

File No. 111210 Committee Item No. 2  
Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date February 6, 2012

Board of Supervisors Meeting Date \_\_\_\_\_

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/> | Resolution                                   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/> | Introduction Form (for hearings)             |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

#### OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Environmental Review Determination, dtd 1/19/12</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Planning Commission Resolution No. 18526</u>        |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Hearing Notice</u>                                  |
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Completed by: Alisa Miller Date February 2, 2012  
Completed by: \_\_\_\_\_ Date \_\_\_\_\_

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

1 [Planning Code - Chinatown Transit Station Special Use District]

2  
3 **Ordinance amending the San Francisco Planning Code Section 249.66 to: 1) create the**  
4 **Chinatown Transit Station Special Use District at the southwest corner of Stockton**  
5 **Street and Washington Street (Assessor Block No. 211, Lot No. 1); 2) permit the**  
6 **demolition of a mixed-use building in the Chinatown Neighborhood Commercial**  
7 **District for the construction of the Chinatown Station of the Central Subway; and 3)**  
8 **adopt findings, including General Plan Consistency Findings and findings under the**  
9 **California Environmental Quality Act.**

10 Note: Additions are *single-underline italics Times New Roman*;  
11 deletions are *strikethrough italics Times New Roman*.  
12 Board amendment additions are double underlined.  
Board amendment deletions are ~~strikethrough normal~~.

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

14 Section 1. This section is uncodified. General Findings

15 (a) The San Francisco Municipal Transportation Agency (SFMTA) plans to  
16 construct a continuation of the T-Third Light Rail Vehicle line from the Caltrain Station at  
17 Fourth and King Streets to an underground station in Chinatown (the "Project") to create a  
18 critical transportation improvement linking neighborhoods in the southeastern portion of the  
19 City and County of San Francisco (the "City") with the retail and employment centers in the  
20 City's downtown and Chinatown neighborhoods.

21 (b) The Project will provide direct rail service to regional destinations, including the  
22 City's Chinatown, Union Square, Moscone Convention Center, Yerba Buena, SoMa and  
23 AT&T Park neighborhoods; connect BART and Caltrain; serve a low-auto-ownership  
24  
25

1 population of transit customers; increase transit use and reduce travel time; reduce air and  
2 noise pollution and provide congestion relief.

3 (c) On August 7, 2008, the City's Planning Commission certified that the Final  
4 Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report  
5 ("Final Supplemental EIS/EIR") for the Central Subway/Third Street Light Rail Phase 2  
6 ("Central Subway") was in compliance with the California Environmental Quality Act, Public  
7 Resources Code section 21000, et seq, and the CEQA Guidelines in Planning Commission  
8 Motion No. 17668. The Final Supplemental EIS/EIR and Motion No. 17668 are on file with the  
9 Clerk of the Board of Supervisors in File No. 100849 and are incorporated by reference.

10 (d) On August 19, 2008, the SFMTA's Board of Directors, by Resolution No. 08-150,  
11 approved the Project, adopted CEQA Findings, including a Statement of Overriding  
12 Considerations and a Mitigation Monitoring and Reporting Program (MMRP) as required by  
13 CEQA. Resolution No. 08-150 is on file with the Clerk of the Board of Supervisors in File  
14 No. 100849 and is incorporated by reference.

15 (e) On September 16, 2008, the City's Board of Supervisors (this "Board") adopted  
16 Motion No. 08-145, in Board File No. 081138, affirming the City's Planning Department  
17 decision to certify the Final Supplemental EIS/EIR. Motion No. 08-145 is on file with the Clerk  
18 of the Board of Supervisors in File No. 100849 and is incorporated by reference.

19 (f) On January 29, 2012, the City's Planning Department found that there have been  
20 no substantial changes proposed for the Project that would require major revisions to the Final  
21 Supplemental EIS/EIR or that would result in significant environmental impacts that were not  
22 evaluated in the Final Supplemental EIS/EIR; and no new information has become available  
23 that was not known and could not have been known at the time the Final Supplemental  
24 EIS/EIR was certified as complete and that would result in significant environmental impacts  
25 not evaluated in the Final Supplemental EIS/EIR.

1 (g) On February 26, 2010, the SFMTA's Board of Directors adopted Resolution No.  
2 10-024, in which it found that (a) the Project will assist SFMTA in meeting the objectives of  
3 Goal No. 1 of the SFMTA Strategic Plan (to provide safe, accessible, clean, environmentally  
4 sustainable service and encourage the use of auto-alternative modes through the Transit First  
5 policy), of Goal No. 2 (to improve transit reliability), of Goal No. 3 (to improve economic vitality  
6 through improved regional transportation), and of Goal No. 4 (to ensure the efficient and  
7 effective use of resources).

8 (h) As noted in the SEIS/SEIR certified in June 2008, and in the August 5, 2008  
9 SFMTA Board of Directors Resolution approving the project, construction of the underground  
10 station in Chinatown, at the southwest corner of Stockton and Washington Streets, requires  
11 the demolition of the existing mixed-use residential and retail building at 939-945 Stockton  
12 Street. The SFMTA finalized the purchase the building at 939-945 Stockton Street in  
13 November 2011, and is now the owner in fee simple.

14 (i) The SFMTA has successfully relocated almost all of the retail and residential  
15 tenants at 933-949 Stockton Street in accordance with the Central Subway's *Relocation*  
16 *Impact Study and Last Resort Housing Plan* (the "*Plan*"), approved by the MTA Board of  
17 Directors on August 3, 2010, and by this Board of Supervisors on December 7, 2010. The  
18 *Plan* among other things, establishes a program by which residential tenants are provided  
19 relocation expenses, including moving expenses and social services, 42 months of rent  
20 differential, and eligibility for affordable units at a new housing project planned for Broadway  
21 and Sansome Streets. The *Plan* also provides commercial tenants with the services of a  
22 relocation consultant, moving expenses, business re-establishment expense payments and  
23 compensation for loss of goodwill.

24 Section 2. Special Findings  
25

1 (a) Pursuant to Planning Code Section 302, the Board of Supervisors finds that  
2 this ordinance will serve the public necessity, convenience, and welfare for the reasons set  
3 forth in Planning Commission Resolution No. 18526, and incorporates such reasons herein by  
4 reference. A copy of said Planning Commission Resolution is on file with the Clerk of the  
5 Board of Supervisors in File No. 111210.

6 (b) The Board of Supervisors finds that this ordinance is in conformity with the  
7 General Plan and the Priority Policies of Planning Code Section 101.1 for the reasons set  
8 forth in Planning Commission Resolution No. 111210, and hereby incorporates those reasons  
9 by reference.

10 (c) The Planning Department has determined that the actions contemplated in this  
11 ordinance are in compliance with the California Environmental Quality Act (California Public  
12 Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of the  
13 Board of Supervisors in File No. 111210 and is incorporated herein by reference.

14 Section 2. The San Francisco Planning Code is hereby amended by adding Section  
15 249.66, to read as follows:

16 **SEC. 249.66. CHINATOWN TRANSIT STATION SPECIAL USE DISTRICT.**

17 (a) Purpose. In order to facilitate the construction of the Central Subway, the  
18 extension of the Third Street Light Rail Line from the Caltrain Terminal at 4th Street and King  
19 Street to an underground station in Chinatown, there shall be a Chinatown Transit Station  
20 Special Use District consisting of Lot 1, of Assessor's Block 0211, as designated on Sectional  
21 Map SU01 of the Zoning Map of the City and County of San Francisco.

22 (b) Special Controls.

23 The following controls apply to projects within the special use district and to any  
24 subsequent alterations or changes in use in a building approved under this Section.  
25

1 (1) All otherwise applicable provisions of the Planning Code shall apply to this Special  
2 Use District with the exception of Section 317 and 812.39(b).

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4  
5 APPROVED AS TO FORM:  
6 DENNIS J. HERRERA, City Attorney

7 By: Audrey Pearson  
8 Audrey Pearson  
9 Deputy City Attorney  
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## LEGISLATIVE DIGEST

[Planning Code - Chinatown Transit Station Special Use District]

**Ordinance amending the San Francisco Planning Code Section 249.66 to: 1) create the Chinatown Transit Station Special Use District at the southwest corner of Stockton Street and Washington Street (Assessor Block No. 211, Lot No. 1); 2) permit the demolition of a mixed-use building in the Chinatown Neighborhood Commercial District for the construction of the Chinatown Station of the Central Subway; and 3) adopt findings, including General Plan Consistency Findings and findings under the California Environmental Quality Act.**

### Existing Law

Currently, Planning Code section 812.39(b) prohibits demolition of housing in the Chinatown Residential Neighborhood Commercial District. Planning Code section 317 prohibits the issuance of a demolition permit unless a building permit for a replacement building has also been issued.

### Amendments to Current Law

This legislation would amend the Planning Code to create the Chinatown Station Special Use District ("SUD"), as Planning Code section 249.66. All otherwise applicable controls would apply in the Chinatown Station SUD except for Planning Code Section 812.39(b) and Section 317.

### Background Information

The San Francisco Municipal Transportation Agency (SFMTA) plans to construct a continuation of the T-Third Light Rail Vehicle line from the Caltrain Station at Fourth and King Streets to an underground station in Chinatown (the "Project") to create a critical transportation improvement linking neighborhoods in the southeastern portion of the City and County of San Francisco (the "City") with the retail and employment centers in the City's downtown and Chinatown neighborhoods. The Project will provide direct rail service to regional destinations, including the City's Chinatown, Union Square, Moscone Convention Center, Yerba Buena, SoMa and AT&T Park neighborhoods; connect BART and Caltrain; serve a low-auto-ownership population of transit customers; increase transit use and reduce travel time; reduce air and noise pollution and provide congestion relief.

Construction of the Chinatown Station requires the demolition of the existing mixed-use residential commercial building on the southwest corner of Stockton and Washington Streets.

This ordinance will allow the SFMTA the ability to demolish a residential building in Chinatown Residential Neighborhood Commercial District, and will allow such demolition without the concurrent approval of a subsequent building permit. The building is largely vacant: all but one retail tenant and all residential tenants in the building have been relocated pursuant to the Central Subway's Relocation Impact Study and last Resort Housing Plan. The remaining retail tenant expects to vacate the building in mid-February 2012



Edwin M. Lee | Mayor  
Tom Nolan | Chairman  
Jerry Lee | Vice-Chairman  
Leona Bridges | Director  
Cheryl Brinkman | Director  
Malcolm Heinicke | Director  
Bruce Oka | Director  
Joel Ramos | Director  
Edward D. Reiskin | Director of Transportation

**MEMORANDUM**

CS Memorandum No. 0856

DATE: November 14, 2011

TO: Honorable Members of the Board of Supervisors

FROM: Edward D. Reiskin  
Director of TransportationSUBJECT: Request for Consideration of Ordinances approving the Chinatown  
Transit Station Special Use District for the Central Subway

The San Francisco Municipal Transportation Agency (SFMTA) requests approval of two ordinances that would allow the construction of the Chinatown Station of the Central Subway. The first ordinance would amend the San Francisco Planning Code to create the Chinatown Transit Station Special Use District (SUD). The second ordinance would amend the City's Zoning Maps to include the SUD on the City's official maps.

Currently, Planning Code section 812.39(b) prohibits the demolition of residential units in the Chinatown Neighborhood Commercial District (NCD), where the station is located, and Planning Code section 317 prohibits the issuance of a demolition permit unless a building permit for a replacement structure is finally approved. The ordinance amending the Planning Code would allow the demolition of a residential building in the Chinatown Neighborhood Commercial District without the need for a building permit for a replacement building, by creating the Chinatown Transit Station Special Use District (SUD) at the southwest corner of Stockton Street and Washington Street. Uses within the SUD would be subject to all controls within the Chinatown NCD and the Planning Code, except for sections 812.39(b) and 317. The Zoning Map ordinance would amend the San Francisco Zoning Maps to include the SUD on the City's official maps.

