

File No. 151063

Committee Item No. 3

Board Item No. 44

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation

Date November 23, 2015

Board of Supervisors Meeting

Date December 1, 2015

Cmte Board

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Memorandum of Understanding (MOU) |
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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Motion No. 17007</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Resolution Nos. 19479</u> |
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Completed by: Alisa Somera Date November 20, 2015
Completed by: Alisa Somera Date November 25, 2015

1 [Planning Code, Zoning Map - 525 Harrison Street]

2

3 **Ordinance amending the Planning Code regarding bulk limits and exceptions to the**

4 **tower separation requirements on 525 Harrison Street, Assessor's Block No. 3764, Lot**

5 **No. 063; and amending the Zoning Map to redesignate a portion of Assessor's Block**

6 **No. 3764, Lot No. 063, from a 65/400-R height and bulk district to a 65/250-R height and**

7 **bulk district; affirming the Planning Department's determination under the California**

8 **Environmental Quality Act that these Amendments were within the scope of the Rincon**

9 **Hill Area Plan and the Program EIR, which adequately analyzed these Amendments;**

10 **and making findings of consistency with the General Plan, and the eight priority**

11 **policies of Planning Code, Section 101.1, and findings under Planning Code, Section**

12 **302.**

13 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.

14 **Additions to Codes** are in *single-underline italics Times New Roman font*.

15 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.

16 **Board amendment additions** are in double-underlined Arial font.

17 **Board amendment deletions** are in ~~Arial font~~.

18 **Asterisks (* * * *)** indicate the omission of unchanged Code subsections or parts of tables.

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

19 Section 1. Findings.

20 (a) The Planning Department has determined that the actions contemplated in this

21 ordinance comply with the California Environmental Quality Act (California Public Resources

22 Code Sections 21000 et seq.), finding that these Amendments were within the scope of the

23 Rincon Hill Area Plan and that the Rincon Hill Area Plan Program Environmental Impact

24 Report adequately analyzed these Amendments and prepared an Addendum for these

25

1 Amendments and the proposed project. Said determination and Addendum are is on file with
2 the Clerk of the Board of Supervisors in File No. 151063 and is incorporated herein by
3 reference, and the Rincon Hill Area Plan Environmental Impact Report is available for review
4 at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco,
5 California (Case No. 2013.0159E). The Board affirms this determination.

6 (b) Pursuant to Planning Code Section 302, this Board finds that the actions
7 contemplated in this ordinance will serve the public necessity, convenience, and welfare for
8 the reasons set forth in Planning Commission Resolution No. 19479 and the Board
9 incorporates such reasons herein by reference. A copy of the Planning Commission
10 Resolution No. 19479 is on file with the Clerk of the Board of Supervisors in File No. 151063.

11 (c) On September 24, 2015, the Planning Commission, in Resolution No. 19479,
12 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
13 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
14 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
15 the Board of Supervisors in File No. 151063, and is incorporated herein by reference.

16 (d) This Board finds that the actions contemplated in this ordinance provide a 20% or
17 greater increase in developable residential gross floor area, because the existing tower
18 separation requirement of Planning Code Section 270(e)(2)(G) limits the height of a portion of
19 the 525 Harrison site to 110 feet where it is less than 115 feet distant from the existing 45
20 Lansing Street building, and thus increases the allowable building bulk of the 525 Harrison
21 Street project, such that these actions individually and collectively justify an increase in the
22 Inclusionary Affordable Housing Requirement for the 525 Harrison Street project.

23
24 Section 2. The Planning Code is hereby amended by revising Section 270 to read as
25 follows:

1 **SEC. 270. BULK LIMITS: MEASUREMENT.**

2 ****

3 (e) **Rincon Hill and South Beach.** In Bulk District R (Rincon Hill and South Beach
4 DTR Districts), bulk limitations are as follows:

5 (1) There are no bulk limits below the podium height as described in Section
6 263.19, except for the lot coverage limitations and setback requirements described in
7 Sections 825 and 827.

