



SAN FRANCISCO PLANNING DEPARTMENT

April 12, 2019

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

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

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Planning
Information:
415.558.6377

**Re: Transmittal of Planning Department Case Numbers 2019-003571MAP and 2016-013850PCA/MAP/DVA:
915 CAYUGA AVE
Board File Nos. 190249, 190250, and 190251
Planning Commission Recommendation: Approval with Modification**

Dear Ms. Calvillo and Supervisor Safai,

On April 11, 2019, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider three proposed Ordinances, introduced by Supervisor Safai. The first two ordinances (BF 190249 and 190250) would establish the 915 Cayuga Ave SUD by amending the Zoning Map and Planning Code. The third ordinance (BF 190251) would amend the zoning map to rezone the subject parcels from RH-1 and Excelsior Outer Mission NCD to only the Excelsior Outer Mission Street NCD. At the hearing the Planning Commission recommended approval with modification of all three ordinances.

The Commission's proposed modification was as follows:

- Remove reference to Lot 011C in all the Ordinances.

The Planning Commission also reviewed and considered the Final Mitigated Negative Declaration (MND) for the Project, and found that the contents of said report and the procedures through which the Final Mitigate Negative Declaration (FMND) was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron D. Starr", with a long horizontal flourish extending to the right.

Aaron D. Starr
Manager of Legislative Affairs

cc:

Audrey Pearson, Deputy City Attorney
Suhagey Sandoval, Aide to Supervisor Safai
Erica Major, Office of the Clerk of the Board

Attachments :

Planning Commission Resolutions
Planning Department Executive Summary



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20418

HEARING DATE APRIL 11, 2019

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Project Name: 915 CAYUGA AVENUE
Case Number: 2019-003571MAP [Board File No. 190251]
Initiated by: Supervisor Safai / Introduced March 5, 2019
Staff Contact: Veronica Flores, Legislative Affairs
Veronica.Flores@sfgov.org, 415-575-9173
Reviewed by: Aaron D. Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362

RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE ZONING MAP TO CHANGE THE ZONING DISTRICT ON ASSESSOR'S PARCEL BLOCK NO. 6954, LOT NO. 039, FROM RH-1 (RESIDENTIAL, HOUSE DISTRICT, ONE FAMILY) AND EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT TO EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on March 5, 2019 Supervisors Safai introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 190251, which would amend Sheet ZN11 of the Zoning Map to change the zoning district on Assessor's Parcel Block No. 6954, Lot No. 039, from RH-1 (Residential, House, One-Family) and Excelsior Outer Mission Street Neighborhood Commercial District to Excelsior Outer Mission Street Neighborhood Commercial District;

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on April 11, 2019; and,

WHEREAS, the Planning Department published a Preliminary Mitigated Negative Declaration (MND) for the 915 Cayuga Avenue Project ("Project"), located at Assessor's Parcel Block No. 6954, Lot No. 039. The Project would demolish the existing commercial building at 915 Cayuga, and construct a new five story residential building with two basement levels; and,

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

WHEREAS, the Preliminary MND and MMRP were available for public comment until February 12, 2019, no appeal of the Preliminary MND was filed, and the Department published the Final MND on March 19, 2019; and,

WHEREAS, the Planning Commission ("Commission") has reviewed and considered the Final Mitigated Negative Declaration (MND) for the Project, and finds that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"); and

WHEREAS, the Planning Commission finds that the FMND is adequate, accurate and objective, and reflects the independent analysis and judgment of the Planning Commission, and hereby approves the FMND for the project, and for the actions herein, in compliance with CEQA, the CEQA Guidelines and Chapter 31,

WHEREAS, the Planning 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 Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and now therefore be it

RESOLVED, that the Planning Commission hereby adopts the Final MND and the MMRP, attached as Exhibit C, and be it further

RESOLVED, that the Planning Commission hereby adopts 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 Commission finds that the proposed Ordinance will establish a clear and uniform zoning for the subject site and will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity.
2. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

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.

The proposed Ordinance identifies the developable potential of the project site. By providing uniform zoning across the project site, the Ordinance maximizes the opportunity for residential development. Further, the project site is located within proximity to the Balboa Park BART Station, as well as a few MUNI bus lines.

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.