Demolition of the building at the corner of Stockton and Washington streets (933-949 Stockton Street), is required for the construction of the Chinatown Station. The

station site is a congested area, where construction staging is limited. Once complete, the at-grade entrance to the Chinatown Station will be located on this lot. Both ordinances also adopt General Plan Consistency Findings and findings under the California Environmental Quality Act (CEQA).

### **Background**

The Third Street Light Rail Transit (LRT) Project is the most significant capital investment in generations for the SFMTA. Phase 1 of the 6.9-mile two-phase project, the T-Third line, began revenue service in April 2007, restoring light rail service to the heavily transit-dependent Third Street corridor in eastern San Francisco for the first time in 50 years.

Phase 2, the Central Subway Project, will extend the new Third Street line by constructing three new subway stations and one surface station to provide rail service to the Financial District and Chinatown. The extended light rail line will serve regional destinations such as Union Square, the Moscone Convention Center, Yerba Buena and AT&T Park, and will connect directly to BART and Caltrain, the Bay Area's two largest regional commuter rail systems.

The primary purpose of the Third Street LRT Project is to provide residents with faster, more reliable and more comfortable transit service. Chinatown and the Financial District are two of the most congested and heavily developed areas in San Francisco. The Planning Department projects that by 2030, the population along the corridor of the Third Street Line and the proposed Central Subway alignment will increase 26 percent and employment will increase 61 percent, factors that are larger than the growth in population and employment anticipated for the City as a whole. The SFMTA estimates that the Central Subway will serve 43,700 riders in its first year of operation in 2018, increasing to 65,000 daily riders projected for 2030.

### **Chinatown Station Site and Update of Purchase and Relocation Efforts**

The Central Subway design consists of in-street surface light rail in the southern portion of the system that transitions into subway operation for most of the alignment. Three new subway stations will be constructed serving the Moscone/Yerba Buena, Union Square/Market Street and Chinatown areas.

The Chinatown station will be located underground at the corner of Washington and Stockton streets. The site is currently occupied by a two-story mixed use residential/commercial building (933-949 Stockton Street). The SFMTA is in contract with the owner to purchase the building; close of escrow is scheduled for November 15, 2011.

The SFMTA is in the process of relocating the retail and residential tenants at 933-949 Stockton Street in accordance with the Central Subway's Relocation Impact Study and Last Resort Housing Plan. (Relocation Plan), approved by the SFMTA

Board of Directors on August 3, 2010, and by this Board of Supervisors on December 7, 2010. The Relocation Plan, among other things, establishes a program by which residential tenants are provided relocation expenses, including moving expenses and social services, 42 months of rent differential and eligibility for affordable units at a new housing project planned for Broadway and Sansome streets. The Relocation Plan also provides commercial tenants with the services of a relocation consultant, payment of moving expenses, payment of business re-establishment expense payments and compensation for loss of business goodwill.

#### **Special Use District and General Plan Findings**

The SUD would allow the demolition of residential units at 933-944 Stockton Street. As drafted, all other controls in the Chinatown Neighborhood Commercial District would control the construction of a new building on that lot. The proposed SUD would require further amendments if the Central Subway wants to build a building on that lot that does not comply with the Planning Code.

The ordinances also make findings required by CEQA, and findings regarding the consistency of the ordinance with the San Francisco General Plan.

#### **Recommendation**

The San Francisco Municipal Transportation Agency requests that the Board of Supervisors approve the ordinances amending the Planning Code and Zoning Map to create the Chinatown Transit Station Special Use District for the Central Subway.

JF

cc: CS File M544.1.5.1030



# SAN FRANCISCO PLANNING DEPARTMENT

**MEMO**

**DATE:** January 19, 2012  
**TO:** File No. 2011.1202E  
**FROM:** Michael Jacinto, Environmental Planning  
**THROUGH:** Bill Wycko, Environmental Review Officer  
**RE:** Determination of No Further Environmental Review  
Required for the Chinatown Transit Station Special Use  
District Legislation

1650 Mission St.  
Suite 400  
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CA 94103-2479

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Information:  
415.558.6377

The purpose of this memorandum is to document the Planning Department's determination that no further environmental review is required for the proposed "Chinatown Transit Station Special Use District" legislation (Board of Supervisors File Nos. 111210 and 111211) because the environmental effects of implementation of this legislation have been adequately analyzed pursuant to the California Environmental Quality Act ("CEQA") in environmental documentation previously prepared for the Central Subway Project. This memorandum describes the relationship of the proposed legislation to the Central Subway Project, identifies the previous environmental review documentation that addresses the legislation, and summarizes the environmental effects that would occur as a result of implementation of the legislation, along with mitigation measures that address significant impacts and improvement measures that have been adopted as part of the project.

## PROPOSED LEGISLATION

The proposed legislation consists of two ordinances. The first proposed ordinance is an amendment to the San Francisco Planning Code, adding Section 249.66 to create the Chinatown Transit Station Special Use District at the southwest corner of Stockton and Washington Streets. The amendment would permit the demolition of a mixed-use building in the Chinatown Residential Neighborhood Commercial District for the construction of the Chinatown Station at 935-949 Stockton Street (Assessor Block 211, Lot 01) as part of the Central Subway Project. The second proposed ordinance would amend the San Francisco Planning Code Sectional Maps SU01 of the City and County's Zoning Map to reflect the creation of the Chinatown Transit Station Special Use District.

## PREVIOUS ENVIRONMENTAL REVIEW

The proposed legislation would enable implementation of a portion of the Central Subway Project, which is the second phase of the Third Street Light Rail Project. The Third Street Light Rail Project was initially evaluated under CEQA and the National Environmental Policy Act (NEPA) in the Third Street Light Rail Project Final Environmental Impact Study and Final Environmental Impact Report (FEIS/FEIR), which was certified in 1998.<sup>1</sup> On January 19, 1999, the San Francisco Municipal Transportation Agency (SFMTA) approved Resolution No. 99-009,

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<sup>1</sup> *Final Environmental Impact Statement/Final Environmental Impact Report, Third Street Light Rail Project*, Federal Transit Administration – U.S. DOT, City and County of San Francisco Planning Department. This document is available for review in Case File No. 1996.281E at 1650 Mission Street, Suite 400, San Francisco, CA 94103.

which adopted the environmental findings for the project, including mitigation measures set forth in the 1998 FEIS/FEIR and Mitigation Monitoring and Reporting Program (MMRP). The Federal Transit Administration (FTA) issued a Record of Decision on for the 1998 Final EIS/FEIR for the Initial Operating Segment Third Street Light Rail Project on March 16, 1999. Revenue operation of Phase 1 of the Third Street Light Rail Project, extending from Bayshore Boulevard to Fourth and King Streets, began in April 2007.

Subsequent to the publication of the FEIS/FEIR, studies were undertaken to refine the Phase 2 Central Subway alignment which evaluated a new Fourth/Stockton alignment, and a deep tunnel crossing of Market Street. In 2005, a Fourth/Stockton alignment was developed that included the following changes: a subway portal on Fourth Street between Townsend and Brannan Streets; a relocated Moscone Station (shifted to Howard and Folsom Streets); a combined Market Street and Union Square Station; and elimination of the surface station at Third and King Streets.

On June 7, 2005, the SFMTA Board of Directors adopted Resolution No. 05-087, which selected the Fourth/Stockton alignment as the Locally Preferred Alternative (LPA) to be carried forward in the Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report (SEIS/SEIR). The intent of the SEIS/SEIR was to update environmental conditions in the Central Subway study area and to evaluate alternatives to the project, including an enhancement to the alignment discussed in the 1998 EIS/EIR (Alternative 2) and the Fourth/Stockton Alignment, LPA (Alternative 3B). A Notice of Preparation was issued in June 2005 and a public scoping meeting was held.

On August 7, 2008, the San Francisco Planning Commission adopted Motion No. 17668, certifying that the Final SEIS/SEIR for the Central Subway/Third Street Light Rail Phase 2 was in compliance with CEQA. On August 19, 2008, the SFMTA's Board of Directors, by Resolution No. 08-150, approved Alternative 3B, adopted environmental findings, including a Statement of Overriding Considerations and an MMRP as required by CEQA (Resolution No. 08-150, on file with the Clerk of the Board of Supervisors in File No. 100849). On September 16, 2008, the San Francisco Board of Supervisors adopted Motion No. 08-145, in Board File No. 081138, affirming the Planning Commission's decision to certify the Final SEIS/SEIR.

### **PROJECT SITE AND VICINITY SETTING**

As described in the Final SEIS/SEIR, the Chinatown Station to the Central Subway includes a portal located at 935-949 Stockton Street ("subject property"), in the City's Chinatown neighborhood. The subject property consists of a two-story, mixed-use building that formerly housed ground-floor commercial space occupied by 8 tenants and 17 residential dwellings. Land uses along Stockton Street in Chinatown, north of the Sacramento Street portal to the Stockton Street tunnel, are primarily commercial, with some buildings containing residential uses (most over ground-floor commercial), such as the Mandarin Tower at 940 Stockton Street. Cross-streets have primarily residential and residential uses over ground-floor commercial. A preschool and several community service buildings are located in a multi-story building at the southwest corner of Stockton and Sacramento Streets. A post office and several schools, including the Chinese Central High School and Gordon Lau Elementary School are located between Clay and Washington Streets. The St. Mary's Chinese Catholic Center is located on the northeast corner of

Stockton and Clay Streets and the Sun Yat-Sen Memorial Hall is on the east side of Stockton Street. The Willie Woo Woo Wong Playground (formerly Chinese Playground), on Sacramento Street just east of Stockton Street, is the only open space along the subway corridor north of Union Square.

## **ENVIRONMENTAL EFFECTS**

As noted above, the environmental effects associated with implementing this legislation have been previously analyzed in the FSEIS/FSEIR. Below is a brief summary of the environmental effects noted in the FSEIS/FSEIR that pertain to demolition of the building at 935-949 Stockton Street and construction of the Chinatown Station, which would be permitted by the legislation. The significant unavoidable impacts are first noted, followed by those impacts that were found to be less than significant with implementation of mitigation measures that have been incorporated as part of the project. Less-than-significant impacts are also summarized and associated improvement measures that would reduce the magnitude of these effects are also presented. A full reporting of the impacts, mitigation measures and improvement measures identified in the FSEIS/FSEIR is included in the project's Mitigation Monitoring and Reporting Program, incorporated herein by reference.

### **Significant Unavoidable Effects**

Based on the FSEIS/FSEIR, the proposed legislation would have the following significant unavoidable impacts.

#### Land Use, Population, Housing and Displacement

The Final SEIS/SEIR identified **Impact PH-1**, an unavoidable significant effect on the environment in the area of housing and employment in that demolition of the building at 935-949 Stockton Street would displace 8 businesses and 17 low-income units. This SEIS/SEIR section then describes pertinent federal and state laws related to property acquisition and relocation, including the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the State of California Relocation Act.

**Mitigation Measure PH-1a:** Redevelopment of the Chinatown Station site will incorporate affordable housing and ground floor retail where possible.

**Mitigation Measure PH-1b:** State and federal relocation regulations will be implemented.

As of 2012, SFMTA has relocated all but one of the retail tenants at 935-949 Stockton Street, and all of the residential tenants in accordance with the Central Subway's Relocation Impact Study<sup>2</sup> and Last Resort Housing Plan (the "Plan"), approved by the SFMTA Board of Directors on August 3, 2010, and by the Board of Supervisors on December 7, 2010.<sup>3</sup> The Plan, among other things, establishes a program by which residential tenants are provided relocation expenses, including moving expenses and social services, 42 months of rent differential, and eligibility for affordable

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<sup>2</sup> *Relocation Impact Study and Last Resort Housing Plan*, SFMTA, September 8, 2010. This document is available for review in Case File No. 2011.1202E at the Planning Department office, 1650 Mission Street, Suite 400, San Francisco, CA.

