

1 [Zoning—Establishing the Trinity Plaza Special Use District at Market and 8th Streets.]

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3 **Ordinance amending the San Francisco Planning Code by adding Section 249.34 to**
4 **establish the Trinity Plaza Special Use District, encompassing the real property located**
5 **at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street**
6 **(Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot**
7 **No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of**
8 **former Jessie Street between 7th and 8th Streets, to eliminate floor-area restrictions,**
9 **maximum dwelling-unit density limits, and sunlight access to public sidewalk**
10 **requirements, and allow exceptions through the process outlined in Planning Code**
11 **Section 309 to the dwelling-unit exposure requirements; and adopting General Plan,**
12 **Planning Code Section 101.1, and environmental findings..**

13 Note: Additions are *single-underline italics Times New Roman*;
14 deletions are *strikethrough italics Times New Roman*.
15 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

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

17 Section 1. Findings.

18 A. On February 17, 2006, the Project Sponsor filed an application to amend the
19 Planning Code to create the Trinity Plaza Special Use District comprised of the property
20 located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street
21 (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No.
22 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former
23 Jessie Street between 7th and 8th Streets ("Project Site"), which special use district would:
24 eliminate the floor area ratio limits, maximum dwelling unit density limits, and sunlight access
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1 to public sidewalk requirements; and allow an exception from dwelling unit exposure
2 requirements through the process outlined in Section 309 of the Planning Code.

3 B. The proposed Trinity Plaza Special Use District is part of a project proposed by
4 the Project Sponsor to demolish an existing 4- to-7 story apartment building at the Project Site
5 that contains 377 residential rental units (including 360 rent-controlled units), a ground-floor
6 restaurant, and surface and below-grade parking for approximately 450 vehicles, and replace
7 it with three buildings—ranging in height from 148 feet to 223 feet and totaling approximately
8 1,943,000 gross square feet— which would include residential units, retail/personal services,
9 off-street accessory parking, and open space (“Project”).

10 C. The Project Sponsor has also filed applications for: (1) approval of a
11 Development Agreement under Administrative Code Chapter 56; (2) a General Plan
12 Amendment under Planning Code Section 340; (3) a Zoning Map amendment under Planning
13 Code Section 302; (4) Conditional Use Authorization under Planning Code Section 303; (5) C-
14 3 District Review, including exceptions, under Planning Code Section 309; and (6) a
15 determination of insignificant shadow impact under Planning Code Section 295.

16 D. The City wishes to ensure appropriate development of the Project Site as an
17 important part of an ongoing effort to revitalize the Mid-Market area, to provide for the
18 replacement of the 360 rent-controlled units and tenant amenities in the residential structure
19 currently existing on the Project Site and proposed to be demolished, and to protect the
20 tenants of the existing residential structure from displacement due to the proposed future
21 development of the Project Site. To this end, the Development Agreement for the Trinity
22 Plaza Development Project has been proposed.

23 E. On _____, at a duly noticed public hearing, the Planning Commission
24 certified the Final Environmental Impact Report (“Final EIR”) for the proposed Project, by
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1 Motion No. _____ finding that the Final EIR reflects the independent judgment and
2 analysis of the City and County of San Francisco, is adequate, accurate and objective,
3 contains no significant revisions to the Draft EIR, and the content of the report and the
4 procedures through which the Final EIR was prepared, publicized and reviewed comply with
5 the provisions of the California Environmental Quality Act (California Public Resources Code
6 sections 21000 et seq., "CEQA"), the State CEQA Guidelines (California Code of Regulations
7 Title 14 sections 15000 et seq.), and Chapter 31 of the San Francisco Administrative Code
8 ("Chapter 31"). A copy of the Final EIR is on file with the Clerk of the Board in File
9 No. _____.

10 F. At the same hearing during which the Planning Commission certified the Final
11 EIR, the Planning Commission adopted CEQA Findings with respect to the approval of the
12 proposed Project, including the proposed Planning Code amendment, in Motion
13 _____ and adopted the proposed Planning Code amendment creating the Trinity
14 Plaza Special Use District in Resolution No. _____.