Policy 4.5

Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

The proposed Ordinance maximizes the opportunity for residential development. Currently with the dual zoning, residential development is limited due to the low-density constraints of RH-1 (Residential – House, One-Family) Zoning. This has likely been a primary reason why the lot has yet to provide residential development. The rezoning allows increased housing, and by extension increased housing supply.

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.4:

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.

The proposed Ordinance increases the developable nature of the project site, which is currently limited due to the dual zoning. Further, the rezoning will provide a more cohesive context for the project site, which is constrained by the low-density constraints of RH-1 (Residential – House, One-Family) Zoning along the Alemany Boulevard frontage.

3. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's existing supply of affordable housing. The Ordinance will substantially increase the supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. 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 proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

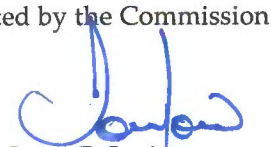
8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

4. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

AND NOW THEREFORE BE IT FURTHER RESOLVED that the Commission hereby APPROVES the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on April 11, 2019.



Jonas P. Ionin
Commission Secretary

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

NOES: None

ABSENT: None

ADOPTED: April 11, 2019



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20419

HEARING DATE APRIL 11, 2019

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Project Name: 915 CAYUGA AVENUE
Case Number: 2016-013850PCAMAP [Board File No. 190250]
Initiated by: Supervisor Safai / Introduced March 5, 2019
Staff Contact: Veronica Flores, Legislative Affairs
Veronica.Flores@sfgov.org, 415-575-9173
Reviewed by: Aaron D. Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362

RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO ESTABLISH THE CAYUGA/ALEMANY SPECIAL USE DISTRICT (SUD) FOR THE PROPERTY LOCATED AT 915 CAYUGA AVENUE (ASSESSOR'S PARCEL BLOCK NO. 6954, LOT NO. 039); AMENDING THE ZONING MAP TO ADD THE CAYUGA /ALEMANY SUD AND TO CHANGE THE HEIGHT LIMIT ON ASSESSOR'S PARCEL BLOCK NO. 6954, LOT NO. 039, TO 65-X; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on March 5, 2019 Supervisors Safai introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 190250, which would amend the Planning Code to establish the Cayuga/Alemany Special Use District (SUD) for the property located at 915 Cayuga Avenue (Assessor's Parcel Block No. 6954, Lot No. 039); amend the Zoning Map to add the Cayuga /Alemany SUD, and to change the height limit on Assessor's Parcel Block No. 6954, Lot No. 039, to 65-X; and,

WHEREAS, the Planning Department published a Preliminary Mitigated Negative Declaration (MND) for the 915 Cayuga Avenue Project ("Project"), located at Assessor's Parcel Block No. 6954, Lot No. 039. The Project would demolish the existing commercial building at 915 Cayuga, and construct a new five story residential building with two basement levels; and,

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

WHEREAS, the Preliminary MND and MMRP were available for public comment until February 12, 2019, no appeal of the Preliminary MND was filed, and the Department published the Final MND on March 19, 2019; and,

WHEREAS, on April 11, 2019, the Planning Commission ("Commission"), reviewed and considered the Final MND for the Project, and found that the contents of said report and the procedures through which

the Final MND were prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"), and adopted the Final MND in Resolution 20418; and

WHEREAS, the Planning Commission adopted the MMRP, which MMRP is hereby incorporated by reference as though fully set forth herein and which requirements are made conditions of this approval; and,

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on April 11, 2019; and,

WHEREAS, the Planning 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 Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and now therefore be it

RESOLVED, that the Planning Commission hereby **approves** the proposed ordinance, and makes 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 Commission finds the Ordinance increases the residential development opportunity at the project site.
2. The Commission finds the Ordinance promotes housing affordability by increasing the housing supply.
3. The Commission finds the Ordinance provides housing on-site at levels significantly higher than the requirements of Section 415.
4. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

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.

The proposed Ordinance identifies the developable potential of the project site. By establishing the Cayuga/Alemaný SUD, the Ordinance maximizes the opportunity for residential development. Further, the SUD requires 50% affordable units substantially increasing the affordable housing supply. Additionally, the project provides 70% of the total units as family-friendly housing with units with two bedrooms or more. Also, the project site is located within proximity to the Balboa Park BART Station, as well as a few MUNI bus lines.

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.