<sup>3</sup> Personal communication, Kerstin Magary, Senior Manager, SFMTA Real Estate Section, January 10, 2011.

units at a new housing project planned for Broadway and Sansome Streets. The Plan also provides commercial tenants with the services of a relocation consultant, moving expenses, business re-establishment expense payments and compensation for loss of goodwill.

Adoption of the proposed legislation would not cause new land use and/or displacement impacts than those disclosed in the Final SEIS/SEIR, nor would the displacement impact be of any greater magnitude. The land use, population and housing impact identified in the Final SEIS/SEIR is identical to that which would occur associated with the proposed SUD legislation.

#### Historic Architectural Resources

The Final SEIS/SEIR identified **Impact HARC-1**, stating that “demolition of the historic building at 935-949 Stockton Street, which is a contributor to a NRHP [National Register of Historic Places]-eligible district, would create a visual break in the cohesive grouping of contextually-related buildings within the block.” The Final SEIS/SEIR disclosed the demolition of the extant building on the project site and determined that its demolition would be an unavoidable significant impact. The design of the proposed station would be subject to Final SEIS/SEIR mitigation measures are discussed below. The proposed legislation would not increase the severity of this impact or otherwise alter the mitigation measures that are required to be carried out by the SFMTA.

**Mitigation Measures HARC-1a, 1b and 1c** require the salvaging of character-defining elements of the existing onsite building for reuse in the new design to the extent feasible; preparing an analysis of the station design to ensure consistency with the Secretary of Interior’s Standards for compatibility of the station with the surrounding historic district (currently in preparation); and preparation of Historic American Building Survey documentation of the existing building.

#### **Less than Significant Effects with Mitigation Measures Incorporated as Part of the Project**

Based on the FSEIS/FSEIR, the proposed legislation would have the following significant impacts that could be reduced to a less-than-significant level with implementation of mitigation measures.

#### Visual and Aesthetics

**Impact VAES-1:** The demolition of an existing building to accommodate the Chinatown Station and the construction of a new station entrance and transit-oriented development in the future would visually change the street façade along Stockton Street.

**Mitigation Measure VAES-1** states that “Exterior treatment of the Chinatown Station and vent shaft would be developed in consultation with the Planning Department, Architectural historians, the City Historic Preservation Coordinator, and the Chinatown community during preliminary and final design.”

#### Archeological Resources

**Impact CNPRE-1:** Excavation for the project would potentially affect Historical Archeological Resources, including: 6 locations identified for the possible presence of sensitive prehistoric archaeological resources, one known archaeological resource, and 13 locations where historical archaeological resources might be uncovered.

**Mitigation Measure CNPRE-1a:** Consistent with the State Historic Preservation Office's Memorandum of Understanding with the City, FTA, and SFMTA shall work with a qualified archaeologist to ensure that all state and federal regulations regarding cultural resources and Native American concerns are enforced.

**Mitigation Measure CNPRE-1b:** Limited subsurface testing in identified archaeologically sensitive areas shall be conducted once an alignment has been selected.

**Mitigation Measure CNPRE-1c:** During construction, archaeological monitoring shall be conducted in those sections of the alignment identified in the completed HCASR and through pre-construction testing as moderately to highly sensitive for prehistoric and historic-era archaeological deposits.

**Mitigation Measure CNPRE-1d:** Upon completion of archaeological field investigations, a comprehensive technical report shall be prepared for approval by the San Francisco Environmental Review Officer and SHPO that describes the archaeological findings and interpretations in accordance with state and federal guidelines.

**Mitigation Measure CNPRE-1e:** If unanticipated cultural deposits are found during subsurface construction, soil disturbing activities in the vicinity of the find shall be halted until a qualified archaeologist can assess the discovery and make recommendations for evaluation and appropriate treatment to the ERO for approval in keeping with adopted regulations and policies.

#### Vibration

**Impact CNHARC-2:** There are 25 historic architectural resources along the alignment that could be impacted by construction-related ground borne vibration and visual disturbance.

**Mitigation Measure CNHARC-2a:** Pre-drilling for pile installation in areas that would employ secant piles with ground-supporting walls in the cut-and-cover areas would reduce the potential effects of vibration.

**Mitigation Measure CNHARC-2b:** Vibration monitoring of historic structures adjacent to tunnels and portals will be specified in the construction documents to ensure that historic properties do not sustain damage during construction. Vibration impacts would be mitigated to a less-than-significant level. If a mitigation monitoring plan provides the following: The contractor will be responsible for the protection of vibration-sensitive historic building structures that are within 200 feet of any construction activity. The maximum peak particle vibration (PPV) velocity level, in any direction, at any of these historic structures should not exceed 0.12 inches/second for any length of time. The Contractor will be required to perform periodic vibration monitoring at the closest structure to ground disturbing construction activities, such as tunneling and station excavation, using approved seismographs. If at any time the construction activity exceeds this level, that activity will immediately be halted until such time as an alternative construction method can be identified that would result in lower vibration levels.



**Impact CNNV-1:** Historic buildings within 200 feet of a construction area may be subject to adverse vibration impacts if the maximum peak particle vibration (PPV) velocity level in any direction exceeds 0.12 inches/second for any length of time.

**Mitigation Measure CNNV-1a:** The Contractor shall be required to perform periodic vibration monitoring using approved seismographs at the historic structure closest to the construction activity. If the construction activity exceeds a 0.12 inches/second level, the construction activity shall be immediately halted until an alternative construction method that would result in lower vibration levels can be identified.

**Mitigation Measure CNNV-1b:** During construction, an acoustical consultant will be retained by the contractor to prepare a more detailed construction noise and vibration analysis will be prepared to address construction staging areas, tunnel portals, cut-and-cover construction, and underground mining and excavation operations.

#### Geology and Seismicity

**Impact CNSET-1:** Construction period settlement could cause damage to existing building foundations, subsurface utilities, and surface improvements.

**Mitigation Measure CNSET-1a:** Provisions such as concrete diaphragm walls to support the excavation and instrumentation to monitor settlement and deformation would be used to ensure that structures adjacent to tunnel alignments are not affected by excavations.

**Mitigation Measure CNSET-1b:** Tunnel construction methods that minimize ground movement, such as pressure-faced TBMs, Sequential Excavation Method, and ground improvement techniques such as compensation grouting, jet grouting or underpinning will be used.

**Mitigation Measure CNSET-1c:** Rigorous geo-mechanical instrumentation would be used to monitor underground excavation and grouting or underpinning will be employed to avoid displacement of structures.

#### **Less than-Significant Effects for which Improvement Measures Were Adopted as Part of the Project**

The FSEIS/FSEIR also identified improvement measures that would further reduce certain impacts found to be less than significant. The following is a summary of such less-than-significant impacts and the related improvement measures, which have been adopted as part of the project.

#### Construction Traffic Flow, Trucks

**Impact CNFRT-1:** During construction, temporary disruption to truck traffic flow and removal of on-street loading zones adjacent to construction work areas would occur along the Corridor on Fourth and Stockton Streets.

**Improvement Measure CNFRT-1b:** A portion of the curb parking lanes remaining open in the construction area, or just upstream or downstream of the construction area, may be converted to short-term loading zones to enable truck loading and unloading and delivery of goods to nearby businesses.

**Improvement Measure CNFRT-1c:** Temporary truck loading zones on the side streets may be needed to be established for the duration of the project construction to offset any impacts along the streets that are directly affected by construction.

#### Parking

**Impact CNPRK-1:** All on-street parking would be temporarily prohibited in construction zones.

**Improvement Measure CNPRK-1a:** During construction signs denoting alternative parking areas (e.g., public parking garages) could be placed upstream of and through the construction zones.

**Improvement Measure CNPRK-1b:** To improve the accessibility to businesses in the Corridor, it is recommended that retained and added (where applicable) parking spaces be designated for short-term parking and loading, especially in commercial districts.

#### Pedestrians

**Impact CNPED-1:** There will be temporary sidewalk closures during excavation of each of the subway stations and the west sidewalk of Stockton Street would be closed during construction of the Chinatown Station.

**Improvement Measure CNPED-1a:** During excavation of the subway stations, access to all abutting businesses would be maintained either through the existing or a reduced sidewalk area or via temporary access ways, e.g., ramps, planking, etc. Signs would be installed indicated that the businesses are "open during construction." All temporary access ways would be in compliance with the ADA. Temporary pedestrian walkways, as required by the City, would be covered to help protect pedestrians from noise, dust, and visual annoyances during construction.

#### Construction Noise

**Impact CNNV-2:** Noise in the range of 85 to 89 dBA at 100 feet would be generated from construction activities along surface portions of the alignment and staging areas and station or portal construction areas. Vibration levels of 58 to 112 Lv at 25 feet would be experienced as a result of equipment used during at-grade construction activities. Vibration impacts on buildings could result from equipment used for underground construction, particularly from tunneling.

**Improvement Measure CNNV-2a:** The incorporation of noise control measures would minimize noise impacts during construction: noise control devices such as equipment mufflers, enclosures, and barriers; stage construction as far away from sensitive receptors as possible; maintain sound reducing devices and restrictions throughout construction period; replace noisy with quieter equipment; schedule the noisiest construction activities to avoid sensitive times of the day; the contractor will hire an acoustical consultant to oversee the implementation of the Noise Control and Monitoring Plans; prepare a Noise Control Plan; comply with the nighttime noise variance provisions; conduct periodic noise measurements to ensure compliance with the Noise Monitoring Plan; and use equipment certified to meet specified lower noise level limits during nighttime hours.

### Emergency Access

**Impact CNEMER-1:** Emergency response times from Fire Station #8 (36 Bluxome Street) would be impacted by construction along Fourth Street for approximately 18 to 24 months and from Fire Station #2 (1340 Powell Street) by temporary lanes closures on the west side of Stockton Street between Washington and Jackson Streets for the construction of the Chinatown Station.

**Improvement Measure CNEMER-1a:** DPT will develop and implement alternative detour routes for all general traffic to minimize the construction disruption to traffic flows.

**Improvement Measure CNEMER-1b:** Contractor will be required to develop a site specific emergency access response plan as part of compliance with bid specifications.

### Utilities

**Impact CNUTL-1:** Construction of the subway and stations would require major utility relocation work, which could affect private parcel connections to main utility lines and result in short-term utility service disruption as relocated utility lines are reconnected to the utility system.

**Improvement Measure CNUTL-1:** Utility relocation would require street and sidewalk excavations that would impact traffic and pedestrian flows adjacent to the relocation areas. Permanent vacation of sub-surface sidewalk basements may be required.

### Biological Resources

**Impact CNBIO-1:** Construction could result in the removal of existing street trees along the surface segment of Fourth Street, at station entries on Fourth and Stockton Streets, and at the One Stockton entrance to Chinatown.

**Improvement Measure CNBIO-1a:** Any street trees removed or damaged as part of construction would be replaced along the street at a 1:1 ratio.

## **CONCLUSION**

The Central Subway Project Final SEIS/SEIR is a Program EIR under CEQA. CEQA Guidelines Section 15168(c) describes a Program EIR's use with later activities, such that "Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared." Section 15168(c)(2) further elaborates that, "If the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required."

