



# SAN FRANCISCO PLANNING DEPARTMENT

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## 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](mailto: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**

On January 23, 2019, the Draft Mitigated Negative Declaration (MND) for the Project and the Ordinances were prepared and published for public review; it was finalized on April 11, 2019. This document determined that there is significant effect on the environment under the California Environmental Quality Act Sections 15064, 15065, and 15070.

## **ATTACHMENTS:**

Draft Resolution – Zoning Map Amendment  
Draft Resolution – Planning Code, Zoning Map – Cayuga/Alemaný 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



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Resolution

### HEARING DATE APRIL 11, 2019

*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

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**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 proposed Ordinance has been determined not to have a significant effect on the environment under the California Environmental Quality Act Sections 15064, 15065, and 15070; 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

MOVED, 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. 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.

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:

NOES:

ABSENT:

ADOPTED: April 11, 2019

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# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Resolution

HEARING DATE APRIL 11, 2019

*Project Name:* 915 CAYUGA AVE  
*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

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**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;

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 proposed Ordinance has been determined not to have a significant effect on the environment under the California Environmental Quality Act Sections 1506 4, 15065, and 15070; 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

MOVED, 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. 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/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 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.

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:

NOES:

ABSENT:

ADOPTED: April 11, 2019

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# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Resolution

HEARING DATE APRIL 11, 2019

*Project Name:* 915 CAYUGA AVE  
*Case Number:* 2016-013850DVA [Board File No. 190249]  
*Initiated by:* Supervisor Safai / Introduced March 5, 2019  
*Staff Contact:* **Veronica Flores**, Legislative Affairs  
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*Reviewed by:* Aaron D. Starr, Manager of Legislative Affairs  
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**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, 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, on April 11, 2019, the Commission by Motion No. XXXXX approved California Environmental Quality Act (CEQA) Findings, including adoption of a statement of overriding considerations, under Case No. 2016-013850ENV, for approval of the Project, which findings are incorporated by reference as though fully set forth herein.

WHEREAS, the CEQA Findings included adoption of a 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 Motion Nos. XXXXX, XXXX, and XXXXX, 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.

MOVED, 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:

NOES:

ABSENT:

ADOPTED: April 11, 2019

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[Development Agreement - SYTS Investments, LLC - 915 Cayuga Avenue]

**Ordinance approving a Development Agreement between the City and County of San Francisco and SYTS Investments, LLC, for the development project at 915 Cayuga Avenue, with various public benefits including significantly more below market rate units than otherwise required; making findings under the California Environmental Quality Act and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b); confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B and 56; and ratifying certain actions taken in connection therewith, as defined herein.**

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

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

Section 1. Project Findings.

(a) California Government Code Sections 65864 et seq. authorizes any city, county, or city and county to enter into an agreement for the development of real property within its jurisdiction.

(b) Chapter 56 of the Administrative Code ("Chapter 56") sets forth certain procedures for the processing and approval of development agreements in the City and County of San Francisco (the "City").

1 (c) SYTS Investments LLC, a California limited liability company (the "Developer"),  
2 owns Lots 039 and 011C, Block 6954, located at 915 Cayuga Avenue between Cayuga  
3 Avenue and Alemany Boulevard near the corner of Cayuga and Ocean Avenues (the "Project  
4 Site").

5 (d) The Developer filed an application with the Planning Department for approval of  
6 a development agreement relating to the Project Site (the "Development Agreement") under  
7 Chapter 56. A copy of the Development Agreement is on file with the Clerk of the Board of  
8 Supervisors in File No. \_\_\_\_\_.

9 (e) The Developer proposes to construct a five-story, approximately 115,610 square  
10 foot residential development on the Project Site that will include 116 residential units,  
11 including approximately 58 on-site below market rate ("BMR") units governed by Planning  
12 Code Chapter 415, approximately 58 market rate units, 400 square feet of accessory office  
13 space, and 69 parking spaces in a sub-grade garage, all as more particularly described in the  
14 Development Agreement (the "Project"). At least 70% of the 116 residential units will be  
15 family size units of two or more bedrooms.

16 (f) In addition to this ordinance, the Board of Supervisors is taking a number of  
17 actions in furtherance of the Project, as generally described in the Development Agreement,  
18 including Exhibit E to the Development Agreement (the "Approvals").

19 (g) In addition to the significant housing, jobs, and economic benefits to the City  
20 from the Project, additional clear benefits to the public will accrue that could not be obtained  
21 through application of existing City ordinances, regulations, and policies as a result of the  
22 development of the Project in accordance with the Development Agreement. Major public  
23 benefits to the City from the Project include providing an increase in affordable housing that  
24 exceeds City BMR requirements and will equal approximately 50% of the total number of on-  
25 site housing units from the Project; providing family size housing at levels exceeding City

1 requirements; and activating an underutilized opportunity site in the Excelsior Neighborhood  
2 Commercial District, as further described in the Development Agreement.

3 Section 2. CEQA Findings.

4 On \_\_\_\_\_, by Resolution No. \_\_\_\_\_, the Planning Commission adopted  
5 the Mitigated Negative Declaration ("MND") and a Mitigation Monitoring and Reporting  
6 Program ("MMRP") for the Project, and determined that the MND was adequate, accurate,  
7 and complete and reflected the independent judgment of the Planning Department pursuant to  
8 the California Environmental Quality Act (California Public Resources Code Sections 21000 et  
9 seq.) ("CEQA"). A copy of Planning Commission Resolution No. \_\_\_\_\_ is on file with  
10 the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ (the "CEQA Findings"). In  
11 consideration of the actions contemplated in this ordinance, the Board has reviewed the MND,  
12 the MMRP, and related documents, and adopts as its own and incorporates by reference the  
13 CEQA Findings, including the MMRP, as though fully set forth herein.

14 Section 3. General Plan and Planning Code Section 101.1(b) Findings.

15 (a) The Board of Supervisors finds that the Development Agreement will serve the  
16 public necessity, convenience, and general welfare for the reasons set forth in Planning  
17 Commission Resolution No. \_\_\_\_\_, which is on file with the Clerk of the Board in File  
18 No. \_\_\_\_\_, and incorporates by reference those reasons as though fully set forth  
19 herein.

20 (b) The Board of Supervisors finds that the Development Agreement is consistent,  
21 on balance, with the General Plan and with the eight priority policies of Planning Code  
22 Section 101.1, for the reasons set forth in Planning Commission Resolution No. \_\_\_\_\_.  
23 The Board hereby adopts those findings set forth in Planning Commission Resolution  
24 No. \_\_\_\_\_ and incorporates by reference those findings as though fully set forth herein.

25 ///

1           Section 4.    Approval of Development Agreement.

2           (a)    The Board of Supervisors approves all of the terms and conditions of the  
3 Development Agreement, in substantially the form on file with the Clerk of the Board of  
4 Supervisors in File No. \_\_\_\_\_.

5           (b)    The Board of Supervisors approves and authorizes the execution, delivery, and  
6 performance by the City of the Development Agreement as follows: (1) the Director of  
7 Planning is authorized to execute and deliver the Development Agreement, and (2) the  
8 Director of Planning, and other City officials as applicable, are authorized to take all actions  
9 reasonably necessary or prudent to perform the City's obligations and enforce the City's rights  
10 and remedies under the Development Agreement in accordance with its terms. The Director  
11 of Planning, at the Director's discretion and in consultation with the City Attorney, is  
12 authorized to enter into any additions, amendments, or other modifications to the  
13 Development Agreement that the Director of Planning determines are in the best interests of  
14 the City and that do not materially increase the obligations or liabilities of the City or materially  
15 decrease the benefits to the City as provided in the Development Agreement.

16           Section 5.    Satisfaction or Waiver of Administrative Code Provisions.

17           The Development Agreement shall prevail in the event of any conflict between the  
18 Development Agreement and any provision of Administrative Code Chapters 14B and 56, and  
19 without limiting the generality of the foregoing clause, for purposes of the Development  
20 Agreement, the conflicting provisions of Administrative Code Chapters 14B and 56 are waived  
21 or its provisions deemed satisfied as follows:

22           (a)    Housing benefits to the City from the Project, particularly the provision of BMR  
23 units and family size units exceeding City requirements, provide the unique public benefits  
24 contemplated in Chapter 56 and therefore the Project is hereby deemed to satisfy the  
25 provisions of Chapter 56.



(b) The nature of the Project's size and uniqueness is not contemplated by Administrative Code Chapter 14B or Chapter 56, Administrative Code Section 56.7(c), or Administrative Code Section 56.20, and as such those provisions are hereby waived.

(c) The provisions of the Development Agreement regarding any amendment or termination, including those relating to "Material Change," shall apply in lieu of the provisions of Administrative Code Section 56.15.

(d) In connection with the Development Agreement, the requirements of Chapter 56, as modified herein, have been substantially complied with and any procedural or other requirements of Chapter 56 are hereby waived if and to the extent that they have not been strictly complied with.

Section 6. Ratification of Prior Acts; Authorization of Subsequent Acts.

All actions taken by City officials in preparing and submitting the Development Agreement to the Board of Supervisors for review and consideration are hereby ratified and confirmed, and the Board of Supervisors hereby authorizes all subsequent action to be taken by City officials consistent with this ordinance.

Section 7. Effective and Operative Dates.

(a) Effective date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

(b) Operative date. This ordinance shall become operative on (and no rights or duties are affected until) the date that (i) it is effective, as specified in subsection 7(a), and

///

///

///

(ii) the date that Ordinance \_\_\_\_\_, establishing the Cayuga/Alemany Special Use District, in Board File No. \_\_\_\_\_ is effective.

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

By: \_\_\_\_\_  
Elizabeth A. Dietrich  
Deputy City Attorney  
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[Planning Code, Zoning Map - Cayuga/Alemanya Special Use District]

**Ordinance amending the Planning Code to establish the Cayuga/Alemanya Special Use District (SUD) for the property located at 915 Cayuga Avenue (Assessor's Parcel Block No. 6954, Lot Nos. 039 and 011C); amending the Zoning Map to add the Cayuga/Alemanya SUD and to change the height limit on Assessor's Parcel Block No. 6954, Lot Nos. 039 and 011C, to 65-X; affirming the Planning Department's California Environmental Quality Act findings; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

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

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

Section 1. Environmental and Land Use Findings.

(a) On \_\_\_\_\_, the Planning Department's Environmental Review Officer finalized a Mitigated Negative Declaration ("MND") for the 915 Cayuga Project, including these Planning Code and Zoning Map amendments, and determined that the MND was adequate, accurate, and complete and reflected the independent judgment of the Planning Department. A copy of the MND and this Determination is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference. The Planning Commission adopted the MND and a Mitigation Monitoring and Reporting Program in its Resolution No \_\_\_\_\_ on

\_\_\_\_\_. In accordance with the actions contemplated herein, the Board of Supervisors has reviewed the MND and the record as a whole, and adopts and incorporates by reference, as though fully set forth herein, the findings, including the Mitigation Monitoring and Reporting Program, pursuant to the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.), adopted by the Planning Commission on \_\_\_\_\_, in Resolution No. \_\_\_\_\_. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference. The Planning Department, Jonas Ionin, is the custodian of records, located in File No. 2016-013850ENV, at 1650 Mission Street, Fourth Floor, San Francisco, California.

(b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_, adopted findings that the actions contemplated in this ordinance are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

(c) Pursuant to Planning Code Section 302, the Board finds that the actions contemplated in this ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. \_\_\_\_\_ and the Board incorporates such reasons herein by reference. A copy of Planning Commission Resolution No. \_\_\_\_\_ is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_.

Section 2. Article 2 of the Planning Code is hereby amended by adding Section 249.63, to read as follows:

**SEC. 249.63. CAYUGA/ALEMANY SPECIAL USE DISTRICT.**

A Special Use District entitled the Cayuga/Alemanany Special Use District (Cayuga/Alemanany SUD, or SUD), is hereby established for the purpose set forth in this Section 249.63.

1           (a) **Location.** The Cayuga/Alemaný SUD is at 915 Cayuga Avenue and is generally bounded  
2 by Cayuga Street, Ocean Avenue, Alemaný Boulevard, and Onondaga Avenue, and consists of Lots 039  
3 and 011C of Assessor's Block 6954, as designated on Sectional Map SU11 of the Zoning Map.

4           (b) **Purpose.** The purpose of the Cayuga/Alemaný SUD is to give effect to the Development  
5 Agreement for the 915 Cayuga Project, as approved by the Board of Supervisors in the ordinance in  
6 File No. \_\_\_\_\_ . The Cayuga/Alemaný SUD will facilitate the construction of a residential  
7 development project that provides family size housing of two or more bedrooms, and on-site affordable  
8 housing units, both at levels exceeding City requirements.

9           (c) **Controls.** All provisions of the Planning Code applicable to the Excelsior Outer Mission  
10 Neighborhood Commercial District shall apply to the Cayuga/Alemaný SUD except as otherwise  
11 provided in this Section 249.63.

12           (1) **Dwelling Unit Density.** There shall be no residential density limit within this SUD.

13           (2) **Dwelling Unit Mix.** The following dwelling unit mix criteria shall apply in this  
14 SUD:

15                   (i) No less than 70% of the total number of proposed dwelling units shall  
16 contain at least two bedrooms. Any fraction resulting from this calculation shall be rounded to the  
17 nearest whole number of dwelling units;

18                   (ii) No less than 10% of the total number of proposed dwelling units shall  
19 contain at least three bedrooms. Any fraction resulting from this calculation shall be rounded to the  
20 nearest whole number of dwelling units. Units counted towards this requirement may also count  
21 towards the requirement for units with two or more bedrooms as described in subsection (c)(2)(i).

22           (3) **Inclusionary Housing.** The requirements of Section 415 of this Code shall apply in  
23 this SUD, except as expressly provided herein.

1                    (A) Compliance with Section 415 shall be by providing affordable units on-site  
2 in accordance with Section 415.6. Payment of an affordable housing fee under Section 415.5, or  
3 construction of units off-site under Section 415.7 are not permitted to satisfy Section 415.

4                    (B) The number of Affordable Units constructed on-site shall be 50% of the  
5 number of all units constructed on-site.

6                    (i) Ten percent of the units shall be affordable to households earning  
7 55% of Area Median Income, with households earning up to 65% of Area Median Income eligible to  
8 apply for units under this subsection (c)(3)(B)(i).

9                    (ii) Ten percent of the units shall be affordable to households earning  
10 80% or less of Area Median Income, with households earning from 65% to 90% of Area Median  
11 Income eligible to apply for units under this subsection (c)(3)(B)(ii).

12                    (ii) Thirty percent of the units shall be affordable to households earning  
13 up to 100% of Area Median Income, with households earning from 90% to 130% of Area Median  
14 Income eligible to apply for units under this subsection (c)(3)(B)(iii).

15                    (4) **Demolition of Dwelling Units.** No discretionary review or Conditional Use  
16 authorization pursuant to Section 317 or any other section of this Code shall be required for the  
17 demolition of any Dwelling Unit within this SUD.

18                    (5) **Development of Large Lots.** Conditional Use authorization pursuant to Section  
19 121.1 shall not be required.

20                    (6) **Off-Street Loading.** Off-street loading spaces pursuant to Section 152 shall not be  
21 required.

22                    (7) **Off-Street Parking.** Any increase in the number of off-street parking spaces  
23 subsequent to issuance of a first certificate of occupancy shall be subject to all applicable provisions of  
24 this Code, except that no new Conditional Use Authorization shall be required. Off-street parking shall  
25 not exceed a ratio of one parking space for each dwelling unit.

1                   (8) **Planned Unit Developments.** No Planned Unit Development under Planning Code  
2 Section 304 shall be authorized.

3                   (9) **Conditional Use.** New residential development within the SUD shall be reviewed  
4 and approved in accordance with the Conditional Use authorization process of Section 303.

5                   (A) In acting on any application for Conditional Use within this SUD, the  
6 Commission shall consider the Conditional Use requirements set forth in subsection 303(c), and in  
7 addition shall consider whether facts are presented to establish, based on the record before the  
8 Commission, one or more of the following:

9                               (i) The proposed project promotes housing affordability by increasing  
10 the housing supply.

11                              (ii) The proposed project provides housing on-site at levels significantly  
12 higher than the requirements of Section 415.

13                   (B) In acting on any application for Conditional Use within this SUD, the  
14 Commission may modify the following requirements as stated:

15                              (i) **Rear Yard.** The required rear yard per Section 134 may be reduced  
16 to no less than 25% of the lot area. Rear yard shall be provided at the lowest story containing a  
17 Dwelling Unit and at each succeeding story.

18                              (ii) **Dwelling Unit Exposure.** The dwelling unit exposure requirements of  
19 Section 140(a)(2) for up to 60% of dwelling units, or 75 units, whichever is more, may be satisfied  
20 through qualifying windows facing an unobstructed open area that is no less than nine feet in every  
21 horizontal dimension, and such open area is not required to expand in every horizontal dimension at  
22 each subsequent floor.

23                              (iii) **Open Space.** The open space requirements of Section 135 may be  
24 reduced to no less than 80 square feet per unit if private open space, or 100 square feet per unit if  
25 common open space, and there shall be no minimum required dimensions for private open space in

inner courtyards. 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 usable open space shall have a minimum horizontal dimension of ten feet and a minimum area of 100 square feet.

