h) to enable public participation in determining the appropriate mix of new housing approvals.

Specifically, the *Housing Balance Report* will supplement tracking performance toward meeting the goals set by the City's *Housing Element* and Proposition K. Housing production targets in the City's *Housing Element*, adopted in April 2015, calls for 28,870 new units built between 2015 and 2022, 57%¹ of which should be affordable. As mandated by law, the City provides the State Department of Housing and Community Development an annual progress report.² In November 2014, San Francisco's voters endorsed Proposition K, which set as city policy a goal to help construct or rehabilitate at least 30,000 homes by 2020, at least 33% of which will be affordable to low- and moderate-income households. In addition, Mayor Ed Lee set a similar goal of creating 30,000 new and rehabilitated homes by 2020, pledging at least 30% of these to be permanently affordable to low-income families as well as working, middle income families.³

This *Housing Balance Report* was prepared from data gathered from previously published sources including the Planning Department's annual *Housing Inventory* and quarterly *Pipeline Report* data,

¹ The Ordinance inaccurately stated that "22% of new housing demands to be affordable to households of moderate means"; San Francisco's Regional Housing Needs Assessment (RHNA) allocation for moderate income households is 19% of total production goals.

² Printed annual progress reports submitted by all California jurisdictions can be accessed here – <http://www.hcd.ca.gov/community-development/housing-element/annual-progress-reports/index.php> -- or by calling HCD at 916-263-2911 for the latest reports as many jurisdictions now file reports online.

³ For more information on and tracking of *30K by 2020*, see <http://sfmayor.org/housing-for-residents>.

San Francisco Rent Board data, and the Mayor’s Office of Housing and Community Development’s *Weekly Dashboard*.

CUMULATIVE HOUSING BALANCE CALCULATION

Planning Code Section 103 calls for the Housing Balance “be expressed as a percentage, obtained by dividing the cumulative total of extremely low, very low, low, and moderate income affordable housing (all units 0-120% AMI) minus the lost protected units, by the total number of net new housing units within the Housing Balance Period.” The ordinance requires that the “Cumulative Housing Balance” be provided using two calculations: a) one consisting of net housing built within a 10 year Housing Balance period, less units withdrawn from protected status, plus net units in projects that have received both approvals from the Planning Commission or Planning Department and site permits from the Department of Building Inspection, and b) the addition of net units gained through acquisition and rehabilitation of affordable units, HOPE SF and RAD units. “Protected units” include units that are subject to rent control under the City’s Residential Rent Stabilization and Arbitration Ordinance. Additional elements that figure into the Housing Balance include completed HOPE SF and RAD public housing replacement, substantially rehabilitated units, and single-room occupancy hotel units (SROs). The equation below shows the second, expanded calculation of the Cumulative Housing Balance.

[Net New Affordable Housing + Completed Acquisitions & Rehabs + Completed HOPE SF + RAD Public Housing Replacement + Entitled & Permitted Affordable Units] – [Units Removed from Protected Status]	=	=	CUMULATIVE HOUSING BALANCE
[Net New Housing Built + Net Entitled & Permitted Units]			

The first “Housing Balance Period” is a ten-year period starting with the first quarter of 2005 through the last quarter of 2014. Subsequent housing balance reports will cover the 10 years preceding the most recent quarter. This report covers July 2008 (Q3) through June 2018 (Q2).

Table 1A below shows the Cumulative Housing Balance for 10-year reporting period (2008 Q3 – 2018 Q2) is 18% Citywide. With the addition of RAD units, the expanded Cumulative Housing Balance is 26% (Table 1B). In 2016, the Board of Supervisors revised the ordinance to include Owner Move-Ins (OMIs) in the Housing Balance calculation. Although OMIs were not specifically called out by in the original Ordinance in the calculation of the Housing Balance, these were included in earlier reports because this type of no-fault eviction results in the loss of rent controlled units either permanently or for a period of time.

Table 1A
Cumulative Housing Balance Calculation, 2008 Q3 – 2018 Q2

BoS Districts	Net New Affordable Housing Built	Acquisitions & Rehabs and Small Sites Completed	Units Removed from Protected Status	Total Entitled Affordable Units Permitted	Total Net New Units Built	Total Entitled Units	Cumulative Housing Balance
BoS District 1	170	5	(527)	4	336	155	-70.9%
BoS District 2	45	24	(319)	2	875	189	-23.3%
BoS District 3	209	6	(313)	6	931	244	-7.8%
BoS District 4	-	-	(462)	7	28	136	-277.4%
BoS District 5	601	293	(359)	162	1,443	646	33.4%
BoS District 6	3,406	1,137	(146)	1,122	16,613	6,260	24.1%
BoS District 7	99	-	(236)	-	553	1,101	-8.3%
BoS District 8	244	28	(605)	90	1,413	328	-14.0%
BoS District 9	210	406	(606)	406	948	919	22.3%
BoS District 10	1,565	-	(295)	1,351	4,694	3,341	32.6%
BoS District 11	28	21	(395)	9	161	317	-70.5%
TOTALS	6,577	1,920	(4,263)	3,159	27,995	13,636	17.8%

Table 1B below shows the Expanded Cumulative Housing Balances for Board of Supervisor Districts ranging from -277% (District 4) to 72% (District 5). Negative balances in Districts 1 (-42%), 7 (-2%), and 11 (-77%) resulted from the larger numbers of units removed from protected status relative to the net new affordable housing and net new housing units built in those districts.