Based on the information set forth above and other substantial evidence in light of the whole record on the Central Subway Final SEIS/SEIR, staff determines that the proposed legislation that would adopt a Special Use District at the subject property at 935-949 Stockton Street is within the scope of project analyzed in Final SEIS/SEIR; (2) adoption of the proposed legislation will not require revisions to the Central Subway Final SEIS/SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (3) taking into account that the proposed SUD was analyzed in the SFEIS/SFEIR (insofar as

the SUD legislation was identified as an approval required to implement the project and the physical consequences of demolition were also thoroughly and sufficiently analyzed), no substantial changes have occurred with respect to the circumstances under which this proposed rezoning is undertaken that could require major revisions to the SFEIS/SFEIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified in the Final SEIS/SEIR; and (4) no new information of substantial importance to the proposed establishment of an SUD on the subject property has become available which would indicate (a) the proposed SUD legislation or the approval actions will have significant effects not discussed in the Final SEIS/SEIR, (b) significant environmental effects will be substantially more severe; (c) mitigation measures or alternatives found not feasible which would reduce one or more significant effects have become feasible; or (d) mitigation measures or alternatives which are considerably different from those in the Final SEIS/SEIR would substantially reduce one or more significant effects on the environment.

Consequently, staff finds that the proposed SUD legislation at the subject 935-949 Stockton Street property is covered by the Final SEIS/SEIR and that a subsequent or supplemental environmental review is not required under CEQA Guidelines Section 15162. These findings do not relate to the merits of the proposed rezoning of the 935-949 Stockton Street parcel, but rather to the potential environmental effects of that undertaking as discussed in the Central Subway Project Final SEIS/SEIR.



# SAN FRANCISCO PLANNING DEPARTMENT

January 30, 2012

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

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**Re: Transmittal of Planning Case Number 2011.1202TZ  
BF No.'s 11-1210, 11-1211: Chinatown Transit Station SUD**

**Recommendation: Approval with Modifications of File No. 11-1210 (PC Text Amendment)  
Approval of File No. 11-1211 (PC Map Amendment)**

Dear Supervisor Chiu and Ms. Calvillo,

On January 26, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearings at a regularly scheduled meeting to consider the proposed Ordinances under Board of Supervisors File Numbers 11-1210 and 11-1211.

At the January 26<sup>th</sup> Hearing, the Commission voted 4-0 (Commissioner Sugaya was recused and Commissioner Fong was absent) to recommend approval with modifications of the proposed Planning Code Text Amendment Ordinance and approval of the proposed Planning Code Map Amendment Ordinance, which together would create the Chinatown Transit Station Special Use District. The Department's recommended modifications were technical in nature and did not include any substantive amendments.

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission. The attached resolution and exhibits provide more detail about the Commission's action. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "AM - Rodgers", with a long horizontal line extending to the right.

AnMarie Rodgers  
Manager of Legislative Affairs

Cc: City Attorney Audrey Pearson

Attachments (one copy of the following):

Planning Commission Resolution No. 18526  
Draft Ordinances (including modifications)  
Department Executive Summary  
Department Exhibits



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 18526

HEARING DATE: JANUARY 26, 2012

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CA 94103-2479

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*Project Name:* Chinatown Transit Station SUD  
*Case Number:* 2011.1202RTZ [Board File No. 11-1210]  
2011.1202RTZ [Board File No. 11-1211]  
*Initiated by:* Supervisor Chiu / Introduced November 08, 2011  
*Staff Contact:* Elizabeth Watty, Planner  
Elizabeth.Watty@sfgov.org, 415-558-6620  
*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs  
anmarie.rodgers@sfgov.org, 415-558-6395  
Mark Luellen, Senior Planner  
Mark.Luellen@sfgov.org, 415-558-6478  
*Recommendation:* **Recommend Approval with Minor Modification of File No. 11-1210;  
Recommend Approval of File No. 11-1211.**

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT WITH MODIFICATIONS A PROPOSED ORDINANCE THAT WOULD ADD PLANNING CODE SECTION 249.66 TO PERMIT THE DEMOLITION OF A MIXED-USE BUILDING IN THE CHINATOWN RESIDENTIAL NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW FOR THE CONSTRUCTION OF THE CHINATOWN STATION OF THE CENTRAL SUBWAY AND ADOPT A PROPOSED ORDINANCE THAT WOULD MAKE CONFORMING MAP AMENDMENTS BY AMENDING SHEET SU01 OF THE SAN FRANCISCO ZONING MAP; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.

Whereas, on November 08, 2011, Supervisor David Chiu introduced two proposed Ordinances under Board of Supervisors (hereinafter "Board") File Numbers 11-1210 and 11-1211 which would respectively add Planning Code Section 249.66 to create the Chinatown Transit Station Special Use District (SUD) and amend Sheet SU01 of the San Francisco Zoning Map to show the Chinatown Transit Station SUD in order to allow the demolition of the existing mixed-use building without approval of a replacement building in the Chinatown Residential Neighborhood Commercial District; and

Whereas, on January 26, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinances; and

Whereas, the physical effects of the proposed SUD were analyzed in the Central Subway/Third Street Light Rail Phase 2 Final Supplemental Environmental Impact Statement/Final Supplemental Environmental Impact Report ("Final SEIS/SEIR"), subsequent or supplemental environmental review is not required under the California Environmental Quality Act Guidelines Section 15162. The Planning Department determined that the legislation, which would permit the demolition of the mixed-use building on the Subject Property would not result in new significant impacts, require new or modified mitigation measures or cause impacts of greater severity than previously reported in the Final SEIR/SEIS; and

Whereas, 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, SFMTA staff, and other interested parties; and

Whereas, the 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 Commission has reviewed the proposed Ordinances; and

**MOVED**, that the Commission hereby recommends that the Board of Supervisors recommends **approval of the proposed Zoning Map Amendment Ordinance, and approval with modifications of the proposed Planning Code Text Amendment Ordinance**, and adopts the attached Draft Resolution to that effect. The Commission recommends the following modifications:

- To add a reference to the Planning Code Text Amendment Ordinance to exempt the demolition of the existing mixed-use building from Section 312 Notification procedures on Page 4, lines 12-13;
- To add a reference to the Planning Code Text Amendment Ordinance description to correct the existing Zoning District as the Chinatown *Residential* Neighborhood Commercial District on Page 1, line 6; and
- To add a reference to the Planning Code Text Amendment Ordinance description to include Section 302 Findings on Page 1, Line 7.

## **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 Planning Code currently prohibits the demolition of dwelling-units in the Chinatown Residential Neighborhood Commercial District and prohibits the demolition of a residential building without approval of a replacement building;
2. The proposed Chinatown Transit Station SUD will facilitate the construction of the Chinatown Transit Station, which will be the terminus for the Central Subway, and which will be a benefit to Chinatown and the City at large;

3. The Commission supports the demolition of the existing mixed-use building on the Site since all of the residential and commercial tenants have been provided with relocation packages and because the SFMTA has committed to funding a 75-unit off-site affordable housing development near Chinatown to satisfy the loss of the 18 rent-controlled dwelling-units due to demolition;
4. The Commission supports the demolition of the existing mixed-use building without the approval of a replacement building due to the unique timeline required to keep the Central Subway Project on schedule. The Commission understands that demolition of the existing mixed-use building must occur several years prior to the construction of any above grade improvements;
5. The Commission notes that although the proposed Ordinances would permit the demolition of the existing structure without Section 312 Notification, any future above grade construction on the lot shall be subject to all standard Planning Code controls and noticing requirements;
6. The Commission recommends that the Board of Supervisors adopt the proposed Ordinances with the minor technical amendments described above.
7. **General Plan Compliance.** The proposed Ordinances are 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 1.3**

Work proactively to identify and secure opportunity sites for permanently affordable housing.

##### **POLICY 1.4**

Ensure community based planning processes are used to generate changes to land use controls.

*The Chinatown community has been very involved in the planning for the Chinatown Transit Station through several years of public outreach meetings and the help of CCDC (Chinatown Community Development Center). The SFMTA has also committed to funding a 75-unit off-site affordable housing development, located near Chinatown, under the control of the Mayor's Office of Housing as a replacement for the 18 rent-controlled dwelling-units that will be lost by demolition.*

#### COMMERCE AND INDUSTRY ELEMENT

##### **OBJECTIVE 1**

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.



**POLICY 1.1**

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

*The Chinatown Transit Station SUD allows for development of a transit station at the Subject Property, which will provide substantial net benefits to the Chinatown community and the City as a whole by linking the neighborhoods in the southeastern portion of the City with the retail and employment centers in the City's downtown and Chinatown Neighborhoods. The underground transit station and rail lines will help to minimize above ground congestion and facilitate improved access to jobs, shopping, and regional destinations such as Chinatown.*

*This SUD allows for development that has minimized undesirable consequences. All existing residential and commercial tenants have been provided relocation packages that conform to the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The SFMTA has also minimized the undesirable consequences of losing 18 rent-controlled dwelling units from the City's housing stock by committing to fund a 75-unit off-site affordable housing development near Chinatown. Furthermore, the demolition of the existing mixed-use building that would be permitted under this SUD was analyzed under the Final Supplemental EIS/EIR for the Central Subway/Third Street light Rail Phase 2. The analysis resulted in several Mitigation Measures for the demolition of the building, which is a contributor to the Chinatown Historic District.*

**OBJECTIVE 2**

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

**POLICY 2.1**

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

**POLICY 2.3**

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

*The Chinatown Transit Station SUD allows for development of a transit station, which will provide substantial benefits to the City as a whole by linking the neighborhoods in the southeastern portion of the City with the retail and employment centers in the City's downtown and Chinatown Neighborhoods. The underground transit station and rail lines will help to minimize above ground congestion and facilitate improved access to jobs, shopping, and regional destinations such as Chinatown. Improved transit access to social and cultural destinations, as well as the new linkage with CalTrain Station at 4<sup>th</sup> and King Street, will help enhance the City's attractiveness as a firm location.*

**OBJECTIVE 4**

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

**POLICY 4.4**

When displacement does occur, attempt to relocate desired firms within the city.

**POLICY 4.7**

Improve public and private transportation to and from industrial areas.

*This SUD allows for the demolition of the existing mixed-use building, which will displace 8 commercial tenants. All of these tenants have been provided with relocation packages, including relocation assistance to help them find new tenant spaces within the City. Relocation packages all conform to the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.*

*The Chinatown Transit Station SUD will help facilitate the future development of a transit station near Chinatown, which will provide substantial net benefits to Chinatown community and the City as a whole by linking the neighborhoods in the more industrial southeastern portion of the City with the retail and employment centers in the City's downtown and Chinatown Neighborhoods. The underground transit station and rail lines will help to minimize above ground congestion and facilitate improved access throughout these neighborhoods.*

**OBJECTIVE 8**

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL CENTER FOR CONVENTIONS AND VISITOR TRADE.

**POLICY 8.3**

Assure that areas of particular visitor attraction are provided with adequate public services for both residents and visitors.

*Chinatown is one of the City's prominent visitor destinations. Public services such as transit are especially important in areas of particular visitor attraction. Provision of high quality transit services is one direct method that the City can employ to promote visitor trade in San Francisco. Additional public transit facilities, such as the Central Subway extension through Chinatown, will serve expanding visitor trade and should be supported.*

**TRANSPORTATION ELEMENT**

**OBJECTIVE 1**

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

**POLICY 1.1**

Involve citizens in planning and developing transportation facilities and services and in further defining objectives and policies as they relate to district plans and specific projects.

**POLICY 1.3**

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

**POLICY 1.4**

Increase the capacity of transit during the off-peak hours.

**POLICY 1.5**

Coordinate regional and local transportation systems and provide for interline transit transfers.

**POLICY 1.7**

Assure expanded mobility for the disadvantaged.

*Phase 2 of the Central Subway Project, which will terminate at the Chinatown Transit Station SUD, has undergone a very extensive public outreach process for nearly the last decade. Allowing the demolition of the existing structure at 935-949 Stockton Street will enable the full build-out of Phase 2 of the Central Subway, which will result in improved public transit for all of the City's residents as well as commuters who use BART or CalTrain, since this Project will improve the connections between those regional rail systems and Chinatown.*

**OBJECTIVE 2**

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

**POLICY 2.2**

Reduce pollution, noise and energy consumption.