Section 3. The Planning Code is hereby amended by revising Sheet SU11 of the Zoning Map as follows:

Description of Property	Use District to be Superseded	Use District Hereby Approved
Assessor's Block 6954, Lot 039	Excelsior Outer Mission Street Neighborhood Commercial District	Excelsior Outer Mission Street Neighborhood Commercial District and Cayuga/Alemany Special Use District
Assessor's Block 6954, Lot 011C	Excelsior Outer Mission Street Neighborhood Commercial District	Excelsior Outer Mission Street Neighborhood Commercial District and Cayuga/Alemany Special Use District

Section 4. The Planning Code is hereby amended by revising Sheet HT11 of the Zoning Map as follows:

Description of Property	Height/Bulk District to be Superseded	Height/Bulk District Hereby Approved
-------------------------	---------------------------------------	--------------------------------------



1 2 3	Assessor's Block 6954, Lots 039 and 011C	40-X	65-X
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4           Section 5. Effective Date. This ordinance shall become effective 30 days after  
5 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
6 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
7 of Supervisors overrides the Mayor's veto of the ordinance.

8  
9           Section 6. Sunset Provision. This ordinance, including Planning Code Section 249.63,  
10 the Special Use District in Section, 2 and the Zoning Map amendments in Sections 3 and 4,  
11 shall expire by operation of law either (a) immediately upon termination of the Development  
12 Agreement for the 915 Cayuga Project, which was approved by the Board of Supervisors in  
13 the ordinance in File No. \_\_\_\_\_, or (b) five years after the effective date of this ordinance  
14 unless, on or before that five-year date, the 915 Cayuga Project referenced in Section 1(a)  
15 has received a first construction document, or the City extends or re-enacts this ordinance.  
16 Upon expiration of this ordinance, the City Attorney shall cause its provisions to be removed  
17 from the Planning Code and the Zoning Maps.

18  
19  
20 APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

21  
22 By: \_\_\_\_\_  
AUDREY WILLIAMS PEARSON  
23 Deputy City Attorney

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[Planning Code - Zoning Map Amendment]

**Ordinance amending 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; and to change the zoning district on Assessor's Parcel Block No. 6954, Lot No. 011C, from RH-1 to Excelsior Outer Mission Street Neighborhood Commercial District; affirming the Planning Department's California Environmental Quality Act findings; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101; and making findings of public convenience, necessity, and welfare under Planning Code, Section 302.**

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

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

Section 1. Environmental and Land Use Findings.

(a) On \_\_\_\_\_, the Planning Department's Environmental Review Officer finalized a Mitigated Negative Declaration ("MND") for the 915 Cayuga Project, including this Zoning Map amendment, and determined that the MND was adequate, accurate and complete and reflected the independent judgment of the Planning Department. A copy of the MND and this Determination is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is

1 incorporated herein by reference. The Planning Commission adopted the MND and a  
2 Mitigation Monitoring and Reporting Program in its Resolution No \_\_\_\_\_ on \_\_\_\_\_.  
3 In accordance with the actions contemplated herein, the Board of Supervisors has reviewed  
4 the MND and the record as a whole, and adopts and incorporates by reference, as though  
5 fully set forth herein, the findings, including the Mitigation Monitoring and Reporting Program,  
6 pursuant to the California Environmental Quality Act (California Public Resources Code  
7 Section 21000 et seq.), adopted by the Planning Commission on \_\_\_\_\_, in Resolution  
8 No. \_\_\_\_\_. A copy of said Resolution No. \_\_\_\_\_ is on file with the Clerk of the Board  
9 of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference. The Planning  
10 Department, Jonas Ionin, is the custodian of records, located in File No. 2016-013850ENV, at  
11 1650 Mission Street, Fourth Floor, San Francisco, California.

12 (b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_, adopted  
13 findings that the actions contemplated in this ordinance are consistent, on balance, with the  
14 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board  
15 adopts these findings as its own. A copy of said Resolution \_\_\_\_\_ is on file with the Clerk  
16 of the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

17 (c) Pursuant to Planning Code Section 302, the Board finds that the actions  
18 contemplated in this ordinance will serve the public necessity, convenience, and welfare for  
19 the reasons set forth in Planning Commission Resolution No. \_\_\_\_\_ and the Board  
20 incorporates such reasons herein by reference. A copy of Planning Commission Resolution  
21 No. \_\_\_\_\_ is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_.

22 //

23 //

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25 ///

Section 2. The Planning Code is hereby amended by revising Sheet SU11 of the Zoning Map as follows:

Description of Property	Use District to be Superseded	Use District Hereby Approved
Assessor's Block 6954, Lot 039	Excelsior Outer Mission Street Neighborhood Commercial District and RH-1	Excelsior Outer Mission Street Neighborhood Commercial District
Assessor's Block 6954, Lot 011C	RH-1	Excelsior Outer Mission Street Neighborhood Commercial District

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

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

By: \_\_\_\_\_  
AUDREY PEARSON  
Deputy City Attorney  
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# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion

HEARING DATE: APRIL 11, 2019

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Record No.:* 2018-013850CUA  
*Project Address:* 915 CAYUGA AVENUE  
*Zoning:* Excelsior Outer Mission Neighborhood Commercial District (NCD) Zoning  
Cayuga/Alemaný Special Use District  
40-X Height and Bulk District  
*Block/Lot:* 6954/039  
*Project Sponsor:* Reza Khoshnevisan  
SIA Consulting Corporation  
1256 Howard Street  
San Francisco, CA 94103  
*Property Owner:* SYTS Investments, LLC  
1256 Howard Street  
San Francisco, CA 94103  
*Staff Contact:* Veronica Flores – (415) 575-9173  
[veronica.flores@sfgov.org](mailto:veronica.flores@sfgov.org)

ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 249.63, TO ALLOW DEMOLITION OF THE EXISTING COMMERCIAL BUILDINGS AND NEW CONSTRUCTION OF A FIVE-STORY-OVER-TWO-BASEMENT RESIDENTIAL BUILDING (APPROXIMATELY 115,495 SQUARE FEET AND 50 FEET TALL AS MEASURED FROM ALEMANY BOULEVARD) WITH 116 DWELLING UNITS (CONSISTING OF 16 STUDIOS (14%), 18 ONE-BEDROOM UNITS (16%), 70 TWO-BEDROOM UNITS (60%), AND 12 THREE-BEDROOM UNITS (10%)) WITH 50% AFFORDABLE BELOW MARKET RATE UNITS, 66 OFF-STREET PARKING SPACES, THREE CAR-SHARE PARKING SPACES, 116 CLASS 1 BICYCLE PARKING SPACES, AND 18 CLASS 2 BICYCLE PARKING SPACES, LOCATED AT 915 CAYUGA AVENUE, LOT 039 IN ASSESSOR'S BLOCK 6954, WITHIN THE EXCELSIOR OUTER MISSION NEIGHBORHOOD COMMERCIAL ZONING DISTRICT, CAYUGA/ALEMANY SPECIAL USE DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

### PREAMBLE

On January 10, 2018, Reza Khoshnevisan of SIA Consulting Corporation (hereinafter "Project Sponsor") filed Application No. 2016-013850CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to construct a new five-story-over-two-basement, 50-foot tall, residential building with 116 dwelling units (hereinafter "Project") at 915 Cayuga Avenue, Block 6954 Lot 039 (hereinafter "Project Site").

On January 23, 2019 the Planning Department published the 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. The Planning Commission reviewed the MND and, on April 11, 2019, adopted the MND, 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

The Planning Commission found the Final MND was adequate, accurate and objective, reflected the independent analysis and judgment of the Department of City Planning and the Planning Commission, and that the summary of comments and responses contained no significant revisions to the Draft MND, and approved the FMND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

The Planning Department, Jonas Ionin, is the custodian of records, located in the File for Case No. 2016-013850ENV at 1650 Mission Street, Fourth Floor, San Francisco, California.

On April 11, 2019, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2016-013850CUA.

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 Conditional Use Authorization as requested in Application No. 2016-013850CUA, 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. **Project Description.** The Project includes demolition of the existing commercial building and new construction of a five-over-two-basement residential building (approximately 115,495 square feet and 50-foot tall as measured from Alemany Boulevard) 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, 116 Class 1 bicycle parking spaces, and 18 Class 2 bicycle parking spaces.



3. **Site Description and Present Use.** The Project Site is approximately 32,182 square feet in size, with approximately 160 feet of frontage along Alemany Boulevard and 20 feet of frontage along Cayuga Avenue. The Project Site contains an existing commercial space (measuring approximately 12,555 square feet) including a performance studio, dance/yoga movement studio, and an automotive and metalworking shop.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the Excelsior Outer Mission Neighborhood Commercial District and the Cayuga/Alemany Special Use District. The immediate context is mixed in character with residential and commercial uses. The immediate neighborhood includes one-to-two-story commercial uses to the north, primarily two-to-three-story residential development to the east, and two-story single-family residences to the west and south of the Project Site. Other zoning districts near the Project Site include: Excelsior Outer Mission Neighborhood Commercial District, RH-1 (Residential – House, One-Family), RH-2 (Residential – House, Two-Family), and P (Public).
5. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
  - A. **Use and Density.** Planning Code Section 720 states that residential uses are permitted within the Excelsior Outer Mission Use District. Planning Code Section 249.63 states there is no limit to the number of dwelling units.

*The Project proposes 116 dwelling units consisting of 16 studios (14%), 18 one-bedrooms (10%), 70 two-bedrooms (60%), and 12 three-bedroom units (10%).*
  - B. **Rear Yard.** Pursuant to Planning Code Section 249.63, Planning Commission may modify the Planning Code Section 134 rear yard requirements to be reduced to 25% of lot area at the lowest story containing a dwelling unit and at each succeeding story.

*The Project Site has rear yard of 8,182 square feet, exceeding the required 25% of the lot area.*
  - C. **Residential Open Space.** Planning Code Section 720 requires 80 square feet per unit if private, or 100 square feet per unit if common within the Excelsior Outer Mission Neighborhood Commercial Zoning District. Pursuant to Planning Code Section 249.63, Planning Commission may eliminate the minimum required dimensions for private open space in inner courtyards, modify the required dimensions for any other space credited to private open space to have a minimum horizontal dimension of six feet and a minimum area of 36 feet and modify the minimum required dimensions for common usable open space to have a minimum horizontal dimension of ten feet and a minimum area of 100 feet

*The Project has common usable open space on the roof top, the inner courtyard on Basement -1, and an open area on Basement -2. The Project also provides private open space through decks and balconies. All said spaces meet the minimum required dimensions as prescribed in the SUD.*

- D. **Dwelling Unit Exposure.** Pursuant to Planning Code Section 249.63, Planning Commission may modify the Planning Code Section 140 exposure requirements to be reduced for up to 60% of dwelling units, or 75 units, whichever is more, may be satisfied through 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.

*Of the proposed 116 dwelling units, 67 units face onto a qualifying open space that is a minimum of nine feet in every horizontal dimension and open to the sky as prescribed by the SUD. This represents approximately 58% of the proposed dwelling units and satisfies the dwelling unit exposure requirements.*

- E. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

*The subject commercial space has approximately 160 feet of frontage on Alemany Boulevard with almost 100% dedicated to the secondary lobby entrance or residential unit entrances or windows.*

- F. **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 of the Environmental Evaluation Application. An Environmental Evaluation Application was accepted on January 31, 2017; therefore, pursuant to Planning

Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 19% 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 rental units and will remain as rental units for the life of the project. The Project Sponsor submitted such Affidavit on March 11, 2019. The applicable percentage is dependent on the total number of units in the project, the zoning of the property, and the date of the accepted Environmental Evaluation Application. An Environmental Evaluation Application was accepted on January 31, 2017; therefore, pursuant to Planning Code Section 415.3 the Inclusionary Affordable Housing Program requirement for the On-site Affordable Housing Alternative is to provide 19% of the total proposed dwelling units as affordable. The Project Sponsor has entered into a Development Agreement with the City and will provide 50% of the total proposed dwelling units as affordable, with a minimum of 10% of the units affordable to low-income households, 10% of the units affordable to moderate-income households, and the remaining 30% of the units affordable to middle-income households, as defined by the Planning Code and Procedures Manual. 58 units (12 studios, 14 one-bedroom, 30 two-bedroom, and 2 three-bedroom units) of the total 116 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.*

- G. 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 18 points.

*The Project's Environmental Evaluation Application was deemed complete on January 31, 2017 and must meet the required target of 18 points in its entirety. As currently proposed, the Project will achieve its required 18 points through the following TDM measures:*

- Improve Walking Conditions (Option A)
- Bicycle Parking (Option C)
- Bicycle Repair Station
- Car-share Parking (Option B)
- Delivery Supportive Amenities
- Multimodal Wayfinding Signage
- Tailored Transportation Marketing Services (Option C)
- On-Site Affordable Housing

- Unbundled Parking
- Parking Supply (Option A)

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

*The Project will add 116 new residential units to the District. The building has been designed to serve as a transition between the residential uses to commercial uses along the corridor. The Project Site is within proximity to the Balboa Park BART Station and several MUNI bus routes.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The height and bulk of the existing building will remain the same and will not alter the existing appearance or character of the project vicinity. The proposed work will not affect the building envelope, yet the inclusion of outside seating will alter the use of the property.*

- (2) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

*The Planning Code does not require parking for the proposed Project. The Project provides 66 off-street vehicular parking spaces and 116 Class 1 bicycle parking spaces for residents and their guests. Additionally, the Project Site is served by nearby public transportation options including BART and several MUNI bus routes.*

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

*The proposal is residential and will not yield noxious or offensive emissions.*

- (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

*The proposed project is residential and includes appropriate landscaping, open spaces, and parking.*

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

*The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.*

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

*The proposed project is consistent with the stated purpose of Excelsior Outer Mission NCD as it provides a new residential development in the District.*

8. **Cayuga/Alemanany Special Use District.** Planning Code Section 249.63 establishes criteria for the Planning Commission to consider when reviewing applications within the SUD. On balance, the project complies with said criteria in that:

- A. The proposed project promotes housing affordability by increasing the housing supply.

*The Project includes 116 new residential units on a site that currently does not include any residential uses. This provides a substantial amount of new housing with 50% of the total units as affordable. Additionally, the Project includes 70% of the total units as family-sized units which is lacking in the District.*

- B. The proposed project provides housing on-site at levels significantly higher than the requirements of Section 415.

*The Project is required to provide 19% on-site affordable units pursuant to Planning Code Section 415. The Project provides 50% on-site affordable units far exceeding the requirements.*

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.

**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.

**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.

**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.

**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.

*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. The Project has provided voluntarily relocation assistance to the existing commercial tenants to be able to stay within the District. 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.*

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 complies 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 has provided voluntarily relocation assistance to the existing commercial tenants to be able to stay within the District. The Project provides 116 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 not contain any existing housing. The Project would provide 116 new dwelling units, thus resulting in an overall increase in the neighborhood housing stock. In addition, the Project provides 50% affordable units and at least 70% family-sized units. For these reasons, the 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 Site does not currently contain any existing affordable housing. The Project will exceed the City's Inclusionary Housing Program by providing 58 below-market rate dwelling units for rent. Therefore, the Project will increase the stock of affordable housing units in the City.*

- 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 within walking distance of the Balboa Park BART Station. In addition, the Project is within one block of 14-Mission, 29-Sunset, 49-Van Ness/Mission bus routes. Future residents would be afforded proximity to a bus line. The Project also provides off-street parking and sufficient bicycle parking for 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.

*Although the Project removes the existing commercial uses, the Project does provide new housing, which is a top priority for the City. The Project Sponsor voluntarily worked with the existing commercial tenants to relocate them to another one of their buildings within the District.*

- F. That the City achieve 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.

*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 would not cast shadows on any nearby public parks or 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 (Administrative Code Section 83.11), 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 Conditional Use 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 Conditional Use Authorization Application No. 2016-013850CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated March 21, 2019, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

On January 23, 2019 the Planning Department published the 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. The Planning Commission reviewed the MND and, on April 11, 2019, adopted the MND, 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").

The Planning Commission found the Final MND was adequate, accurate and objective, reflected the independent analysis and judgment of the Department of City Planning and the Planning Commission, and that the summary of comments and responses contained no significant revisions to the Draft MND, and approved the FMND for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

The Planning Department, Jonas Ionin, is the custodian of records, located in the File for Case No. 2016-013850ENV 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.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

**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 April 11, 2019.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 11, 2019

## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use to allow a new five-story-over-two-basement, 116 residential unit development with 50% affordable units located at 915 Cayuga Avenue, Block 6954, and Lot 039 pursuant to Planning Code Sections 303 and 249.63 within the **Excelsior Outer Mission Neighborhood Commercial District, Cayuga/Alemany Special Use District**, and a **40-X** Height and Bulk District; in general conformance with plans, dated **March 21, 2019**, and stamped “EXHIBIT B” included in the docket for Record No. **2016-013850CUA** and subject to conditions of approval reviewed and approved by the Commission on **April 11, 2019** under Motion No **XXXXXX**. 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 **April 11, 2019** under Motion No **XXXXXX**.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **XXXXXX** 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 Conditional Use 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 Conditional Use authorization.

## Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for five (5) years from the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) become effective. 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 five-year period.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the five (5) 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](http://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 five (5) years have passed since the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) became effective.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://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](http://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 unless otherwise provided pursuant to the Development Agreement.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

6. **Priority Processing.** This Project was enrolled into the Priority Processing Program, as a Type 1A Project, pursuant to Director's Bulletin No. 2.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

7. **Mitigation Measures.** Mitigation measures described in the Mitigation Monitoring Reporting Program (MMRP) are necessary to avoid potential significant effects of the proposed project and have been agreed to by the Project Sponsor. Their implementation is a condition of project approval.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## DESIGN – COMPLIANCE AT PLAN STAGE

8. **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](http://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 building permit plans. 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](http://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. 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](http://www.sf-planning.org)*

11. **Streetscape Plan.** Pursuant to Planning Code Section 138.1, the Project Sponsor shall continue to work with Planning Department staff, in consultation with other City agencies, to refine the design

and programming of the Streetscape Plan so that the plan generally meets the standards of the Better Streets Plan and all applicable City standards. The Project Sponsor shall complete final design of all required street improvements, including procurement of relevant City permits, prior to issuance of first architectural addenda, and shall complete construction of all required street improvements prior to issuance of first temporary certificate of occupancy.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

12. **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>*

13. **Overhead Wiring.** The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.

*For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415-701-4500, [www.sfmta.org](http://www.sfmta.org)*

## PARKING AND TRAFFIC

14. **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 the TDM Performance Manager at [tdm@sfgov.org](mailto:tdm@sfgov.org) or 415-558-6377, [www.sf-planning.org](http://www.sf-planning.org).*

15. **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](http://www.sf-planning.org)*

16. **Car Share.** Pursuant to Planning Code Section 166, no fewer than **two (2)** 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.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

17. **Bicycle Parking.** The Project shall provide no fewer than **116** Class 1 bicycle parking spaces as required by Planning Code Sections 155.1 and 155.2.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

18. **Parking Maximum.** Pursuant to Planning Code Section 151 or 151.1, the Project shall provide no more than **116** off-street parking spaces. Any increases in the number of parking spaces in the



attached Exhibit B Plans shall not require a new Conditional Use Authorization as long as the off-street parking does not exceed a ratio of one parking space for each dwelling unit.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

19. **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](http://www.sf-planning.org)*

## PROVISIONS

20. **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](http://www.sf-planning.org)*

21. **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](http://www.onestopSF.org)*

22. **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](http://www.sf-planning.org)*

23. **Residential Child Care Impact Fee.** 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](http://www.sf-planning.org)*

24. **Affordable Units.** The following Inclusionary Affordable Housing Requirements are those in effect at the time of Planning Commission action. Except as provided in the Development Agreement, the Conditions of Approval set forth in Exhibit A of Motion No. XXXXX apply to this approval, and are incorporated herein after.

25. **Number of Required Units.** Pursuant to Planning Code Section 415.3 and the Development Agreement, the Project is required to provide 50% of the proposed dwelling units as affordable to qualifying households. The Project contains 116 units; therefore, 58 affordable units are currently required. The Project Sponsor will fulfill this requirement by providing the 58 affordable units on-site. 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](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).
26. **Unit Mix.** The Project contains 16 studios, 18 one-bedroom, 70 two-bedroom, and 12 three-bedroom units; therefore, the required affordable unit mix is 12 studios, 14 one-bedroom, 30 two-bedroom, and 2 three-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](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).
27. **Mixed Income Levels for Affordable Units.** Pursuant to Planning Code Section 415.3 and the Development Agreement, the Project is required to provide 50% of the proposed dwelling units as affordable to qualifying households. At least 10% must be affordable to low-income households, at least 10% must be affordable to moderate income households, and at least 30% must be affordable to middle income households. Rental Units for low-income households shall have an affordable rent set at 55% of Area Median Income or less, with households earning up to 65% of Area Median Income eligible to apply for low-income units. Rental Units for moderate-income households shall have an affordable rent set at 80% of Area Median Income or less, with households earning from 65% to 90% of Area Median Income eligible to apply for moderate-income units. Rental Units for middle-income households shall have an affordable rent set at 100% of Area Median Income or less, with households earning from 90% to 130% of Area Median Income eligible to apply for middle-income units. 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](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).
28. **Minimum Unit Sizes.** The affordable units shall meet the minimum unit sizes standards established by the California Tax Credit Allocation Committee (TCAC) as of May 16, 2017. One-bedroom units must be at least 450 square feet, two-bedroom units must be at least 700 square feet,

and three-bedroom units must be at least 900 square feet. Studio units must be at least 300 square feet pursuant to Planning Code Section 415.6(f)(2). The total residential floor area devoted to the affordable units shall not be less than the applicable percentage applied to the total residential floor area of the principal project, provided that a 10% variation in floor area is permitted.

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

29. **Conversion of Rental Units.** In the event one or more of the Rental Units are converted to Ownership units, the Project Sponsor shall either (A) reimburse the City the proportional amount of the inclusionary affordable housing fee, which would be equivalent to the then-current inclusionary affordable fee requirement for Owned Units, or (B) provide additional on-site or off-site affordable units equivalent to the difference between the on-site rate for rental units approved at the time of entitlement and the then-current inclusionary requirements for Owned Units. The additional units shall be apportioned among the required number of units at various income levels in compliance with the requirements in effect at the time of conversion.

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

30. **Notice of Special Restrictions.** The 58 affordable units shall be designated on a reduced set of plans recorded as a Notice of Special Restrictions on the property prior to architectural addenda. The designation for all 58 units shall comply with the designation standards published by the Planning Department and updated periodically.

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

31. **Phasing.** If any building permit is issued for partial phasing of the Project, the Project Sponsor shall have designated not less than 50 percent (50%), 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](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).

32. **Duration.** Under Planning Code Section 415.8, all units constructed pursuant to Section 415.6 and the Development Agreement, 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](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).

33. **Reduction of On-Site Units after Project Approval.** Pursuant to Planning Code Section 415.5(g)(3), any changes by the Project Sponsor which result in the reduction of the number of on-site affordable units shall require public notice for hearing and approval from the Planning Commission.

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

34. **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](http://www.sf-planning.org) or the Mayor's Office of Housing and Community Development at 415-701-5500, [www.sf-moh.org](http://www.sf-moh.org).

- A. The 58 affordable units shall be designated on the building plans prior to the issuance of the first construction permit by the Department of Building Inspection ("DBI"). The 58 affordable units shall (1) be constructed, completed, ready for occupancy and marketed no later than the market rate units, and (2) be evenly distributed throughout the building; and (3) 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 units in the building are offered for rent, the affordable unit(s) shall be rented to qualifying households, with a minimum of 10% of the units affordable to low-income households, 10% to moderate-income households, and the remaining 30% of the units affordable to middle-income households such 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. 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, including penalties and interest, if applicable.

## MONITORING - AFTER ENTITLEMENT

- 35. **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](http://www.sf-planning.org)*
- 36. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
- 37. **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](http://www.sf-planning.org)*

## OPERATION

38. **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>*

39. **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 and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups 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](http://www.sf-planning.org)*



1		2		3		4		5		6		7		8		9		10	
FLOOR AREA DATA																		PROJECT NAME  915 Cayuga Ave. SAN FRANCISCO, CA	
FLOOR AREA DATA BREAKDOWN (GSF)																			
LEVEL		RESIDENTIAL	OFFICE	GARBAGE	GARAGE	BIKE PARKING	OTHER	TOTAL		PROPOSED NEW CONSTRUCTION OF A FIVE-STORY OVER TWO BASEMENT BUILDING AT 915 CAYUGE AVE. THE PROPOSED DESIGN INCLUDES 116 RESIDENTIAL UNITS, ONE RENTAL OFFICE & 69 CAR PARKING, WITH 50% PRIVATELY FUNDED AFFORDABLE UNITS.									
BASEMENT -2		2,422 ± S.F.	-	741 ± S.F.	20,201 ± S.F.	-	318 ± S.F.	23,682 ± S.F.											
BASEMENT -1		14,305 ± S.F.	-	-	-	2,175 ± S.F.	2,261 ± S.F.	18,741 ±S.F.											
1ST FLOOR		17,569 ± S.F.	398 ± S.F.	-	-	-	-	17,967 ±S.F.											
2ND FLOOR		18,351 ± S.F.	-	-	-	-	-	18,351 ±S.F.											
3RD FLOOR		15,640 ± S.F.	-	-	-	-	-	15,640 ±S.F.											
4TH FLOOR		15,464 ± S.F.	-	-	-	-	-	15,464 ±S.F.											
5TH FLOOR		5,650 ± S.F.	-	-	-	-	-	5,650 ±S.F.											
TOTAL		89,401 ± S.F.	398 ± S.F.	741 ± S.F.	20,201 ± S.F.	2,175 ± S.F.	2,579 ± S.F.	115,495 ±S.F.		DRAWING INDEX									
RESIDENTIAL UNIT MIX																			
BUILDING LEVEL		UNIT TYPE																	
		STUDIO	1-BEDROOM	2-BEDROOM	3-BEDROOM	TOTAL													
-2		5	-	-	-	5													
-1		1	4	10	2	17													
1		4	2	14	2	22													
2		2	3	17	2	24													
3		2	4	11	3	20													
4		2	4	11	3	20													
5		-	1	7	-	8													
TOTAL		16	18	70 (60%)	12(10%)	116													
50% BMR UNIT DISTRIBUTION MIX.																			
BMR UNIT		QUANTITY	10% AT 55% AMI		10% AT 80% AMI		30% AT 100% AMI												
Studio		16	2		1		13												
One-Bedroom		17	2		1		14												
Two-Bedroom		21	6		8		7												
Three-Bedroom		4	1		2		1												
TOTAL		58	11		12		35												
ASSESSOR'S PARCEL MAP																			
PROJECT DATA																			
PLANNING DATA																			
ADDRESS: 915 CAYUGA AVENUE																			
LOT AREA: 32,182 ± S.F.																			
BLOCK / LOT: 6954 / 039																			
BUILDING HEIGHT: 40-X																			
ZONING: EXCELSIOR OUTER MISSION STREET COMMERCIAL																			
DISTRICT / RH1																			
REAR YARD																			
REQUIRED: 8,046 S.F. (25% OF LOT AREA: 32,182 S.F. x 0.25)																			
PROVIDED: 8,182 S.F.																			
GROSS FLOOR AREA - PER PLANNING CODE																			
BASEMENT -2 FLOOR : 23,682 ± S.F. (TOTAL)																			
21,260 ± S.F. (GARAGE, GARBAGE & OTHER)																			
2,422 ± S.F. (RESIDENTIAL)																			
18,741 ± S.F. (TOTAL)																			
4,436 ± S.F. (BIKE PARKING & STORAGE)																			
14,305 ± S.F. (RESIDENTIAL)																			
17,967 ± S.F. (TOTAL)																			
398 ± S.F. (RENTAL OFFICE)																			
17,569 ± S.F. (RESIDENTIAL)																			
18,351 ± S.F.																			
15,640 ± S.F.																			
15,464 ± S.F.																			
5,650 ± S.F.																			
BASEMENT -1 FLOOR : (INC. CIRCULATION)																			
1ST FLOOR RESIDENTIAL: (INC. CIRCULATION)																			
2ND FLOOR RESIDENTIAL: (INCL. CIRCULATION)																			
3RD FLOOR RESIDENTIAL: (INCL. CIRCULATION)																			
4TH FLOOR RESIDENTIAL: (INCL. CIRCULATION)																			
5TH FLOOR RESIDENTIAL: (INCL. CIRCULATION)																			
GROSS BUILDING AREA: 115,495 ± S.F.																			
RESIDENTIAL AREA SUBTOTAL: 89,401 ± S.F.																			
USABLE OPEN SPACE																			
REQUIRED: 11,600 S.F. (100 S.F. PER DWELLING UNIT x 116 UNITS)																			
PROVIDED: 12,416 S.F. TOTAL																			
1,368 S.F. (COMMON) @ BACK YARD																			
1,072 S.F. (COMMON) @ BASEMENT 1																			
3,496 S.F. (PRIVATE) @ BASEMENT 1																			
313 S.F. (PRIVATE) @ 3TH FLOOR																			
6,167 S.F. (COMMON) @ ROOF TOP																			
PARKING SUMMARY																			
CAR PARKING:																			
CLASS I BICYCLE PARKING																			
CLASS II BICYCLE PARKING:																			
69 CAR PARKING																			
116 BICYCLE PARKING (ONE PER DWELLING)																			
18 @ SIDE WALK																			
BUILDING CODE SUMMARY																			
# OF STORIES 5 OVER 2 BASEMENT																			
BUILDING HEIGHT: 50'-0"																			
CONSTRUCTION TYPE TYPE "I-B"																			
OCCUPANCY GROUP B, R-2, S-2																			
APPLICABLE CODES																			
2016 CALIFORNIA CODES EDITIONS W/ SAN FRANCISCO AMENDMENTS																			
SHEET TITLE																			
Cover Sheet																			
ISSUES / REVISIONS																			
NO. DATE DESCRIPTION																			
DRAWN SH.R.																			
CHECKED R.K.																			
DATE 10/20/2016																			
REVISED DATE 03/21/2019																			
JOB NO. 16-1723																			
SHEET NO. A-0.1																			

EXHIBIT B

FLOOR AREA DATA

PROJECT DATA

SCOPE OF WORK

PROJECT NAME

915 Cayuga Ave.  
SAN FRANCISCO, CA

DRAWING INDEX

A0.1	COVER SHEET
A0.2	VICINITY MAP
A0.3	PROJECT PHOTOS
A0.4	PERSPECTIVE
A0.5	REAR PERSPECTIVE
A0.6	STREET VIEW
C0.1	SURVEY
A1.0	PROPOSED SITE PLAN
A2.0	LEGALLY ESTABLISHED FLOOR PLAN
A2.1	BASEMENT -2 PLAN
A2.2	BASEMENT -1 PLAN
A2.3	FIRST FLOOR PLAN
A2.4	SECOND FLOOR PLAN
A2.5	THIRD FLOOR PLAN
A2.6	FOURTH FLOOR PLAN
A2.7	FIFTH FLOOR PLAN
A2.8	ROOF PLAN
A3.1	ALEMANY BLVD & CAYUGA AVE ELEVATION
A3.2	LEFT & RIGHT ELEVATION
A4.1	BUILDING SECTION
A4.2	BUILDING SECTION



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Cover Sheet

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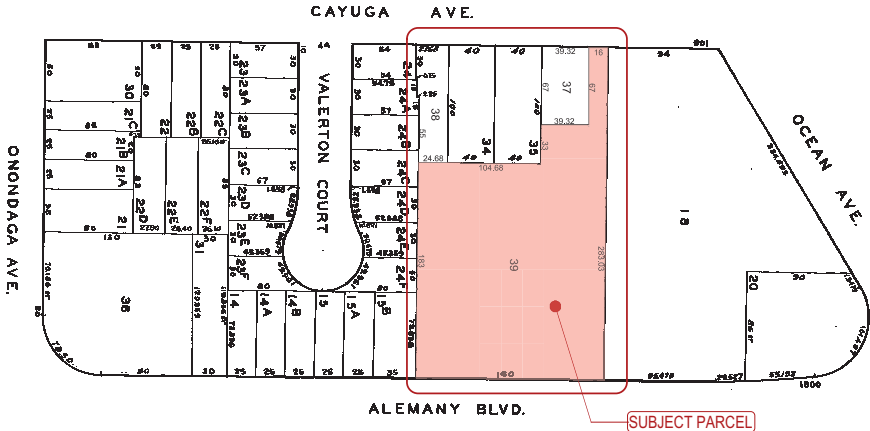
A-0.1

FLOOR AREA DATA BREAKDOWN (GSF)							
LEVEL	RESIDENTIAL	OFFICE	GARBAGE	GARAGE	BIKE PARKING	OTHER	TOTAL
BASEMENT -2	2,422 ± S.F.	-	741 ± S.F.	20,201 ± S.F.	-	318 ± S.F.	23,682 ± S.F.
BASEMENT -1	14,305 ± S.F.	-	-	-	2,175 ± S.F.	2,261 ± S.F.	18,741 ±S.F.
1ST FLOOR	17,569 ± S.F.	398 ± S.F.	-	-	-	-	17,967 ±S.F.
2ND FLOOR	18,351 ± S.F.	-	-	-	-	-	18,351 ±S.F.
3RD FLOOR	15,640 ± S.F.	-	-	-	-	-	15,640 ±S.F.
4TH FLOOR	15,464 ± S.F.	-	-	-	-	-	15,464 ±S.F.
5TH FLOOR	5,650 ± S.F.	-	-	-	-	-	5,650 ±S.F.
TOTAL	89,401 ± S.F.	398 ± S.F.	741 ± S.F.	20,201 ± S.F.	2,175 ± S.F.	2,579 ± S.F.	115,495 ±S.F.