Table 1B
Expanded Cumulative Housing Balance Calculation, 2008 Q3 – 2018 Q2

BoS Districts	Net New Affordable Housing Built	Acquisitions & Rehabs and Small Sites Completed	RAD Program and Hope SF Replacement Units	Units Removed from Protected Status	Total Entitled Affordable Units Permitted	Total Net New Units Built	Total Entitled Units	Expanded Cumulative Housing Balance
BoS District 1	170	5	144	(527)	4	336	155	-41.5%
BoS District 2	45	24	251	(319)	2	875	189	0.3%
BoS District 3	209	6	577	(313)	6	931	244	41.3%
BoS District 4	-	-	-	(462)	7	28	136	-277.4%
BoS District 5	601	293	806	(359)	162	1,443	646	71.9%
BoS District 6	3,406	1,137	561	(146)	1,122	16,613	6,260	26.6%
BoS District 7	99	-	110	(236)	-	553	1,101	-1.6%
BoS District 8	244	28	330	(605)	90	1,413	328	5.0%
BoS District 9	210	406	268	(606)	406	948	919	36.6%
BoS District 10	1,565	-	436	(295)	1,351	4,694	3,341	38.0%
BoS District 11	28	21	-	(395)	9	161	317	-70.5%
TOTALS	6,577	1,920	3,483	(4,263)	3,159	27,995	13,636	26.1%

PROJECTED HOUSING BALANCE

Table 2 below summarizes residential projects that have received entitlements from the Planning Commission or the Planning Department but have not yet received a site or building permit. Overall projected housing balance at the end of the second quarter of 2018 is 16%. This balance is expected to change as several major projects have yet to declare how their affordable housing requirements will be met. In addition, three entitled major development projects – Treasure Island, ParkMerced, and Hunters Point – are not included in the accounting until applications for building permits are filed or issued as specified in the ordinance. Remaining phases from these three projects will yield an additional 21,570 net new units; 23% (or 4,920 units) would be affordable to low and moderate income households.

The Projected Housing Balance also does not account for affordable housing units that will be produced as a result of the Inclusionary Housing Fee paid in a given reporting cycle. Those affordable housing units are produced several years after the fee is collected. Units produced through the Fee typically serve lower income households than do the inclusionary units, including special needs populations requiring services, such as seniors, transitional aged youth, families, and veterans.

Table 2
Projected Housing Balance Calculation, 2018 Q2

BoS District	Very Low Income	Low Income	Moderate	TBD	Total Affordable Units	Net New Units	Total Affordable Units as % of Net New Units
BoS District 1	-	-	-	-	-	3	0.0%
BoS District 2	-	-	-	-	-	40	0.0%
BoS District 3	-	-	8	178	186	267	69.7%
BoS District 4	-	-	-	-	-	2	0.0%
BoS District 5	-	-	12	3	15	479	3.1%
BoS District 6	-	179	98	47	324	3,030	10.7%
BoS District 7	-	-	-	-	-	40	0.0%
BoS District 8	-	-	3	-	3	44	6.8%
BoS District 9	-	-	46	6	52	382	13.6%
BoS District 10	-	718	79	810	1,607	9,234	17.4%
BoS District 11	-	-	-	-	-	-	0.0%
TOTALS	-	897	246	1,044	2,187	13,521	16.2%

CUMULATIVE HOUSING BALANCE ELEMENTS

Because the scope covered by the Housing Balance calculation is broad, each element – or group of elements – will be discussed separately. The body of this report will account for figures at the Board of Supervisor district level. The breakdown of each element using the Planning Department District geographies, as required by *Section 103*, is provided separately in an *Appendix B*. This is to ensure simple and uncluttered tables in the main body of the report.

Affordable Housing and Net New Housing Production

Table 3 below shows housing production between 2008 Q3 and 2018 Q2. This ten-year period resulted in a net addition of almost 28,000 units to the City’s housing stock, including almost 6,580 affordable units (or about 24%). A majority (59%) of net new housing units and affordable

units built in the ten-year reporting period were in District 6 (over 16,310 and 3,400 respectively). District 10 follows with over 4,690 net new units, including 1,565 affordable units.

The table below also shows that almost 24% of net new units built between 2008 Q3 and 2018 Q2 were affordable units, mostly (52%) in District 6. While District 1 saw modest gains in net new units built, half of these were affordable (51%).

**Table 3
New Housing Production by Affordability, 2008 Q3 – 2018 Q2**

BoS District	Very Low	Low	Moderate	Middle	Total Affordable Units	Total Net Units	Affordable Units as % of Total Net Units
BoS District 1	170	-	-	-	170	336	50.6%
BoS District 2	-	-	45	-	45	875	5.1%
BoS District 3	161	2	46	-	209	931	22.4%
BoS District 4	-	-	-	-	-	28	0.0%
BoS District 5	335	183	83	-	601	1,443	41.6%
BoS District 6	1,620	1,258	505	23	3,406	16,613	20.5%
BoS District 7	70	29	-	-	99	553	17.9%
BoS District 8	131	92	21	-	244	1,413	17.3%
BoS District 9	138	40	32	-	210	948	22.2%
BoS District 10	671	559	335	-	1,565	4,694	33.3%
BoS District 11	-	7	21	-	28	161	17.4%
TOTAL	3,296	2,170	1,088	23	6,577	27,995	23.5%

It should be noted that units affordable to Extremely Very Low Income (EVLI) households are included under the Very Low Income (VLI) category because certain projects that benefit homeless individuals and families – groups considered as EVLI – have income eligibility caps at the VLI level.

Acquisition and Rehabilitation of Affordable Housing Units

Table 4a below lists the number of units that have been rehabilitated and/or acquired between 2008 Q3 and 2018 Q2 to ensure permanent affordability. These are mostly single-room occupancy hotel units that are affordable to extremely very low and very low income households.