15 G. The letter from the Planning Department transmitting the proposed Planning
16 Code amendment to the Board of Supervisors, the Final EIR and supplemental material
17 described above, the CEQA Findings adopted by the Planning Commission with respect to
18 the approval of the Project, including a mitigation monitoring and reporting program and a
19 statement of overriding considerations, the proposed Planning Code amendment, and the
20 Resolution approving the proposed Planning Code amendment are on file with the Clerk of
21 the Board in File No. _____. These and any and all other documents referenced in
22 this Ordinance have been made available to, and have been reviewed by, the Board of
23 Supervisors, and may be found in either the files of the City Planning Department, as the
24 custodian of records, at 1660 Mission Street in San Francisco, or in File No. _____

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1 with the Clerk of the Board of Supervisors at 1 Dr. Carlton B. Goodlett Place, San Francisco
2 and are incorporated herein by reference.

3 H. The Board of Supervisors has reviewed and considered the Final EIR, the
4 environmental documents on file referred to herein, and the CEQA Findings adopted by the
5 Planning Commission in support of the approval of the proposed Project, including the
6 mitigation monitoring and reporting program and the statement of overriding considerations.
7 As set forth in the related Ordinance Approving a General Plan Amendment Related to the
8 Trinity Plaza Project at Market and 8th Street, Ordinance No. _____, the Board of
9 Supervisors has adopted the Planning Commission's CEQA findings as its own and
10 incorporated them by reference. The Board of Supervisors hereby incorporates all of the
11 findings related to CEQA contained in the Ordinance Approving a General Plan Amendment
12 Related to the Trinity Plaza Project at Market and 8th Street, Ordinance No. _____,
13 located in Board File No. _____, by reference as though such findings were fully set
14 forth in this Ordinance.

15 I. The Board of Supervisors finds, pursuant to Planning Code Section 302, that the
16 proposed Planning Code amendment to create the Trinity Plaza Special Use District will serve
17 the public necessity, convenience and general welfare for the reasons set forth in Planning
18 Commission Resolution No. _____ and incorporates those reasons herein by
19 reference.

20 J. The Board of Supervisors finds that the proposed Planning Code amendment to
21 create the Trinity Plaza Special Use District is in conformity with the General Plan, as
22 amended, and the eight priority policies of Planning Code Section 101.1 for the reasons set
23 forth in Planning Commission Resolution No. _____. The Board hereby adopts the
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1 findings set forth in Planning Commission Resolution No. _____ and incorporates
2 those findings herein by reference.

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4 Section 2. The San Francisco Planning Code is hereby amended by adding Section
5 249.34, to read as follows:

6 SEC. 249.34. TRINITY PLAZA SPECIAL USE DISTRICT.

7 In order to give effect to the Development Agreement for the Trinity Plaza Development Project,
8 there shall be the Trinity Plaza Special Use District consisting of Assessor's Block 3702, Lots 039, 051,
9 052, and 053 and a portion of former Jessie Street between Seventh and Eighth Streets, as designated
10 on Sectional Map 1SU of the Zoning Map of the City and County of San Francisco.

11 (a) Special Controls. The following controls shall apply within this Special Use District:

12 (1) Floor Area Ratio: The floor area ratio limits set forth in Sections 123 and 124 for C-3-
13 G Districts shall not apply to dwellings and other residential uses.

14 (2) Residential Density: The maximum density ratio for dwelling units in C-3-G Districts
15 set forth in Section 215 shall not apply.

16 (3) Shadows on Public Sidewalks. The requirement regarding sunlight to public sidewalks
17 set forth in Section 146 shall not apply.

18 (4) Exposure of Dwelling Units: Exceptions to the provisions of Section 140 regarding
19 dwelling unit exposure to open areas may be granted through the process set forth in Section 309 in
20 lieu of the process set forth in Section 305. An exception to the provisions of Section 140 shall only be
21 granted upon a determination that the proposed design provides adequate access to air and light
22 consistent with the intent of Section 140.

23 (b) The Development Agreement for the Trinity Plaza Development Project. This Special
24 Use District is further subject to the restrictions and controls set forth in the Development Agreement

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1 for the Trinity Plaza Development Project, recorded against the property, as amended from time to
2 time.

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

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6 By: _____
7 Marlena G. Byrne
8 Deputy City Attorney

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