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Resolution making findings to approve a Use Permit, Design Review, Transportation Demand Management Plan, Vesting Tentative Map, Density Bonus, Waivers and Modifications Request, and Parking Management and Monitoring Plan to construct 800 residential units, an approximately 8,307 square feet (SF) childcare facility, an approximately 12,992 SF commercial retail space, approximately one-acre of publicly accessible open space, and related infrastructure at the 5.9-acre Former San Francisco Public Utilities Commission (“PUC”) Opportunity Site, located at 1051 Mission Road; and making a General Plan consistency determination in accordance with Government Code section 65402.

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WHEREAS, developer and has proposed construction of a high-density mixed-use residential development, consisting of 800 rental units of which 158 shall be affordable to lower income households, an approximately 8,307 square feet (SF) childcare facility, approximately 12,992 SF of retail space (market hall), 1 acre of publically accessible open space, pedestrian trails and 800 parking spaces over 5.9 acres on 1051 Mission Road (APNs: 093312050 and 093312060) collectively referred to as “Project Site” in the City; and

WHEREAS, the proposed Project (P18-0081) is located within the El Camino Real/Chestnut Avenue Area Plan (“ECR/Ch Area Plan”) area; and

WHEREAS, approval of the applicant’s proposal is considered a “project” for purposes of the California Environmental Quality Act, Pub. Resources Code §21000, et seq. (“CEQA”) and the City Council has considered the environmental impacts by separate resolution; and

WHEREAS, the applicant seeks approval of a Conditional Use Permit (UP19-0008), Design Review (DR19-0028), Transportation Demand Management Plan (TDM19-0004), Density Bonus (DB19-0003), Waivers and Modifications Request (WM19-0002), Parking Management and Monitoring Plan (PMMP19-0001), and Vesting Tentative Tract Map (SA19-0001) for the Project; and

WHEREAS, on October 17, 2019, the Planning Commission for the City of South San Francisco held a lawfully noticed public hearing to solicit public comment and consider the proposed entitlements and environmental effects of the Project and take public testimony, and recommended approval to the City Council; and

WHEREAS, on November 13, 2019, the City Council for the City of South San Francisco held a lawfully noticed public hearing to solicit public comment and consider the proposed entitlements and environmental effects of the Project and take public testimony.

NOW, THEREFORE, BE IT RESOLVED that based on the entirety of the record before it, which includes without limitation, the California Environmental Quality Act, Public Resources Code §21000, et seq. (“CEQA”) and the CEQA Guidelines, 14 California Code of Regulations §15000, et seq.; the South San Francisco General Plan and General Plan EIR; the El Camino Real/Chestnut Avenue Area Plan and associated EIR and SEIR; the South San Francisco Municipal Code; the Project applications; the Project Plans, as prepared by BAR Architects, dated September 17, 2019;

the Environmental Consistency Analysis, as prepared by the applicant and City staff dated October 2019, including all appendices thereto; all site plans, and all reports, minutes, and public testimony submitted as part of the Planning Commission's duly noticed October 17, 2019 meeting; all site plans, and all reports, minutes, and public testimony submitted as part of the City Council's duly noticed November 13, 2019 meeting and any other evidence (within the meaning of Public Resources Code §21080(e) and §21082.2), the City Council of the City of South San Francisco hereby finds as follows:

## **SECTION 1 FINDINGS**

### **General**

1. The foregoing recitals are true and correct and made a part of this Resolution.
2. The Exhibits attached to this Resolution, as follows, are each incorporated by reference and made a part of this Resolution, as if set forth fully herein.
  - A. Entitlement Submittal Set Project Plans (**Exhibit A**)
  - B. Draft Conditions of Approval (**Exhibit B**)
  - C. Parking Management and Monitoring Plan (**Exhibit C**)
    - a. Applicant Parking Occupancy Analysis (**Exhibit Ca**)
  - D. State Density Bonus Law Request and Waiver Letter (**Exhibit D**)
  - E. Applicant Support Statement for Waivers (**Exhibit E**)
3. The documents and other material constituting the record for these proceedings are located at the Planning Division for the City of South San Francisco, 315 Maple Avenue, South San Francisco, CA 94080, and in the custody of the Planning Manager, Sailesh Mehra.