8 (2) **Tower Bulk and Spacing.** All portions of structures above the podium
9 height as described in Section 263.19 shall meet the following bulk limitations, as illustrated in
10 Chart C.

11 (A) Buildings between the podium height limit and 240 feet in height may
12 not exceed a plan length of 90 feet and a diagonal dimension of 120 square feet.

13 (B) Buildings between 241 and 300 feet in height may not exceed a plan
14 length of 100 feet and a diagonal dimension of 125 feet, and may not exceed a maximum
15 average floor area of 8,500 gross square feet.

16 (C) Buildings between 301 and 350 feet in height may not exceed a plan
17 length of 115 feet and a diagonal dimension of 145 feet. They may not exceed a maximum
18 average floor area of 9,000 gross square feet.

19 (D) Buildings between 351 and 550 feet in height may not exceed a plan
20 length of 115 feet and a diagonal dimension of 145 feet. They may not exceed a maximum
21 average floor area of 10,000 gross square feet.

22 (E) To allow variety in the articulation of towers, the floor plates of
23 individual floors may exceed the maximums described above by as much as 5 percent,
24 provided the maximum average floor plate is met.

1 (F) To encourage tower sculpting, the gross floor area of the top one-
2 third of the tower shall be reduced by 10 percent from the maximum floor plates described in
3 (A) - (D) above, unless the overall tower floor plate is reduced by an equal or greater volume.

4 (G) In order to provide adequate sunlight and air to streets and open
5 spaces, a minimum distance of 115 feet must be preserved between all structures above 110
6 feet in height at all levels above 110 feet in height. Spacing shall be measured horizontally
7 from the outside surface of the exterior wall of the subject building to the nearest point on the
8 closest structure above 110 feet in height. Any project that is permitted pursuant to the
9 exception described in Section 270(e)(3) shall not be considered for the purposes of
10 measuring tower spacing pursuant to this Section.

11 (H) The procedures for granting special exceptions to bulk limits
12 described in Section 271 shall not apply; exceptions may be granted pursuant to Sections
13 270(e)(3) and 270(e)(4).

14 (I) Additional setback, lot coverage, and design requirements for the
15 DTR Districts are described in Sections 825, *and 827, 828 and 829.*

16 (3) **Exceptions to tower spacing and upper tower sculpting requirements**
17 **in Rincon Hill DTR.** An exception to the 115 feet tower spacing requirement and the upper
18 tower sculpting requirement described in (e)(2)(F) and (G) above may be granted to a project
19 only on Block 3747 on a lot formed by the merger of part or all of Lots 001E, 002 and 006,
20 pursuant to the procedures described in 309.1 of this Code provided that projects meet the
21 following criteria:

22 (A) Applications for environmental review and conditional use related to
23 a building above 85 feet in height on the subject lot have been filed with the Department prior
24 to March 1, 2003 and February 1, 2005, respectively;

1 (B) Given the 115 tower spacing requirement described in (~~F~~G) above,
2 the existence of an adjacent building greater than 85 feet in height precludes the development
3 of a tower on the subject lot;

4 (C) The subject lot has a total area of no less than 35,000 square feet;

5 (D) The proposed project is primarily residential and has an area of no
6 more than 528,000 gross square feet;

7 (E) The proposed project conforms to all other controls described or
8 referenced in Section 827 and any other controls in this Code related to the Rincon Hill DTR
9 District.

10 (F) For the purposes of subsection (~~F~~D) above, the term "gross square
11 feet" shall be the sum of the gross areas of all floors of a building or buildings above street
12 grade measured from the exterior faces of exterior walls or from the center lines of walls
13 separating two buildings, excluding area below street grade. Where columns are outside and
14 separated from an exterior wall (curtain wall) which encloses the building space or are
15 otherwise so arranged that the curtain wall is clearly separated from the structural members,
16 the exterior face of the curtain wall shall be the line of measurement, and the area of the
17 columns themselves at each floor shall also be counted.

