

1 [Planning Code, Zoning Map - One Oak Street Project]

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3 **Ordinance amending the Planning Code by revising Sheet HT07 of the Zoning Map, to**  
 4 **change the height and bulk district classification of Assessor's Parcel Block No. 0836,**  
 5 **portions of Lot Nos. 001 and 005, for the One Oak Project, at the Van Ness Avenue /**  
 6 **Oak Street / Market Street Intersection, as follows: rezoning the eastern portion of the**  
 7 **property, along Van Ness Avenue, located at Assessor's Parcel Block No. 0836, Lot No.**  
 8 **001 (1500 Market Street), from 120/400-R-2 to 120-R-2; rezoning the central portion of**  
 9 **the property, located at Assessor's Parcel Block No. 0836, Lot No. 005 (1540 Market**  
 10 **Street), from 120-R-2 to 120/400-R-2; affirming the Planning Commission's**  
 11 **determination under the California Environmental Quality Act; and making findings,**  
 12 **including findings of public necessity, convenience and welfare under Planning Code,**  
 13 **Section 302, and findings of consistency with the General Plan, and the eight priority**  
 14 **policies of Planning Code, Section 101.1.**

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

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

19 Section 1. Findings.

20 (a) On November 18, 2015, One Oak Owner, LLC ("Project Sponsor"), filed an  
 21 application to amend Sheet HT07 of the Zoning Map of the City and County of San Francisco  
 22 to change the height and bulk classification of (1) the eastern portion (along Van Ness  
 23 Avenue) of the property located at Assessor's Block 0836, Lot 001 (1500 Market Street) from  
 24 120/400-R-2 to 120-R-2 in a trapezoidal area measuring 668 square feet and (2) a central  
 25 portion of the property located at Assessor's Block 0836, Lot 005 (1540 Market Street) from

1 120-R-2 to 120/400-R-2 in a trapezoidal area measuring 668 square feet (collectively  
2 “Proposed Zoning Map Amendment”).

3 (b) The Proposed Zoning Map Amendment is part of a project proposed by the  
4 Project Sponsor to demolish existing improvements and construct a 40-story residential  
5 project with ground floor retail space and three levels of underground parking at One Oak  
6 Street (“Proposed Project”).

7 (c) On June 15, 2017, at a duly noticed public hearing, by Motion No. 19938, the  
8 Planning Commission certified a Final Environmental Impact Report (“FEIR”) for the Proposed  
9 Project, including the Proposed Zoning Map Amendment. The Planning Commission certified  
10 that the FEIR for the Proposed Project reflects the independent judgment and analysis of the  
11 City and County of San Francisco, is adequate, accurate, and objective, and contains no  
12 significant revisions to the Draft EIR, and that the content of the FEIR and the procedures  
13 through which it was prepared, publicized and reviewed comply with the provisions of the  
14 California Environmental Quality Act (“CEQA”) (California Public Resources Code section  
15 21000 et seq.), the State CEQA Guidelines (California Code of Regulations Title 14 sections  
16 15000 et seq.) and Chapter 31 of the San Francisco Administrative Code (“Chapter 31”). A  
17 copy of the FEIR is on file with the Clerk of the Board of Supervisors in File No. 170751.

18 (d) On June 15, 2017, the Planning Commission adopted Motion No. 19939,  
19 adopting CEQA Findings with respect to the approval of the Proposed Project, including the  
20 Proposed Zoning Map Amendment. A copy of such motion is on file with the Clerk of the  
21 Board of Supervisors in File No. 170751. The Board of Supervisors hereby affirms and  
22 adopts said findings based on the reasons set forth therein, and incorporates such reasons by  
23 reference.

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1 (e) On June 15, 2017, the Planning Commission adopted Resolution No. 19942,  
2 approving and recommending adoption by the Board of Supervisors of the Proposed Zoning  
3 Map Amendment.

4 (f) The letter from the Planning Department transmitting the Proposed Zoning Map  
5 Amendment to the Board of Supervisors, the FEIR, the CEQA Findings adopted by the  
6 Planning Commission with respect to the approval of the Proposed Project (including a  
7 mitigation monitoring and reporting program) are on file with the Clerk of the Board in File No.  
8 170751. These and any and all other documents referenced in this Ordinance have been  
9 made available to, and have been reviewed by, the Board of Supervisors, and may be found  
10 in both the files of the City Planning Department, as the custodian of records, at 1650 Mission  
11 Street in San Francisco, or in File No. 170751 with the Clerk of the Board of Supervisors at 1  
12 Dr. Carlton B. Goodlett Place, San Francisco, and are incorporated herein by reference.

13 (g) The Board of Supervisors has reviewed and considered the FEIR, the  
14 environmental documents on file referred to herein, and the CEQA Findings adopted by the  
15 Planning Commission in support of the approval of the Proposed Project, including the  
16 mitigation monitoring and reporting program. The Board of Supervisors has adopted the  
17 Planning Commission's CEQA Findings as its own and hereby incorporates them by  
18 reference as though fully set forth herein.

19 (h) Pursuant to Planning Code Section 302, this Board of Supervisors finds that the  
20 Proposed Zoning Map Amendment will serve the public necessity, convenience and welfare  
21 for the reasons set forth in Planning Commission Motion No. 19943 (adopting findings relating  
22 to a determination of compliance under Planning Code Section 309 for the Project), Motion  
23 No. 19944 (approving the Conditional Use Authorization for the Proposed Project) and Motion  
24 No. 19942 (adopting environmental findings and recommending that the Board of Supervisors  
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1 approve this Proposed Zoning Map Amendment), and incorporates such reasons by reference  
2 herein.

3 (i) Pursuant to Planning Code Section 101.1, this Board of Supervisors finds that  
4 the Proposed Zoning Map Amendment is consistent with the General Plan, as amended, and  
5 with the Priority Policies of Section 101.1(b) of the Planning Code, and hereby adopts the  
6 findings of the Planning Commission, as set forth in Planning Commission Motion Nos. 19942  
7 and incorporates said findings by reference herein.

8 (j) This ordinance is companion legislation to an ordinance that amends the General  
9 Plan for the One Oak Street project. That ordinance is on file with the Clerk of the Board of  
10 Supervisors in File No. 170750.

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12 Section 2. The Planning Code is hereby amended by revising Sheet HT07 of the  
13 Zoning Map, as follows:

<u>Description of Property</u>	<u>Height and Bulk Districts to be Superseded</u>	<u>Height and Bulk Districts to Be Approved</u>
14 Assessor's Block 0836 15 Lot 001 16 (Western 668 square feet)	120/400-R-2	120-R-2
17 Assessor's Block 0836 18 Lot 005 19 (Central 688 square feet)	120-R-2	120/400-R-2

20 Section 3. Effective Date. This Ordinance shall become effective 30 days from the  
21 date of passage. Enactment occurs when the Mayor signs the ordinance, the Mayor returns  
22 the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the  
23 Board of Supervisors overrides the Mayor's veto of the ordinance.

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

3 By: \_\_\_\_\_  
4 ANDREA RUIZ-ESQUIDE  
Deputy City Attorney

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