Table 4a
Acquisitions and Rehabilitation of Affordable Housing, 2008 Q3 – 2017 Q2

BoS District	No. of Buildings	No. of Units
BoS District 2	1	24
BoS District 5	2	290
BoS District 6	12	1,085
BoS District 9	2	319
TOTALS	17	1,718

Small Sites Program

The San Francisco Small Sites Program (SSP) is an initiative of the Mayor's Office of Housing and Community Development (MOHCD) to acquire small rent-controlled buildings (with four to 25 units) where tenants are at risk of eviction through the Ellis Act or owner move-ins. Since its inception in 2014, some 26 buildings with 202 units have been acquired, as shown in Table 4b.

Table 4b
Small Sites Program, 2014-2018 Q2

BoS District	No. of Buildings	No. of Units
BoS District 1	1	5
Bos District 3	1	6
BoS District 5	1	3
BoS District 6	4	52
BoS District 8	6	28
BoS District 9	12	87
BoS District 11	1	21
TOTALS	26	202

RAD Program

The San Francisco Housing Authority's Rental Assistance Demonstration (RAD) program preserves at risk public and assisted housing projects. According to the Mayor's Office, RAD Phase I transferred 1,425 units to developers in December 2015. An additional 2,058 units were transferred as Phase II in 2016.

Table 5
RAD Affordable Units, 2015-2018 Q2

BoS District	No of Buildings	No of Units
BoS District 1	2	144
BoS District 2	3	251
BoS District 3	4	577
BoS District 5	7	806
BoS District 6	4	561
BoS District 7	1	110
BoS District 8	4	330
BoS District 9	2	268
BoS District 10	2	436
BoS District 11	-	-
TOTALS	29	3,483

Units Removed From Protected Status

San Francisco's Residential Rent Stabilization and Arbitration Ordinance protects tenants and preserves affordability of about 175,000 rental units by limiting annual rent increases. Landlords can, however, terminate tenants' leases through no-fault evictions including condo conversion, owner move-in, Ellis Act, demolition, and other reasons that are not the tenants' fault. The Housing Balance calculation takes into account units permanently withdrawn from rent stabilization as loss of affordable housing. The following no-fault evictions affect the supply of rent controlled units by removing units from the rental market: condo conversion, demolition, Ellis Act, and owner move-ins (OMIs). It should be noted that initially, OMIs were not specifically called out by the Ordinance to be included in the calculation. However, because owner move-ins have the effect of the losing rent controlled units either permanently or for a substantial period of time, these numbers are included in the Housing Balance calculation as intended by the legislation's sponsors. Some of these OMI units may return to being rentals and will still fall under the rent control ordinance. On 14 November 2016, the Board of Supervisors amended Planning Code Section 103 to include OMIs as part of the housing balance calculation.

Table 6 below shows the distribution of no-fault eviction notices issued between July 2008 and June 2018. Eviction notices have been commonly used as proxy for evictions. Owner Move-In and Ellis Out notices made up the majority of no fault evictions (59% and 30% respectively). Distribution of these no-fault eviction notices is almost evenly dispersed, with Districts 9 and 8 leading (both with 14%).

Table 6
Units Removed from Protected Status, 2008 Q3 – 2018 Q2

BoS District	Condo Conversion	Demolition	Ellis Out	Owner Move-In	Units Removed from Protected Status
BoS District 1	2	22	152	351	527
BoS District 2	18	10	89	202	319
BoS District 3	7	10	176	120	313
BoS District 4	-	74	81	307	462
BoS District 5	15	16	97	231	359
BoS District 6	1	75	57	13	146
BoS District 7	-	31	56	149	236
BoS District 8	21	31	228	325	605
BoS District 9	5	50	213	338	606
BoS District 10	2	26	52	215	295
BoS District 11		68	56	271	395
TOTALS	71	413	1,257	2,522	4,263

Entitled and Permitted Units

Table 7 lists the number of units that have received entitlements from the Planning Commission or the Planning Department. These pipeline projects have also received site permits from the Department of Building Inspection and most are under construction as of the final quarter of 2017. Over half of these units are being built in or will be built in District 6 (52%). Twenty percent of units that have received Planning entitlements and site permits from the DBI will be affordable.

Table 7
Permitted Units, 2018 Q2

BoS District	Very Low Income	Low Income	Moderate	TBD	Total Affordable Units	Net New Units	Total Affordable Units as % of Net New Units
BoS District 1	-	-	4	-	4	155	2.6%
BoS District 2	-	2	-	-	2	189	1.1%
BoS District 3	-	-	6	-	6	244	2.5%
BoS District 4	-	-	7	-	7	136	5.1%
BoS District 5	-	112	50	-	162	646	25.1%
BoS District 6	-	793	244	85	1,122	6,260	17.9%
BoS District 7	-	-	-	-	-	1,101	0.0%
BoS District 8	-	85	5	-	90	328	27.4%
BoS District 9	-	378	28	-	406	919	44.2%
BoS District 10	-	670	681	-	1,351	3,341	40.4%
BoS District 11	-	-	9	-	9	317	2.8%
TOTALS	-	2,040	1,034	85	3,159	13,636	23.2%

PERIODIC REPORTING AND ONLINE ACCESS

This report complies with *Planning Code Section 103* requirement that the Planning Department publish and update the *Housing Balance Report* bi-annually on April 1 and October 1 of each year. *Housing Balance Reports* are available and accessible online, as mandated by the ordinance, by going to this link: <http://www.sf-planning.org/index.aspx?page=4222> .

ANNUAL HEARING

An annual hearing on the Housing Balance before the Board of Supervisors will be scheduled by April 1 of each year. The Mayor's Office of Housing and Community Development, the Mayor's Office of Economic and Workforce Development, the Rent Stabilization Board, the Department of Building Inspection, and the City Economist will present strategies for achieving and maintaining a housing balance consistent with the City's housing goals at this annual hearing. The ordinance also requires that MOHCD will determine the amount of funding needed to bring the City into the required minimum 33% should the cumulative housing balance fall below that threshold.

