File No. 120480 Board Item No. 24

COMMITTEE/BOARD OF SUPERVISORS

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Completed by: Annette Lonich **Date: May 10, 2012**

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

Print Form

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp or meeting date

I hereby submit the following item for introduction (select only one):

☐ 1. For reference to Committee: _____

An ordinance, resolution, motion, or charter amendment.

☒ 2. Request for next printed agenda without reference to Committee.

☐ 3. Request for hearing on a subject matter at Committee: _____

☐ 4. Request for letter beginning "Supervisor _____ inquires"

☐ 5. City Attorney request.

☐ 6. Call File No. _____ from Committee.

☐ 7. Budget Analyst request (attach written motion).

☐ 8. Substitute Legislation File No. _____

☐ 9. Request for Closed Session (attach written motion).

☐ 10. Board to Sit as A Committee of the Whole.

☐ 11. Question(s) submitted for Mayoral Appearance before the BOS on _____

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission

☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.

Sponsor(s):

Supervisor Chiu

Subject:

Resolution urging the Planning Commission to Initiate and Consider amendments to the General Plan concerning the Chinese Hospital Special Use District and Replacement Project

The text is listed below or attached:

Resolution urging the Planning Commission to initiate and consider amendments to Policy 1.2 and Map 1 of the Chinatown Area Plan of the San Francisco General Plan as part of the Chinese Hospital Replacement Project (835 and 845 Jackson Street, Assessor's Block 0192, Lot 041).

Signature of Sponsoring Supervisor: _____

For Clerk's Use Only:

120480

[Urging the Planning Commission to Initiate and Consider Amendments to the General Plan Concerning the Chinese Hospital Special Use District and Replacement Project]

Resolution urging the Planning Commission to initiate and consider amendments to Policy 1.2 and Map 1 of the Chinatown Area Plan of the San Francisco General Plan as part of the Chinese Hospital Replacement Project (835 and 845 Jackson Street, Assessor's Block No. 0192, Lot No. 041).

WHEREAS, The Chinese Hospital has provided healthcare to residents of Chinatown and San Francisco since 1899, first as the Tung Wah Dispensary and then in 1925 as the Chinese Hospital. The Chinese Hospital is a community-owned nonprofit organization, and is the only independent community hospital in San Francisco. The Chinese Hospital is governed by a community based board of trustees who represent Chinese family associations and benevolent organizations of Chinatown; and

WHEREAS, The Chinese Hospital serves as a center for healthcare, healthcare education and wellness services for local residents and the Chinese community in the Bay Area. More than 90% of the Chinese Hospital's patients are residents of San Francisco and almost 40% are from the Chinatown, North Beach and surrounding residential neighborhoods. Approximately 90% of the Chinese Hospital's patients speak Chinese as their primary language; and

WHEREAS, In 2009 and 2010, the Chinese Hospital had approximately 4,000 emergency visits to its urgent care center, provided healthcare services to almost 2,000 acute care patients, and performed 4,500 outpatient surgeries. More than 90% of its acute care patients were 60 years or older and about 90% were Medicare and Medi-Cal patients; and

WHEREAS, To provide for the future healthcare needs of Chinatown and the local community, and to comply with the seismic retrofit requirements for all acute care hospitals

imposed by the Office of the Statewide Health Planning and Development ("OSHPD"), the Chinese Hospital proposes to replace the building at 835 Jackson Street and the related parking structure with a new eight-story hospital and convert the existing hospital at 845 Jackson Street to a medical administrative office use building with outpatient clinic services ("Proposed Project"). The Proposed Project would not displace any residential uses or demolish any residential buildings as it would be developed on its existing parcels; and

WHEREAS, The Proposed Project would be well suited for modern healthcare practices and procedures that require more spacious facilities for new medical equipment leading to improved healthcare quality and safety for patients, and a safe and accessible work environment for hospital staff. In particular, the Proposed Project would permit the hospital to replace its two, three and four-bed patient rooms with single patient rooms and utilize modern medical equipment. In addition, the Proposed Project would provide a new 22-bed skilled nursing facility to improve the transition of patients from the acute care setting while they recover from inpatient procedures. By providing these essential healthcare services to the Chinatown area and the community residents, the Proposed Project would promote the preservation the Chinatown community, and thereby conserve and protect the existing cultural and economic diversity of the Chinatown neighborhood; and

