



SAN FRANCISCO PLANNING DEPARTMENT

SAN FRANCISCO PLANNING COMMISSION RESOLUTION NO. 17535

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RESOLUTION OF THE PLANNING COMMISSION ADOPTING FINDINGS RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE ADDING PLANNING CODE SECTION 249.32 TO ESTABLISH THE LAGUNA, HAIGHT, BUCHANAN AND HERMANN STREETS SPECIAL USE DISTRICT FOR PROPERTY GENERALLY BOUNDED BY LAGUNA, HAIGHT, BUCHANAN AND HERMANN STREETS, AS DEFINED HEREIN, TO FACILITATE THE DEVELOPMENT OF A MIXED-USE PROJECT INCLUDING AFFORDABLE AND MARKET-RATE DWELLING UNITS, SENIOR AFFORDABLE HOUSING UNITS, A COMMUNITY FACILITY, OPEN SPACE AND RETAIL SERVICES; AND MAKING ENVIRONMENTAL FINDINGS AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.

1. WHEREAS, on July 10, 2007, Supervisor Tom Ammiano introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 071002, attached as EXHIBIT A, which would amend the San Francisco Planning Code to create the Laguna, Haight, Buchanan and Hermann Street Special Use District ("SUD") generally bounded by Laguna, Haight, Buchanan and Hermann Street to impose parking maxima for residential and non-residential uses for projects requiring conditional use authorization within the SUD. Supervisor Ammiano also introduced accompanying legislation to rezone the property within the SUD from P (Public) to RM-3 and NC-3 Districts and to the SUD and to reclassify the height and bulk districts from 40-X and 80-B to 40-X, 50-X and 85-X Height and Bulk Districts.
2. WHEREAS, AF Evans Development, Inc., ground lessee and project sponsor (hereinafter "Project Sponsor") and the land owner, the Regents of the University of California, of the property subject to the SUD propose to construct on an approximately 236,113 square-foot site encompassing most of two blocks, a moderate density mixed use development of approximately 328 dwelling units, an approximately 111,175 square foot building containing approximately 110 senior affordable housing project welcoming to the lesbian, gay, bisexual and transgender (LGBT) senior community and all seniors, approximately 12,000 square feet of community facility space, and approximately 5,000 occupied square feet of neighborhood-serving retail space in a total of 10 buildings on the Property. The Project will also include approximately 90,690 square feet of parking in two underground garages that are each two levels deep (for approximately 293 spaces) and 14 surface spaces which would be on Micah Way or Lindhardt Lane (two proposed private alleys), for a total of approximately 307 spaces, and approximately 42,000 square feet of publicly accessible open space, created by the reintroduction of the Waller Street right-of-way, a community garden and other open space distributed throughout the site (in addition to private and common open space for residents) (hereinafter "Project"). The Project will result in the adaptive reuse of three City landmark buildings, the demolition of the

3. heavily altered Middle Hall and the one-story Administration Wing of Richardson Hall, and the construction of seven new buildings.
4. WHEREAS, The Department published a Draft Environmental Review Report (DEIR) on January 27, 2007 analyzing the Proposed SUD and other actions related to the Project (Case No. 2004.0773E). On January 17, 2008 by Motion No. 17532, the Planning Commission (Commission) made findings and certified the Final Environmental Impact Report (FEIR) in compliance with the California Environmental Quality Act (California Public Resources Code sections 21000 et seq., CEQA), the State CEQA Guidelines (California Code of Regulations Title 14 sections 15000 et seq.), and Chapter 31 of the San Francisco Administrative Code (Chapter 31). The Planning Commission adopted CEQA findings on January 17, 2008, in Motion No. 17533, finding alternatives to the Project infeasible and finding that the Project's benefits override its significant impact to historic resources, which findings are incorporated by this reference thereto as if fully set forth in this Resolution.
5. WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed SUD on December 20, 2007.
6. WHEREAS, The goal of this legislation is to incorporate onto the Project site many of the off-street parking policies of the Market and Octavia Area Plan, (the "Area Plan"), prior to the adoption of final zoning controls for the Market and Octavia Plan Area.
7. WHEREAS, The Commission finds that the following modifications to the proposed Ordinance are recommended in order to more fully impose other land use and transportation policies of the Area Plan on properties within the proposed SUD, as detailed in the Proposed Amended Ordinance attached hereto as Exhibit B:
 - (i) Proposed new section 249.32(b) of the Planning Code would apply the provisions of the SUD only to projects that require conditional use authorization;
 - (ii) Proposed new section 249.32(b)(1) of the Planning Code would provide that the minimum number of parking spaces required for any commercial or community facility use would instead be the maximum number of parking spaces.
 - (iii) Proposed new section 249.32(b)(2) of the Planning Code would generally impose the off-street parking performance standards for both residential and non-residential parking spaces set forth in the Area Plan.
 - (iv) Proposed new section 249.32(b)(3) of the Planning Code would generally impose the off-street loading standards set forth in the Area Plan.

- (v) Proposed new section 249.32(b)(4) of the Planning Code would require that any project whose residential density exceeds the density limits for the underlying use district would provide at least 40% of its dwelling units as two or more bedroom units, and to encourage 10% of its dwelling units as three bedroom units.
 - (vi) Proposed new section 249.32(b)(5) would permit the Planning Commission to accept in lieu of a community infrastructure impact fee the in kind provision of publicly accessible open space in excess of the residential open space requirements of the Planning Code and an indoor community center facility.
8. WHEREAS, The SUD and the Project will affirmatively promote the objectives and policies of the General Plan for the reasons set forth in Section 14 of Planning Commission Motion No. 17537, approving Conditional Use Authorization for the Project.
9. WHEREAS, Planning Code Section 101.1 establishes Eight Priority Planning Policies and requires review of Planning Code amendments for consistency with said policies. The SUD and Project complies with said policies for the reasons set forth in Section 15 of Planning Commission Motion No. 17537, approving Conditional Use Authorization for the Project.

Further, for the foregoing reasons and based on the facts presented, the Commission finds, pursuant to Section 302, that the public necessity, convenience, and general welfare require the adoption of this legislation.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board of Supervisors ADOPT the proposed Ordinance with the aforementioned modifications.

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission on January 17, 2008.

Linda Avery
Commission Secretary

AYES: Moore, Sugaya, B. Lee, Antonini, Olague, S. Lee

NAYS:

ABSENT: Alexander

ADOPTED: January 17, 2008

Attachments: EXHIBIT A (Proposed Ordinance introduced by Sup. Ammiano)
EXHIBIT B (Proposed Amended Ordinance)