APPENDIX A
Ordinance 53-15

AMENDED IN COMMITTEE
4/6/15

FILE NO. 150029

ORDINANCE NO. 53-15

1 [Planning Code - City Housing Balance Monitoring and Reporting]

2

3 **Ordinance amending the Planning Code to require the Planning Department to monitor**
4 **the balance between new market rate housing and new affordable housing, and publish**
5 **a bi-annual Housing Balance Report; requiring an annual hearing at the Board of**
6 **Supervisors on strategies for achieving and maintaining the required housing balance**
7 **in accordance with San Francisco's housing production goals; and making**
8 **environmental findings, Planning Code, Section 302 findings, and findings of**
9 **consistency with the General Plan, and the eight priority policies of Planning Code,**
10 **Section 101.1.**

11

12 **NOTE: Unchanged Code text and uncodified text are in plain Arial font.**
13 **Additions to Codes are in *single-underline italics Times New Roman font.***
14 **Deletions to Codes are in ~~italics Times New Roman font.~~**
15 **Board amendment additions are in double-underlined Arial font.**
16 **Board amendment deletions are in ~~strikethrough Arial font.~~**
17 **Asterisks (* * * *) indicate the omission of unchanged Code**
18 **subsections or parts of tables.**

16

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

17

18

Section 1. Findings.

19

(a) The Planning Department has determined that the actions contemplated in this
20 ordinance comply with the California Environmental Quality Act (California Public Resources
21 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
22 Supervisors in File No. 150029 and is incorporated herein by reference. The Board of
23 Supervisors affirms this determination.

24

(b) On March 19, 2015, the Planning Commission, in Resolution No. 19337, adopted
25 findings that the actions contemplated in this ordinance are consistent, on balance, with the

Supervisor Kim
BOARD OF SUPERVISORS

Page 1

1 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
2 Board of Supervisors in File No. 150029, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, this Board finds that this Planning Code
4 Amendment will serve the public necessity, convenience, and welfare for the reasons set forth
5 in Planning Commission Resolution No. 150029 and the Board incorporates such reasons
6 herein by reference.

7

8 Section 2. The Planning Code is hereby amended by adding new Section 103 to read
9 as follows:

10 **SEC. 103. HOUSING BALANCE MONITORING AND REPORTING.**

11 **(a) Purposes.** *To maintain a balance between new affordable and market rate housing City-*
12 *wide and within neighborhoods, to make housing available for all income levels and housing need*
13 *types, to preserve the mixed income character of the City and its neighborhoods, to offset the*
14 *withdrawal of existing housing units from rent stabilization and the loss of single-room-occupancy*
15 *hotel units, to ensure the availability of land and encourage the deployment of resources to provide*
16 *sufficient housing affordable to households of very low, low, and moderate incomes, to ensure adequate*
17 *housing for families, seniors and the disabled community, to ensure that data on meeting affordable*
18 *housing targets City-wide and within neighborhoods informs the approval process for new housing*
19 *development, and to enable public participation in determining the appropriate mix of new housing*
20 *approvals, there is hereby established a requirement, as detailed in this Section 103, to monitor and*
21 *regularly report on the housing balance between market rate housing and affordable housing.*

22 **(b) Findings.**

23 **(1)** *In November 2014, the City voters enacted Proposition K, which established City*
24 *policy to help construct or rehabilitate at least 30,000 homes by 2020. More than 50% of this housing*
25 *would be affordable for middle-class households, with at least 33% affordable for low- and moderate-*

1 income households, and the City is expected to develop strategies to achieve that goal. This section
2 103 sets forth a method to track performance toward the City's Housing Element goals and the near-
3 term Proposition K goal that 33% of all new housing shall be affordable housing, as defined herein.

4 (2) The City's rent stabilized and permanently affordable housing stock serves very low-
5 low-, and moderate-income families, long-time residents, elderly seniors, disabled persons and others.
6 The City seeks to achieve and maintain an appropriate balance between market rate housing and
7 affordable housing City-wide and within neighborhoods because the availability of decent housing and
8 a suitable living environment for every San Franciscan is of vital importance. Attainment of the City's
9 housing goals requires the cooperative participation of government and the private sector to expand
10 housing opportunities to accommodate housing needs for San Franciscans at all economic levels and to
11 respond to the unique needs of each neighborhood where housing will be located.

12 (3) For tenants in unsubsidized housing, affordability is often preserved by the
13 Residential Rent Stabilization and Arbitration Ordinance's limitations on the size of allowable rent
14 increases during a tenancy. As documented in the Budget and Legislative Analyst's October 2013
15 Policy Analysis Report on Tenant Displacement, San Francisco is experiencing a rise in units
16 withdrawn from rent controls. Such rises often accompany periods of sharp increases in property
17 values and housing prices. From 1998 through 2013, the Rent Board reported a total of 13,027 no-fault
18 evictions (i.e., evictions in which the tenant had not violated any lease terms, but the owner sought to
19 regain possession of the unit). Total evictions of all types have increased by 38.2% from Rent Board
20 Year (i.e. from March through February) 2010 to Rent Board Year 2013. During the same period, Ellis
21 Act evictions far outpaced other evictions, increasing by 169.8% from 43 in Rent Board Year 2010 to
22 116 in Rent Board Year 2013. These numbers do not capture the large number of owner buyouts of
23 tenants, which contribute further to the loss of rent-stabilized units from the housing market. Any fair
24 assessment of the affordable housing balance must incorporate into the calculation units withdrawn
25 from rent stabilization.

1 (4) Pursuant to Government Code Section 65584, the Association of Bay Area
2 Governments (ABAG), in coordination with the California State Department of Housing and
3 Community Development (HCD), determines the Bay Area's regional housing need based on regional
4 trends, projected job growth, and existing needs. The regional housing needs assessment (RHNA)
5 determination includes production targets addressing housing needs of a range of household income
6 categories. For the RHNA period covering 2015 through 2022, ABAG has projected that at least 38%
7 of new housing demands for San Francisco will be from very low and low income households
8 (households earning under 80% of area median income), and another 22% of new housing demands to
9 be affordable to households of moderate means (earning between 80% and 120% of area median
10 income). Market-rate housing is considered housing with no income limits or special requirements
11 attached.

