



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution 19437

Planning Code Text Amendment Zoning Map Amendment

HEARING DATE: AUGUST 13, 2015

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Date: August 3, 2015
Case Number: 2011.1323MTZCUA
Zoning: RH-2 (Residential-House, Two Family)
50-X
Proposed Zoning: Jewish Home of San Francisco Special Use District
50/65/80-X
Project Sponsor Jan Reicher - 415.334.2500
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Staff Contact: Tina Chang - 415-575-9197
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Recommendation: **Recommend Approval and Adopt CEQA Findings**

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT FINDINGS RELATING TO THE PLANNING CODE, INCLUDING 1) AMENDMENT OF PLANNING CODE TEXT TO ADD SECTION 249.73 TO ESTABLISH THE JEWISH HOME OF SAN FRANCISCO SPECIAL USE DISTRICT, TO ALLOW ADDITIONAL USES, PERMITTED BY PLANNED UNIT DEVELOPMENT, AND TO INCLUDE PROVISIONS REGARDING FLOOR AREA RATIO, OFF-STREET AUTOMOBILE PARKING AND SIGNAGE; AND 2) AMENDMENTS TO SPECIAL USE DISTRICT MAP SU11 AND HEIGHT AND BULK DISTRICT MAP HT11 TO REFLECT THE CREATION OF THE SPECIAL USE DISTRICT AND ALLOW AN INCREASE IN HEIGHT WITHIN PORTIONS OF THE SPECIAL USE DISTRICT FROM 50'-0" TO UP TO 80'-0"; AND (3) MAKE AND ADOPT FINDINGS, INCLUDING FINDINGS UNDER PLANNING CODE SECTION 302, ENVIRONMENTAL FINDINGS AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.

PREAMBLE

On March 19, 2012, Daniel Ruth, on behalf of the Jewish Home of San Francisco (hereinafter referred to variously as "Jewish Home" and "Project Sponsor"), submitted an Environmental Evaluation Application (EEA) with the Planning Department (hereinafter "Department"), Case No. 2011.1323E for the proposed redevelopment of the Jewish Home site ("Project").

On December 20, 2012, the Project Sponsor submitted a request to amend (1) Map 5, "Urban Design Guidelines for Bulk of Buildings" of the General Plan Urban Design Element, to change the bulk designation shown on the Map for Assessor's Block 5952, Lot 002 and adding a note to Map 5 (Case No. 2011.1323M), (2) Planning Code Text to create the Jewish Home Special Use District, and (3) Height Map HT11 of the Planning Code to change the height and bulk district of the subject property from 50-X to 50/65/80-X; and (4) Special Use Map SU11 of the Planning Code to delineate the boundaries of the Jewish Home Special Use District.

On January 23, 2015, the Department determined that the Project, as proposed, could not have a significant effect on the environment, and duly published, posted and distributed, all in accordance with law, a notice of determination that a Mitigated Negative Declaration would be issued for the Project.

On February 19, 2015, the Project Sponsor filed an application with the Department for Conditional Use authorization, and to amend the existing Planned Unit Development (hereinafter "PUD") for the Jewish Home to authorize the proposed new residential care for the elderly ("RCFE") facility and supportive uses, including the parking associated therewith, and to allow buildings over 40'-0" in an RH-2 District.

On May 21, 2015, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting and adopted Motion No. 19379, initiating the requested General Plan Amendment.

On May 21, 2015, the Commission conducted a regularly scheduled meeting and adopted Motion 19380, initiating the requested Planning Code Text and Zoning Map Amendments.

On May 27, 2015, The Planning Department's Environmental Review Officer finalized the Mitigated Negative Declaration ("MND") for the Jewish Home of San Francisco for this project and the Planning Code and Zoning Map Amendments and General Plan Amendments and determined that the MND was adequate, accurate and complete and reflected the independent judgment of the Planning Department. The PMND was available for public comment until June 17, 2015. Two comment letters were received as of June 12, 2015. An appeal was filed on June 17, 2015. On June 25, 2015, the Commission continued its consideration of the matter to August 13, 2015. The Planning Department, Jonas Ionin, is the custodian of records, located in File No. 2011.1323E, at 1650 Mission Street, Fourth Floor, San Francisco, California.