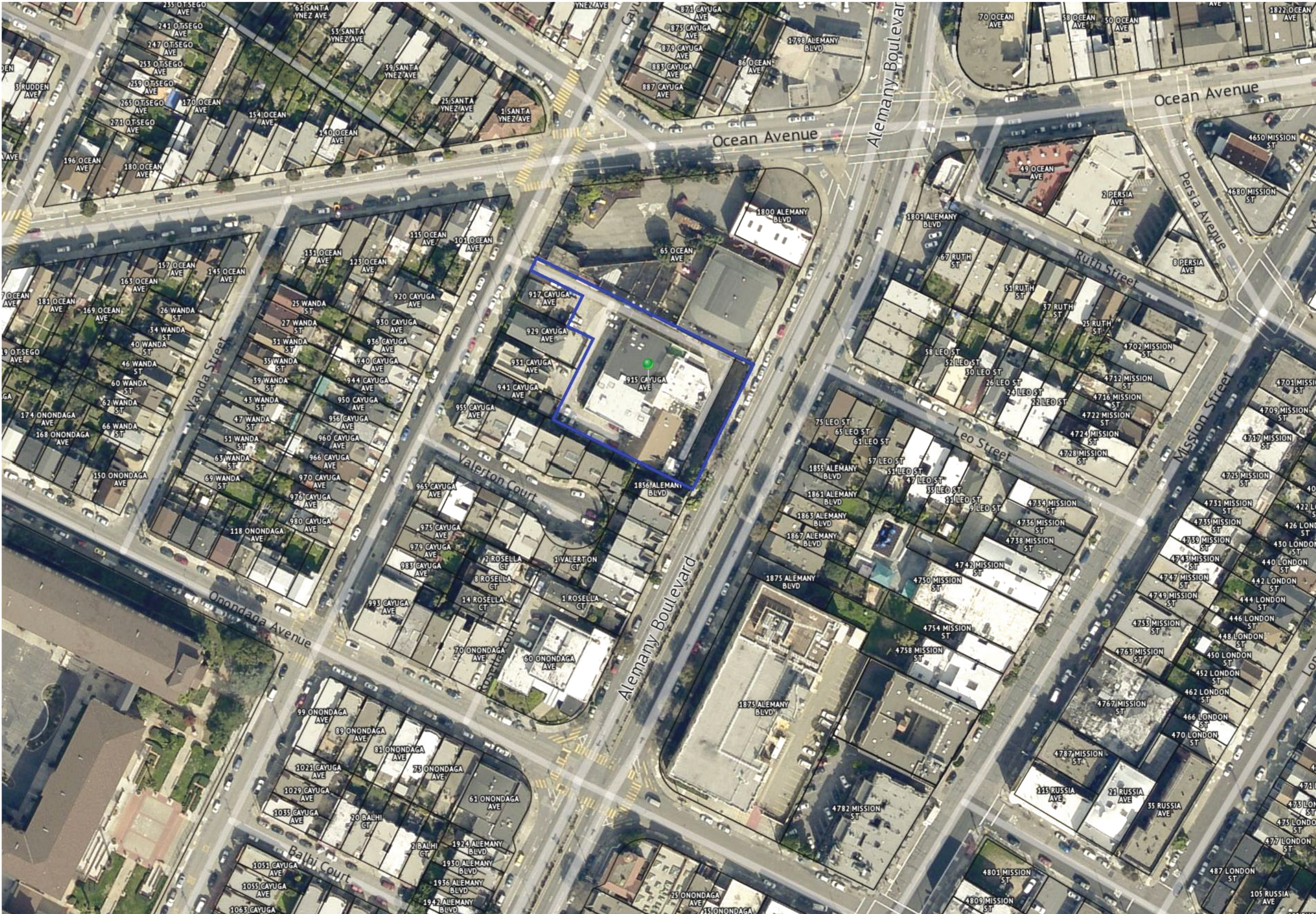
RESIDENTIAL UNIT MIX					
BUILDING LEVEL	UNIT TYPE				
	STUDIO	1-BEDROOM	2-BEDROOM	3-BEDROOM	TOTAL
-2	5	-	-	-	5
-1	1	4	10	2	17
1	4	2	14	2	22
2	2	3	17	2	24
3	2	4	11	3	20
4	2	4	11	3	20
5	-	1	7	-	8
TOTAL	16	18	70 (60%)	12(10%)	116

50% BMR UNIT DISTRIBUTION MIX.				
BMR UNIT	QUANTITY	10% AT 55% AMI	10% AT 80% AMI	30% AT 100% AMI
Studio	16	2	1	13
One-Bedroom	17	2	1	14
Two-Bedroom	21	6	8	7
Three-Bedroom	4	1	2	1
TOTAL	58	11	12	35

ASSESSOR'S PARCEL MAP







PROJECT NAME

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Vicinity Map

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A-0.2





Alemany Blvd, Street View



Alemany Blvd, Street View



Cayuga Ave, Street View



Cayuga Ave, Street View

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Project Photos

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A-0.3





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Perspective

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A-0.4





PROJECT NAME

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**Rear Perspective**

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**A-0.5**



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SHEET TITLE

Street View

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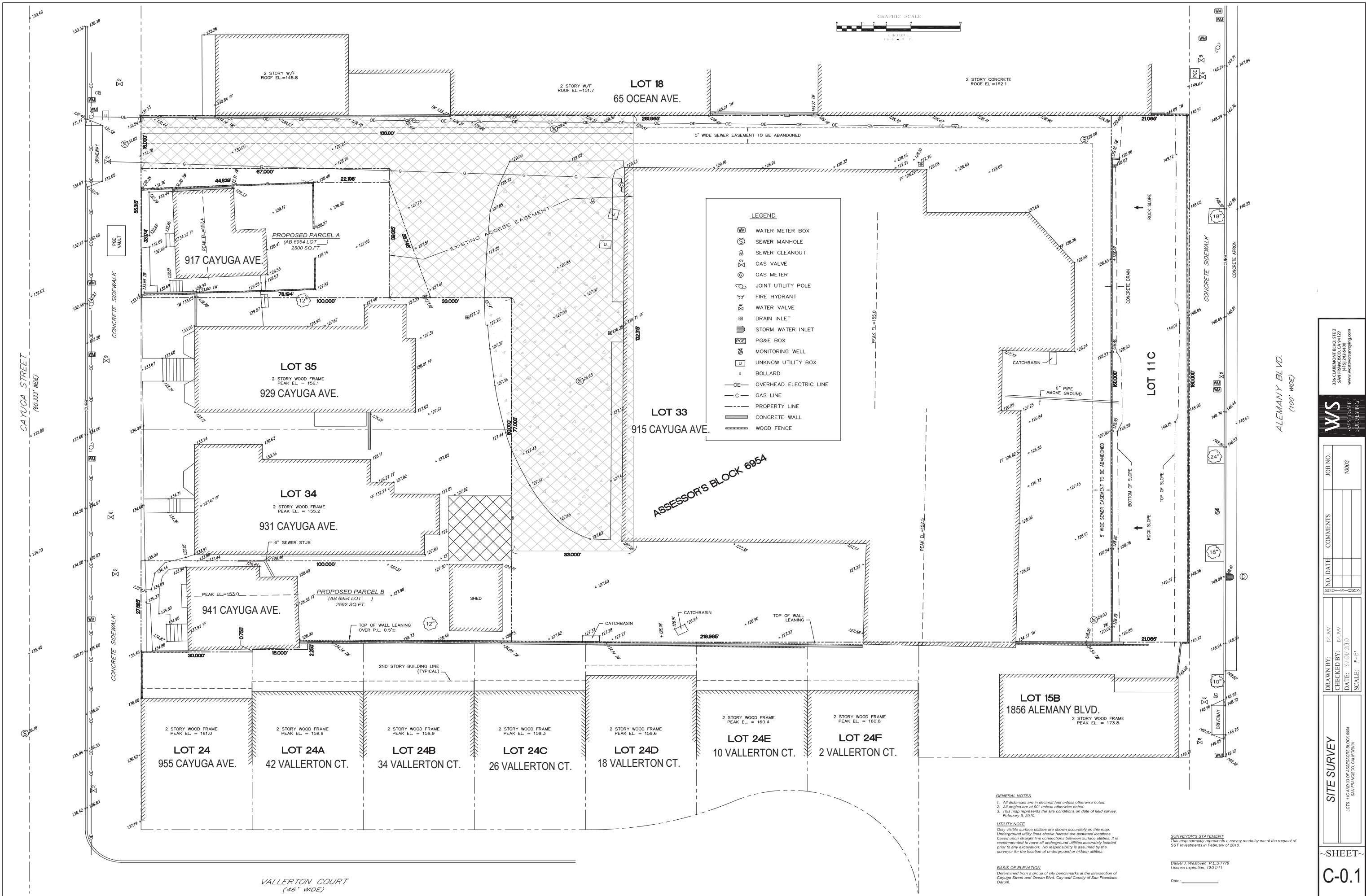
REVISED DATE	03/21/2019
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JOB NO.	16-1723
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SHEET NO.	A-0.6
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**GENERAL NOTES**

- All distances are in decimal feet unless otherwise noted.
- All angles are at 90° unless otherwise noted.
- This map represents the site conditions on date of field survey, February 3, 2010.

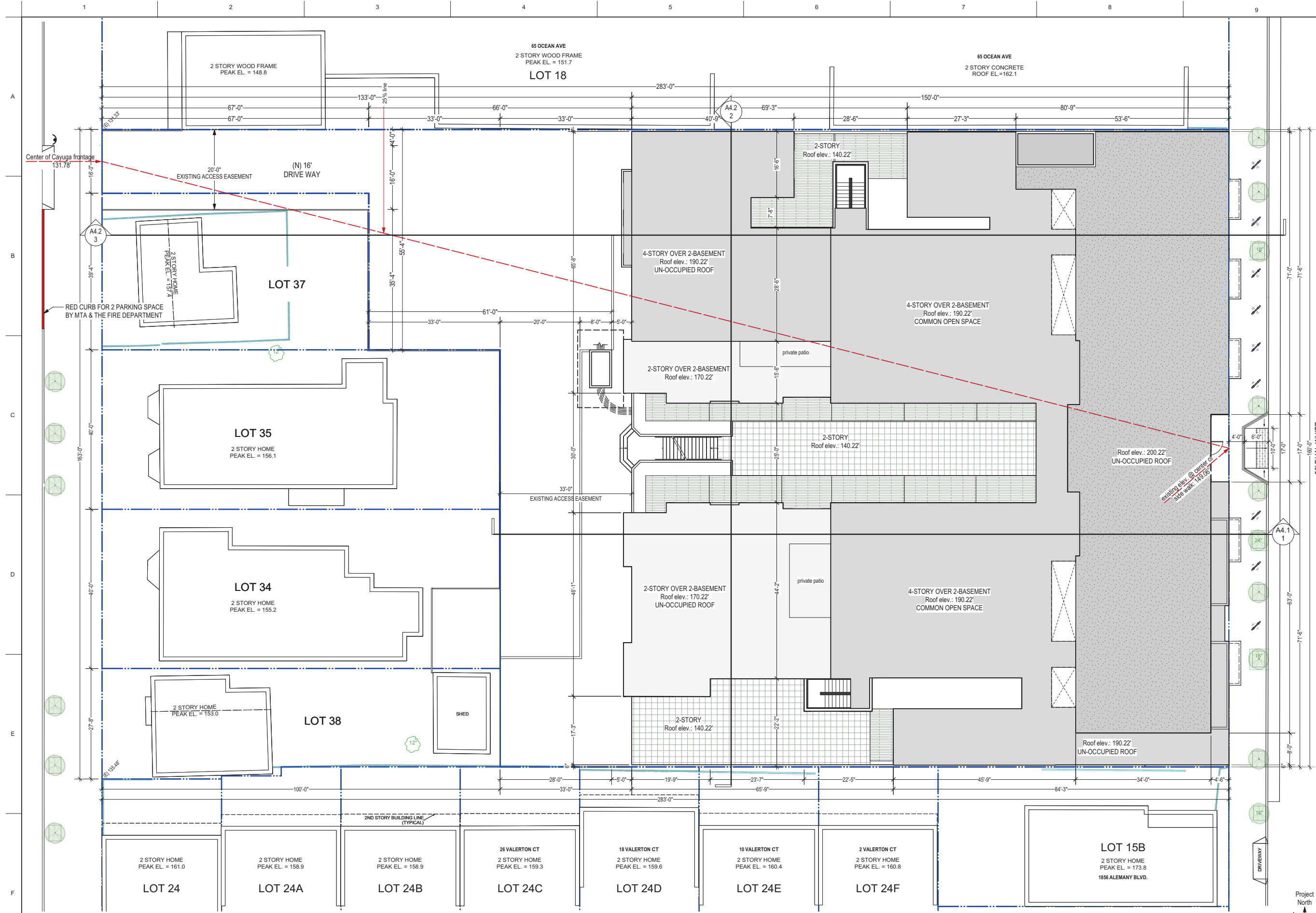
**UTILITY NOTE**  
Only visible surface utilities are shown accurately on this map. Underground utility lines shown hereon are assumed locations based upon straight line connections between surface utilities. It is recommended to have all underground utilities accurately located prior to any excavation. No responsibility is assumed by the surveyor for the location of underground or hidden utilities.

**SURVEYOR'S STATEMENT**  
This map correctly represents a survey made by me at the request of SST Investments in February of 2010.

**BASIS OF ELEVATION**  
Determined from a group of city benchmarks at the intersection of Cayuga Street and Ocean Blvd. City and County of San Francisco Datum.


**Daniel J. Westover, P.L.S. 7775**  
License expiration: 12/31/11  
Date: \_\_\_\_\_

<b>SITE SURVEY</b> LOTS 11C AND 33 OF ASSESSOR'S BLOCK 6954 SAN FRANCISCO, CALIFORNIA	DRAWN BY: DJW CHECKED BY: DJW DATE: 5/10/2010 SCALE: 1"=50'	<b>WS</b> WESTOVER SURVEYING 335 CLAREMONT BLVD. STE. 2 SAN FRANCISCO, CA 94127 (415) 242-5000 www.westsurveying.com
	JOB NO. 10003 COMMENTS:	NO. DATE:



PROJECT NAME

**915 Cayuga Ave.**  
SAN FRANCISCO, CA



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SHEET TITLE

**Proposed Site Plan**

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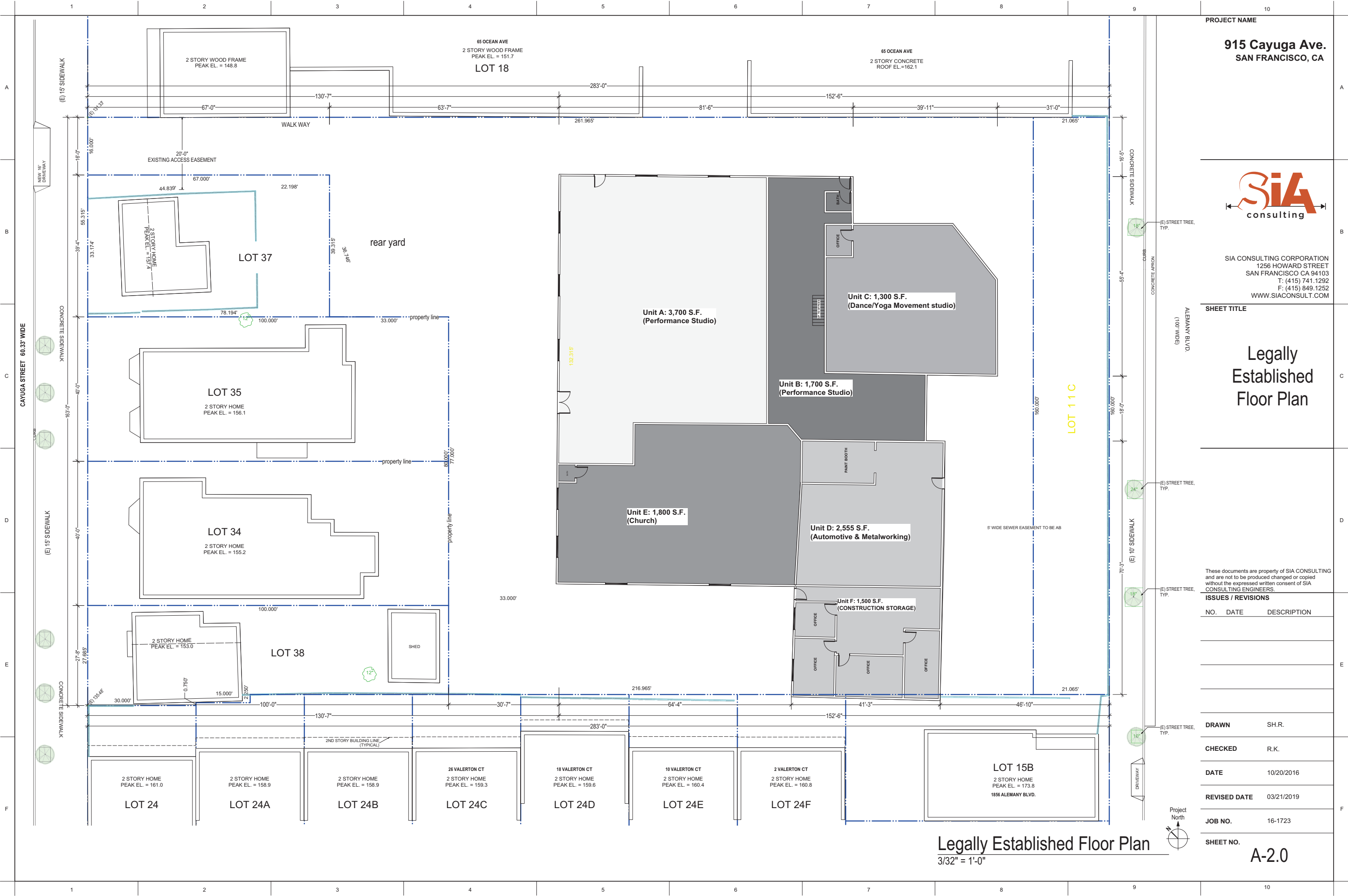
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<b>JOB NO.</b>	16-1723
<b>SHEET NO.</b>	A-1.0

**Proposed Site Plan**  
3/32" = 1'-0"





PROJECT NAME  
**915 Cayuga Ave.**  
**SAN FRANCISCO, CA**



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SHEET TITLE  
**Legally  
Established  
Floor Plan**

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SHEET NO.