12 (5) The Housing Element of the City's General Plan states: "Based on the growing
13 population, and smart growth goals of providing housing in central areas like San Francisco, near jobs
14 and transit, the State Department of Housing and Community Development (HCD), with the
15 Association of Bay Area Governments (ABAG), estimates that in the current 2015-2022 Housing
16 Element period San Francisco must plan for the capacity for roughly 28,870 new units, 57% of which
17 should be suitable for housing for the extremely low, very low, low and moderate income households to
18 meet its share of the region's projected housing demand." Objective 1 of the Housing Element states
19 that the City should "identify and make available for development adequate sites to meet the City's
20 housing needs, especially permanently affordable housing." Objective 7 states that San Francisco's
21 projected affordable housing needs far outpace the capacity for the City to secure subsidies for new
22 affordable units.

23 (6) In 2012, the City enacted Ordinance 237-12, the "Housing Preservation and
24 Production Ordinance," codified in Administrative Code Chapter 10E.4, to require Planning
25 Department staff to regularly report data on progress toward meeting San Francisco's quantified

1 production goals for different household income levels as provided in the General Plan's Housing
2 Element. That Ordinance requires data on the number of units in all stages of the housing production
3 process at various affordability levels to be included in staff reports on all proposed projects of five
4 residential units or more and in quarterly housing production reports to the Planning Commission. The
5 Planning Department has long tracked the number of affordable housing units and total number of
6 housing units built throughout the City and in specific areas and should be able to track the ratio called
7 for in this Section 103.

8 (7) As the private market has embarked upon, and government officials have urged, an
9 ambitious program to produce significant amounts of new housing in the City, the limited remaining
10 available land makes it essential to assess the impact of the approval of new market rate housing
11 developments on the availability of land for affordable housing and to encourage the deployment of
12 resources to provide such housing.

13 **(c) Housing Balance Calculation.**

14 (1) For purposes of this Section 103, "Housing Balance" shall be defined as the
15 proportion of all new housing units affordable to households of extremely low, very low, low or
16 moderate income households, as defined in California Health & Safety Code Sections 50079.5 et seq.,
17 as such provisions may be amended from time to time, to the total number of all new housing units for a
18 10 year Housing Balance Period.

19 (2) The Housing Balance Period shall begin with the first quarter of year 2005 to the
20 last quarter of 2014, and thereafter for the ten years prior to the most recent calendar quarter.

21 (3) For each year that data is available, beginning in 2005, the Planning Department
22 shall report net housing construction by income levels, as well as units that have been withdrawn from
23 protection afforded by City law, such as laws providing for rent-controlled and single resident
24 occupancy (SRO) units. The affordable housing categories shall include net new units, as well as
25 existing units that were previously not restricted by deed or regulatory agreement that are acquired for

1 preservation as permanently affordable housing as determined by the Mayor's Office of Housing and
2 Community Development (MOHCD) (not including refinancing or other rehabilitation under existing
3 ownership), protected by deed or regulatory agreement for a minimum of 55 years. The report shall
4 include, by year, and for the latest quarter, all units that have received Temporary Certificates of
5 Occupancy within that year, a separate category for units that obtained a site or building permit, and
6 another category for units that have received approval from the Planning Commission or Planning
7 Department, but have not yet obtained a site or building permit to commence construction (except any
8 entitlements that have expired and not been renewed during the Housing Balance Period). Master
9 planned entitlements, including but not limited to such areas as Treasure Island, Hunters Point
10 Shipyard and Park Merced, shall not be included in this latter category until individual building
11 entitlements or site permits are approved for specific housing projects. For each year or approval
12 status, the following categories shall be separately reported:

13 (A) Extremely Low Income Units, which are units available to individuals or
14 families making between 0-30% Area Median Income (AMI) as defined in California Health & Safety
15 Code Section 50106, and are subject to price or rent restrictions between 0-30% AMI;

16 (B) Very Low Income Units, which are units available to individuals or families
17 making between 30-50% AMI as defined in California Health & Safety Code Section 50105, and are
18 subject to price or rent restrictions between 30-50% AMI;

19 (C) Lower Income Units, which are units available to individuals or families
20 making between 50-80% AMI as defined in California Health & Safety Code Section 50079.5, and are
21 subject to price or rent restrictions between 50-80% AMI;

22 (D) Moderate Income Units, which are units available to individuals or families
23 making between 80-120% AMI, and are subject to price or rent restrictions between 80-120% AMI;

24 (E) Middle Income Units, which are units available to individuals or families
25 making between 120-150% AMI, and are subject to price or rent restrictions between 120-150% AMI;

1 (F) Market-rate units, which are units not subject to any deed or regulatory
2 agreement with price restrictions:

3 (G) Housing units withdrawn from protected status, including units withdrawn
4 from rent control (except those units otherwise converted into permanently affordable housing),
5 including all units that have been subject to rent control under the San Francisco Residential Rent
6 Stabilization and Arbitration Ordinance but that a property owner removes permanently from the
7 rental market through condominium conversion pursuant to Administrative Code Section 37.9(a)(9),
8 demolition or alterations (including dwelling unit mergers), or permanent removal pursuant to
9 Administrative Code Section 37.9(a)(10) or removal pursuant to the Ellis Act under Administrative
10 Code Section 37.9(a)(13);

11 (H) Public housing replacement units and substantially rehabilitated units
12 through the HOPE SF and Rental Assistance Demonstration (RAD) programs, as well as other
13 substantial rehabilitation programs managed by MOHCD.