Planning Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP), which material was made available to the public and this Commission for this Commission's review, consideration and action. The Commission adopts the MMRP as a condition of approval of the Conditional Use Authorization for the Project.

On August 13, 2015, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting regarding the PMND appeal. Based on testimony and evidence, the record before the Commission, the Commission adopted Motion No. 19435, affirming the PMND and finding that the project could not have a significant effect on the environment.

Having continued from June 25, 2015, on August 13, 2015, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting regarding the requested General Plan amendment,

adopted the Mitigated Negative Declaration (“MND”) and MMRP, and recommended that the Board of Supervisors approve such General Plan amendment.

Also on August 13, 2015, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting regarding the requested Planning Code Text and Zoning Map Amendments. The Commission 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 Department staff and other interested parties; and the record as a whole.

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

MOVED, that the Planning Commission hereby adopts the MMRP attached as Exhibit C of Motion No. 19438, based on the findings as stated below.

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

FINDINGS

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

1. The MND is adequate, accurate and complete, and reflects the independent judgment and analysis of the Planning Department. The Project, as shown in the analysis of the MND, could not have a significant effect on the environment. The Planning Commission adopted the MND in Resolution No. 19435.
2. The Commission finds the Jewish Home to be a beneficial development to the City that could not be accommodated without the actions requested.
3. The Jewish Home is a residential care facility, established in 1871, that specializes in programs, services and care for older adults. The Jewish Home is operated by a 501(c)(3) non-profit corporation, and its mission is to enhance the quality of life for seniors. The Jewish Home is dedicated to providing access to many different populations with multiple and unique care and service needs and at various income levels. The Jewish Home has historically relied on substantial philanthropy to support its operations and will continue to do so with the Project.
4. According to the Project Sponsor, among the most pressing issues in long-term care is the inconsistent and unreliable approach to Medi-Cal reimbursement based on the financial condition of the State of California. This state of affairs has resulted in fluctuating and major operating deficits for the Jewish Home, which undermines the long term sustainability of the

organization. The Home, along with other residential care facilities and senior care service providers, faces changes as more “Baby Boomers” reach retirement age, bringing new demands, expectations, and concerns about the rest of their lives. This trend presents the following challenges:

- Thanks to modern medicine, people are living longer—but often with multiple chronic illnesses, including dementia and Alzheimer’s, which can take a toll on individual lives, families, and communities.
 - Many adults are ill-prepared financially for retirement and wonder how they will afford the longer lives medicine makes possible.
 - Older adults today prefer independence to the traditional institutional living approaches of the past, but remaining at home can lead to isolation, premature illness, depression, and poor access to life-enhancing resources. Often, couples must separate when one’s need for care outpaces the other’s need. Seniors fortunate enough to have a support system risk draining the financial, emotional, and physical resources of their caregivers.
 - Public resources for residential care facilities are dwindling, and recent state funding cuts to Medi-Cal reimbursement created substantial liabilities for facilities like the Jewish Home. Many residential care facilities, including the Jewish Home, are aging and outdated, and it will be a major undertaking at a substantial cost to renovate and rebuild the facilities to contemporary residential care, life safety and seismic standards.
5. To address the above challenges, the Project would:
- Develop a modern residential care facility that serves a broader spectrum of the senior population in a diversity of settings. The Project would construct facilities to allow people to age in place as long as possible, with the ability to vary the types and level of care that residents receive over time. The Project allows the Jewish Home to create a contemporary continuum of high quality, innovative and compassionate care that will be accessible and attractive to a broad cross-section of older adults.
 - Shift the existing Jewish Home from predominantly skilled nursing facility (“SNF”) to a combination SNF and RCFE model, serving a range from more able seniors, to frail elderly, to those with memory care needs. RCFE facilities and services are licensed and monitored by the State of California. In RCFE facilities, there is a substantial “care” component—and the “residential” and “care” components are inseparable. The licensing triggers a panoply of special requirements related to the physical space and service requirements. Among other things, RCFE facilities must be built to a special construction typology, designed to standards for occupants with reduced mobility, and inspected by the Department of Social Services (DSS) for compliance with safety and sanitary regulations. The licensing also mandates a baseline level of services, including personal assistance and care; regular observation of physical, mental, emotional and social functioning; supervision; planned activities; food service; and arrangements for obtaining incidental medical and dental care.