**Legally Established Floor Plan**  
3/32" = 1'-0"

**A-2.0**









---	PROPERTY LINE
	CONCRETE WALL OR COLUMN, 3-HR. MINIMUM FIRE-RATING.
	TYPICAL NONCOMBUSTIBLE WALL (FOR ALL EXTERIOR WALLS, & WALLS ON 1ST FLR)
	TYPICAL INTERIOR WALL, 1-HR. MINIMUM FIRE-RATING
①	The Tools And Supplies Available In The Bicycle Repair Station. Tools W/ Tire Pump, Screwdrivers, Pliers, etc.

PROJECT NAME

**915 Cayuga Ave.**  
**SAN FRANCISCO, CA**



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## Basement -1 Plan

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SHEET NO.

**Basement -1 Plan**  
1/8" = 1'-0"



**A-2.2**



PROJECT NAME
--------------

**915 Cayuga Ave.**  
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**SHEET TITLE**

## First Floor Plan

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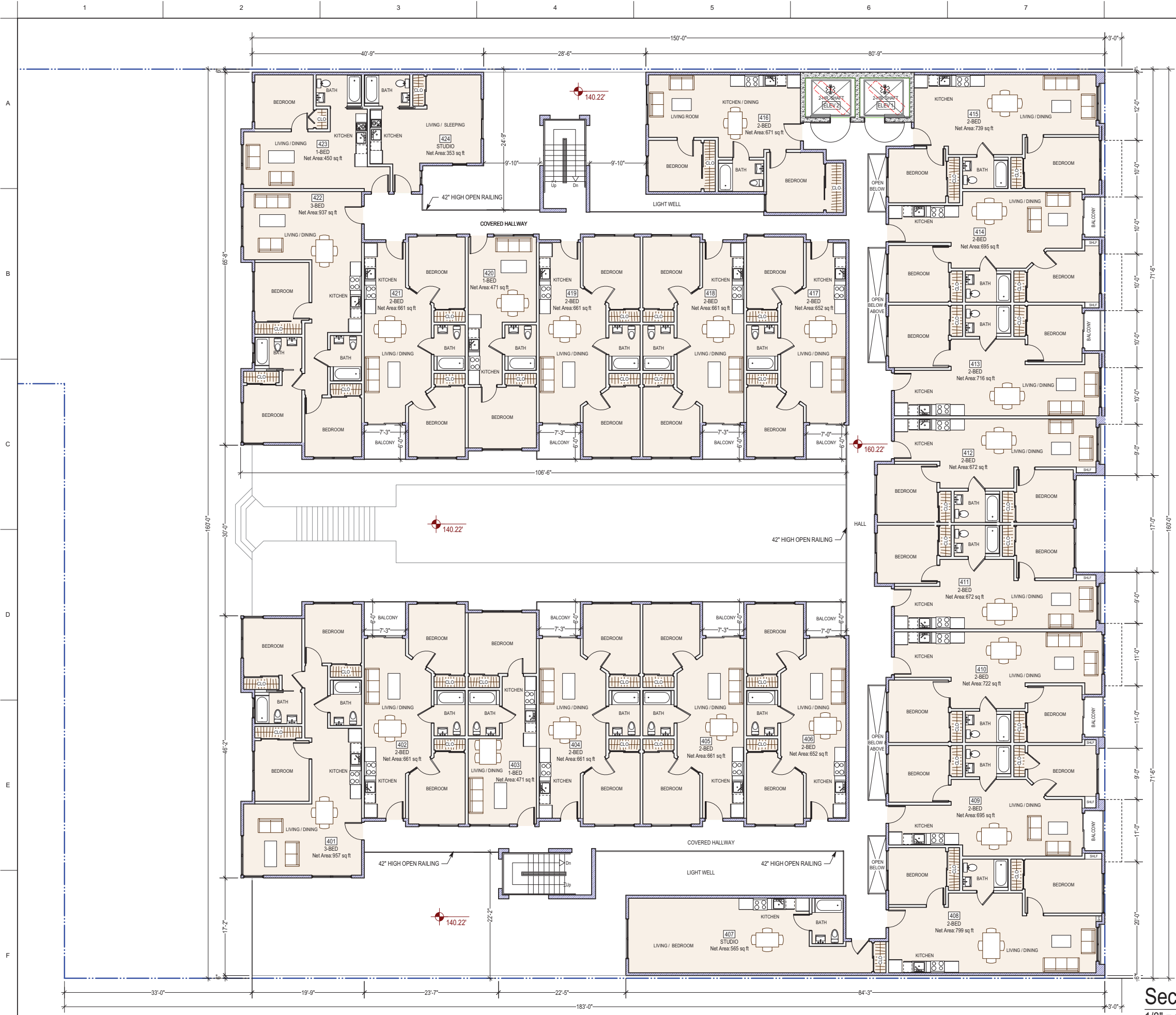
DATE 10/20/2016

REVISÉ DATE 03/21/2019

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### A-2.3



---	PROPERTY LINE
=====	CONCRETE WALL OR COLUMN, 3-HR. MINIMUM FIRE-RATING
=====	TYPICAL NONCOMBUSTIBLE WALL (FOR ALL EXTERIOR WALLS, & WALLS ON 1ST FLR)
=====	TYPICAL INTERIOR WALL, 1-HR. MINIMUM FIRE-RATING

PROJECT NAME

**915 Cayuga Ave.**  
**SAN FRANCISCO, CA**



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SHEET TITLE

## Second Floor Plan

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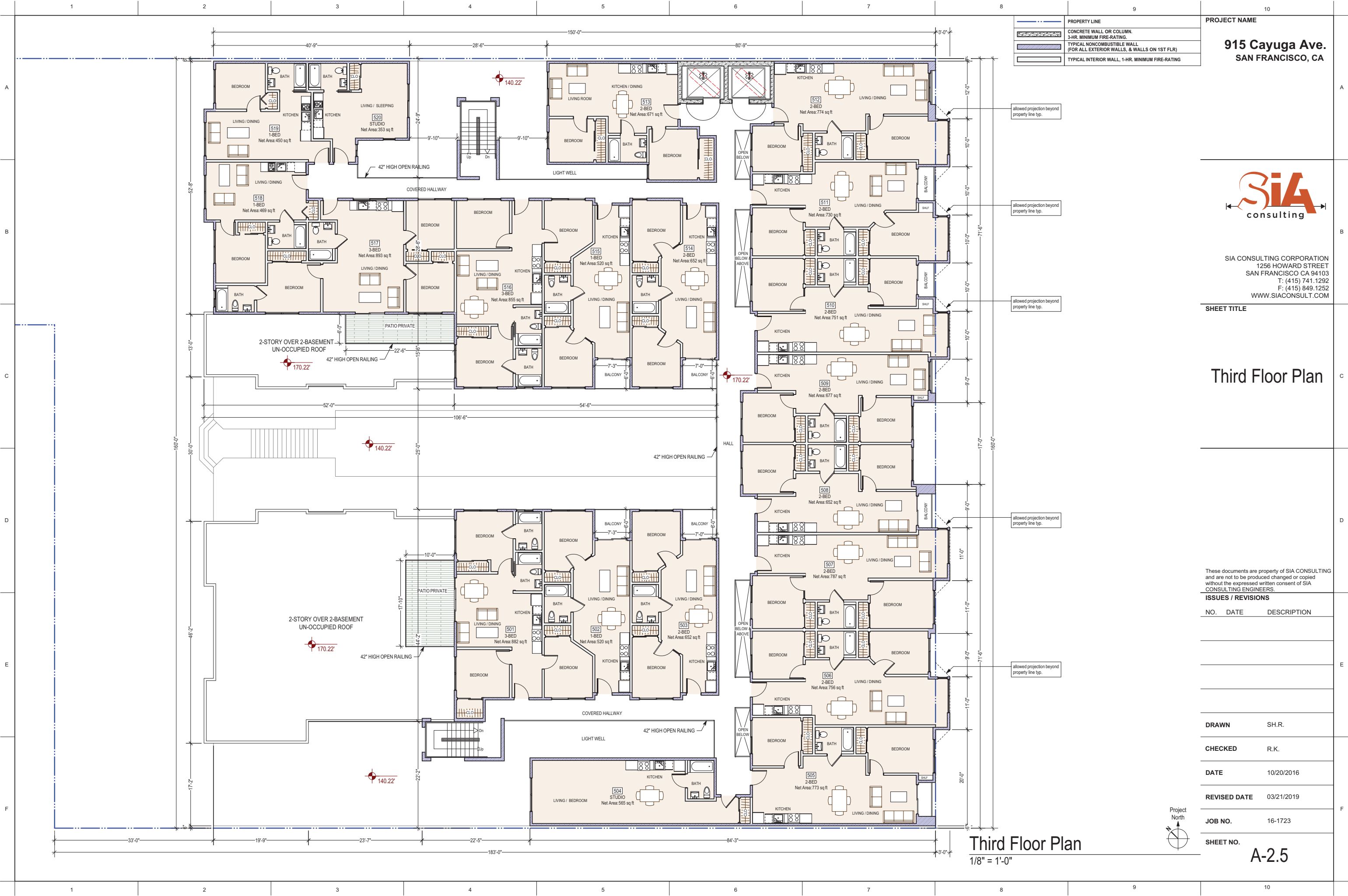


## Second Floor Plan

1/8" = 1'-0"

A-2.4





PROJECT NAME

**915 Cayuga Ave.**  
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## Third Floor Plan

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JOB NO.	16-1723
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SHEET NO.

**A-2.5**

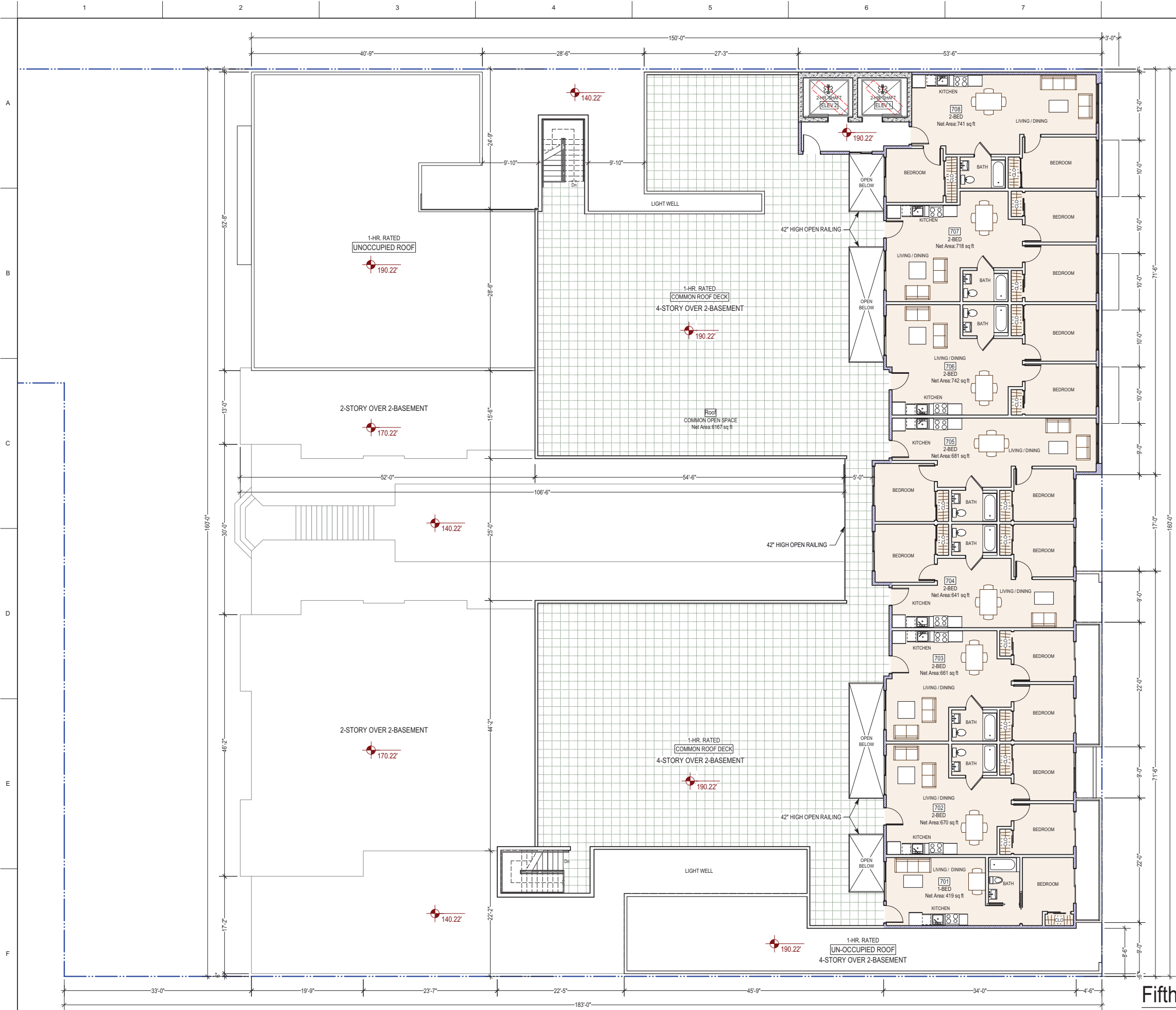
**Third Floor Plan**  
1/8" = 1'-0"



## Fourth Floor Plan

1/8" = 1'-0"

A-2.6



	PROPERTY LINE
	CONCRETE WALL OR COLUMN, 3-HR. MINIMUM FIRE-RATING
	TYPICAL NONCOMBUSTIBLE WALL (FOR ALL EXTERIOR WALLS, & WALLS ON 1ST FLR)
	TYPICAL INTERIOR WALL, 1-HR. MINIMUM FIRE-RATING

PROJECT NAME

**915 Cayuga Ave.**  
**SAN FRANCISCO, CA**



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SHEET TITLE

## Fifth Floor Plan

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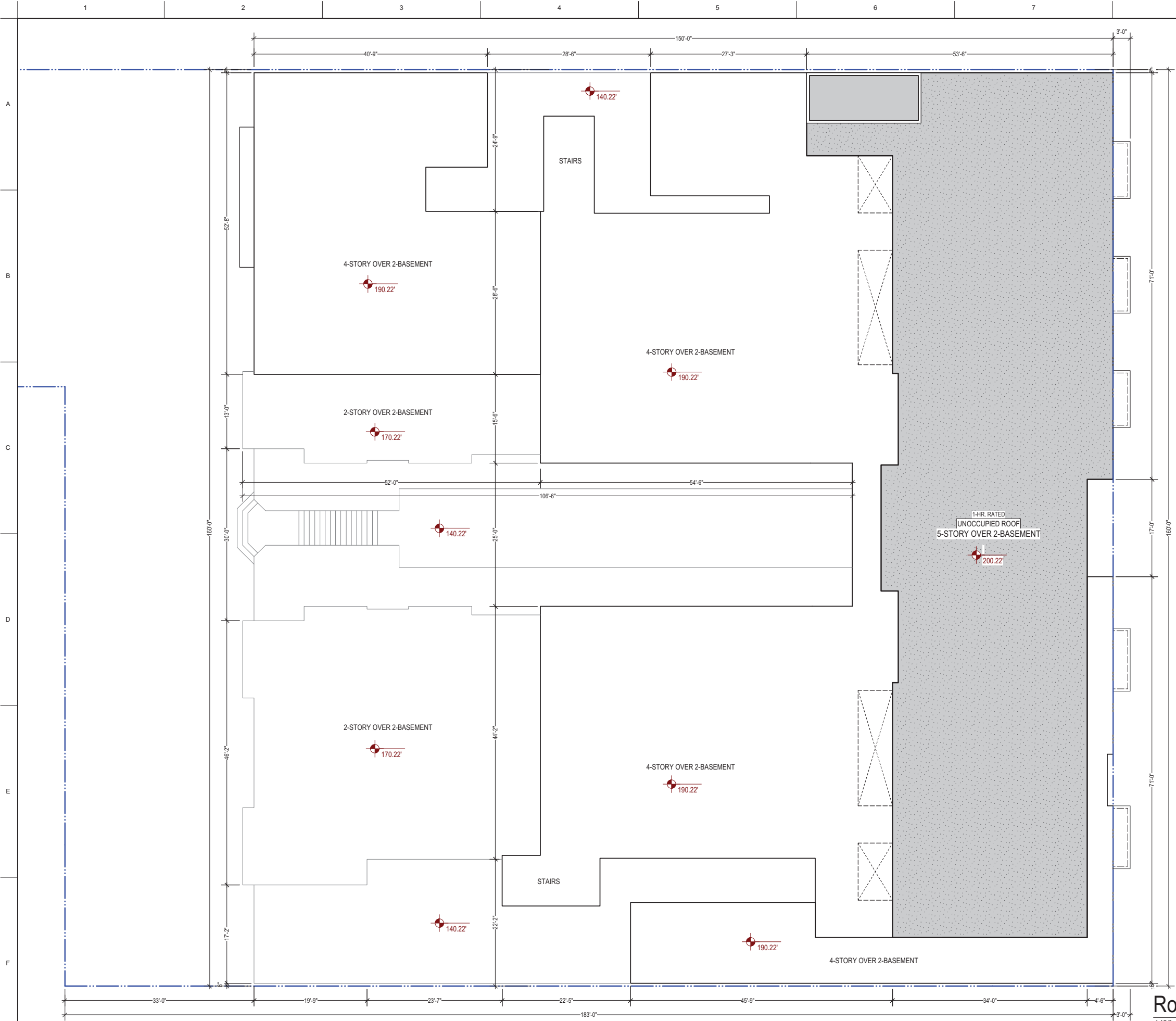
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SHEET NO.