**POLICY 2.4**

Organize the transportation system to reinforce community identity, improve linkages among interrelated activities and provide focus for community activities.

*The Chinatown Transit Station SUD will enable future development of a transit station at the Subject Property, which will provide substantial benefits to the City as a whole by reducing pollution, noise and energy consumption of private automobile travel by creating an improved transit line below grade that will link tourist attractions such as Yerba Buena Gardens, Union Square, and Chinatown.*

**OBJECTIVE 4**

MAINTAIN AND ENHANCE SAN FRANCISCO'S POSITION AS THE HUB OF A REGIONAL, CITY-CENTERED TRANSIT SYSTEM.

**POLICY 4.1**

Rapid transit lines from all outlying corridors should lead to stations and terminals that are adjacent or connected to each other in downtown San Francisco.

**POLICY 4.2**

Increase transit ridership capacity in all congested regional corridors.

**POLICY 4.4**

Integrate future rail transit extensions to, from, and within the city as technology permits so that they are compatible with and immediately accessible to existing BART, CalTrain or Muni rail lines.

**POLICY 4.5**

Provide convenient transit service that connects the regional transit network to major employment centers outside the downtown area.

*Phase 2 of the Central Subway Project, which will terminate at the Chinatown Transit Station SUD, will increase capacity in Chinatown – a congested corridor – and will allow for connections with BART, CalTrain, and other Muni rail lines, enabling an improved regional transit network.*

**OBJECTIVE 20**

GIVE FIRST PRIORITY TO IMPROVING TRANSIT SERVICE THROUGHOUT THE CITY, PROVIDING A CONVENIENT AND EFFICIENT SYSTEM AS A PREFERABLE ALTERNATIVE TO AUTOMOBILE USE.

**POLICY 20.4**

Develop transit centers according to established guidelines.

**POLICY 20.8**

Intensify overall transit service in the "central area."

**POLICY 20.9**

Improve inter-district and intra-district transit service.

*The Chinatown Transit Station SUD will enable the construction of the Central Subway into Chinatown. Chinatown is located in the City's northeast quadrant of the City; more travel occurs to and within this area than any other area of the City, and as a result, the traffic and pollution levels are highest and the streets are more congested. It is important to give the highest priority to an intensification and enhancement of transit service within this area.*

**OBJECTIVE 21**

DEVELOP TRANSIT AS THE PRIMARY MODE OF TRAVEL TO AND FROM DOWNTOWN AND ALL MAJOR ACTIVITY CENTERS WITHIN THE REGION.

**POLICY 21.1**

Provide transit service from residential areas to major employment centers outside the downtown area.

**POLICY 21.3**

Make future rail transit extensions in the city compatible with existing BART, CalTrain or Muni rail lines.

*The Chinatown Transit Station SUD will facilitate the future construction of the Chinatown Transit Station, which will connect citizens who work in employment centers outside of the downtown area with BART and CalTrain rail facilities.*

**ENVIRONMENTAL PROTECTION ELEMENT**

**OBJECTIVE 4**

ASSURE THAT THE AMBIENT AIR OF SAN FRANCISCO AND THE BAY REGION IS CLEAN, PROVIDES MAXIMUM VISIBILITY, AND MEETS AIR QUALITY STANDARDS.

**POLICY 4.2**

Encourage the development and use of urban mass transportation systems in accordance with the objectives and policies of the Transportation Element.

**POLICY 4.3**

Encourage greater use of mass transit in the downtown area and restrict the use of motor vehicles where such use would impair air quality.

*The Chinatown Transit Station SUD will help to enable the construction of the Central Subway into Chinatown, which will provide direct access to downtown, as well as the City's southeastern neighborhoods.*

**OBJECTIVE 15**

INCREASE THE ENERGY EFFICIENCY OF TRANSPORTATION AND ENCOURAGE LAND USE PATTERNS AND METHODS OF TRANSPORTATION WHICH USE LESS ENERGY.

**POLICY 5.1**

Increase the use of transportation alternatives to the automobile.

*The Chinatown Transit Station SUD will help to facilitate the future construction of the Central Subway into Chinatown, which will increase the public transit access in and between some of San Francisco's major tourist, shopping, and cultural destinations.*

**AIR QUALITY ELEMENT**

**OBJECTIVE 2**

REDUCE MOBILE SOURCES OF AIR POLLUTION THROUGH IMPLEMENTATION OF THE TRANSPORTATION ELEMENT OF THE GENERAL PLAN.

*The Chinatown Transit Station SUD will help to facilitate the future construction of the Central Subway into Chinatown, which will provide direct transit access to downtown and the City's southeastern neighborhoods, as well as other regional transit providers, such as BART and CalTrain. This expanded transit service, which is supported by the City's "Transit First" Policy, will help to reduce congestion on roadways and encourage the use of transit rather than single occupant vehicles, which will help to improve overall air quality.*

**CHINATOWN AREA PLAN**

**OBJECTIVE 3**

STABILIZE AND WHERE POSSIBLE INCREASE THE SUPPLY OF HOUSING.

**POLICY 3.1**

Conserve existing housing.

*Demolition should be allowed for a specific use in which there is a high degree of community need. Low cost housing removed by new development should be replaced on a unit for unit basis and adequate relocation assistance for all displaced persons should be assured.*

*The Chinatown Transit Station SUD helps to facilitate the future development of a transit station at the Subject Property, which has a high degree of need since more travel occurs to and within this area than any other area of the City, resulting in some of the highest traffic and pollution levels, and congested streets in the City.*

*Within the proposed Chinatown Transit Station SUD, there are currently has 18 rent-controlled housing units (containing a total of 19 households). Demolition of the existing building requires the relocation of 19 households. SFMTA is implementing the requirements in the Uniform Relocation Act and the California State Relocation Act with a detailed relocation plan designed to minimize impacts on the displaced residences. This Relocation Plan assesses the relocation needs of all potential displacees and is the basis for providing relocation assistance and payments for affected residential tenants.*

*The SFMTA has also committed to funding a 75-unit off-site affordable housing development, located near Chinatown, under the control of the Mayor's Office of Housing, in order to minimize the loss of the 18 rent-controlled dwelling units from the City's housing stock, and to replace the housing on more than a one-to-one basis.*

**OBJECTIVE 5**

RETAIN AND ENHANCE CHINATOWN'S ROLE AS A VISITOR ATTRACTION.

*The Chinatown Transit Station SUD helps to facilitate the future development of a transit station at the Subject Property, which would provide substantial benefits to the City as a whole by linking tourist attractions such as Yerba Buena Gardens, Union Square, and Chinatown through improved, direct transit access.*

**OBJECTIVE 7**

MANAGE TRANSPORTATION IMPACTS TO STABILIZE OR REDUCE THE DIFFICULTIES OF WALKING, DRIVING, DELIVERING GOODS, PARKING OR USING TRANSIT IN CHINATOWN.

**POLICY 7.2**

Make MUNI routes more reflective of and responsive to Chinatown ridership, including bilingual signage, schedules, maps.

*The Chinatown Transit Station SUD will help to facilitate the construction of the Chinatown Transit Station, which will be responsive to Chinatown's high transit ridership.*

8. The proposed replacement project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

*The Chinatown Transit Station SUD will enable the construction of the new Chinatown Transit Station at Stockton and Washington, near the center of Chinatown's neighborhood commercial and retail business district. The light rail service along Stockton and Fourth Streets that will terminate at 935-949 Stockton Street will introduce the first major north-south rail transit axis connecting Chinatown, Union Square, the Market Street BART/Muni subway, and South of Market. The 1.7 mile new line will attract 35,100 daily boardings by 2030 and significantly enhance access for local businesses and residents.*

*Construction of the Chinatown Station requires the purchase of property at the southwest corner of Washington and Stockton Streets, at 935-949 Stockton Street. This property contains 18 residential dwelling units and eight (8) ground floor commercial spaces. SFMTA is implementing the requirements in the Uniform Relocation Act and the California State Relocation Act with a detailed relocation plan designed to minimize impacts on the displaced businesses. This Relocation Plan assesses the relocation needs of all potential displacees and is the basis for providing relocation assistance and payments for affected commercial businesses.*

- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

*Within the proposed Chinatown Transit Station SUD, there are currently has 18 rent-controlled housing units (containing a total of 19 households). Demolition of the existing building requires the relocation of 19 households. SFMTA is implementing the requirements in the Uniform Relocation Act and the California State Relocation Act with a detailed relocation plan designed to minimize impacts on the displaced residences. This Relocation Plan assesses the relocation needs of all potential displacees and is the basis for providing relocation assistance and payments for affected residential tenants.*

*The SFMTA has also committed to funding a 75-unit off-site affordable housing development, located near Chinatown, in order to minimize the loss of the 18 rent-controlled dwelling units from the City's housing stock. Once the off-site housing development is completed in 2014, the original tenants of 933-949 Stockton Street, should they choose, will be permanently relocated to the new off-site housing project, although some of the tenants have elected to use their relocation benefits to purchase homes in lieu of continuing to rent.*

*The compensation and relocation of all affected tenants and the construction of new affordable dwelling units near Chinatown will help to preserve the cultural and economic diversity of Chinatown. The demolition of the existing mixed-use building at 935-949 Stockton Street will enable the construction of a future transit station, which will also help to preserve the cultural and economic diversity of Chinatown, which is heavily reliant on public transportation access.*

- C) The City's supply of affordable housing will be preserved and enhanced:

*The Chinatown Transit Station SUD will enable the demolition the 19 households (18 units) that once resided at 933-949 Stockton Street. The relocation plan was approved by the SFMTA Board of Directors, the San Francisco Board of Supervisors, and the Federal Transportation Agency. The relocation of the 19 households was successfully completed in December of 2011, in full compliance with the federal Uniform Relocation Act and the State of California Relocation Act.*

*The SFMTA has committed to providing funding towards the construction and operation of a new 75-unit affordable housing development near Chinatown under the control of the Mayor's Office of Housing. Up to 19 units will be reserved for former residents of 933-949 Stockton Street, and the former tenants are receiving relocation assistance benefits until the new affordable housing development is completed.*

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

*The implementation of the Central Subway Project, the second and final phase of the Third Street light rail project, is specifically designed to enhance transit service between the southeast and northeast districts of San Francisco in keeping with the city's Transit First Policy. The Chinatown Transit Station SUD will enable the construction of the northern terminus of this line. The project will address current transit deficiencies of overcrowded and unreliable service and will serve employment and population growth in this corridor. The Central Subway's exclusive subsurface transit right-of-way and the resulting increase in service levels and reliability will improve travel times while reducing neighborhood street and sidewalk congestion.*

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

*The Chinatown Transit Station SUD will allow for the demolition of a mixed-use building with the intent of constructing a new transit station in its place. This SUD will be the location of the Central Subway terminus; the Central Subway, once complete, will link the Stockton / 4th Street corridor directly to the South of Market and Eastern Neighborhoods where important industrial and service sectors are located.*

- F) The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The Chinatown Transit Station SUD will allow for the demolition of an existing mixed-use building; it does not, however, authorize any new construction. Any future construction on the Site will be reviewed separately at a later date to ensure that it meets all Building Code requirements to protect against injury and loss of life in an earthquake.*

- G) That landmark and historic buildings will be preserved:



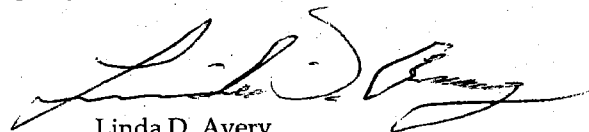
*The Chinatown Historic District is listed on the California Register of Historic Resources with a "3D" rating, but has not been formally designated as an historic district. The Chinatown Historic District contains 371 contributing historic buildings, including 933-949 Stockton Street, which is the Site of the Chinatown Transit Station SUD.*

*Demolition of contributing elements to a NRHP-eligible district constitutes an adverse impact according to the section 106 of the National Historic Preservation Act and the California Environmental Quality Act. Mitigation Measures were adopted to reduce the impact of the demolition of the 935-949 Stockton Street building, including: documenting the existing historic building; salvaging of the architecturally significant building features for incorporation into an interpretive display in the new station; and employing an architectural historian during the design development of the new station and adjoining building to ensure that the design is culturally appropriate to the Chinatown District are required Mitigation Measures for the project. These Mitigation Measures were adopted by the Planning Commission when they certified the Final Supplemental EIS/EIR for the Central Subway/Third Street Light Rail Phase 2, through Motion No. 17668 on August 7, 2008. This Planning Commission decision was upheld by the Board of Supervisors on September 16, 2008 through Motion No. 08-145.*

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

*The Chinatown Transit Station SUD will allow for the demolition of an existing mixed-use building; it does not authorize any new construction. Any future construction on the Site will be reviewed separately at a later date to ensure that it does not adversely affect parks and open space and their access to sunlight and vistas.*

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on January 26, 2012.