WHEREAS, The Chinese Hospital and its agents (Project Sponsor) has applied to the City for environmental review of the Proposed Project. A Draft Environmental Impact Report (Draft EIR) was published on April 16, 2012, the Planning Commission will hold a public hearing and receive public comment on the Draft EIR on May 17, 2012, and the Planning Department will accept written public comment on the Draft EIR from April 16, 2012 through May 31, 2012; and

WHEREAS, The Planning Department will prepare a Responses to Comments document, responding to any comments received on the Draft EIR during the public comment

period, and the Planning Commission will hold a public hearing to consider certification of the Final EIR; and

WHEREAS, The new development would be inconsistent with the design guidelines set forth in the Chinatown Area Plan of the General Plan, and such General Plan would not permit the requisite height and design of the proposed development. Accordingly, to allow for the new development, thereby permitting the Chinese Hospital to satisfy the healthcare needs of Chinatown and the local community, improve the healthcare quality and safety for patients, and comply with the retrofit requirements of OSHPD, the Project Sponsor proposes to amend Policy 1.2 and Map 1 of the Chinatown Area Plan of the General Plan; and now, therefore, be it

RESOLVED, That the Board of Supervisors urges the Planning Commission to initiate and consider those proposed amendments to Policy 1.2 and Map 1 of the Chinatown Area Plan of the General Plan that are included in the attached ordinance, consistent with the proposed Chinese Hospital Replacement Project.

[General Plan Amendment—Chinese Hospital Special Use District]

Ordinance amending the San Francisco General Plan by amending Policy 1.2 and Map 1 of the Chinatown Area Plan to facilitate development of the Chinese Hospital Replacement Project at 835 and 845 Jackson Street (Assessor's Block 0192, Lot 041); and making findings, including environmental findings and findings of consistency with the General Plan and Planning Code sections 101.1 and 340.

NOTE: Additions are *single-underline italics Times New Roman*; deletions are ~~*strike-through italics Times New Roman*~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough normal~~.

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

Section 1. Findings. The Board of Supervisors of the City and County of San Francisco hereby finds and determines that:

(a) General Plan and Planning Code Findings.

(1) Pursuant to San Francisco Charter Section 4.105 and Planning Code Section 340, any amendments to the General Plan shall first be considered by the Planning Commission and thereafter recommended for approval or rejection by the Board of Supervisors. On _____, the Commission conducted a duly noticed public hearing on the proposed General Plan Amendments pursuant to Planning Code Section 340 and, by Resolution No. _____, adopted the General Plan Amendments, and recommended them for approval to the Board of Supervisors. A copy of Planning Commission Resolution No. _____ is on file with the Clerk of the Board of Supervisors in File No. _____.

(2) The Board of Supervisors finds that the proposed General Plan amendments are in conformity with the priority policies of Planning Code Section 101.1 and on balance is consistent with the General Plan as it is proposed for amendment herein, and hereby adopts the findings set forth in Planning Commission Resolution No. _____ and incorporates such findings herein by reference.

(3) Pursuant to Planning Code Section 340, the Board finds that the proposed General Plan amendments will serve the public necessity, convenience and welfare for the reasons set forth in Planning Commission Resolution No. _____, which reasons are incorporated herein by reference as though fully set forth.

(b) Environmental Findings. On _____, at a duly noticed public hearing, the Planning Commission, reviewed and considered a Final Environmental Impact Report (Final EIR) for the Chinese Hospital Replacement Project (Project) and found that the contents of the Final EIR and the procedures through which the Final EIR was prepared, publicized, and reviewed complied with the provisions of California Environmental Quality Act (California Public Resources Code section 21000 *et seq.*) ("CEQA"), 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 EIR was adequate, accurate and objective, reflected the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and certified the Final EIR for the Project in compliance with CEQA, the CEQA Guidelines, and Chapter 31. Additionally, Planning Department staff prepared a Mitigation Monitoring and Reporting Program ("MMRP") for the Project, which is attached to Planning Commission Motion No. _____. The Final EIR, the MMRP and all supporting

documents and files have been made available to the public, the Planning Commission, and this Board for review, consideration and action.

The Planning Commission Secretary is the custodian of records for the Project's environmental review, located in the File for Case No. 2008.0762E, at 1650 Mission Street, Fourth Floor, San Francisco, California.