14 (4) The Housing Balance shall be expressed as a percentage, obtained by dividing the
15 cumulative total of extremely low, very low, low and moderate income affordable housing units (all
16 units 0-120% AMI) minus the lost protected units, by the total number of net new housing units within
17 the Housing Balance Period. The Housing Balance shall also provide two calculations:

18 (A) the Cumulative Housing Balance, consisting of housing units that have
19 already been constructed (and received a Temporary Certificate of Occupancy or other certificate that
20 would allow occupancy of the units) within the 10-year Housing Balance Period, plus those units that
21 have obtained a site or building permit. A separate calculation of the Cumulative Housing Balance
22 shall also be provided, which includes HOPE SF and RAD public housing replacement and
23 substantially rehabilitated units (but not including general rehabilitation / maintenance of public
24 housing or other affordable housing units) that have received Temporary Certificates of Occupancy
25

1 within the Housing Balance Period. The Housing Balance Reports will show the Cumulative Housing
2 Balance with and without public housing included in the calculation; and

3 (B) the Projected Housing Balance, which shall include any residential project
4 that has received approval from the Planning Commission or Planning Department, even if the
5 housing project has not yet obtained a site or building permit to commence construction (except any
6 entitlements that have expired and not been renewed during the Housing Balance period). Master
7 planned entitlements shall not be included in the calculation until individual building entitlements or
8 site permits are approved.

9 (d) **BI-annual Housing Balance Reports.** Within 30 days of the effective date of this
10 Section 103 By June 1, 2015, the Planning Department shall calculate the Cumulative and Projected
11 Housing Balance for the most recent two quarters City-wide, by Supervisorial District, Plan Area, and
12 by neighborhood Planning Districts, as defined in the annual Housing Inventory, and publish it as an
13 easily visible and accessible page devoted to Housing Balance and Monitoring and Reporting on the
14 Planning Department's website. By August September 1st and February March 1st of each year, the
15 Planning Department shall publish and update the Housing Balance Report, and present this report at
16 an informational hearing to the Planning Commission and Board of Supervisors, as well as to any
17 relevant body with geographic purview over a plan area upon request, along with the other quarterly
18 reporting requirements of Administrative Code Chapter 10E.4. The annual report to the Board of
19 Supervisors shall be accepted by resolution of the Board, which resolution shall be introduced
20 by the Planning Department. The Housing Balance Report shall also be incorporated into the
21 Annual Planning Commission Housing Hearing and Annual Report to the Board of Supervisors
22 required in Administrative Code Chapter 10E.4.

23 (e) **Annual Hearing by Board of Supervisors.**

24 (1) The Board of Supervisors shall hold a public Housing Balance hearing on an annual
25 basis by April 1 of each year, to consider progress towards the City's affordable housing goals.

1 including the goal of a minimum 33% affordable housing to low and moderate income households, as
2 well as the City's General Plan Housing Element housing production goals by income category. The
3 first hearing shall occur no later than 30 days after the effective date of this ordinance, and by April 1
4 of each year thereafter.

5 (2) The hearing shall include reporting by the Planning Department, which shall present
6 the latest Housing Balance Report City-wide and by Supervisorial District and Planning District; the
7 Mayor's Office of Housing and Community Development, the Mayor's Office of Economic and
8 Workforce Development, the Rent Stabilization Board, by the Department of Building Inspection, and
9 the City Economist on strategies for achieving and maintaining a housing balance in accordance with
10 San Francisco's housing production goals. If the Cumulative Housing Balance has fallen below 33% in
11 any year, MOHCD shall determine how much funding is required to bring the City into a minimum
12 33% Housing Balance and the Mayor shall submit to the Board of Supervisors a strategy to accomplish
13 the minimum of 33% Housing Balance. City Departments shall at minimum report on the following
14 issues relevant to the annual Housing Balance hearing: MOHCD shall report on the annual and
15 projected progress by income category in accordance with the City's General Plan Housing Element
16 housing production goals, projected shortfalls and gaps in funding and site control, and progress
17 toward the City's Neighborhood Stabilization goals for acquiring and preserving the affordability of
18 existing rental units in neighborhoods with high concentrations of low and moderate income
19 households or historically high levels of evictions; the Planning Department shall report on current
20 and proposed zoning and land use policies that affect the City's General Plan Housing Element
21 housing production goals; the Mayor's Office of Economic and Workforce Development shall report on
22 current and proposed major development projects, dedicated public sites, and policies that affect the

23
24
25

1 City's General Plan Housing Element housing production goals; the Rent Board shall report on the
2 withdrawal or addition of rent-controlled units and current or proposed policies that affect these
3 numbers; the Department of Building Inspection shall report on the withdrawal or addition of
4 Residential Hotel units and current or proposed policies that affect these numbers; and the City
5 Economist shall report on annual and projected job growth by the income categories specified in the
6 City's General Plan Housing Element.

7 (3) All reports and presentation materials from the annual Housing Balance hearing
8 shall be maintained by year for public access on the Planning Department's website on its page
9 devoted to Housing Balance Monitoring and Reporting.

10
11 Section 4. Effective Date. This ordinance shall become effective 30 days after
12 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
13 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
14 of Supervisors overrides the Mayor's veto of the ordinance.