Linda D. Avery  
Commission Secretary

AYES: Commissioners Antonini, Borden, Miguel, and Moore

NAYS:

ABSENT: Commissioner Fong

RECUSED: Commissioner Sugaya

ADOPTED: January 26, 2012

1 [Planning Code - Chinatown Transit Station Special Use District]

2  
3 Ordinance amending the San Francisco Planning Code by adding Section 249.66 to: 1) create the  
4 Chinatown Transit Station Special Use District at the southwest corner of Stockton Street and  
5 Washington Street (Assessor Block No. 211, Lot No. 1); 2) permit the demolition of a mixed-use building  
6 in the Chinatown Residential Neighborhood Commercial District for the construction of the Chinatown  
7 Station of the Central Subway; and 3) adopt findings, including Section 302 Findings, General Plan  
8 Consistency Findings and findings under the California Environmental Quality Act.

9 Note: Additions are *single-underline italics Times New Roman*;  
10 deletions are *strikethrough italics Times New Roman*.  
11 Board amendment additions are double underlined.  
Board amendment deletions are ~~strikethrough-normal~~.

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

13 Section 1. This section is uncodified. General Findings

14 (a) The San Francisco Municipal Transportation Agency (SFMTA) plans to construct a  
15 continuation of the T-Third Light Rail Vehicle line from the Caltrain Station at Fourth and King Streets to an  
16 underground station in Chinatown (the "Project") to create a critical transportation improvement linking  
17 neighborhoods in the southeastern portion of the City and County of San Francisco (the "City") with the retail and  
18 employment centers in the City's downtown and Chinatown neighborhoods.

19 (b) The Project will provide direct rail service to regional destinations, including the City's Chinatown,  
20 Union Square, Moscone Convention Center, Yerba Buena, SoMa and AT&T Park neighborhoods; connect BART  
21 and Caltrain; serve a low-auto-ownership population of transit customers; increase transit use and reduce travel  
22 time; reduce air and noise pollution and provide congestion relief.

23 (c) On August 7, 2008, the City's Planning Commission certified that the Final Supplemental  
24 Environmental Impact Statement/Supplemental Environmental Impact Report ("Final Supplemental EIS/EIR") for  
25

Supervisor Chiu  
BOARD OF SUPERVISORS

1 the Central Subway/Third Street Light Rail Phase 2 ("Central Subway") was in compliance with the California  
2 Environmental Quality Act, Public Resources Code section 21000, et seq, and the CEQA Guidelines in Planning  
3 Commission Motion No. 17668. The Final Supplemental EIS/EIR and Motion No. 17668 are on file with the  
4 Clerk of the Board of Supervisors in File No. 100849 and are incorporated by reference.

5 (d) On August 19, 2008, the SFMTA's Board of Directors, by Resolution No. 08-150, approved the  
6 Project, adopted CEQA Findings, including a Statement of Overriding Considerations and a Mitigation Monitoring  
7 and Reporting Program (MMRP) as required by CEQA. Resolution No. 08-150 is on file with the Clerk of the  
8 Board of Supervisors in File No. 100849 and is incorporated by reference.

9 (e) On September 16, 2008, the City's Board of Supervisors (this "Board") adopted Motion No. 08-145,  
10 in Board File No. 081138, affirming the City's Planning Department decision to certify the Final Supplemental  
11 EIS/EIR. Motion No. 08-145 is on file with the Clerk of the Board of Supervisors in File No. 100849 and is  
12 incorporated by reference.

13 (f) On \_\_\_\_\_, the City's Planning Department found that there have been no substantial  
14 changes proposed for the Project that would require major revisions to the Final Supplemental EIS/EIR or that  
15 would result in significant environmental impacts that were not evaluated in the Final Supplemental EIS/EIR; and  
16 no new information has become available that was not known and could not have been known at the time the  
17 Final Supplemental EIS/EIR was certified as complete and that would result in significant environmental impacts  
18 not evaluated in the Final Supplemental EIS/EIR.

19 (g) On February 26, 2010, the SFMTA's Board of Directors adopted Resolution No. 10-024, in which it  
20 found that (a) the Project will assist SFMTA in meeting the objectives of Goal No. 1 of the SFMTA Strategic Plan  
21 (to provide safe, accessible, clean, environmentally sustainable service and encourage the use of auto-  
22 alternative modes through the Transit First policy), of Goal No. 2 (to improve transit reliability), of Goal No. 3 (to  
23 improve economic vitality through improved regional transportation), and of Goal No. 4 (to ensure the efficient  
24 and effective use of resources).

25  
Supervisor Chiu  
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Page 2  
11/3/2011

1 (h) As noted in the SEIS/SEIR certified in June 2008, and in the August 5, 2008 SFMTA Board of  
2 Directors Resolution approving the project, construction of the underground station in Chinatown, at the  
3 southwest corner of Stockton and Washington Streets, requires the demolition of the existing mixed-use  
4 residential and retail building at 939-945 Stockton Street. The SFMTA finalized the purchase the building at 939-  
5 945 Stockton Street in November 2011, and is now the owner in fee simple.

6 (i) The SFMTA has successfully relocated almost all of the retail and residential tenants at 933-949  
7 Stockton Street in accordance with the Central Subway's *Relocation Impact Study and Last Resort Housing Plan*  
8 (the "*Plan*"), approved by the MTA Board of Directors on August 3, 2010, and by this Board of Supervisors on  
9 December 7, 2010. The *Plan* among other things, establishes a program by which residential tenants are  
10 provided relocation expenses, including moving expenses and social services, 42 months of rent differential, and  
11 eligibility for affordable units at a new housing project planned for Broadway and Sansome Streets. The *Plan*  
12 also provides commercial tenants with the services of a relocation consultant, moving expenses, business re-  
13 establishment expense payments and compensation for loss of goodwill.

14 Section 2. Special Findings

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

19 (b) The Board of Supervisors finds that this ordinance is in conformity with the General Plan and the  
20 Priority Policies of Planning Code Section 101.1 for the reasons set forth in Planning Commission Resolution No.  
21 \_\_\_\_\_, and hereby incorporates those reasons by reference.

22 (c) The Planning Department has determined that the actions contemplated in this ordinance are in  
23 compliance with the California Environmental Quality Act (California Public Resources Code sections 21000 et  
24 seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is  
25 incorporated herein by reference.

Supervisor Chiu  
**BOARD OF SUPERVISORS**

1 Section 2. The San Francisco Planning Code is hereby amended by adding Section 249.66, to read as  
2 follows:

3 **SEC. 249.66. CHINATOWN TRANSIT STATION SPECIAL USE DISTRICT.**

4 (a) Purpose. In order to facilitate the construction of the Central Subway, the extension of the Third  
5 Street Light Rail Line from the Caltrain Terminal at 4th Street and King Street to an underground station in  
6 Chinatown, there shall be a Chinatown Transit Station Special Use District consisting of Lot 1, of Assessor's  
7 Block 0211, as designated on Sectional Map SU01 of the Zoning Map of the City and County of San Francisco.

8 (b) Special Controls.

9 The following controls apply to projects within the special use district and to any subsequent alterations  
10 or changes in use in a building approved under this Section.

11 (1) All otherwise applicable provisions of the Planning Code shall apply to this Special Use District with  
12 the exception of Sections 312, 317 and 812.39(b).

13  
14  
15 APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

16  
17 By: \_\_\_\_\_  
Audrey Pearson  
18 Deputy City Attorney



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Planning Code and Zoning Map Amendments HEARING DATE: JANUARY 26, 2012

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

Reception:  
**415.558.6378**

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Planning  
Information:  
**415.558.6377**

*Project Name:* Chinatown Transit Station SUD  
*Case Number:* 2011.1202RTZ [Board File No. 11-1210]  
2011.1202RTZ [Board File No. 11-1211]  
*Initiated by:* Supervisor Chiu / Introduced November 08, 2011  
*Staff Contact:* Elizabeth Watty, Planner  
Elizabeth.Watty@sfgov.org, 415-558-6620  
*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs  
anmarie.rodgers@sfgov.org, 415-558-6395  
Mark Luellen, Senior Planner  
[Mark.Luellen@sfgov.org](mailto:Mark.Luellen@sfgov.org), 415-558-6478  
*Recommendation:* **Approval with Minor Modifications (Text Amendment)**  
**Approval (Map Amendment)**

### PLANNING CODE AMENDMENT

The proposed Ordinances would amend the Planning Code to add Section 249.66 to create the Chinatown Transit Station Special Use District (SUD) and to permit the demolition of the existing two-story, mixed-use building that is located on the subject lot (Block 0211; Lot 001).

#### The Way It Is Now:

The Subject Property is currently located in the Chinatown Residential Neighborhood Commercial District<sup>1</sup> which was established in 1987 and prohibits the demolition of residential dwelling units. Furthermore, Planning Code Section 317(d) requires the review and approval of a replacement structure prior to the issuance of a demolition permit for a building containing residential dwelling-units. The property contains a two-story mixed-use building with 18 residential dwelling-units located on the second floor and 8 businesses on the ground floor.

#### The Way It Would Be:

The proposed Ordinances would allow the demolition of the mixed-use building without the prior review and approval of a replacement building. All other controls currently applicable in the Chinatown Residential Neighborhood Commercial District would apply.

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<sup>1</sup> Planning Code Section [812.1](#)

Although the proposed Ordinance would exempt the demolition of the existing mixed-use building from the Planning Section 312 Notification procedures, it would not exempt any future construction on the lot from the Section 312 or any other required notification procedures.<sup>2</sup>

## **BACKGROUND INFORMATION**

### **Central Subway<sup>3</sup>**

The Central Subway Project is Phase 2 of SFMTA's 6.8-mile Third Street Light Rail Transit Project. Phase 1 began service along the Third Street corridor in April 2007 and Phase 2 will extend the T-Third Line rail service to provide a direct, rapid transit link from the Bayshore and Mission Bay areas to SoMa, downtown, and Chinatown.

When the Central Subway is completed, the combined Third Street Line will provide a continuous light rail route connecting the heavily transit-dependent communities of Visitacion Valley and Bayview in the south through Dogpatch and Mission Bay with Chinatown and the central business districts in the north. It will provide direct connections to major retail, sporting and cultural venues and carry more passengers upon opening than any other current Muni line. Most significantly, it will efficiently take people along this densely-populated corridor to jobs, and educational opportunities, and will increase access throughout San Francisco.