18 (4) **Allowance for limited reduction in spacing from existing towers in**
19 **Rincon Hill DTR.** To allow limited variation in tower placement from towers for which a
20 certificate of occupancy has been issued prior to February 1, 2005, a reduction in tower
21 spacing described in (e)(2)(G) above may be granted pursuant to the procedures described in
22 309.1 of this Code if all the following criteria are met:

23 (A) For every percent reduction from the maximum average floor area
24 as described in (2) above, an equal percent reduction in tower separation may be granted
25 subject to the following limits:

1 (i) Up to a height of one-and-one-half times the maximum
2 permitted podium height, tower spacing described in (e)(2)(G) above may be reduced by not
3 more than 15 percent;

4 (ii) up to a height of 180 feet, tower spacing described in (e)(2)(G)
5 above may be reduced by not more than 10 percent; and

6 (iii) all floors above 180 feet achieve the full 115-foot minimum
7 tower spacing requirement described in (e)(2)(G) above. A project may average the tower
8 separation of all floors below 180 feet so long as the requirements of (ii) and (iii) herein are
9 satisfied.

10 * * * *

11 **(5) Exceptions to Tower Bulk, Upper Tower Sculpting and Tower Spacing**

12 **Requirements on Block 3764. Exceptions to the tower bulk, upper tower sculpting and tower spacing**
13 **requirements described in Subsections (e)(2)(A), (F) and (G) above may be granted to a project only on**
14 **Block 3764, Lot 063, pursuant to the procedures described in Section 309.1 of this Code, provided that**
15 **the project meets all of the following criteria:**

16 **(A) Within 115 feet of Block 3764, Lot 063, there is a tower greater than 85 feet**
17 **in height as part of a building that has received a First Construction Document;**

18 **(B) The project involves the construction of, or alteration to, a tower of no more**
19 **than 250 feet in height;**

20 **(C) The subject lot has a total area of no more than 15,000 square feet;**

21 **(D) A minimum distance of 82 feet is preserved between any structures on the**
22 **parcel and any other structure on or off the parcel above 110 feet in height at all levels above 110 feet**
23 **in height. Spacing shall be measured horizontally from the outside surface of the exterior wall of**
24 **structures, which shall include those features described in Planning Code Section 136(c)(2) and (3);**

25 **and**

1 (B) Provision for exceeding an accessory residential parking ratio principally permitted
2 and up to the maximum permitted by Table 151.1.

3 (C) Exceptions to the lot coverage requirements of Section 825(b)(2) for conversions of
4 existing non-residential structures to residential use.

5 (D) Reductions in the dwelling unit exposure requirements of Section 140.

6 (E) Allowing parking access from Folsom Street, pursuant to 827(a)(8)(A)(ii) and
7 155(r).

8 (F) Reduction of required on-site residential open space of 36 square feet per unit
9 described in Section 827(a)(9) to create additional off-site publicly-accessible open space and
10 superior building design.

11 (G) Design, location, and size of publicly-accessible open space as allowed by Section
12 827(a)(9) and equivalence of proposed publicly-accessible open space in size and quality with
13 required on-site open space.

14 (H) Modifications to the required upper story setback above a height of 45 feet on the
15 north side of mid-block pedestrian pathways as allowed in Section 827(a)(5)(C)(i).

16 (I) On development lots larger than ½-acre, minor deviations from the provisions for
17 measurement of height in Sections 260 of the Code as otherwise provided in Section
18 304(d)(6), in cases where the Planning Commission finds that such minor measurement
19 modification is necessary for a project of outstanding overall design, complementary to the
20 design of the surrounding area, and necessary to meet the intent and policies of the relevant
21 area plan of the General Plan.