A-2.7

## Fifth Floor Plan

1/8" = 1'-0"



	PROPERTY LINE
	CONCRETE WALL OR COLUMN, 3-HR. MINIMUM FIRE-RATING
	TYPICAL NONCOMBUSTIBLE WALL (FOR ALL EXTERIOR WALLS, & WALLS ON 1ST FLR)
	TYPICAL INTERIOR WALL, 1-HR. MINIMUM FIRE-RATING

PROJECT NAME
915 Cayuga Ave. SAN FRANCISCO, CA



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Roof Plan

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Roof Plan  
1/8" = 1'-0"





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## SHEET TITLE

Alemany Blvd  
& Cayuga Ave  
Elevation

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### A-3.1



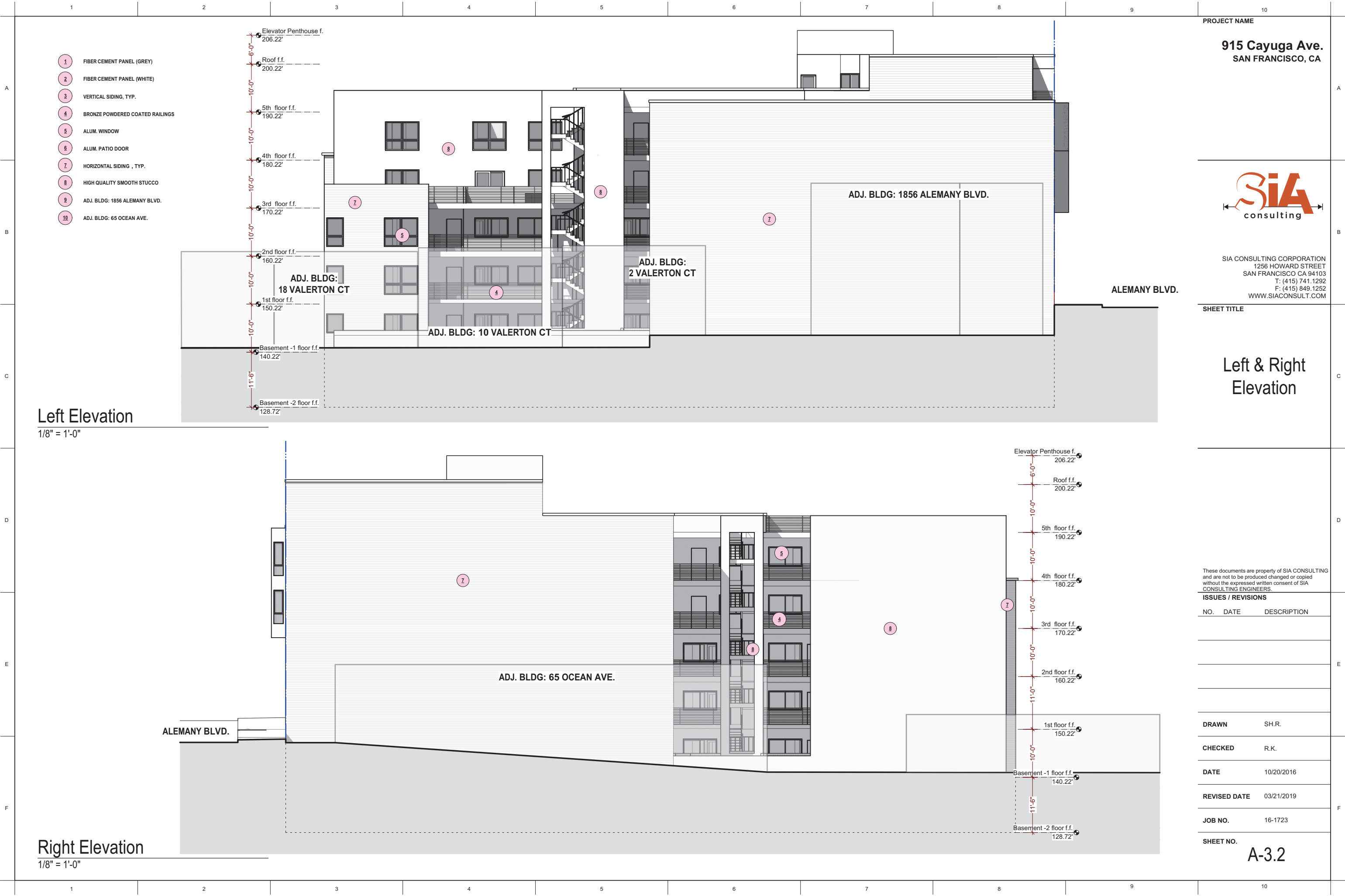
## Alemany Blvd Elevation

$$\overline{1/8'' = 1'-0''}$$


## Cayuga Ave Elevation

$$\frac{1}{8}'' = 1'-0''$$









PROJECT NAME

**915 Cayuga Ave.**  
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Building Section

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**A-4.2**



# EXHIBIT C

## SAN FRANCISCO PLANNING DEPARTMENT

Note: for full document, see Case No.  
2016-013850ENV

### Mitigated Negative Declaration

*PMND Date:* January 23, 2019; amended on March 19, 2019 (amendments to the PMND are shown in deletions as ~~striketrough~~; additions in double underline)

*Case No.:* 2016-013850ENV

*Project Title:* **915 Cayuga Avenue**

*Zoning:* RH-1 (Residential-House, One Family) & Excelsior Outer Mission Street Neighborhood Commercial District  
40-X Height and Bulk District

*Block/Lot:* 6954/039 & 011C

*Lot Size:* 32,182 square feet

*Project Sponsor:* Reza Khoshnevisan, SIA Consulting Corporation  
(415) 922-0200 Ext 108

*Lead Agency:* San Francisco Planning Department

*Staff Contact:* Julie Moore – (415) 575-8733  
[Julie.Moore@sfgov.org](mailto:Julie.Moore@sfgov.org)

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION:

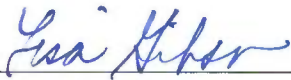
The project site is located on the block bounded by Alemany Boulevard to the east, Ocean Avenue to the north, Cayuga Avenue to the west, and Onondaga Avenue to the south in the Outer Mission neighborhood. The proposed project would demolish the existing two-story mixed-used building and construct a new approximately 115,610-square-foot residential building with 116 dwelling units (including 16 studio, 18 one-bedroom, 70 two-bedroom, and 12 three-bedroom units) and 400 square feet of accessory office use. Approximately 50 percent of the units would be affordable, ~~while the remaining 50 percent would be rent controlled.~~ Due to the existing site slope, the proposed five-story building would be approximately 50-feet-tall measured from Alemany Boulevard (56 feet including the 6-foot-tall elevator penthouse) and 72 feet tall from Cayuga Avenue (78 feet including the 6-foot-tall elevator penthouse).

Pedestrian entrances would be located off Alemany Boulevard, which includes the main lobby, and a secondary entrance would be located along the internal driveway off Cayuga Avenue. The proposed building would include an underground garage on Basement Level 2 accessed via a curb cut on Cayuga Avenue. The garage would contain 69 vehicular parking spaces (63 parking spaces with eight of those in stackers, three ADA accessible parking spaces, and three car-share parking spaces) as well as family amenity storage space. Basement level 1 would include 116 class 1 bicycle spaces along with a bicycle repair station. The project proposes approximately 12,410 square feet of open space, including: approximately 8,605 square feet of common open space at the backyard, basement level-1, and the rooftop; approximately 3,495 square feet of private open space at the basement level fronting the Cayuga side of the property; and approximately 310 square feet of private open space at the third floor. The backyard open space would reduce the internal driveway aisle to 20 feet in width. The backyard open space would include bollards and planter boxes.

**FINDING:**

This project could not have a significant effect on the environment. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached. Mitigation measures are included in this project to avoid potentially significant effects. See Section F, Mitigation Measures and Improvement Measures.

In the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.



Lisa Gibson  
Environmental Review Officer



Date of Issuance of Final Mitigated  
Negative Declaration

cc: Reza Khoshnevisan  
Veronica Flores  
M.D.F.

# INITIAL STUDY TABLE OF CONTENTS

## 915 Cayuga Avenue Project

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# SAN FRANCISCO PLANNING DEPARTMENT

## Land Use Information

PROJECT ADDRESS: 915 CAYUGA AVE  
RECORD NO.: 2016-013850CUA

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF	0	22,376	22,376
Residential GSF	0	89,401	89,401
Retail/Commercial GSF	12,555	0	(12,555)
Office GSF	0	398	398
Garbage and Other	0	3,320	3,320
TOTAL BUILDING GSF	0	115,495	115,495
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable	0	58	58
Dwelling Units - Market Rate	0	58	58
Dwelling Units - Total	0	58	58
Number of Buildings	1	1	0
Number of Stories	2	6	4
Parking Spaces	7	66	59
Bicycle Spaces	0	116	116
Car Share Spaces	0	3	3

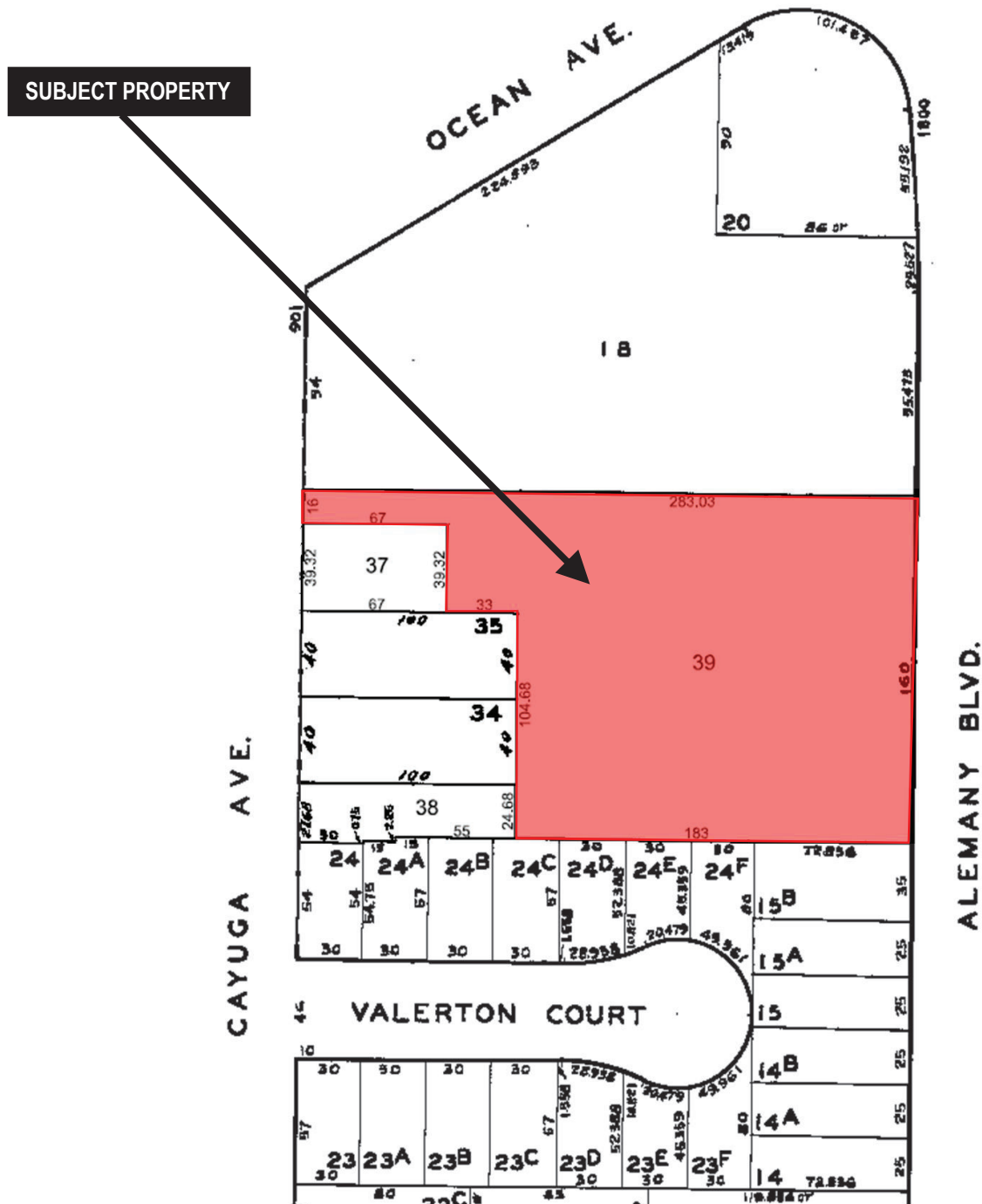
	EXISTING	PROPOSED	NET NEW
LAND USE - RESIDENTIAL			
Studio Units	0	1	0
One Bedroom Units	0	1	0
Two Bedroom Units	0	1	0
Three Bedroom (or +) Units	0	1	0



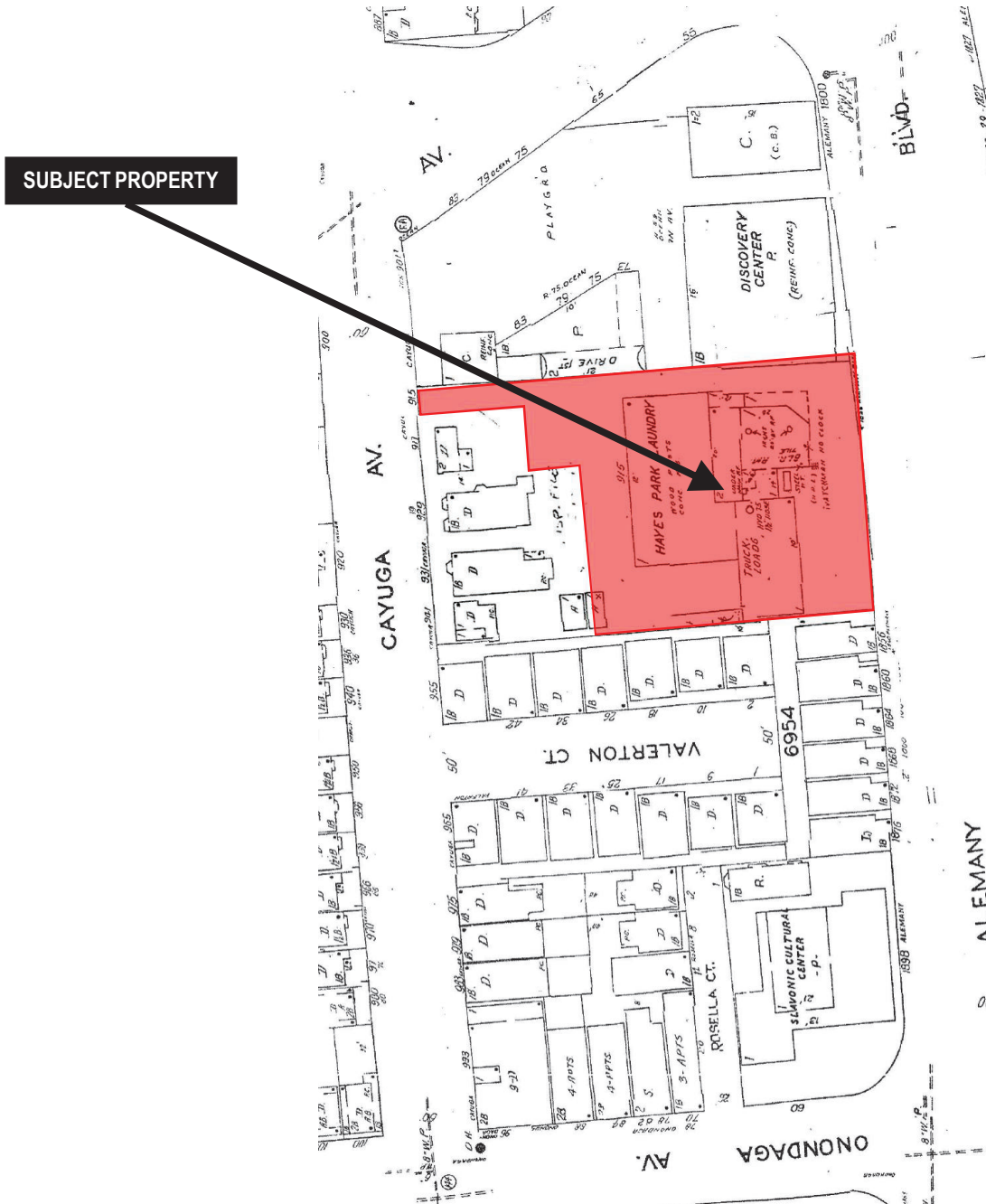
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# EXHIBIT E