Policy 4.5

Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

The proposed Ordinance maximizes the opportunity for residential development. Currently with the dual zoning, residential development is limited due to the low-density constraints of RH-1 (Residential – House, One-Family) Zoning. This has likely been a primary reason why the lot has yet to provide residential development. The rezoning allows increased housing, and by extension increased housing supply. Additionally, the project exceeds the inclusionary housing requirements of Planning Code Section 415. The proposal also provides more middle-income housing than would normally required by the optional HOME-SF program, further adding to the affordable housing supply at all income levels.

OBJECTIVE 11:

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

Policy 11.1

Promote the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and respects existing neighborhood character.

Policy 11.2

Ensure implementation of accepted design standards in project approvals.

Policy 11.4:

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.

The proposed Ordinance increases the developable nature of the project site, which is currently limited due to the dual zoning. Further, the rezoning will provide a more cohesive context for the project site, which is constrained by the low-density constraints of RH-1 (Residential – House, One-Family) Zoning along the Alemany Boulevard frontage.

OBJECTIVE 12:

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

Policy 12.2

Consider the proximity of quality of life elements such as open space, child care, and neighborhood services, when developing new housing units.

The proposed Ordinance is located within proximity to the Balboa Park BART Station. Additionally, the property to the north proposes a child care facility, which will be convenient for future residents at the project site.

5. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's existing supply of affordable housing. The Ordinance will substantially increase the supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. 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 proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

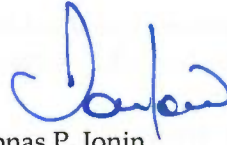
8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

6. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

AND BE IT FURTHER RESOLVED that the Commission hereby APPROVES the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on April 11, 2019.



Jonas P. Ionin
Commission Secretary

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

NOES: None

ABSENT: None

ADOPTED: April 11, 2019



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20420

HEARING DATE APRIL 11, 2019

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Project Name: 915 CAYUGA AVENUE
Case Number: 2016-013850DVA [Board File No. 190249]
Initiated by: Supervisor Safai / Introduced March 5, 2019
Staff Contact: Veronica Flores, Legislative Affairs
Veronica.Flores@sfgov.org, 415-575-9173
Reviewed by: Aaron D. Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362

RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD APPROVE A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND SYTS INVESTMENTS, LLC, FOR THE DEVELOPMENT PROJECT AT 915 CAYUGA AVENUE, ASSESSOR'S BLOCK 6954, LOT NO. 039, WITH VARIOUS PUBLIC BENEFITS INCLUDING SIGNIFICANTLY MORE BELOW MARKET RATE UNITS THAN OTHERWISE REQUIRED; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, Chapter 56 of the San Francisco Administrative Code sets forth the procedure by which a request for a Development Agreement will be processed and approved in the City and County of San Francisco; and

WHEREAS, the Development Agreement would enable the 915 Cayuga Avenue Project ("Project"). The Project would demolish the existing commercial building and new construction of a five-over-two-basement residential building with 116 units, 50% of which are affordable below market rate units. The Project includes a dwelling unit mix consisting of 16 studios (14%), 18 one-bedrooms (16%), 70 two-bedrooms (60%), and 12 three-bedroom units (10%). The proposal includes 66 parking space, three car-share parking spaces, and 116 Class 1 bicycle parking spaces; and

WHEREAS, in furtherance of the Project and the City's role in subsequent approval actions relating to the Project, the City and County of San Francisco and SYTS Investments, LLC ("Project Sponsor") negotiated a Development Agreement for development of the Project Site, a copy of which is attached as Exhibit A (the "Development Agreement"); and

WHEREAS, the City has determined that as a result of the development of the Project Site in accordance with the Development Agreement, clear benefits to the public will accrue that could not be obtained through application of existing City ordinances, regulations, and policies, as more particularly described in the Development Agreement; and

WHEREAS, the Development Agreement shall be executed by the Director of Planning and City Attorney, subject to prior approval by the Board of Supervisors; and

WHEREAS, the Planning Department published a Preliminary Mitigated Negative Declaration (MND) for the project, which was available for public comment until February 12, 2019. The Final MND was published on March 19, 2019, and;

WHEREAS, on April 11, 2019, the Planning Commission ("Commission") reviewed and considered the Final Mitigated Negative Declaration (MND) for the Project finding that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"); and

WHEREAS, in Resolution 20418, the Planning Commission adopted the Mitigation Monitoring and Reporting Program (MMRP), which MMRP is hereby incorporated by reference as though fully set forth herein and which requirements are made conditions of this approval; and

WHEREAS, on April 11, 2019, by Resolution Nos. 20418, 20419, and 20420, concurrently considered herewith, the Commission adopted findings in connection with its approval Project, including Planning Code Text and Map Amendments, which findings are hereby incorporated herein by this reference as if fully set forth.