### **Conditional Use Permit Findings**

1. The proposed multi-family use is conditionally allowed and the additional proposed uses are permitted within the El Camino Real/Chestnut High Density Residential (ECR/C-RH) Zoning District and complies with all other applicable provisions of this Ordinance and all other titles of the South San Francisco Municipal Code.
2. The proposed Project is consistent with the General Plan and the El Camino Real/Chestnut Avenue Area Plan (ECR/Ch Area Plan) by creating a high-density residential mixed-use project that emphasizes active retail storefronts and pedestrian improvements that implements the goals of the ECR/Ch Area Plan, and is consistent with the adopted Design Guidelines as they relate to building design, form and articulation. The General Plan and the El Camino Real/Chestnut Area Plan both identify the property as appropriate for High Intensity Mixed Use Residential development. The proposed project density, as authorized by the State Density Bonus law, is consistent with the General Plan and El Camino Real Chestnut Area Plan in that the noted density for the adopted General Plan and Area Plan of 110 du/ac and the following proposed density of 138 du/ac for the proposed building on

Parcel B is a result of a constrained, irregular shaped parcel. The Project is entitled to receive a state density bonus based on the number of affordable units and income level that are set aside, and thus utilizing the additional units granted under state density bonus law makes the project consistent and compliant ensures consistency and compliance with the General Plan, El Camino Real/Chestnut Avenue Area Plan, and associated zoning standards since the adopted zoning for the parcels permits up to 180 du/ac and these parcels were always envisioned as dense opportunity sites.

3. The proposed residential use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements, because the proposed use is consistent with the approved uses in both the General Plan and ECR/Ch Area Plan. The Project proposes high-density mixed-uses located in the City's ECR/C-RH Zoning District, which is intended for this type of use, and would be redeveloping vacant parcels. The General Plan has analyzed this type of use and concluded that such mixed-uses are not adverse to the public health, safety, or welfare. As the proposed Project is consistent with other mixed-use and residential land uses in the ECR/C-RH Zoning District, approval of the Project will not be detrimental to nearby properties. Further, the proposed use is well suited to the site, and would improve the property for surrounding users and the City. In addition, the Environmental Consistency Analysis prepared for the Project concludes that the as a result of the Project no new environmental effects would result from the Project beyond those previously analyzed and addressed in the ECR/Ch EIR and SEIR and MMRP.
4. The design, location, size, and operating characteristics of the proposed Project are compatible with the existing and reasonably foreseeable future land uses in the vicinity because the Project proposes residential and mixed-uses in the ECR/C-RH Zoning District, which is specifically intended for such uses.
5. With the exception of specific site density waivers requested through the State Density Bonus Law or waivers and modification request, the proposed project complies with any design or development standards applicable to the zoning district or the use in question and has been vetted and recommended for approval by the City's Design Review Board at their meetings on July 16, 2019 and August 20, 2019.
6. The site is physically suitable for the type of development and density proposed, as the residential use will benefit from being located in close proximity to the South San Francisco Bay Area Rapid Transit (BART) system, rapid bus service by SamTrans along the El Camino Real Corridor and Grand Avenue connecting to the South San Francisco Caltrain Station, and the size and development is appropriate for the location and meets the City's land use and zoning standards. Access to the site via existing roadways is sufficient as the project is within a built-out urban environment, utilities are provided on-site or proposed for upgrades, and no major physical constraints such as topography or lack of facilities exists that would prevent suitable development.
7. The Project is statutorily and categorically exempt from CEQA pursuant to Government Code §65457(a), Public Resources Code §21166. In addition, an environmental

determination has been prepared for the Project in accordance with CEQA as the City prepared an Environmental Consistency Analysis in accordance with the requirements of CEQA Guidelines § 15168(c), which concluded that the Project would not result in any new significant environmental effects or a substantial increase in the severity of any previously identified effects beyond those disclosed and analyzed in the ECR/Ch EIR and SEIR certified by City Council nor would any new mitigation be required.

8. Per 20.270.004.A, the applicant is seeking an increase in the applicable density and height standards through a combination of the following, subject to Conditional Use Permit approval by the City Council:
  1. 0.5 FAR, up to 30 units per acre and/or 20 feet of height for the incorporation of Transportation Demand Management (TDM) measures specified in Chapter 20.400, Transportation Demand Management, or as deemed appropriate by the Chief Planner for residential projects. *The draft TDM plan includes appropriate measures to attain the goal TDM rate for the project and they are all attainable. Reporting and monitoring will be a condition of approval.*
  2. 0.5 FAR, up to 30 units per acre and/or 20 feet of height for the following subject to Planning Commission or City Council approval:
    - a. Projects that include high quality, innovative design and product type, and maximum provisions for pedestrian and bicycle use. *The project proposes improvements to the Centennial Trail multi-use pathway for pedestrians and bicyclists, bicycle parking, a new public plaza adjacent to the market hall and Community Civic Campus, and connections between Antoinette Lane and El Camino Real, Mission Road and Centennial Trail and the Kaiser property and Centennial Trail for pedestrians and bicyclists.*
    - b. Provision of Off-Site Improvements. This may include off-site amenities and/or infrastructure (other than standards requirements and improvements) such as funding for public safety facilities, libraries, senior centers, community meeting rooms, child care or recreation, or new or enhanced public spaces. *The project proposes an on-site child care facility for up to 100 children with subsidized tuition, and the following publically accessible spaces:*
      - *Two new paseos allowing access from Mission Road to Colma Creek and the Centennial Trail;*
      - *Play structure and area for children;*
      - *Sculpture lawn;*
      - *Outdoor workout station;*
      - *Improved lighting and landscaping along Centennial Trail; and*
      - *Results in a total of approximately 4 acres of publically accessible open space, pathway and facilities.*

c. Provision of green building measures over and above the applicable green building compliance threshold required pursuant to Title 15 (“Building and Construction”) of the South San Francisco Municipal Code.