15
16 APPROVED AS TO FORM:
17 DENNIS J. HERRERA, City Attorney

18 By: 
19 MARLENA BYRNE
Deputy City Attorney

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21
22
23
24
25



City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-6689

File Number: 150029

Date Passed: April 21, 2015

Ordinance amending the Planning Code to require the Planning Department to monitor the balance between new market rate housing and new affordable housing, and publish a bi-annual Housing Balance Report; requiring an annual hearing at the Board of Supervisors on strategies for achieving and maintaining the required housing balance in accordance with San Francisco's housing production goals; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

April 06, 2015 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

April 06, 2015 Land Use and Transportation Committee - RECOMMENDED AS AMENDED

April 14, 2015 Board of Supervisors - PASSED, ON FIRST READING


Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

April 21, 2015 Board of Supervisors - FINALLY PASSED


Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 150029

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 4/21/2015 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor


Date Approved

APPENDIX B

CUMULATIVE HOUSING BALANCE REPORT No 7 TABLES BY PLANNING DISTRICTS

Table 1A
Cumulative Housing Balance Calculation, 2008 Q3 – 2018 Q2

Planning Districts	New Affordable Housing Built	Acquisitions & Rehabs and Small Sites Completed	Units Removed from Protected Status	Total Entitled Affordable Units Permitted	Total Net New Units Built	Total Entitled Permitted Units	Cumulative Housing Balance
1 Richmond	219	5	(599)	4	567	166	-50.6%
2 Marina	1	24	(186)	-	215	141	-45.2%
3 Northeast	197	6	(330)	2	783	200	-12.7%
4 Downtown	1,685	851	(120)	371	5,996	2,561	32.6%
5 Western Addition	513	293	(182)	136	1,513	374	40.3%
6 Buena Vista	199	5	(225)	111	1,028	413	6.2%
7 Central	110	-	(340)	5	430	125	-40.5%
8 Mission	344	403	(543)	559	1,527	2,204	20.5%
9 South of Market	2,091	262	(134)	1,376	13,110	4,749	20.1%
10 South Bayshore	1,091	-	(104)	579	1,966	1,069	51.6%
11 Bernal Heights	-	50	(187)	-	51	45	-142.7%
12 South Central	11	21	(466)	9	135	324	-92.6%
13 Ingleside	116	-	(198)	-	551	1,089	-5.0%
14 Inner Sunset	-	-	(188)	-	98	42	-134.3%
15 Outer Sunset	-	-	(461)	7	25	134	-285.5%
TOTALS	6,577	1,920	(4,263)	3,159	27,995	13,636	17.8%

Table 1B

Expanded Cumulative Housing Balance Calculation, 2008 Q3 – 2018 Q2

Planning Districts	New Affordable Housing Built	Acquisitions & Rehabs and Small Sites Completed	RAD Program & HopeSF Replacement Units	Units Removed from Protected Status	Total Entitled Affordable Units Permitted	Total Net New Units Built	Total Entitled Permitted Units	Expanded Cumulative Housing Balance
1 Richmond	219	5	144	(599)	4	567	166	-31.0%
2 Marina	1	24	138	(186)	-	215	141	-6.5%
3 Northeast	197	6	577	(330)	2	783	200	46.0%
4 Downtown	1,685	851	285	(120)	371	5,996	2,561	35.9%
5 Western Addition	513	293	919	(182)	136	1,513	374	89.0%
6 Buena Vista	199	5	132	(225)	111	1,028	413	15.4%
7 Central	110	-	107	(340)	5	430	125	-21.3%
8 Mission	344	403	91	(543)	559	1,527	2,204	22.9%
9 South of Market	2,091	262	276	(134)	1,376	13,110	4,749	21.7%
10 South Bayshore	1,091	-	436	(104)	579	1,966	1,069	66.0%
11 Bernal Heights	-	50	268	(187)	-	51	45	136.5%
12 South Central	11	21	-	(466)	9	135	324	-92.6%
13 Ingleside	116	-	-	(198)	-	551	1089	-5.0%
14 Inner Sunset	-	-	110	(188)	-	98	42	-55.7%
15 Outer Sunset	-	-	-	(461)	7	25	134	-285.5%
TOTALS	6,577	1,920	3,483	(4,263)	3,159	27,995	13,636	26.1%

Table 2
Projected Housing Balance Calculation, 2018 Q2

BoS District	Very Low Income	Low Income	Moderate	TBD	Total Affordable Units	Net New Units	Total Affordable Units as % of Net New Units
1 Richmond	-	-	-	-	-	3	0.0%
2 Marina	-	-	-	-	-	36	0.0%
3 Northeast	-	-	8	178	186	265	70.2%
4 Downtown	-	60	73	-	133	1,578	8.4%
5 Western Addition	-	-	-	3	3	264	1.1%
6 Buena Vista	-	-	15	-	15	242	6.2%
7 Central	-	-	-	-	-	12	0.0%
8 Mission	-	107	46	6	159	968	16.4%
9 South of Market	-	423	32	689	1,144	4,565	25.1%
10 South Bayshore	-	-	72	168	240	4,935	4.9%
11 Bernal Heights	-	-	-	-	-	2	0.0%
12 South Central	-	307	-	-	307	608	50.5%
13 Ingleside	-	-	-	-	-	8	0.0%
14 Inner Sunset	-	-	-	-	-	33	0.0%
15 Outer Sunset	-	-	-	-	-	2	0.0%
TOTALS	-	897	246	1,044	2,187	13,521	16.2%

Table 3
New Housing Production by Affordability, 2008 Q3 – 2018 Q2

Planning Districts	Very Low	Low	Moderate	Middle Income	Total Affordable Units	Total Net Units	Affordable Units as % of Total Net Units
1 Richmond	207	12	-	-	219	567	38.6%
2 Marina	-	-	1	-	1	215	0.5%
3 Northeast	161	2	34	-	197	783	25.2%
4 Downtown	954	481	227	23	1,685	5,996	28.1%
5 Western Addition	266	171	76	-	513	1,513	33.9%
6 Buena Vista	71	74	54	-	199	1,028	19.4%
7 Central	92	18	-	-	110	430	25.6%
8 Mission	214	62	68	-	344	1,527	22.5%
9 South of Market	590	1,000	501	-	2,091	13,110	15.9%
10 South Bayshore	671	314	106	-	1,091	1,966	55.5%
11 Bernal Heights	-	-	-	-	-	51	0.0%
12 South Central	-	7	4	-	11	135	8.1%
13 Ingleside	70	29	17	-	116	551	21.1%
14 Inner Sunset	-	-	-	-	-	98	0.0%
15 Outer Sunset	-	-	-	-	-	25	0.0%
TOTALS	3,296	2,170	1,088	23	6,577	27,995	23.5%