22 * * * *

23
24 Section 4. Sheet HT01 of the Zoning Map of the City and County of San Francisco is
25 hereby amended as follows:

<u>Description of Property</u>	<u>Height and Bulk District</u> <u>Superseded</u>	<u>Height and Bulk District Approved</u>
Assessor's Block/Lot: 3764/063	65-X; 65/400-R	65-X; 65/250-R

Section 5. Effective Date and Operative Date.

(a) This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

(b) This ordinance shall become operative upon its effective date or upon the effective date of the related General Plan Amendment contained in Board of Supervisors File No. 151062, whichever occurs later. If the effective date of the related General Plan Amendment does not occur within 90 days of the effective date of this ordinance, this ordinance shall expire by operation of law.

Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under

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//

1 the official title of the ordinance.

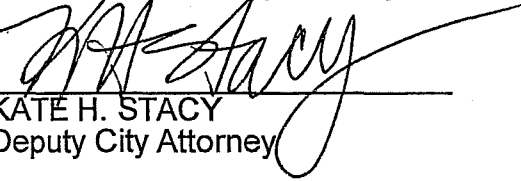
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3

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

6

By:



A handwritten signature in black ink, appearing to read 'K. Stacy', is written over a horizontal line. Below the line, the name 'KATE H. STACY' and title 'Deputy City Attorney' are printed.

7

KATE H. STACY
Deputy City Attorney

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REVISED LEGISLATIVE DIGEST

(11/23/2015, Amended in Committee)

[Planning Code, Zoning Map - 525 Harrison Street]

Ordinance amending the Planning Code regarding bulk limits and exceptions to the tower separation requirements on 525 Harrison Street, Assessor's Block No. 3764, Lot No. 063; and amending the Zoning Map to redesignate a portion of Assessor's Block No. 3764, Lot No. 063, from a 65/400-R height and bulk district to a 65/250-R height and bulk district; affirming the Planning Department's determination under the California Environmental Quality Act that these Amendments were within the scope of the Rincon Hill Area Plan and the program Environmental Impact Report, which adequately analyzed these Amendments; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings under Planning Code, Section 302.

Existing Law

Planning Code Section 270(e) contains limitations on tower bulk and spacing for towers above 85 feet in height in the Rincon Hill Area Plan. The Planning Code allows certain exceptions to these requirements. The Zoning Map has a height and bulk designation of 65-X and 65/400-R applicable to the site at 525 Harrison Street.

Amendments to Current Law

The amendments would allow exceptions to the tower bulk, upper tower sculpting and tower spacing requirements contained in Planning Code Section 270(3) for the 525 Harrison Street site if the following conditions are met:

- Within 115 feet of the site, there is a tower greater than 85 feet in height as part of a building that has received a First Construction Document;
- The project on the site involves the construction of, or alteration to, a tower of no more than 250 feet in height;
- The site has a total area of no more than 15,000 square feet;
- A minimum distance of 82 feet is preserved between any structures on the parcel and any other structure on or off the parcel above 110 feet in height at all levels above 110 feet in height;
- The project is primarily residential and contains no more than 250,000 gross square feet; and
- The project provides on-site inclusionary affordable units equivalent to 15% of all units constructed on the site, which shall be subject to the requirements of the Inclusionary Affordable Housing Program under Planning Code Section 415 et seq. and the City's Inclusionary Affordable Housing Program Monitoring and Procedures Manual.

The Zoning Map would be amended to apply a height and bulk designation of 65-X and 65/250-R at the site.