### **Design Review Findings**

1. The Project, including Design Review, is consistent with Title 20 of the South San Francisco Municipal Code because the Project has been designed as a high-density mixed-use and residential project which will provide a pedestrian-friendly, transit-oriented environment with sustainability elements incorporated.
2. The Project, including Design Review, is consistent with the General Plan and the ECR/Ch Area Plan because the proposed high-density residential development is consistent with the policies and design direction provided in the South San Francisco General Plan for the ECR/C-RH Zoning District land use designation by encouraging the development of new residential units within close proximity to the South San Francisco BART, SamTrans and within the ECR/Ch Area Plan area.
3. The Project, including Design Review, is consistent with the applicable design guidelines adopted by the City Council in that the proposed Project is consistent with the El Camino Real/Chestnut Avenue Area Plan Design Guidelines, as evaluated in the Zoning Ordinance Compliance analysis for the Project.
4. The Project is consistent with the Use Permit for the reasons stated in the section above.
5. The Project is consistent with the applicable design review criteria in South San Francisco Municipal Code Section 20.480.006 (“Design Review Criteria”) because the project has been evaluated by the Design Review Board on July 16, 2019 and August 20, 2019, and found to be consistent with each of the eight design review criteria included in the Design Review Criteria” section of the Ordinance.

### **Transportation Demand Management Findings**

1. The proposed trip reduction measures are feasible and appropriate for the project, considering the proposed high density residential use or commercial retail, the project’s location adjacent to the South San Francisco BART and SamTrans service, and mix of recreational and childcare uses that will reduce single occupant vehicle use; and
2. The proposed performance guarantees will ensure that the target alternative mode use established for the project by this chapter will be achieved and maintained and made a condition of approval for the project.

### **Density Bonus Request Finding**

1. The Project seeks a 25% density bonus under state density bonus law. Building B on Parcel 3 proposes 138 dwelling units per acre, and seeks two development standard waivers from

the floor area ratio (FAR) standard in the General Plan and Area Plan and from the rear yard setback requirements set forth in South San Francisco Municipal Code Section 20.270.004(D)(1-4) for Buildings Parcels B, C1 and C2 fronting BART and Colma Creek. The Project will provide 800 residential units, including 13 flex units. Of the non-flex residential units, 158 will be affordable to low-income households. Of the affordable units, 55 units, or seven percent (7%) of all of the Project's non-flex residential units, will be affordable to very low-income households to qualify the Project to receive a twenty-five percent (25%) density bonus or a floor area ratio bonus under Government Code sections 65915 and 65917.2. In conjunction with state density bonus eligibility, the Project is also entitled to receive one concession/incentive and an unlimited number of development standard waivers. No concessions/incentives have been requested by the Project. Inclusive of the 55 units above, the total percentage of affordable units constitutes twenty percent (20%) of the Project's residential units.

### **Waivers and Modifications Request from Chapter 20.270 Zoning Requirements**

1. Per 20.270.004.C, Build-To Line. Buildings shall be constructed at the required setback for at least 65 percent of linear street frontage. The area between the building and property line shall be paved so that it functions as a wider public sidewalk. This requirement may be modified or waived by the Planning Commission or City Council if:
  - a. The established street wall along El Camino Real and Chestnut Avenue is not interrupted;
  - b. Substantial landscaping is located between the build-to line and ground floor residential units to soften visual impact of buildings;
  - c. Entry courtyards, plazas, entries, or outdoor eating and display areas are located between the build-to line and building, provided that the buildings are built to the edge of the courtyard, plaza, or dining area; or
  - d. The building incorporates an alternative entrance design that creates a welcoming entry feature facing the street.

*The applicant requests a waiver of the build-to line requirement for the Oak Avenue extension constructed at grade from Antoinette Lane since this is a shared space plaza, walkway and surface parking lot rather than a right-of-way road similar to El Camino Real, Chestnut Avenue and Mission Road. Requiring a 10'-0" setback from the property line along the Oak Avenue frontage eliminates efficient use of Site B since it is irregularly shaped and would reduce the sizing of the proposed Market Hall. The intent of the requirement is to create an inviting pedestrian experience and the proposed landscaping, outdoor seating and entry to the Market Hall Plaza is an appropriate alternative entrance design.*

2. Per 20.270.005.B(3), Required Active Frontage for Oak Avenue - A minimum of 65 percent of the frontage of a site along Oak Avenue shall be devoted to active uses.