Table 4a
Acquisitions and Rehabilitation of
Affordable Housing, 2008 Q3 – 2018 Q2

Planning District	No. of Buildings	No. of Units
2 Marina	1	24
4 Downtown	6	826
5 Western Addition	2	290
8 Mission	2	319
9 South of Market	6	259
TOTALS	17	1,718

Table 4b
Small Sites Program Acquisitions, 2014 Q1 – 2018 Q2

Planning District	No. of Buildings	No. of Units
1 Richmond	1	5
3 Northeast	1	6
4 Downtown	2	25
5 Western Addition	1	3
6 Buena Vista	1	5
8 Mission	11	84
9 South of Market	1	3
11 Bernal Heights	2	50
12 South Central	1	21
TOTALS	21	202

Table 5
RAD Affordable Units, 2015 Q1 – 2018 Q2

Planning District	No of Buildings	No of Units
1 Richmond	2	144
2 Marina	2	138
3 Northeast	4	577
4 Downtown	3	285
5 Western Addition	8	919
6 Buena Vista	2	132
7 Central	1	107
8 Mission	1	91
9 South of Market	1	276
10 South Bayshore	2	436
11 Bernal Heights	2	268
12 South Central	-	-
13 Ingleside	-	-
14 Inner Sunset	1	110
15 Outer Sunset	-	-
TOTALS	29	3,483

Table 6
Units Removed from Protected Status, 2008 Q3 – 2018 Q2

Planning District	Condo Conversion	Demolition	Ellis Out	Owner Move-In	Total Units Permanently Lost
1 Richmond	4	26	187	382	599
2 Marina	11	4	38	133	186
3 Northeast	12	11	175	132	330
4 Downtown	-	68	48	4	120
5 Western Addition	7	9	34	132	182
6 Buena Vista	4	5	91	125	225
7 Central	18	17	95	210	340
8 Mission	2	30	260	251	543
9 South of Market	3	18	36	77	134
10 South Bayshore	-	11	12	81	104
11 Bernal Heights	5	24	53	105	187
12 South Central	-	64	58	344	466
13 Ingleside	-	37	32	129	198
14 Inner Sunset	5	15	57	111	188
15 Outer Sunset	-	74	81	306	461
Totals	71	413	1,257	2,522	4,263



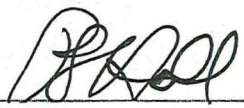
Table 7
Entitled and Permitted Units, 2018 Q2

BoS District	Very Low Income	Low Income	Moderate	TBD	Total Affordable Units	Net New Units	Total Affordable Units as % of Net New Units
1 Richmond	-	-	-	-	-	3	0.0%
2 Marina	-	-	-	-	-	36	0.0%
3 Northeast	-	-	8	178	186	265	70.2%
4 Downtown	-	60	73	-	133	1,578	8.4%
5 Western Addition	-	-	-	3	3	264	1.1%
6 Buena Vista	-	-	15	-	15	242	6.2%
7 Central	-	-	-	-	-	12	0.0%
8 Mission	-	107	46	6	159	968	16.4%
9 South of Market	-	423	32	689	1,144	4,565	25.1%
10 South Bayshore	-	-	72	168	240	4,935	4.9%
11 Bernal Heights	-	-	-	-	-	2	0.0%
12 South Central	-	307	-	-	307	608	50.5%
13 Ingleside	-	-	-	-	-	8	0.0%
14 Inner Sunset	-	-	-	-	-	33	0.0%
15 Outer Sunset	-	-	-	-	-	2	0.0%
TOTALS	-	897	246	1,044	2,187	13,521	16.2%

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2018 SEP 24 PM 3:31

BY *RH*

RICHARD L. HALL [REDACTED]		6420 89-5/1252 3401 0003237036
DATE <u>6/24/18</u>		
PAY TO THE ORDER OF <u>SAN FRANCISCO PLANNING DEPT</u>	\$ <u>617.10</u>	
<u>Six hundred seventeen and 10/100</u>	DOLLARS	 Security Features Details on Back.
 Wells Fargo Bank, N.A. Alaska wells Fargo.com	<u>OMNE CEQA APPEAL</u>	
FOR <u>2750 19TH ST</u>		MP



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BQ

BOARD OF SUPERVISORS APPEAL FEE WAIVER FOR NEIGHBORHOOD ORGANIZATIONS

APPLICATION

Appellant's Information

Name: Larisa Pedroncelli and Kelly Hill

Address: 1875 Mission Street #110, San Francisco, CA 94103

Email Address: info@factory1.com

Telephone: 415-640-0154

Neighborhood Group Organization Information

Name of Organization: Our Mission No Eviction

Address: 1333 Florida Street, San Francisco, CA 94110

Email Address: latinzoneprod@gmail.com

Telephone: 415-206-0577

Property Information

Project Address: 2750 19th Street

Project Application (PRJ) Record No: 2014-001400ENX

Building Permit No: 201712156665

Date of Decision (if any): August 23, 2018

Required Criteria for Granting Waiver

All must be satisfied; please attach supporting materials.

REQUIRED CRITERIA	YES	NO
The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

Submission Checklist:

- APPELLANT AUTHORIZATION CURRENT ORGANIZATION REGISTRATION MINIMUM ORGANIZATION AGE
 PROJECT IMPACT ON ORGANIZATION

WAIVER APPROVED WAIVER DENIED