SAN FRANCISCO PLANNING DEPARTMENT

151063

RECEIVED
OFFICE OF SUPERVISORS
SAFETY DIVISION

OCT 14 11:12:20

AK

October 14, 2015

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

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

**Re: Transmittal of Planning Department Case Number 2013.0159TZ:
Amendments to the General Plan, Planning Code and Zoning Map for 525
Harrison Street
Planning Commission Recommendation: *Approval with Modification***

Dear Ms. Calvillo and Supervisor Kim,

On September 24, 2015, the Planning Commission conducted duly noticed public hearings at regularly scheduled meetings to consider the proposed Project Sponsor-initiated Ordinance that would amend Policies 3.3 and 3.4 of the Rincon Hill Area Plan, amend Planning Code Section 270(e) to allow exceptions to the tower bulk, tower sculpting and tower spacing requirements under Planning Code Section 309.1 for Block 3764, and amend the Zoning Map Sheet No. HT01 to decrease the height limit from 65/400-R to 65/250-R on Block No. 3764, Lot No. 063. At the hearing the Planning Commission recommended approval.

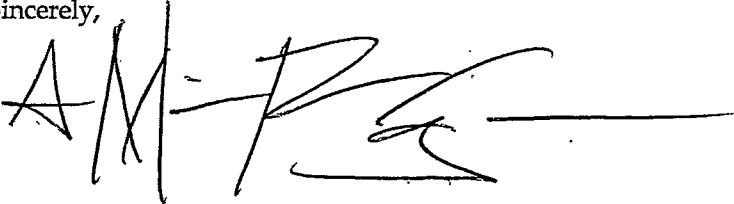
At the public hearing on September 24, 2015, the Commission reviewed and supported the Project Sponsor's proposal to increase the inclusionary on-site affordable housing requirement from 12 percent to 15 percent.

The proposed amendments were determined by the San Francisco Planning Department to have been fully reviewed under the Rincon Hill Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on May 5, 2005, by Motion No. 17007, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review. On August 6, 2015, the Department finalized an Addendum to the Rincon Hill Plan EIR, which determined that the analyses and the conclusions reached in the Final EIR remain valid. The proposed Ordinances would not cause new significant adverse impacts beyond those identified in the original Rincon Hill Plan Final EIR.

Supervisor Kim, if you would like to take sponsorship of the proposed Ordinance please contact the Clerk of the Board of Supervisors at your earliest convenience.

Please find attached documents relating to the actions of the Commission. 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', followed by a long horizontal line extending to the right.

AnMarie Rodgers
Senior Policy Advisor

cc:

Kate Stacy, Deputy City Attorney
Danny Yadegar, Aide to Supervisor Kim
Andrea Ausberry, Office of the Clerk of the Board

Attachments :

Planning Commission Resolution No. 19479
Planning Department Executive Summary-2013.0159TZ
Planning Department Executive Summary-2013.0159X
Ordinance-General Plan Amendment-Rincon Hill Area Plan
Ordinance-Planning Code, Zoning Map-525 Harrison Street

SAN FRANCISCO
CITY PLANNING COMMISSION
MOTION NO. 17007

ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED RINCON HILL PLAN, WHICH WOULD CREATE A NEW ZONING DISTRICT IN THE AREA OF SAN FRANCISCO GENERALLY BOUNDED BY FOLSOM STREET, STEUART STREET, THE EMBARCADERO, BRYANT STREET, BEALE STREET, THE BAY BRIDGE APPROACH AND THE TRANSBAY TERMINAL RAMPS.

MOVED, That the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Environmental Impact Report identified as case file No. 2000.1081E, the Rincon Hill Plan (hereinafter "Project") based upon the following findings:

- 1) The City and County of San Francisco, acting through the Planning Department (hereinafter "Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 *et seq.*, hereinafter "CEQA"), the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 *et seq.*, (hereinafter "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").
 - a. The Department determined that an Environmental Impact Report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on March 10, 2001.
 - b. On September 25, 2004, the Department published the Draft Environmental Impact Report (hereinafter "DEIR") and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice.
 - c. Notices of availability of the DEIR and of the date and time of the public hearing were posted near the project site by Department staff on September 25, 2004.
 - d. On September 25, 2004, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse.
 - e. Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on September 25, 2004.
- 2) The Commission held a duly advertised public hearing on said Draft Environmental Impact Report on November 29, 2004 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on December 10, 2004.
- 3) The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 64-day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that

became available during the public review period, and corrected errors in the DEIR. This material was presented in a "Draft Comments and Responses" document, published on April 11, 2005 was distributed to the Commission and to all parties who commented on the DEIR, and was available to others upon request at Department offices.