Exceptions. The Chief Planner may approve a reduced frontage of 50 percent to allow for fire access, driveways, and for efficient site layout and site configuration. Exceptions beyond that are subject to Planning Commission or City Council approval.

*The project has been designed to meet the 50% requirement to preserve the ability to complete Oak Avenue Phase 2 that will require an elevated roadway across a portion of the proposed Building B that fronts Oak Avenue Phase 1. This design and active requirement satisfies the zoning requirements.*

3. Per 20.270.005.G(5), all ground floor residential units shall have the primary entrance, either individual or shared, facing the public street, BART right-of-way, or a pedestrian connection and shall incorporate a projection (e.g., porch or stoop) or recess at least 40 square feet in area, with a minimum depth of 5 feet.

Exceptions. Alternative designs that create a welcoming entry feature facing the street, such as a trellis or landscaped courtyard entry, may be approved by the Chief Planner or Design Review Board.

*The project has been designed to meet the intent of ground floor activity and primary entrances with the live work terrace along Buildings C1 and C2 facing BART right of way and Colma Creek and this design satisfies the zoning intent per Chief Planner determination.*

### **Vesting Tentative Tract Map Findings**

1. The proposed vesting tentative map, prepared by Sandis and dated September 17, 2019, including the proposed designs and improvements, is consistent with the City's General Plan and ECR/Ch Area Plan because the tentative map would facilitate the infill and development of a mixed-use residential project which would create additional residential units and retail uses in the geographic center of South San Francisco as highlighted by the ECR/Ch Area Plan policies and goals.
2. The proposed vesting tentative map is consistent with the standards and requirements of the City's Zoning Ordinance and with the provisions of the ECR/Ch Area Plan.
3. The vesting tentative map complies and meets all of the requirements of Title 19 of the South San Francisco Municipal Code ("Subdivisions") and with the requirements of the State Subdivision Map Act.
4. The Project Site is physically suitable for the type of development and density proposed, as the mixed-use residential project will be located on underutilized parcels in the geographic center of South San Francisco which calls for a mix of vibrant commercial and residential uses in the ECR/Ch Area Plan.
5. The vesting tentative map is consistent with the analysis included in the already certified ECR/Ch EIR and SEIR, and the approval of this vesting tentative map would not result in

any new significant environmental effects or a substantial increase in the severity of any previously identified effects beyond those disclosed and analyzed in the ECR/Ch EIR and SEIR certified by City Council, nor does the vesting tentative map constitute a change in the Project or change in circumstances that would require additional environmental review.

6. The design and improvements of the vesting tentative map are not in conflict with any existing public easements.
7. The property is located in a developed, urban setting, and is not subject to a Williamson Act contract, on open space easement, a conservation easement, or an agricultural conservation easement. The surrounding land uses and resulting parcels would not support agricultural uses; the resulting parcels would result in mixed-use development not incidental to commercial agricultural use of the land.

### **General Plan Consistency Findings Pursuant to Government Code section 65402**

1. The Project is consistent with the General Plan and the ECR/Ch Area Plan because the General Plan and the Area Plan both identify the project site as appropriate for High Intensity Mixed Use Residential development. The proposed high-density residential development is consistent with the policies and design direction provided in the South San Francisco General Plan for the ECR/C-RH Zoning District land use designation by encouraging the development of new residential units within close proximity to the South San Francisco BART, SamTrans and within the ECR/Ch Area Plan area. Further, The proposed project density, as authorized by the State Density Bonus law and for which the project is entitled to receive based on the number and income levels of affordable units set aside, is consistent with the General Plan and Area Plan. The noted density for the adopted General Plan and Area Plan of 110 du/ac and the following proposed density of 138 du/ac for the proposed building on Parcel B is a result of a constrained, irregular shaped parcel. Further, the proposed Oak Avenue extension concept proposed by the project is consistent with the recommendations of the Area Plan with no additional impact as analyzed by the traffic study prepared. Thus, the proposed project serves the visions and goals of the General Plan and is consistent with the guidelines therein.

### **SECTION 2 DETERMINATION**

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of South San Francisco hereby makes the findings contained in this Resolution and approve the entitlements request, the Density Bonus request, and determines that the project is consistent with the adopted South San Francisco General Plan in accordance with Government Code section 65402 for 1051 Mission Road and surrounding associated parcels (P18-0081, UP19-0008, DR19-0028, TDM19-0004, DB19-0003, WM19-0002, PMMP19-0001, and SA19-0001).

BE IT FURTHER RESOLVED that the resolution shall become effective immediately upon its passage and adoption.



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