## Parcel Map



# Sanborn Map\*



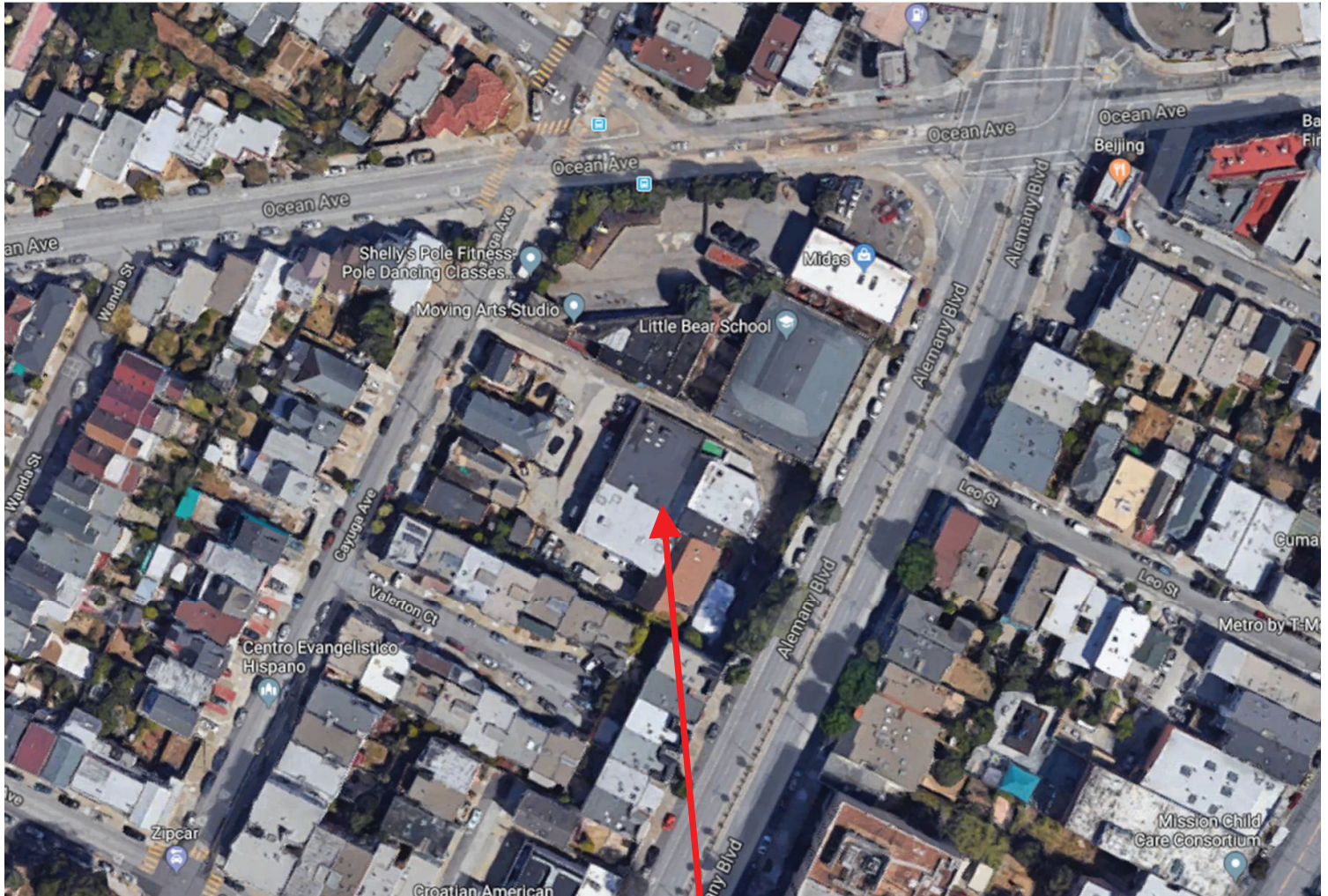
\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



SAN FRANCISCO  
PLANNING DEPARTMENT

Legislative Amendments and Conditional  
Use Authorization Hearing  
Case Nos. 2019-003571MAP AND  
2016-013850PCA/MAP/DVA/CUA  
915 Cayuga Avenue

# Aerial Photo – View 1



**SUBJECT PROPERTY**





## Aerial Photo – View 2

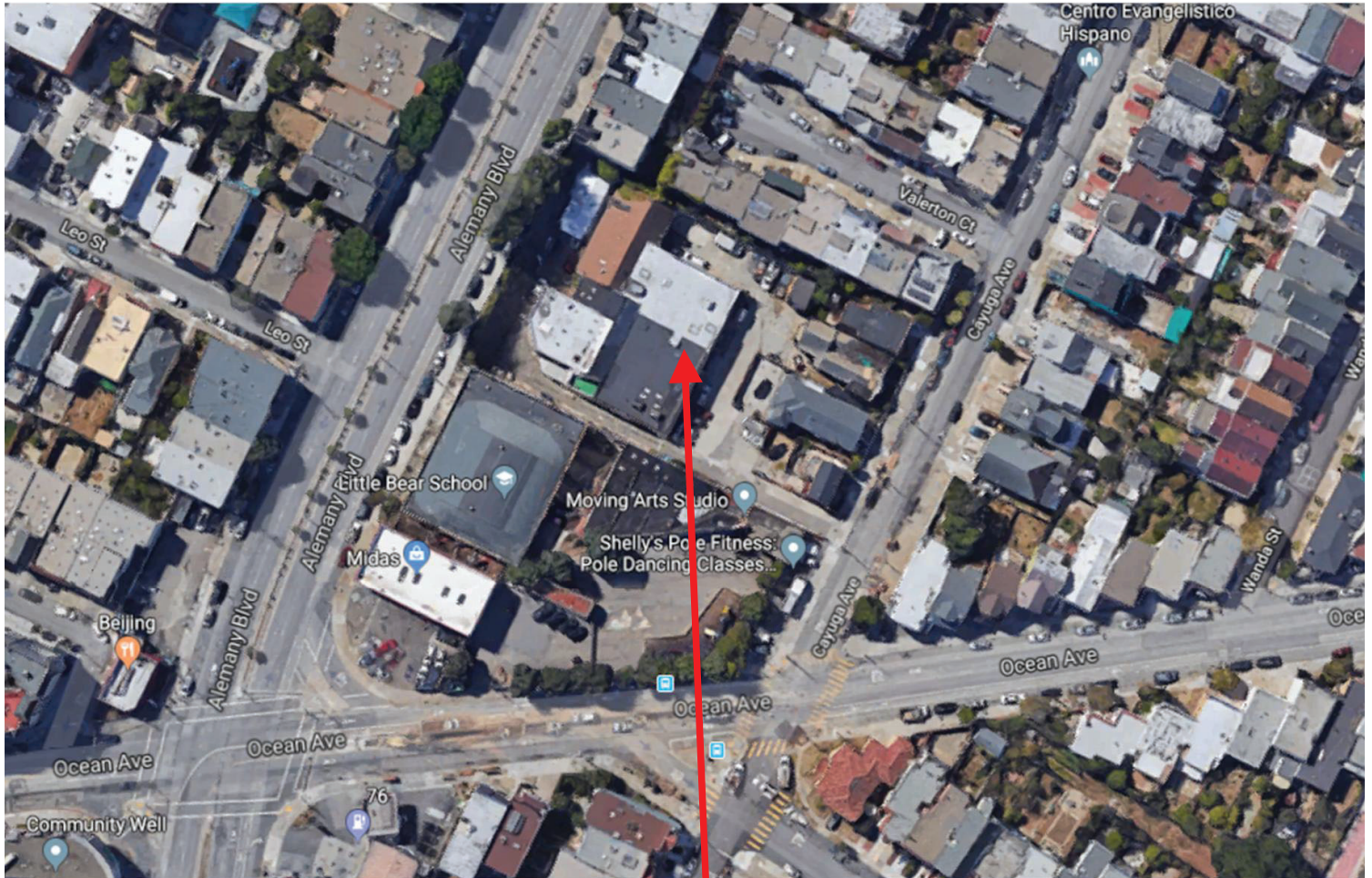


**SUBJECT PROPERTY**





# Aerial Photo – View 3

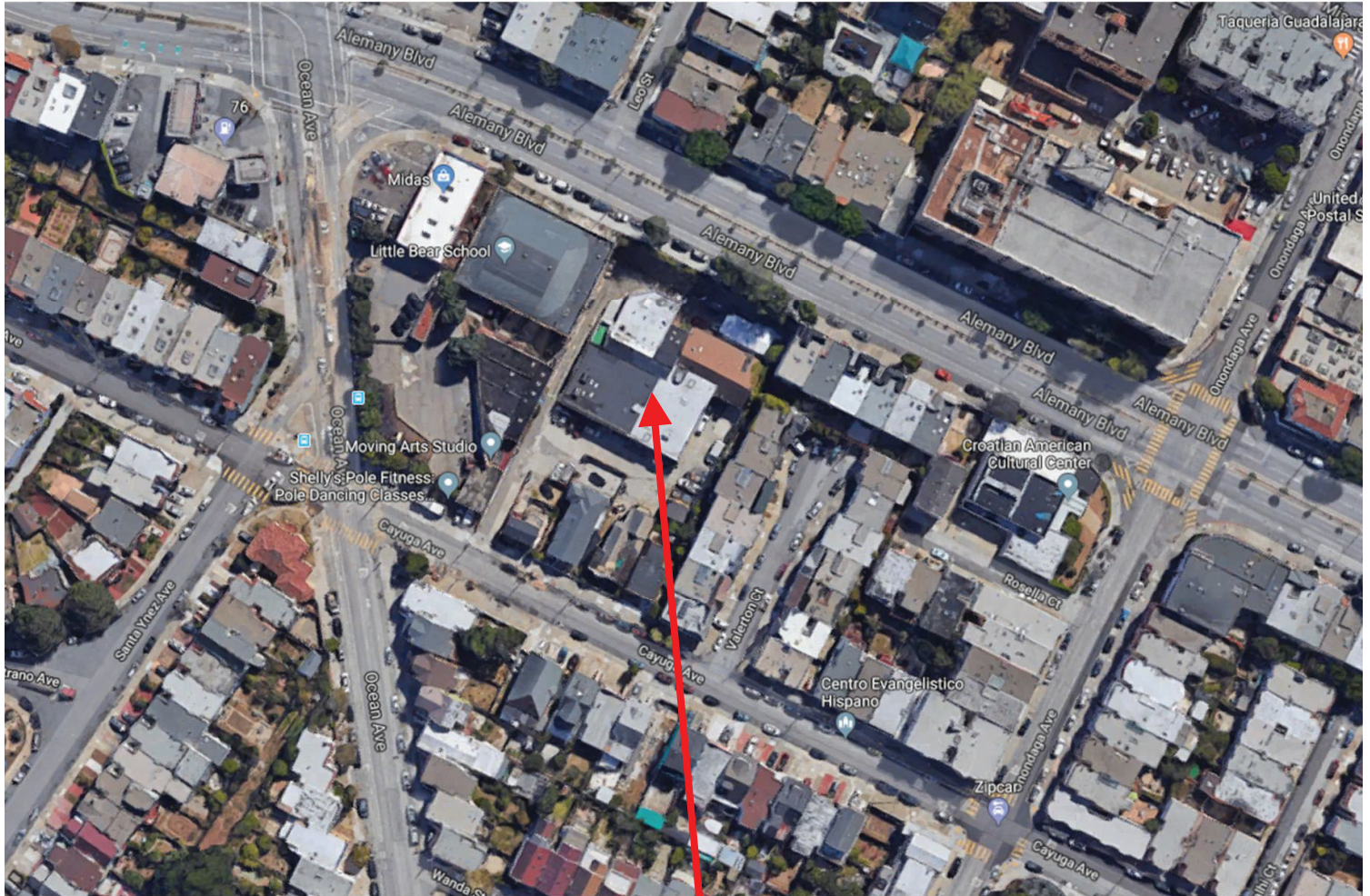


SUBJECT PROPERTY





# Aerial Photo – View 4

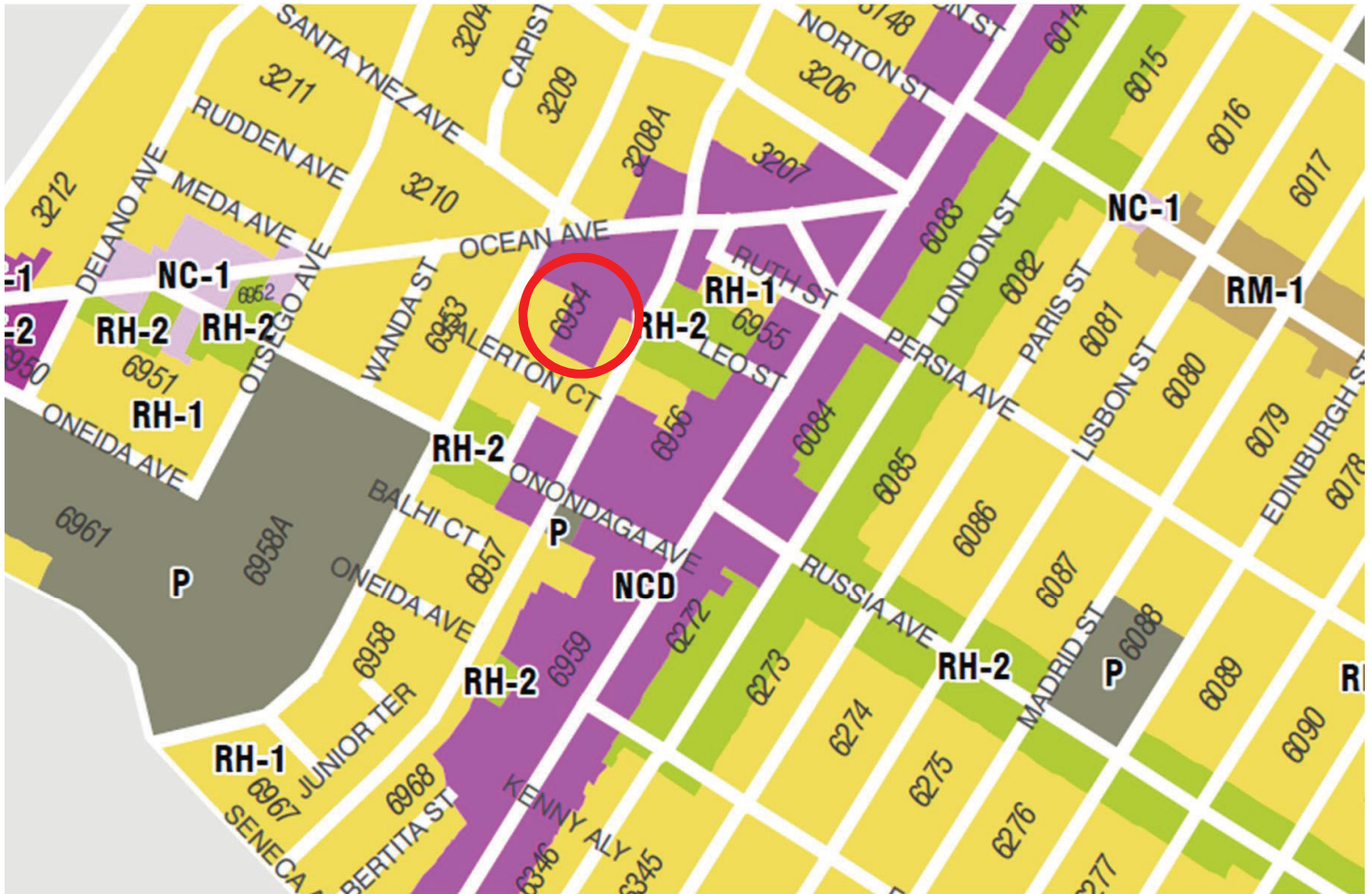


**SUBJECT PROPERTY**





# Zoning Map

SAN FRANCISCO  
**PLANNING DEPARTMENT**

Legislative Amendments and Conditional  
Use Authorization Hearing  
**Case Nos. 2019-003571MAP AND  
2016-013850PCA/MAP/DVA/CUA**  
915 Cayuga Avenue



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# EXHIBIT F

## AFFIDAVIT

# COMPLIANCE WITH THE INCLUSIONARY AFFORDABLE HOUSING PROGRAM

PLANNING CODE SECTION 415, 417 & 419



**San Francisco  
Planning**

SAN FRANCISCO PLANNING DEPARTMENT  
1690 MISSION STREET, SUITE 400  
SAN FRANCISCO, CA 94103-2479  
MAIN: (415) 598-6378 SFPLANNING.ORG

3/11/2019

Date

I, Siavash Tahbazof,  
do hereby declare as follows:

**A** The subject property is located at (address and block/lot):

915 Cayuga Avenue  
Address  
6954, 039  
Block / Lot

The subject property is located within the following Zoning District:

NCD - Excelsior Outer Mission Street Neighborhood  
Zoning District  
4-X

Height and Bulk District

Within 1/4 mile of Fringe Financial Services RUD  
Within 1/4 mile of an Existing Fringe Financial  
Special Use District, if applicable  
Service

Is the subject property located in the SOMA NCT, North of Market Residential SUD, or Mission Area Plan?

☐ Yes ☒ No

**B** The proposed project at the above address is subject to the *Inclusionary Affordable Housing Program*, Planning Code Section 415 and 419 et seq.

The Planning Case Number and/or Building Permit Number is:

2016-013850PRJ  
Planning Case Number

Building Permit Number

This project requires the following approval:

- ☐ Planning Commission approval (e.g. Conditional Use Authorization, Large Project Authorization)
- ☐ Zoning Administrator approval (e.g. Variance)
- ☐ This project is principally permitted.

The Current Planner assigned to my project within the Planning Department is:

Veronic Flores

Planner Name

A complete Environmental Evaluation Application or Project Application was accepted on:

January 31, 2017

Date

The project contains 116 total dwelling units and/or group housing rooms.

This project is exempt from the *Inclusionary Affordable Housing Program* because:

- ☐ This project is 100% affordable.
- ☐ This project is 100% student housing.

Is this project in an UMU Zoning District within the Eastern Neighborhoods Plan Area?