On _____, at a duly noticed public hearing, in recommending approval of the proposed Planning Code amendments and approving the Project, the Planning Commission adopted approval findings under CEQA, including findings rejecting alternatives and adopting a statement of overriding considerations, by Motion No. _____. Additionally, the Planning Commission adopted the MMRP, which is attached to Planning Commission Motion No. _____ and incorporated by reference. Planning Commission Motion No. _____ and the MMRP are on file with the Clerk of the Board of Supervisors in File No. _____ and are hereby incorporated herein by reference as though fully set forth in this Ordinance. This Board finds that these Planning Code amendments are within the scope of the Final EIR and the Planning Commission's adopted CEQA findings and MMRP. This Board hereby affirms the Planning Commission's certification of the Final EIR and adopts the CEQA approval findings set forth in Planning Commission Motion No. _____ as its own and adopts the MMRP.

(c) General Findings.

(1) The properties commonly known as 835 and 845 Jackson Street on Block 0192, Lot 041 are located on the south side of Jackson Street, between Powell and Stockton Streets in the Chinatown area of the City and County of San Francisco. The properties are within the Chinatown Residential Neighborhood Commercial District and within a 65-N Height and Bulk District. Block 0192, Lot 041 currently contains three (3) structures: 835 Jackson Street currently serves as a medical administration building for hospital administration and outpatient

healthcare services, 845 Jackson Street is the existing five-story hospital, and behind 835 Jackson Street is a three-story parking structure. No undeveloped space currently exists for the development of a new hospital.

(2) To provide for the future healthcare needs of Chinatown and the local community and to comply with the seismic retrofit requirements for all acute care hospitals imposed by the Office of Statewide Health Planning and Development ("OSHPD"), the Chinese Hospital, which is a community-owned nonprofit organization, proposes to replace the buildings located at 835 Jackson Street (the 1924-era original hospital building, now used for administration and outpatient services and the related parking structure) with a new eight-story hospital and convert the existing hospital at 845 Jackson Street to a medical center use with outpatient clinic services. Without amendment, the Planning Code would not allow the proposed development of a new hospital on the site, and the Chinatown Area Plan of the General Plan would not permit the requisite height and design of the Chinese Hospital Project.

(3) The Chinese Hospital Special Use District is being established and these conforming amendments to the General Plan are being proposed in order to allow the sponsor to develop a new Chinese Hospital on the subject site to the proposed bulk and height.

Section 2. The San Francisco General Plan is hereby amended by amending Policy 1.2 of the Chinatown Area Plan, to read as follows:

POLICY 1.2 Promote a building form that harmonizes with the scale of existing buildings and width of Chinatown's streets.

The Chinatown area is primarily composed of small-scaled buildings. Most existing buildings are quite low and due to the pattern of the lots, many are relatively short in depth as well. The typical lot size is only 3,500 square feet. The few large buildings in the area intrude into this fine-scaled texture of development. Further development along these lines would

severely damage the appearance of this historic part of the city and would also produce deeply shadowed streets.

Urban design guidelines should be applied to new construction in Chinatown, *other than construction within the Chinese Hospital Special Use District,* in order to (1) integrate new buildings into the dominant fine scale of development characterized by small varied buildings in a manner that does not create sharp contrasts in scale or significantly alter the texture of the area as viewed from surrounding areas and (2) maintain the unifying rhythm of facade widths and the general scale of street walls as viewed from the streets. Generally, buildings above a height of 40 feet should not exceed a width (measured parallel to the street) of 50 to 75 feet or a maximum diagonal of 100 feet. As buildings approach these dimensions, increasingly stronger measures will be required to minimize the apparent bulk and scale of the project and insure a harmonious fit with the contextual setting. Larger projects may necessitate division of the facade into independent designs, changes of height of several floors and setbacks to achieve the desired relationship.

These design controls have been presented as guidelines rather than rigid rules. This is essential given the wide range of sites and situations in which a project may be proposed. The ultimate development potential in a given property is dependent not only on the zoning and height limit by also on the nature of surrounding development.

Section 3. The Board of Supervisors hereby approves the following amendments to Map 1 of the Chinatown Area Plan of the General Plan:

Map 1 of the Chinatown Area Plan is amended to reference a height limit of 110 feet on Block 0192, Lot 041.

Section 4. The Board of Supervisors hereby approves the following amendment to the General Plan Land Use Index:

The Land Use Index shall be updated as necessary to reflect the amendments set forth in Sections 2 and 3, above.

Section 5. Effective Date. This ordinance shall become effective 30 days from the date of passage.

Section 6. In enacting this Ordinance, the Board intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams, or any other constituent part of the General Plan that are explicitly shown in this legislation as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the legislation.

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

By: _____
Marlena G. Byrne
Deputy City Attorney