Construction of the tunnels and stations will continue through 2017 and the Central Subway is slated to open to the public in 2019.

### **Tenant Relocation Plan**

All of the 19 residential households<sup>4</sup> have been relocated to new housing and all but one of the 8 ground-floor commercial businesses have been relocated as of December 2011. The one remaining commercial tenant is the property manager, and he is scheduled to move out on February 15<sup>th</sup>, 2012. All of the relocation efforts were done in accordance with the Central Subway's *Relocation Impact Study and Last Resort Housing Plan*, which was approved by the MTA Board of Directors on August 3, 2010, and by the Board of Supervisors on December 7, 2010. The *Plan*, among other things, establishes a program by which residential tenants are provided with relocation expenses, including moving expenses and social services, 42 months of rent differential, and eligibility for affordable units at a new 75-unit housing project planned for Broadway and Sansome Streets near Chinatown. The *Plan* also provides commercial tenants with the services of a relocation consultant, moving expenses, business re-establishment expense payments and compensation for loss of goodwill.

### **Timeline**

The demolition of the existing mixed-use building at 935-949 Stockton Street has been considered in various other approvals over the last several years; this SUD is the necessary implementing document to enable what was considered in those previous decisions.

Below is a brief overview of other key approvals that have been given for the Central Subway Project, all of which specifically include reference the subject demolition project:

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<sup>2</sup> Planning Code Section 312 requires notification to all owners and tenants who live within 150' of the Subject Property, along with all applicable Neighborhood Organizations, when there is a proposal for demolition, new construction, and certain changes of use.

<sup>3</sup> <http://centralsubwaysf.com/content/project-overview>

<sup>4</sup> There are 18 dwelling-units, but 19 households who live at 935-949 Stockton Street.

- August 7, 2008: The Planning Commission certified the Final Supplemental EIS/EIR for the Central Subway/Third Street Light Rail Phase 2 ("Central Subway") through Motion No. 17668.
- August 19, 2008: The SFMTA's Board of Directors approved the Central Subway Project through Resolution No. 08-150.
- September 16, 2008: The Board of Supervisors affirmed the Planning Commission's decision to certify the Final Supplemental EIS/EIR for the Central Subway Project through Motion No. 08-145.
- February 26, 2010: The SFMTA Board of Directors found that the Project achieved several of the SFMTA's Strategic Plan objectives, and affirmed this through Resolution No. 10-024.
- December 7, 2010: The Board of Supervisors approved the SFMTA's Housing Relocation Plan (aka "*Relocation Impact Study and Last Resort Housing Plan for Central Subway Project*") for Chinatown residents and businesses that would be displaced by the demolition of the subject building through Ordinance No. 10-307.
- September 28, 2011: The Board of Supervisors supported the one-to-one replacement of all demolished rent controlled dwelling-units at 935-949 Stockton Street, and relocation packages for all displaced tenants, through Resolution No. 11-433. The relocation packages are consistent with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and the approved *Relocation Impact Study and Last Resort Housing Plan*, which provides all displaced tenants with the opportunity to remain permanently in or near San Francisco's Chinatown.

#### **Future Site Development**

The demolition of 935-949 Stockton and construction of the Chinatown Station will be done by the same contractor, allowing for the most efficient transition from demolition to new construction activities. Upon completion of demolition, the site will be cleared to street grade along Stockton Street. A temporary construction fence will be installed around the perimeter of the Site prior to the start of demolition and will remain through the end of the station construction. The temporary fence will be wrapped with Central Subway and Chinatown Station logos and renderings.

The SFMTA is currently working with the San Francisco Arts Commission Civic Design Review Committee on design review of a future station building and will continue to work with the Planning Department on the final design. When the station design is ready to move forward, the SFMTA will return to the Planning Commission for any necessary approvals for a Public Use within the Chinatown Residential Neighborhood Commercial District.

#### **REQUIRED COMMISSION ACTION**

The proposed Ordinances are before the Commission so that it may recommend approval, rejection, or approval with modifications to the Board of Supervisors.

#### **RECOMMENDATION**

The Department recommends that the Commission recommend *approval* of the proposed Map Amendment Ordinance (Board File No. 11-1211) and *approval with modifications* of the proposed Planning Code Text Amendment Ordinance (Board File No. 11-1210) and adopt the attached Draft



Resolution to that effect. The modifications recommended by the Department for the Planning Code Text Amendment Ordinance are minor in nature:

- To add a reference to the Chinatown Transit Station Special Use District to exempt the demolition of the existing mixed-use building from Section 312 Notification procedures on Page 4, lines 12-13;
- To add a reference to the Ordinance description to correct the existing Zoning District as the Chinatown *Residential* Neighborhood Commercial District on Page 1, line 6; and
- To add a reference to the Ordinance description to include Section 302 Findings on Page 1, Line 7.

### **BASIS FOR RECOMMENDATION**

The Chinatown Transit Station SUD is necessary in order to allow for the demolition of the existing, nearly vacant mixed-use building at 935-949 Stockton Street. Without the demolition of this building, the Chinatown Transit Station will not be able to be located at this Site. This Site has already been identified and approved as the Site for the Chinatown Transit Station by the SFMTA Board of Directors and by the Board of Supervisors. The Planning Commission – through the certification of the EIR – reviewed and approved this site as one of the feasible locations for the Chinatown Transit Station. This SUD allows for implementation of the Central Subway's Chinatown Transit Station.

The SFMTA plans to construct a continuation of the T-Third Light Rail line from the CalTrain Station at Fourth and King Streets to Chinatown in order to create a critical transportation improvement linking neighborhoods in the southeastern portion of the City with the retail and employment centers in the City's downtown and Chinatown neighborhoods. It will introduce the first major north-south rail transit axis connecting Chinatown, Union Square, the Market Street BART/Muni Metro subway, and South of Market. The new 1.7-mile line will attract 35,100 daily boardings by 2030 and will significantly enhance access for local businesses and residents. This Project will serve a low-auto-ownership population of transit customers, increase transit use and reduce travel time, reduce air and noise pollution, and provide congestion relief throughout the corridor. The Chinatown Transit Station, located at the site of this proposed SUD, will be the terminus of this line.

The SFMTA has successfully relocated all but one of the tenants from the Subject Property and is implementing the requirements in the Uniform Relocation Act and the California State Relocation Act aimed at minimizing impacts on the displaced tenants.<sup>5</sup> This Relocation Plan assesses the relocation needs of all potential displacees and is the basis for providing relocation assistance and payments for affected residential tenants and commercial businesses.

The SFMTA has also committed to funding a 75-unit off-site affordable housing development, located near Chinatown, under the control of the Mayor's Office of Housing. Once completed in 2014, the original tenants of the Subject Property, should they choose, will be permanently relocated to this new off-site housing project. Some tenants, however, have elected to use their relocation benefits to purchase homes rather than rent.

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<sup>5</sup> The one remaining commercial tenant is the property manager and will move out in February, 2012.

Although the existing structure is considered a contributor to a National Register eligible historic district and its demolition constitutes an adverse impact to that potential historic district, the certified Final Supplemental EIS/EIR<sup>6</sup> provided Mitigation Measures to reduce the impact of the demolition of a contributory building at 935-949 Stockton Street. These Mitigation Measures include: documenting the existing historic building, salvaging of the architecturally significant building features for incorporation into an interpretive display in the new station, and employing an architectural historian to participate in the design development of the new station and adjoining building to ensure that the design is compatible with the potential historic district.

The Department's proposed modifications to this proposed SUD are minor and are seen as technical, rather than substantive, amendments.

In sum, the Department supports the proposed Ordinances to create the Chinatown Transit Station SUD in order to allow for the demolition of the existing mixed-use building without approval of a replacement building.

The Department finds the proposed Demolition to be, on balance, consistent with the General Plan, as outlined in the attached Draft Resolution.

#### **ENVIRONMENTAL REVIEW**

The physical effects of the proposed SUD were analyzed in the Central Subway/Third Street Light Rail Phase 2 Final Supplemental Environmental Impact Statement/Final Supplemental Environmental Impact Report ("Final SEIS/SEIR"), thus no subsequent or supplemental environmental review is required under the California Environmental Quality Act Guidelines Section 15162. The Planning Department determined that the legislation, which would permit the demolition of the mixed-use building on the subject property would not result in new significant impacts, require new or modified mitigation measures, or cause impacts of greater severity than previously reported in the Final SEIR/SEIS.

#### **PUBLIC COMMENT**

The Planning Department has not received any public comments regarding the proposed Ordinances.

<b>RECOMMENDATION:</b>	<b>Recommendation of Approval with Modifications of the Planning Code Text Amendment and Approval of the Planning Code Map Amendment</b>
------------------------	--

#### **Attachments:**

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Board of Supervisors File No. 11-1210
- Exhibit C: Proposed Modifications to File No. 11-1210
- Exhibit D: Board of Supervisors File No. 11-1211
- Exhibit E: Exhibits

---

<sup>6</sup> The Final Supplemental Environmental Impact Statement/Supplemental Environmental Impact Report was certified by the Planning Commission on August 7, 2008 through Motion No. 17668, and was upheld by the Board of Supervisors on September 16, 2008 through Motion No. 08-145.