4) A Final Environmental Impact Report has been prepared by the Department, consisting of the Draft Environmental Impact Report, any consultations and comments received during the review process, any additional information that became available, and the Summary of Comments and Responses all as required by law.

5) Project Environmental Impact Report files have been made available for review by the Commission and the public. These files are available for public review at the Department offices at 1660 Mission Street, and are part of the record before the Commission.

6) On April 21, 2005, the Commission reviewed and considered the Final Environmental Impact Report and hereby does find that the contents of said report and the procedures through which the Final Environmental Impact Report was prepared, publicized and reviewed comply with the provisions of CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code.

7) The project sponsor has indicated that the presently preferred alternative is the Alternative referred to as the Revised Preferred Option, as described in the Final Environmental Impact Report.

8) The Planning Commission hereby does find that the Final Environmental Impact Report concerning File No. 2000.1081E, the Rincon Hill Plan, reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Comments and Responses document contains no significant revisions to the DEIR, and hereby does CERTIFY THE COMPLETION of said Final Environmental Impact Report in compliance with CEQA and the CEQA Guidelines.

8) The Commission, in certifying the completion of said Final Environmental Impact Report, hereby does find that the project described in the Environmental Impact Report and the project preferred by the project sponsor, described as the Revised Preferred Option in the Final Environmental Impact Report:

will have unavoidable project-specific significant impacts on the environment by: 1) adding traffic and changing street configurations which will cause significant unavoidable adverse traffic impacts at the Fremont/Harrison, First/Market, Embarcadero/Folsom intersections; 2) contributing considerably to significant cumulative traffic impacts at the First/Market and First/Folsom intersections; and 3) encouraging and facilitating the loss of the Union Oil Company Building and potentially the Edwin W. Tucker Company Building, the 375 Fremont Street building, as well as other architectural resources in the Plan Area, resulting in potentially significant adverse impacts on historical resources.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of May 5, 2005.

Linda Avery
Commission Secretary

AYES: Commissioners S. Lee, Alexander, Antonini, Bradford-Bell, Hughes; B. Lee, Olague

NOES: None

ABSENT: None

ADOPTED: May 5, 2005



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 19479 General Plan Amendment, Planning Code Text Amendment & Zoning Map Amendment

HEARING DATE: SEPTEMBER 24, 2015

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Name: Amendments to the General Plan, Planning Code and Zoning Map for 525 Harrison Street

Case Number: 2013.0159TZ

Initiated by: Steve Vettel, Farella, Braun + Martel, LLP
235 Montgomery Street
San Francisco, CA 94104

Staff Contact: Richard Sucre, Historic Preservation Technical Specialist/Planner
richard.sucre@sfgov.org, 415-575-9108

Reviewed by: Julian Bañales, Senior Planner-Southeast Quadrant
julian.banales@sfgov.org, 415-558-6339

Recommendation: Adoption of Recommendation of Approval for the General Plan Amendment, Planning Code Text Amendment & Zoning Map Amendment associated with the Project at 525 Harrison Street.

APPROVAL OF AMENDMENTS TO POLICIES 3.3 AND 3.4 OF THE RINCON HILL AREA PLAN, AMENDMENTS TO PLANNING CODE 270(E) AND 309.1 TO ALLOW EXCEPTIONS TO THE TOWER BULK, TOWER SCULPTING AND TOWER SPACING REQUIREMENTS ON BLOCK 3764, AND ZONING MAP AMENDMENT TO SAN FRANCISCO ZONING MAP SHEET NO. HT01 TO DECREASE THE HEIGHT LIMIT FROM 65/400-R TO 65/250-R ON BLOCK NO. 3764, LOT NO. 063 (525 HARRISON STREET).