- Enhance the Home's existing services for residents, and make many of them available to other, non-resident seniors as part of the RCFE through the Square, an innovative venue with senior-oriented services to support seniors who reside in their own homes, as well as their caregivers. Senior visitors who are members of the facility will be able to use residential care facility support services such as clinics, a beauty salon, wellness services, education and entertainment, site-serving pharmacy, among others. The Home may also provide adult day programs, which may consist of memory care programs, and are specialized services for seniors who are not independent and who need a day program where they receive specialized attention and care. Studies show that the second largest cause of death in the elderly population is depression due to isolation. The Square is designed to offer preventative care and help older adults thrive.
 - This diverse mix of uses would contribute to an improved overall fiscal health of the Jewish Home, and the Jewish Home would not be forced to rely extensively on unstable and diminishing public funding to honor its mission and its ongoing community commitments to the frail and vulnerable elderly.
 - The facility would also allow the Jewish Home to continue its track record of community involvement and associated community benefits such as delivering exceptional care to frail, vulnerable seniors, including charitable support, providing employment opportunities ranging from skilled labor to executive-level positions, promoting and protecting the community's health by advancing and sharing knowledge, collaborating in educational opportunities for adults, engaging in ongoing research to develop new therapies for disorders of aging, diseases of the elderly, and prevention of age-associated diseases, partnering with local high schools, colleges and universities on service learning programs and internships, serving as a worksite for vulnerable populations, sponsoring the Excelsior Street Festival, and partnering with the Mission Bay Community Church to host a weekly food pantry.
6. The Project would generate many new full and part time permanent positions as well as construction jobs.
 7. The Project would include improvement of the street and sidewalk scape along the Mission Street frontage, the corner of Mission Street and Silver Avenue, and the corner of Mission Street and Avalon Avenue. The improvements will include the addition of new street trees and the widening of the sidewalk to include small plaza areas. The sidewalk improvements along Mission Street would include significant greening and new hardscape, incorporating three public spaces that would be extended from the existing curb onto the Home's property at the Silver/Mission plaza area, across from the Tingley Street intersection, and a small plaza space at the corner of Avalon Avenue and Mission Street.
 8. As further set forth in the findings for the Conditional Use Approval (Motion No. 19438), which are incorporated by reference as though fully set forth herein, the Project supports various goals of the General Plan, particularly related to providing housing options for a wide range of the population (here seniors, including frail and memory-impaired elderly) at a variety of income

levels. By Resolution No.14-17, the San Francisco Health Commission found that the Project is both consistent with the Health Care Services Master Plan ("HCSMP") and eligible for incentives based on its strong alignment with the HCSMP.

9. As further set forth above and in the findings for the Conditional Use Approval (Motion No. 19438), which are incorporated by reference as though fully set forth herein, , the Project is necessary and desirable, is compatible with the surrounding neighborhoods, and would not be detrimental to persons or adjacent properties in the vicinity;
10. The Planning Code and Zoning Map Amendments are necessary in order to approve the Project;
11. **General Plan Compliance.** The Project is, on balance, consistent with the Objectives and Policies of the General Plan, for the reasons set forth in the findings for the Conditional Use Approval (Motion No. 19438, which are incorporated by reference as though fully set forth herein.
12. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the Project complies with said policies, for the reasons set forth in the Conditional Use Approval (Motion No. 19438), which are incorporated by reference as though fully set forth herein.
13. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) for the reasons set forth in the Conditional Use Approval (Motion No. 19438), which are incorporated by reference as though fully set forth herein, and also in that, as designed, the Project would contribute to the community by offering its extensive senior services to a broader range of San Francisco seniors through the addition of new RCFE units and through the Square, which will offer services to non-resident seniors; extending services through the Square, providing substantial economic benefits to the City during both the construction and operational phases, and by including a design and use that is compatible with the character and stability of the neighborhood, thereby constituting a beneficial development.
14. Based on the foregoing, the public necessity, convenience and general welfare require the proposed Planning Code and Zoning Map amendments.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on August 13, 2015.



Christine Lamorena
Acting Commission Secretary

Resolution No. 19437
Hearing Date: August 13, 2015

Case No.'s: 2011.1323MTZCUA

AYES: Moore, Richards, Antonini, Johnson, Wu, Hillis

NOES: N/A

ABSENT: Fong

ADOPTED: August 13, 2015