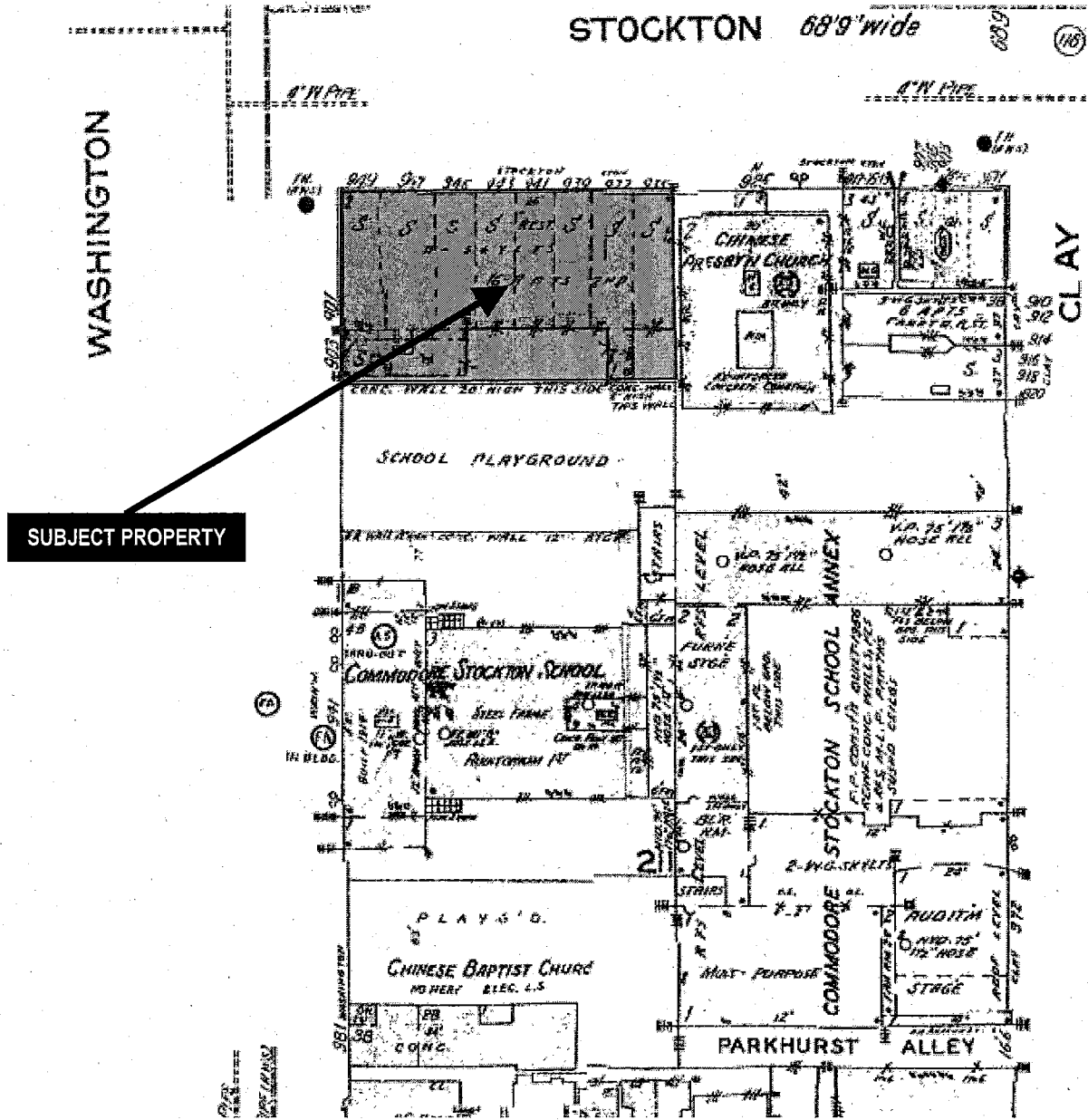
# Block Book Map



**SUBJECT PROPERTY**



# Sanborn Map\*



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

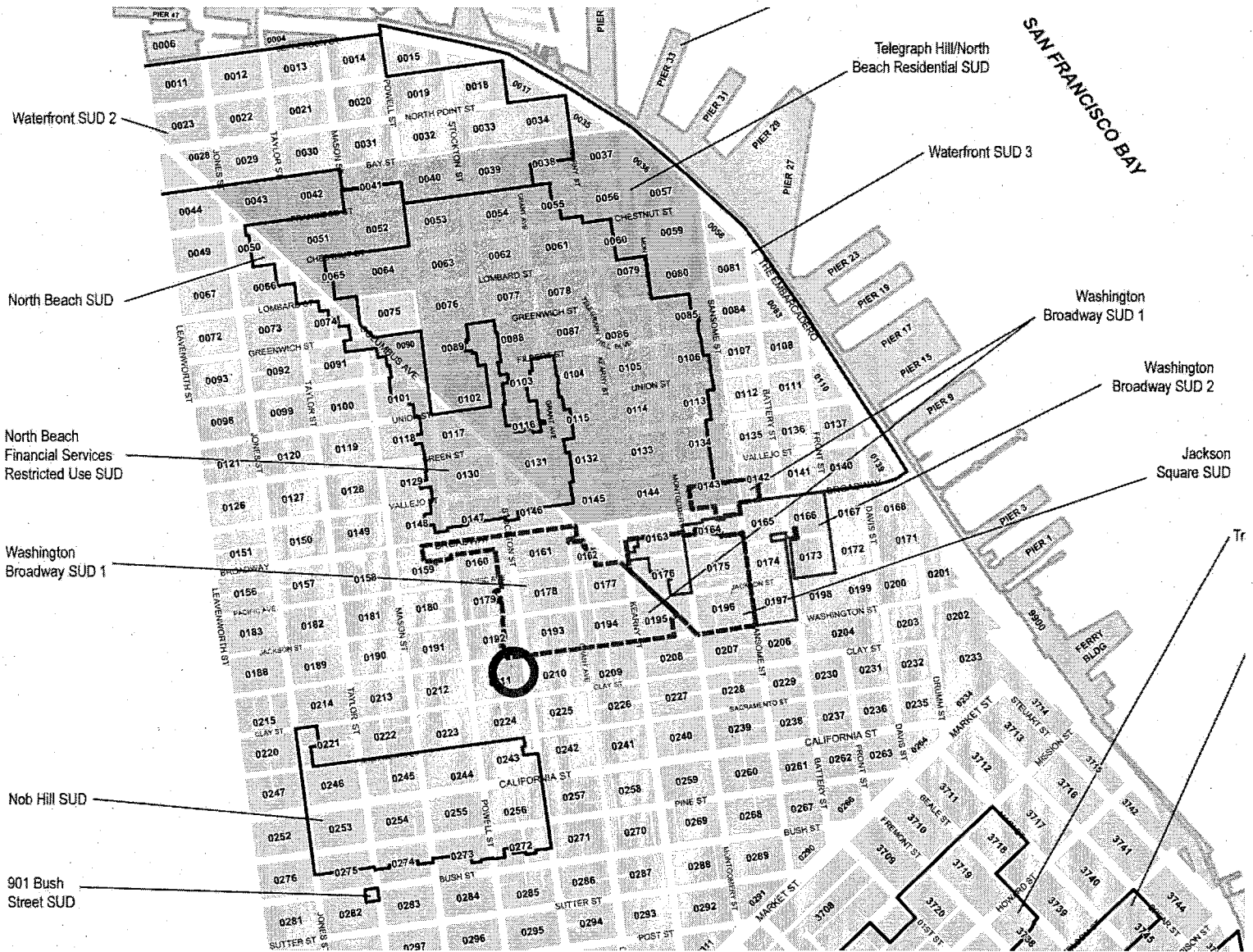


Planning Code Text and Map Amendments  
 Case Number 2011.1202RTZ  
 Chinatown Transit Station SUD  
 935-949 Stockton Street

# Zoning Map



# SUD Map



# Central Subway Map



Planning Code Text and Map Amendments  
 Case Number 2011.1202RTZ  
 Chinatown Transit Station SUD  
 935-949 Stockton Street



# Aerial Photo



**SUBJECT PROPERTY**



Planning Code Text and Map Amendments  
Case Number 2011.1202RTZ  
Chinatown Transit Station SUD  
935-949 Stockton Street



# Aerial Photo



**SUBJECT PROPERTY**



# Aerial Photo

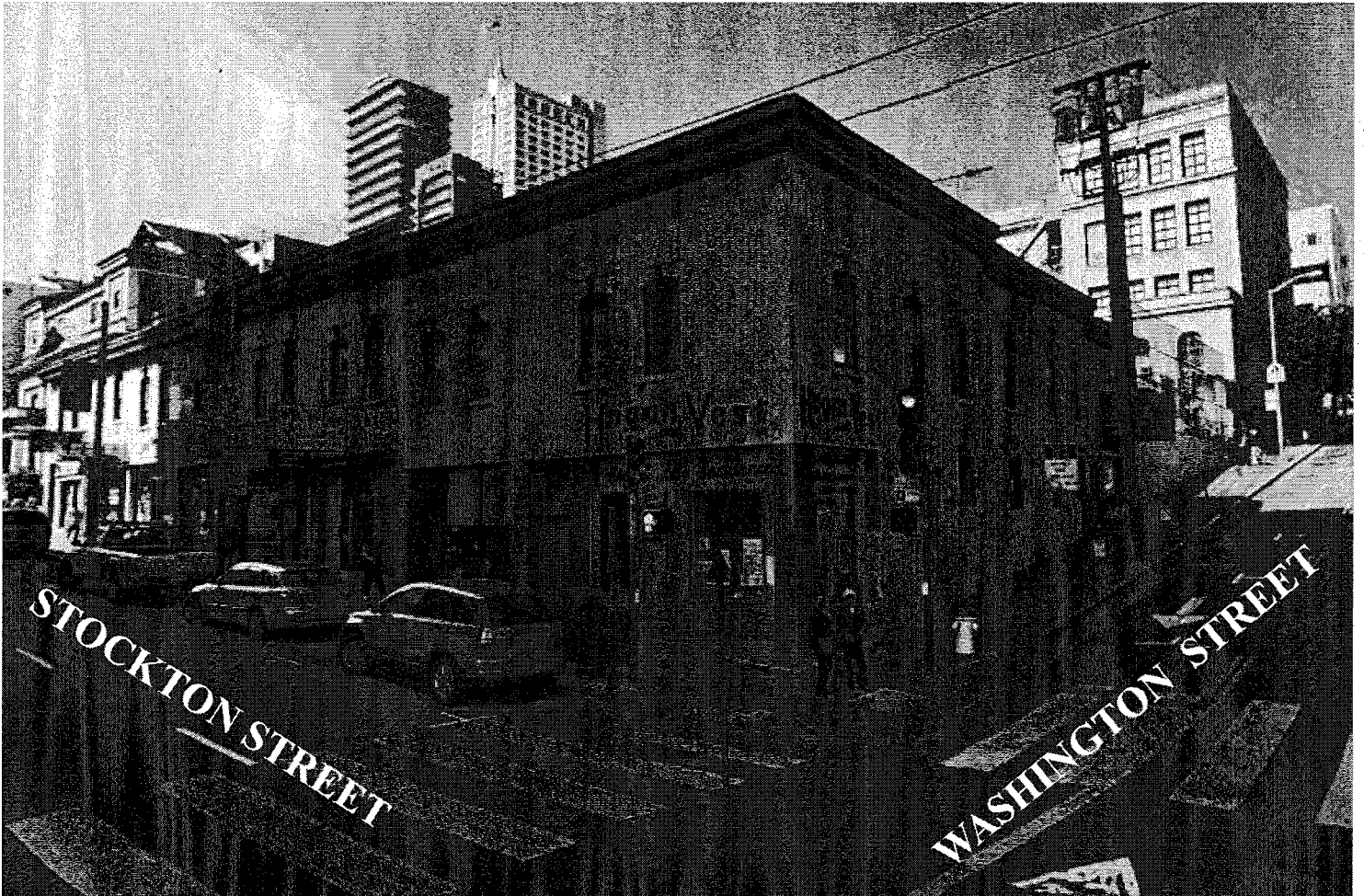


**SUBJECT PROPERTY**



Planning Code Text and Map Amendments  
Case Number 2011.1202RTZ  
Chinatown Transit Station SUD  
935-949 Stockton Street

# Site Photo



SUBJECT PROPERTY

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

**NOTICE OF PUBLIC HEARING**  
**BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO**  
**LAND USE & ECONOMIC DEVELOPMENT COMMITTEE**


NOTICE IS HEREBY GIVEN THAT the Land Use and Economic Development Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

**Date:** Monday, February 6, 2012  
**Time:** 1:00 p.m.  
**Location:** Committee Room 263 located at City Hall  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA  
**Subject:** Chinatown Transit Station Special Use District

**File No. 111210.** Ordinance amending the San Francisco Planning Code Section 249.66 to: 1) create the Chinatown Transit Station Special Use District at the southwest corner of Stockton Street and Washington Street (Assessor Block No. 211, Lot No. 1); 2) permit the demolition of a mixed-use building in the Chinatown Neighborhood Commercial District for the construction of the Chinatown Station of the Central Subway; and 3) adopt findings, including General Plan Consistency Findings and findings under the California Environmental Quality Act.

**File No. 111211.** Ordinance amending the San Francisco Planning Code Sectional Maps SU01 of the Zoning Map of the City and County of San Francisco to: 1) reflect the creation of the Chinatown Transit Station Special Use District, Planning Code Section 249.66, at the southwest corner of Stockton Street and Washington Street (Assessor Block No. 211, Lot No. 1); 2) permit the demolition of a mixed-use building in the Chinatown Neighborhood Commercial District for the construction of the Chinatown Station of the Central Subway; and 3) adopting findings, including General Plan Consistency Findings, Planning Code Section 101.1 and 302 findings, and findings under the California Environmental Quality Act.

In accordance with Section 67.7-1 of the San Francisco Administrative Code, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made a part of the official public records in these matters, and shall be brought to the attention of the Members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, Room 244, City Hall, 1 Dr. Carlton Goodlett Place, San Francisco, 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Friday, February 3, 2012.

  
Angela Calvillo, Clerk of the Board

DATED: January 25, 2012  
POSTED/MAILED: January 27, 2012