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

NOW THEREFORE BE IT RESOLVED that the Commission recommends approval of the Development Agreement, in substantially the form attached hereto as Exhibit A.

AND BE IT FURTHER RESOLVED, that the Commission finds that the application, public notice, Planning Commission hearing, and Planning Director reporting requirements regarding the Development Agreement negotiations contained in Administrative Code Chapter 56 required of the Planning Commission and the Planning Director have been substantially satisfied.

AND BE IT FURTHER RESOLVED, that the Commission authorizes the Planning Director to take such actions and make such changes as deemed necessary and appropriate to implement this Commission's recommendation of approval and to incorporate recommendations or changes from other City agencies and/or the Board, provided that such changes do not materially increase any obligations of the City or materially decrease any benefits to the City contained in the Development Agreement attached as Exhibit A.

AND BE IT FURTHER RESOLVED, that the Planning Commission hereby approves the proposed ordinance.

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. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

HOUSING ELEMENT

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.

The proposed Ordinance identifies the developable potential of the project site. By establishing the Cayuga/Alemany SUD, the Ordinance maximizes the opportunity for residential development. Further, the SUD requires 50% affordable units substantially increasing the affordable housing supply. Additionally, the project provides 70% of the total units as family-friendly housing with units with two bedrooms or more. Also, the project site is located within proximity to the Balboa Park BART Station, as well as a few MUNI bus lines.

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.

Policy 4.5

Ensure that new permanently affordable housing is located in all of the City's neighborhoods, and encourage integrated neighborhoods, with a diversity of unit types provided at a range of income levels.

The proposed Ordinance maximizes the opportunity for residential development. Currently with the dual zoning, residential development is limited due to the low-density constraints of RH-1 (Residential – House, One-Family) Zoning. This has likely been a primary reason why the lot has yet to provide residential development. The rezoning allows increased housing, and by extension increased housing supply. Additionally, the project exceeds the inclusionary housing requirements of Planning Code Section 415. The proposal also provides more middle-income housing than would normally be required by the optional HOME-SF program, further adding to the affordable housing supply at all income levels.

2. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's existing supply of affordable housing. The Ordinance will substantially increase the supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. 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 proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

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

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

3. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on April 11, 2019.



Jonas P. Ionin
Commission Secretary

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

NOES: None

ABSENT: None

ADOPTED: April 11, 2019



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code Amendment / Zoning Map Amendment / Development Agreement / Conditional Use Authorization Hearing Date: April 11, 2019

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Record No.: 2016-013850PCA/MAP/DVA/CUA and 2019-003571MAP
Board File: **2019-003571MAP** [Board File No. 190251]
2016-013850PCAMAP [Board File No. 190250]
2016-013850DVA [Board File No. 190249]
Initiated by: Supervisor Safai / Introduced March 5, 2019
Project Address: 915 Cayuga Avenue
Zoning: RH-1 (Residential – House, One Family)
Excelsior Outer Mission Neighborhood Commercial District (NCD) Zoning
40-X Height and Bulk District
Block/Lot: 6954/ 039
Project Sponsor: Reza Khoshnevisan
SIA Consulting Corporation
1256 Howard Street
San Francisco, CA 94103
Staff Contact: Veronica Flores – (415) 575-9173
veronica.flores@sfgov.org
Recommendation: **Ordinances: Approval with Modifications**
CUA: Approval with Conditions

PROJECT DESCRIPTION

The Project includes demolition of the existing commercial building and new construction of a five-over-two-basement residential building with 116 dwelling units, 50% of which are affordable below market rate units. The Project includes a dwelling unit mix consisting of 16 studios (14%), 18 one-bedrooms (16%), 70 two-bedrooms (60%), and 12 three-bedroom units (10%). The proposal includes 66 off-street parking spaces, three car-share parking spaces, and 116 Class 1 bicycle parking spaces.