PREAMBLE

WHEREAS, on May 23, 2014, Steve Vettel of Farella, Bruan and Martel, LLP on behalf of Hines Interests, LP. (Property Owner) filed an application with the San Francisco Planning Department for a General Plan Amendment, Planning Code Text Amendment, and Zoning Map Amendment, as detailed in Case Number 2013.0159TZ; and

WHEREAS, the General Plan Amendment would amend Policies 3.3 and 3.4 of the Rincon Hill Area Plan (hereinafter RHAP) to allow for a deviation from the RHAP's tower separation and tower bulk policies for Assessor's Block 3764 and Lot 063;

WHEREAS, the Planning Code Text Amendment would amend Planning Code Sections 270(e) and 309.1 to allow for exceptions to the tower bulk, upper tower sculpting and tower spacing requirements described in Planning Code Section 270 (e)(2)(A), (F) and (G);

WHEREAS, the Zoning Map Amendment would amend Assessor's Block 3764 Lot 063 on San Francisco Height and Bulk Map Sheet No. HT01 to decrease the height and bulk limit from 65/400-R to 65/250-R; and

WHEREAS, the Planning Commission (hereinafter "Commission") initiated the proposed Ordinances on May 28, 2015, as noted in Resolution No. 19382; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing to consider the proposed Ordinances on September 24, 2015; and

WHEREAS, the environmental effects of the Ordinances were determined by the San Francisco Planning Department to have been fully reviewed under the Rincon Hill Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on May 5, 2005, by Motion No. 17007, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

WHEREAS, in approving the Rincon Hill Plan, the Commission adopted CEQA Findings in its Motion No. 17008 and hereby incorporates such Findings by reference.

WHEREAS, on August 6, 2015, the Department finalized an Addendum to the Rincon Hill Plan EIR, which determined that the analyses and the conclusions reached in the Final EIR remain valid. The proposed Ordinances would not cause new significant adverse impacts beyond those identified in the original Rincon Hill Plan Final EIR.

WHEREAS, since the Rincon Hill Plan Final EIR was certified, there have been no substantial changes to the Rincon Hill Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts. There is no new information of substantial importance that would change the conclusions set forth in the Final EIR. No further environmental review is required. The file for this project, including the Rincon Hill Final EIR and the EIR Addendum, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California (Case No. 2013.0159E).

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 Department 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 Ordinance:

MOVED, that pursuant to Planning Code Section 302(b), the Planning Commission Adopts a Resolution of Approval to amend Policies 3.3 and 3.4 of the Rincon Hill Area Plan, amend Planning Code Section 270(e)

Resolution No. 19479
Hearing Date: September 24, 2015

CASE NO. 2013.0159TZ
525 Harrison Street

to allow for exceptions to the tower bulk, upper tower sculpting and tower spacing requirements under Planning Code Section 309.1, and amend San Francisco Zoning Map No. HT01 to decrease the height limit from 65/400-R to 65/250-R for Block 3764 Lot 063.

In addition, as part of the Planning Code amendments, the Commission supports the increase to the inclusionary on-site affordable housing requirements from 12 percent to 15 percent. Thus, the Project would designate 31 dwelling units of the 205 dwelling units as affordable rental units, pursuant to Planning Code Section 415.5 and 415.6.

AND BE IT FURTHER RESOLVED, That pursuant to Planning Code Section 306.3, the Planning Commission recommends approval of the above referenced Zoning Map Amendment contained in the Case No. 2013.0159TZ, approved as to form by the City Attorney in Exhibit A.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on September 24, 2015.