☐ Yes ☒ No

(If yes, please indicate Affordable Housing Tier)

Is this project a HOME-SF Project?

☐ Yes ☒ No

(If yes, please indicate HOME-SF Tier)

Is this project an Analyzed or Individually Requested State Density Bonus Project?

☐ Yes ☒ No

**C** Please indicate the tenure of the project.

- ☐ **Ownership.** If affordable housing units are provided on-site or off-site, all affordable units will be sold as ownership units and will remain as ownership units for the life of the project. The applicable fee rate is the ownership fee rate.
- ☒ **Rental.** If affordable housing units are provided on-site or off-site, all affordable units will be rental units and will remain rental units for the life of the project. The applicable fee rate is the rental fee rate.

**D** This project will comply with the Inclusionary Affordable Housing Program by:

- ☐ Payment of the Affordable Housing Fee prior to the first construction document issuance (Planning Code Section 415.5)
- ☒ On-site Affordable Housing Alternative (Planning Code Sections 415.6) per Development Agreement
- ☐ Off-site Affordable Housing Alternative (Planning Code Sections 415.7)
- ☐ Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units (Planning Code Section 415.5 - required for Individually Requested State Density Bonus Projects)
- ☐ Eastern Neighborhoods Alternate Affordable Housing Fee (Planning Code Section 417)
- ☐ Land Dedication (Planning Code Section 419)

The applicable inclusionary rate is:

50% per Development Agreement

*On-site, off-site or fee rate as a percentage*

If the method of compliance is the payment of the Affordable Housing Fee pursuant to Planning Code Section 415.5, please indicate the total residential gross floor area in the project.

*Residential Gross Floor Area*

**E** The Project Sponsor acknowledges that any change which results in the reduction of the number of on-site affordable units following the project approval shall require public notice for a hearing and approval by the Planning Commission.

**F** The Project Sponsor acknowledges that failure to sell or rent the affordable units or to eliminate the on-site or off-site affordable units at any time will require the Project Sponsor to:

- (1) Inform the Planning Department and the Mayor's Office of Housing and Community Development and, if applicable, fill out a new affidavit;
- (2) Record a new Notice of Special Restrictions; and
- (3) Pay the Affordable Housing Fee plus applicable interest (using the fee schedule in place at the time that the units are converted from ownership to rental units) and any applicable penalties by law.

**G** The Project Sponsor acknowledges that in the event that one or more rental units in the principal project become ownership units, the Project Sponsor shall notify the Planning Department of the conversion, and shall either reimburse the City the proportional amount of the Inclusionary Affordable Housing Fee equivalent to the then-current requirement for ownership units, or provide additional on-site or off-site affordable units equivalent to the then-current requirements for ownership units.

**I** For projects with over 25 units and with EEA's accepted between January 1, 2013 and January 12 2016, in the event that the Project Sponsor does not procure a building or site permit for construction of the principal project before December 7, 2018, rental projects will be subject to the on-site rate in effect for the Zoning District in 2017, generally 18% or 20%.

**J** For projects with EEA's/PRJ's accepted on or after January 12 2016, in the event that the Project Sponsor does not procure a building or site permit for construction of the principal project within 30 months of the Project's approval, the Project shall comply with the Inclusionary Affordable Housing Requirements applicable thereafter at the time the Sponsor is issued a site or building permit.

**K** If a Project Sponsor elects to completely or partially satisfy their Inclusionary Housing requirement by paying the Affordable Housing Fee, the Sponsor must pay the fee in full sum to the Development Fee Collection Unit at the Department of Building Inspection for use by the Mayor's Office of Housing prior to the issuance of the first construction document.

## UNIT MIX TABLES

### Number of All Units in PRINCIPAL PROJECT:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
116					

If you selected the On-site, Off-Site, or Combination Alternative, please fill out the applicable section below. The On-Site Affordable Housing Alternative is required for HOME-SF Projects pursuant to Planning Code Section 206.4. State Density Bonus Projects that have submitted an Environmental Evaluation Application prior to January 12, 2016 must select the On-Site Affordable Housing Alternative. State Density Bonus Projects that have submitted an Environmental Evaluation Application on or after to January 12, 2016 must select the Combination Affordable Housing Alternative to record the required fee on the density bonus pursuant to Planning Code Section 415.3. If the Project includes the demolition, conversion, or removal of any qualifying affordable units, please complete the Affordable Unit Replacement Section.

☒ **On-site Affordable Housing Alternative** (Planning Code Section 415.6, 419.3, or 206.4):  % of the unit total.

### Number of Affordable Units to be Located ON-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
58	0	16	17	21	4
<b>LOW-INCOME</b>	Number of Affordable Units 11	% of Total Units 20%		AMI Level 55%	
<b>MODERATE-INCOME</b>	Number of Affordable Units 12	% of Total Units 20%		AMI Level 80%	
<b>MIDDLE-INCOME</b>	Number of Affordable Units 35	% of Total Units 60%		AMI Level 100%	

☐ **Off-site Affordable Housing Alternative** (Planning Code Section 415.7 or 419.3):  % of the unit total.

### Number of Affordable Units to be Located OFF-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
Area of Dwellings in Principal Project (in sq. feet):	Off-Site Project Address:				
Area of Dwellings in Off-Site Project (in sq. feet):					
Off-Site Block/Lot(s):	Motion No. for Off-Site Project (if applicable):			Number of Market-Rate Units in the Off-site Project:	

AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level

## UNIT MIX TABLES: CONTINUED

- ☐ **Combination of payment of a fee, on-site affordable units, or off-site affordable units with the following distribution:**  
*Indicate what percent of each option will be implemented (from 0% to 99%) and the number of on-site and/or off-site below market rate units for rent and/or for sale.*

1. On-Site  % of affordable housing requirement.

If the project is a State Density Bonus Project, please enter "100%" for the on-site requirement field and complete the Density Bonus section below.

### Number of Affordable Units to be Located ON-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:

2. Off-Site  % of affordable housing requirement.

### Number of Affordable Units to be Located OFF-SITE:

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:
Area of Dwellings In Principal Project (in sq. feet):	Off-Site Project Address:				
Area of Dwellings In Off-Site Project (in sq. feet):					
Off-Site Block/Lot(s):	Mortgage No. for Off-Site Project (if applicable):		Number of Market-Rate Units in the Off-site Project:		

### Income Levels for On-Site or Off-Site Units in Combination Projects:

AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level
AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level
AMI LEVELS:	Number of Affordable Units	% of Total Units	AMI Level

3. Fee  % of affordable housing requirement.

**Is this Project a State Density Bonus Project?** ☐ Yes ☒ No

If yes, please indicate the bonus percentage, up to 35% , and the number of bonus units and the bonus amount of residential gross floor area (if applicable) .

I acknowledge that Planning Code Section 415.4 requires that the Inclusionary Fee be charged on the bonus units or the bonus residential floor area.

### Affordable Unit Replacement: Existing Number of Affordable Units to be Demolished, Converted, or Removed for the Project

TOTAL UNITS:	SRO / Group Housing:	Studios:	One-Bedroom Units:	Two-Bedroom Units:	Three (or more) Bedroom Units:

This project will replace the affordable units to be demolished, converted, or removed using the following method:

- ☐ On-site Affordable Housing Alternative
- ☐ Payment of the Affordable Housing Fee prior to the first construction document issuance
- ☐ Off-site Affordable Housing Alternative (Section 415.7)
- ☐ Combination of payment of the Affordable Housing Fee and the construction of on-site or off-site units (Section 415.5)

**Contact Information and Declaration of Sponsor of PRINCIPAL PROJECT**

SYTS Investments, LLC

*Company Name*

Siavash Tahbazof

*Name (Print) of Contact Person*

1256 Howard Street

*Address*

415-625-7132

*Phone / Fax*

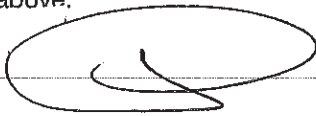
San Francisco

*City, State, Zip*

sufi@tahbazoflaw.com

*Email*

I am a duly authorized agent or owner of the subject property. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.

**Sign Here***Signature:*

Siavash Tahbazof, Owner

*Name (Print), Title:*

Executed on this day in:

*Location:*

San Francisco, California

*Date:*

March 11, 2019

**Contact Information and Declaration of Sponsor of OFF-SITE PROJECT ( If Different )***Company Name**Name (Print) of Contact Person**Address**City, State, Zip**Phone / Fax**Email*

I hereby declare that the information herein is accurate to the best of my knowledge and that I intend to satisfy the requirements of Planning Code Section 415 as indicated above.

**Sign Here***Signature:**Name (Print), Title:*

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# EXHIBIT G

## SUPPLEMENTAL INFORMATION FOR Anti-Discriminatory Housing Policy

### 1. Owner/Applicant Information

PROPERTY OWNER'S NAME: SYTS Investments, LLC	
PROPERTY OWNER'S ADDRESS: 1256 Howard Street, San Francisco CA 94103	TELEPHONE: ( 415 ) 625-7132
	EMAIL: sufi@tahbazoflaw.com

APPLICANT'S NAME: Same as Above <input checked="" type="checkbox"/>	
APPLICANT'S ADDRESS:	TELEPHONE: (     )
	EMAIL:

CONTACT FOR PROJECT INFORMATION: Same as Above <input type="checkbox"/>	
ADDRESS:	TELEPHONE: (     )
	EMAIL:

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR): Same as Above <input checked="" type="checkbox"/>	
ADDRESS:	TELEPHONE: (     )
	EMAIL:

### 2. Location and Project Description

STREET ADDRESS OF PROJECT: 915 Cayuga Avenue		ZIP CODE:
CROSS STREETS: Cayuga Avenue and Ocean Avenue		
ASSESSORS BLOCK/LOT: 6954 / 039	ZONING DISTRICT: Excelsior Outer Mission Street	HEIGHT/BULK DISTRICT: 40-X

PROJECT TYPE: (Please check all that apply)	EXISTING DWELLING UNITS:	PROPOSED DWELLING UNITS:	NET INCREASE:
<input checked="" type="checkbox"/> New Construction	0	0	0
<input checked="" type="checkbox"/> Demolition			
<input type="checkbox"/> Alteration			
<input type="checkbox"/> Other: _____			



# Compliance with the Anti-Discriminatory Housing Policy

1. Does the applicant or sponsor, including the applicant or sponsor's parent company, subsidiary, or any other business or entity with an ownership share of at least 30% of the applicant's company, engage in the business of developing real estate, owning properties, or leasing or selling individual dwelling units in States or jurisdictions outside of California?

☐ YES ☒ NO

1a. If yes, in which States? \_\_\_\_\_  
\_\_\_\_\_

- 1b. If yes, does the applicant or sponsor, as defined above, have policies in individual States that prohibit discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the State or States where the applicant or sponsor has an ownership or financial interest?

☐ YES ☐ NO

- 1c. If yes, does the applicant or sponsor, as defined above, have a national policy that prohibits discrimination based on sexual orientation and gender identity in the sale, lease, or financing of any dwelling units enforced on every property in the United States where the applicant or sponsor has an ownership or financial interest in property?

☐ YES ☐ NO

*If the answer to 1b and/or 1c is yes, please provide a copy of that policy or policies as part of the supplemental information packet to the Planning Department.*

Human Rights Commission contact information  
**[hrc.info@sfgov.org](mailto:hrc.info@sfgov.org) or (415)252-2500**

## Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: Other information or applications may be required.

Signature: \_\_\_\_\_



Date: 3/11/19

Print name, and indicate whether owner, or authorized agent:

Sufi Hariri, Owner/Director

Owner / Authorized Agent (circle one)

## PLANNING DEPARTMENT USE ONLY

### PLANNING DEPARTMENT VERIFICATION:

- ☒ Anti-Discriminatory Housing Policy Form is **Complete**  
☐ Anti-Discriminatory Housing Policy Form is **Incomplete**

Notification of Incomplete Information made:

To: \_\_\_\_\_ Date: \_\_\_\_\_

BUILDING PERMIT NUMBER(S):	DATE FILED:
REGORD NUMBER:	DATE FILED:
2016 ____ 013850	12/09/16
VERIFIED BY PLANNER:	
Signature: <u>Veronica Flores</u>	Date: <u>03/11/19</u>
Printed Name: <u>Veronica Flores</u>	Phone: <u>(415) 575-9173</u>
ROUTED TO HRC:	DATE:
<input checked="" type="checkbox"/> Emailed to: <u>hrC.info@sfgov.org</u>	<u>03/11/19</u>

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# EXHIBIT H



SAN FRANCISCO  
PLANNING  
DEPARTMENT

## AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM Administrative Code Chapter 83

1650 Mission Street, Suite 400 • San Francisco CA 94103-2479 • 415.558.6378 • <http://www.sfplanning.org>

### Section 1: Project Information

PROJECT ADDRESS 915 Cayuga Avenue		BLOCK/LOT(S) 6954, 039	
BUILDING PERMIT APPLICATION NO.	CASE NO. (IF APPLICABLE)	MOTION NO. (IF APPLICABLE)	
PROJECT SPONSOR SYTS Investments, LLC		MAIN CONTACT Sufi Hariri	PHONE 415-625-7132
ADDRESS 1256 Howard Street			
CITY, STATE, ZIP San Francisco, CA 94103		EMAIL sufi@tahbazoflaw.com	
ESTIMATED RESIDENTIAL UNITS 116	ESTIMATED SQ FT COMMERCIAL SPACE 0	ESTIMATED HEIGHT/FLOORS 40-X	ESTIMATED CONSTRUCTION COST 7 million
ANTICIPATED START DATE October 2019			

### Section 2: First Source Hiring Program Verification

CHECK ALL BOXES APPLICABLE TO THIS PROJECT	
<input checked="" type="checkbox"/>	Project is wholly Residential
<input type="checkbox"/>	Project is wholly Commercial
<input type="checkbox"/>	Project is Mixed Use
<input checked="" type="checkbox"/>	A: The project consists of ten (10) or more residential units;
<input type="checkbox"/>	B: The project consists of 25,000 square feet or more gross commercial floor area.
<input type="checkbox"/>	C: Neither 1A nor 1B apply.
<b>NOTES:</b> <ul style="list-style-type: none"><li>• If you checked C, this project is <b>NOT</b> subject to the First Source Hiring Program. Sign Section 4: Declaration of Sponsor of Project and submit to the Planning Department.</li><li>• If you checked A or B, your project <b>IS</b> subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning Department prior to any Planning Commission hearing. If principally permitted, Planning Department approval of the Site Permit is required for all projects subject to Administrative Code Chapter 83.</li><li>• For questions, please contact OEWD's CityBuild program at <a href="mailto:CityBuild@sfgov.org">CityBuild@sfgov.org</a> or (415) 701-4848. For more information about the First Source Hiring Program visit <a href="http://www.workforcedevelopments.org">www.workforcedevelopments.org</a></li><li>• If the project is subject to the First Source Hiring Program, you are required to execute a Memorandum of Understanding (MOU) with OEWD's CityBuild program prior to receiving construction permits from Department of Building Inspection.</li></ul>	

Continued...

### Section 3: First Source Hiring Program – Workforce Projection

Per Section 83.11 of Administrative Code Chapter 83, it is the developer's responsibility to complete the following information to the best of their knowledge.


Provide the estimated number of employees from each construction trade to be used on the project, indicating how many are entry and/or apprentice level as well as the anticipated wage for these positions.

Check the anticipated trade(s) and provide accompanying information (Select all that apply):

TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITIONS
Abatement Laborer				Laborer	50 ± 20	0	6
Boilermaker				Operating Engineer			
Bricklayer				Painter	50 ± 20	0	3
Carpenter	50 ± 20	2	8	Pile Driver			
Cement Mason				Plasterer			
Drywall/Latherer	50 ± 20	0	5	Plumber and Pipefitter	50 ± 20	1	5
Electrician	50 ± 20	0	4	Roofer/Water proofer			
Elevator Constructor				Sheet Metal Worker			
Floor Coverer				Sprinkler Fitter			
Glazier				Taper			
Heat & Frost Insulator				Tile Layer/ Finisher			
Ironworker				Other:			
		<b>TOTAL:</b>	<b>17</b>			<b>TOTAL:</b>	<b>14</b>

1. Will the anticipated employee compensation by trade be consistent with area Prevailing Wage? ☒ YES ☐ NO
2. Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations? ☒ YES ☐ NO
3. Will hiring and retention goals for apprentices be established? ☒ YES ☐ NO
4. What is the estimated number of local residents to be hired? tbd

### Section 4: Declaration of Sponsor of Principal Project

PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	EMAIL	PHONE NUMBER
Sufi Harini, Director	sufi@tahb2wflaw.com	415-625-7132
I HEREBY DECLARE THAT THE INFORMATION PROVIDED HEREIN IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I COORDINATED WITH OEWD'S CITYBUILD PROGRAM TO SATISFY THE REQUIREMENTS OF ADMINISTRATIVE CODE CHAPTER 83.		
 (SIGNATURE OF AUTHORIZED REPRESENTATIVE)		3/11/19 (DATE)
FOR PLANNING DEPARTMENT STAFF ONLY: PLEASE EMAIL AN ELECTRONIC COPY OF THE COMPLETED AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM TO OEWD'S CITYBUILD PROGRAM AT CITYBUILD@SFGOV.ORG		
Co: Office of Economic and Workforce Development, CityBuild Address: 1 South Van Ness 5th Floor San Francisco, CA 94103 Phone: 415-701-4848 Website: www.workforcedevelopmentsf.org Email: CityBuild@sfgov.org		