PLANNING CODE AMENDMENTS

The project site is split-zoned RH-1 (Residential – House, One-Family) and Excelsior Outer Mission NCD (Neighborhood Commercial District). The proposed Ordinances would rezone the project site to Excelsior Outer Mission NCD (BF 190251), establish the Cayuga/Alemany Special Use District (SUD) (BF 190250), and approve a Development Agreement (DA) (BF 190249). The proposed SUD would set forth allowances and requirements for the project to proceed, while the DA would memorialize the proposed affordability level. A Conditional Use Authorization (CUA) is also sought under the terms of the proposed SUD.

Rezoning [BF 190251]

The Way It Is Now:

1. Assessor's Block 6954, Lot 039 is currently zoned Excelsior Outer Mission Street NCD and RH-1.
2. Assessor's Block 6954, Lot 011C is currently zoned RH-1.

The Way It Would Be:

1. Assessor's Block 6954, Lot 039 would be zoned Excelsior Outer Mission Street NCD.
2. Assessor's Block 6954, Lot 011C would be zoned Excelsior Outer Mission Street NCD.

Cayuga/Alemanya Special Use District [BF 190250]

The Way It Is Now:

1. In the Excelsior Outer Mission Street NCD, density is based on lot area.
2. The Excelsior Outer Mission Street NCD does not have a dwelling unit mix requirement.
3. The subject property's height and bulk designation is 40-X.
4. The Project is subject to the inclusionary housing requirements of Planning Code Section 415.
5. The Excelsior Outer Mission Street NCD allows Planned Unit Developments (PUD) with Conditional Use Authorization.
6. In the Excelsior Outer Mission Street NCD, a CUA is required for removal of a dwelling unit.
7. In the Excelsior Outer Mission Street NCD, a CUA is required for the development of lots greater than 10,000 square feet.
8. In the Excelsior Outer Mission Street NCD, one off-street loading space is required for a residential development greater than 100,001 – 200,000 square feet.
9. The Excelsior Outer Mission Street NCD requires:
 - a. A rear yard of 25% of the lot depth, but in no case less than 15 feet, at the second story and at each succeeding level and at the first story if it contains a dwelling unit;
 - b. Each dwelling unit face out onto a qualifying open space such as a public street or public alley at least 20 feet in width; and
 - c. 80 square feet per unit for private open space or 100 square feet per unit for common usable open space. The private and common open spaces have minimum required open spaces as prescribed in Planning Code Section 135.

The Way It Would Be:

1. The SUD would remove dwelling unit density based on lot area. Density would be controlled by the height and bulk limits of the building.
2. The SUD would establish required density dwelling mix (requires more family-sized units).
3. The SUD would change the height/bulk designation to 65-X.
4. The SUD would require the inclusionary housing as described as Planning Code Section 415 except the following AMI distribution:
 - a. 10% of units affordable to 55% AMI
 - b. 10% of units affordable to 80% AMI
 - c. 30% of units affordable to 100% AMI
5. The SUD prohibits Planned Unit Development (PUD) authorizations.
6. The SUD does not require a CUA for the removal of a dwelling unit.
7. The SUD does not require a CUA for the development of a large lot.
8. The SUD does not require an off-street loading space.
9. The SUD allows the Commission to modify the following requirements from the Excelsior Outer Mission NCD:
 - a. The SUD reduces the rear yard requirement to 25% of the lot area at the lowest story containing a dwelling unit and at each succeeding story.

- b. The SUD reduces the exposure requirements for up to 60% of dwelling units (or 75 units, whichever is more) if said units include qualifying windows facing an unobstructed open area that is no less than nine feet in every horizontal dimension, and such open area is not required to expand in every horizontal dimension at each subsequent floor.
- c. The SUD removes the minimum required dimensions for private open space in inner courthards. Any other space credited as private open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 square feet. Any space credited as common open space shall have a minimum horizontal dimension of two feet and a minimum area of 100 square feet.

DEVELOPMENT AGREEMENT

The Project provides 50% affordable units, which could not be obtained through application of existing City ordinances, regulations, and policies. As such, the City and County of San Francisco has entered a Focused Development Agreement with the developer, SYTS Investments, LLC, which will establish a set of committed public benefits for the Project. The Project's commitments to public benefits includes:

- *Affordable Housing:* The Project would create a significant amount of affordable housing units, including 58 on-site affordable housing units, specifically providing eleven (11) BMR Units at 55% of AMI; twelve (12) BMR Units at 80% of AMI; and thirty-five (35) BMR Units at 100% of AMI. Under Planning Code Section 415, the Project is required to provide 19% on-site affordable housing units based on an Environmental Evaluation Application completion date of January 31, 2017. If the Project Sponsor elects to pursue HOME-SF, they would be required to provide 25% on-site affordable housing units. The Project far exceeds these requirements providing twice as many units as the optional HOME-SF program.

