

1 [Interim Controls On Major Rights of Way Along and Near the Southern 19<sup>th</sup> Avenue Corridor.]

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3 **Resolution adopting more restrictive interim controls for a period of eighteen months**  
4 **that would require conditional use authorization for new residential developments over**  
5 **20 units or for new commercial or retail developments over 50,000 square feet on both**  
6 **sides of the following rights of way along and near the Southern 19<sup>th</sup> Avenue Corridor:**  
7 **commencing at Lake Merced Boulevard where it begins at the County line, north along**  
8 **Lake Merced Boulevard to Sloat Boulevard, east along Sloat Boulevard to 19<sup>th</sup> Avenue,**  
9 **north along 19<sup>th</sup> Avenue to Taraval Street, east on Taraval Street to Claremont, south**  
10 **on Claremont to Portola, southwest on Portola to Junipero Serra Boulevard, and south**  
11 **on Junipero Serra Boulevard to the County line; adopting environmental findings and a**  
12 **determination of consistency with the priority policies of Planning Code Section 101.1.**  
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14 WHEREAS, Planning Code Section 306.7 provides for the imposition of interim zoning  
15 controls in order to control uses which, among other things, have an adverse impact upon the  
16 preservation of residential neighborhoods, have an adverse impact upon the preservation of  
17 neighborhoods and areas of mixed residential and commercial uses, and which generate an  
18 adverse impact on pedestrian and vehicular traffic; and

19 WHEREAS, There are several developments proposed along and near the Southern  
20 19<sup>th</sup> Avenue Corridor in the City that are expected to increase population density and add  
21 more than 7,200 residential units to the area over a period of time. San Francisco State's  
22 2007-2020 Campus Master Plan calls for increasing its student body from 20,000 full-time  
23 students to 25,000 full-time students and creating 657 new housing units; a project at 77-111  
24 Cambon Drive, abutting 19<sup>th</sup> Avenue just to the south of 19<sup>th</sup> Avenue and Crespi, will add 192  
25 new condominium units and 14,000 square feet of new retail space; 800 Brotherhood Way

1 received environmental approval for a 187-unit project; Ardenwood at 19<sup>th</sup> Avenue and  
2 Wawona is proposing to add 154 new housing units; Parkmerced proposes to add over 5,000  
3 new housing units in stages of 200 to 300 units a year over the next twenty years; and the  
4 San Francisco Unified School District has entered into a development agreement with a  
5 private developer for the old School of the Arts site for an undefined multi-unit residential  
6 project ;

7 WHEREAS, According to the 2003 Stonestown Village Draft Environmental Impact  
8 Report, there are a number of "F" Level of Service intersections (19<sup>th</sup> Avenue and Sloat  
9 Boulevard, 19<sup>th</sup> Avenue and Winston Drive, 20<sup>th</sup> Avenue and Buckingham Way) and "D" Level  
10 of Service intersections (19<sup>th</sup> Avenue and Holloway, Junipero Serra Boulevard and Winston  
11 Drive, Buckingham Way and Winston Drive) along and near the Southern 19<sup>th</sup> Avenue  
12 Corridor; and

13 WHEREAS, Pedestrian safety and traffic congestion throughout the Southern 19<sup>th</sup>  
14 Avenue neighborhoods are a major concern of the residents in the area; and

15 WHEREAS, This Board of Supervisors has considered the impact on the public health,  
16 safety, peace, and general welfare if the interim controls herein were not proposed; and,

17 WHEREAS, This Board has determined that the public interest will best be served by  
18 imposition of these interim controls at this time in order to ensure that the legislative scheme  
19 which may ultimately be adopted is not undermined during the planning and legislative  
20 process for permanent controls; and

21 WHEREAS, The Planning Department has determined that the actions contemplated in  
22 this Resolution are in compliance with the California Environmental Quality Act (California  
23 Public Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of  
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1 the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by  
2 reference; now, therefore, be

3 RESOLVED, Pursuant to Planning Code Section 306.7, this Board of Supervisors  
4 hereby requires that a conditional use authorization under Section 303 of the Planning Code  
5 is needed for the establishment of a new residential development over 20 units or for a new  
6 commercial or retail development over 50,000 square feet on both sides of the following rights  
7 of way along and near the Southern 19<sup>th</sup> Avenue Corridor unless such use is already  
8 prohibited: Commencing at Lake Merced Boulevard where it begins at the County line, north  
9 along Lake Merced Boulevard to Sloat Boulevard, east along Sloat Boulevard to 19<sup>th</sup> Avenue,  
10 north along 19<sup>th</sup> Avenue to Taraval Street, east on Taraval Street to Claremont, south on  
11 Claremont to Portola, southwest on Portola to Junipero Serra Boulevard, and south on  
12 Junipero Serra Boulevard to the County line; and, be it

13 FURTHER RESOLVED, That in addition to the information that the Planning Code or  
14 Planning Commission requires to be submitted with an application for a conditional use, the  
15 Board of Supervisors further requires that any project subject to these interim controls shall  
16 submit parking and traffic studies for the area surrounding the proposed project; and, be it

17 FURTHER RESOLVED, That in addition to the criteria set forth in Planning Code  
18 Section 303(c) and (d), in acting upon a conditional use required by these interim controls, the  
19 Planning Commission and the Board of Supervisors on appeal shall consider: (1) the  
20 sufficiency of police, fire and emergency evacuation services for the area, (2) traffic impacts of  
21 the proposed project, (3) impacts of the project upon the residents and other uses in the area,  
22 and (4) such other factors as the Commission or the Board determine are relevant to public  
23 safety and quality of life of neighborhood residents.

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1 In approving a conditional use for a project subject to these interim controls, the  
2 Commission, and the Board of Supervisors on appeal, shall make specific findings that the  
3 proposed project will not decrease the availability of public safety services and worsen traffic  
4 conditions such as to decrease the Level of Service at major intersections in the surrounding  
5 area in the absence of mitigation measures to lessen those traffic impacts or any other  
6 negative physical environmental impact; and, be it

7 FURTHER RESOLVED, That these interim controls shall apply to any project that has  
8 not received its final building permit or site permit when these controls go into effect; and, be it

9 FURTHER RESOLVED, That these interim controls shall not require a new conditional  
10 use authorization for a project that received a conditional use authorization prior to the  
11 effective date of these interim controls but has not yet received its final building or site permit,  
12 except that a new conditional use shall be required in a case where that conditional use  
13 authorization has expired either pursuant to its terms or upon the expiration of three years  
14 from the date of final approval; and, be it

15 FURTHER RESOLVED, That these interim controls shall remain in effect for eighteen  
16 (18) months unless extended by the Board, or until the adoption of permanent legislation for  
17 the area, whichever first occurs; and, be it

18 FURTHER RESOLVED, That these interim controls advance and are consistent with  
19 Priority Policy Numbers 2 and 4 of Planning Code Section 101.1. By requiring a public hearing  
20 and conditional use authorization for new large development projects, the controls will  
21 conserve and protect the quality of life for the residents of the existing neighborhoods  
22 surrounding the Southern 19<sup>th</sup> Avenue Corridor and also ensure that new development does  
23 not impede Muni transit service or overburden the area's streets and neighborhood parking.  
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1 The Board finds that these controls will have no effect upon Priority Policy Numbers 1, 3, 5, 6,  
2 7, and 8 and thus will not conflict with those Policies.

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4 APPROVED AS TO FORM:

5 Dennis J. Herrera, City Attorney

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7 By: \_\_\_\_\_  
8 JUDITH A. BOYAJIAN  
Deputy City Attorney

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