CONDITIONAL USE AUTHORIZATION

Per Planning Code Sections 249.63 (the Cayuga/Alemany Special Use District) and 303, the Project is required to obtain Conditional Use Authorization for new residential development within the SUD.

GENERAL PLAN COMPLIANCE

The Project is a high-density residential development, providing 116 new dwelling units. The Project includes 58 on-site affordable housing units for rent, which assist in meeting the City's affordable housing goals. Additionally, the proposal includes 82 family-sized units (70%) with at least two bedrooms or more. The Project is also in proximity to ample public transportation. Overall, the Project features an appropriate use encouraged by the Special Use District for this location. The Project introduces a contemporary architectural vocabulary that is sensitive to the prevailing scale and neighborhood fabric. On balance, the Project is consistent with the Objectives and Policies of the General Plan.

RECOMMENDATION

The Department recommends that the Commission *approve with modifications* the proposed Ordinances and adopt the attached Draft Resolutions to that effect. The Department's proposed modification is as follows:

- Remove reference to Lot 011C in all the Ordinances.

Additionally, the Department recommends that the Commission grant a Conditional Use Authorization, pursuant to Planning Code Sections 303 and 249.63 (the Cayuga/Alemaný Special Use District) to allow new construction of the proposed residential development.

BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan. The Project provides a substantial amount of new rental housing, with 50% provided as on-site below-market rate units, which is a goal for the City's Housing Element. Additionally, the Project provides 70% of total units are family-friendly housing with two bedrooms or more. The Project Sponsor is eligible for the HOME-SF program, an optional program providing more affordable units and family-friendly housing. In return, HOME-SF provides density bonuses and zoning modifications to allow the Project to accommodate more affordable units. Instead of opting for the HOME-SF program to receive the same density bonuses and zoning modifications, the Project Sponsor provides 25% more affordable housing and 30% more of total units as family-friendly housing compared to what HOME-SF requires. The Department supports the rezoning and SUD because of the increased affordability, which far exceeds the requirements of the optional HOME-SF program. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

Recommendation 1: Remove reference to Lot 011C in all the Ordinances

Due to a record keeping error, the Ordinances describe the project site comprising two lots (011C and 039). Since the Ordinances were introduced, the Department has learned that the two lots were merged circa 2011 and now there is only one lot (039). The Ordinances should accurately reflect this and strike reference to Lot 011C.

ENVIRONMENTAL REVIEW

The Planning Department published a Preliminary Mitigated Negative Declaration (MND) for the 915 Cayuga Avenue Project ("Project"), located at Assessor's Parcel Block No. 6954, Lot No. 039. The Project would demolish the existing commercial building at 915 Cayuga, and construct a new five story residential building with two basement levels.

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

The Preliminary MND and MMRP were available for public comment until February 12, 2019, no appeal of the Preliminary MND was filed, and the Department published the Final MND on March 19, 2019; and,

The Planning Commission ("Commission") has reviewed and considered the Final Mitigated Negative Declaration (MND) for the Project, and finds that the contents of said report and the procedures through which the FMND was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (CEQA), Title 14 California Code of Regulations Sections 15000 et seq. (the "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"); and

The Planning Commission finds that the FMND is adequate, accurate and objective, and reflects the independent analysis and judgment of the Planning Commission, and hereby approves the FMND for the project, and for the actions herein, in compliance with CEQA, the CEQA Guidelines and Chapter 31.

ATTACHMENTS:

Draft Resolution – Zoning Map Amendment
Draft Resolution – Planning Code, Zoning Map – Cayuga/Alemany Special Use District
Draft Resolution – Development Agreement (without attachment)
Board of Supervisors File Nos. 190249, 190250, and 190251
Draft Motion – Conditional Use Authorization
Exhibit B – Plans and Renderings
Exhibit C – CEQA Determination (Table of Contents)
Exhibit D – Land Use Data
Exhibit E – Maps and Context Photos
Exhibit F – Inclusionary Affordable Housing Affidavit
Exhibit G – Anti-Discriminatory Housing Affidavit
Exhibit H – First Source Hiring Affidavit