Jonas P. Ionin
Commission Secretary

AYES: Antonini, Fong, Johnson, Moore, Richards and Wu

NAYES:

ABSENT: Hillis

ADOPTED: September 24, 2015



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary

General Plan Amendment, Planning Code Text Amendment and Zoning Map Amendment

HEARING DATE: SEPTEMBER 24, 2015
CONTINUED FROM: JULY 16, 2015 & AUGUST 13, 2015

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Name: Amendments to the General Plan, Planning Code and Zoning Map for 525 Harrison Street

Case Number: 2013.0159TZ

Initiated by: Steve Vettel, Farella, Braun + Martel, LLP
235 Montgomery Street
San Francisco, CA 94104

Staff Contact: Richard Sucre, Historic Preservation Technical Specialist/Planner
richard.sucre@sfgov.org, 415-575-9108

Reviewed by: Julian Bañales, Senior Planner-Southeast Quadrant
julian.banales@sfgov.org, 415-558-6339

Recommendation: Adoption of Recommendation of Approval for the General Plan Amendment, Planning Code Text Amendment & Zoning Map Amendment.

The action before the Commission is an adoption of a recommendation specifying approval of amendments to the Rincon Hill Area Plan (General Plan Amendment), Planning Code, and Height and Bulk District Map, as described below. On May 28, 2015, the Commission initiated the General Plan Amendment, Planning Code Text Amendment and Zoning Map Amendment for 525 Harrison Street, as noted in Planning Commission Resolution No. 19382. The Commission's recommendation shall be forwarded to the Board of Supervisors for their consideration.

GENERAL PLAN AMENDMENT

The proposed General Plan Amendment would add text to Policies 3.3 and 3.4 of the Rincon Hill Area Plan to address modification of the tower spacing and tower bulk requirements of the San Francisco Planning Code.

PLANNING CODE TEXT AMENDMENT

The proposed Planning Code Text Amendment would add criteria to Planning Code Section 270(e) to allow for exceptions to the tower bulk, upper tower sculpting, and tower spacing requirements on Block 3764 under Planning Code Section 309.1.

ZONING MAP AMENDMENT

The proposed Zoning Map Amendment would amend Block/Lot 3764/063 on Height and Bulk District Map No. 01 (HT01) to decrease the height limit from 65/400-R to 65/250-R.

The Way It Is Now:

General Plan

Currently, the Policy 3.3 and 3.4 of the Rincon Hill Area Plan provide specific dimensions and requirements for tower bulk and tower spacing. Currently, the Rincon Hill Area Plan states:

Policy 3.3

Minimize tower bulk to the dimensions shown in Figure 4, to ensure a feasible tower floorplate, to create elegant, slender towers and to preserve views and exposure to light and air.

Policy 3.4

Require towers to be spaced no less than 115 feet apart, the maximum plan dimension per Figure 4 for towers over 85 feet in height, to minimize shadowing of streets and open space, and to preserve at least as much sky plane as tower bulk.

In recognition of pipeline housing projects at 375 and 399 Fremont Street, tower spacing less than 115 feet to a minimum of 80 feet may be permitted to encourage the provision of housing on these sites in keeping with the overall goals of this plan, provided that the other urban design and planning policies of the plan are met.

Planning Code Text

Currently, the subject parcel is located in the R (Rincon Hill and South Beach DTR) Bulk District. Per Planning Code Section 270(e), in the R-Bulk District, the bulk limitations include:

- A proposed building may not exceed a plan length of 90 feet and a diagonal dimension of 120 square feet.
- To encourage tower sculpting, the gross floor area of the top one-third of the tower must be reduced by 10 percent from the maximum floor plates, unless the overall tower floor plate is reduced by an equal or greater volume.
- In order to provide adequate sunlight and air to streets and open spaces, a minimum distance of 115 feet must be preserved between all structures above 110 feet in height at all levels above 110 feet in height.

Zoning Map

Currently, Block/Lot 3764/063 on Height and Bulk District Map No. 01 (HT01) has a height and bulk designation of 65/400-R.

The Way It Would Be:

General Plan Amendment

The following text would be added to Policies 3.3 and 3.4 of the Rincon Hill Area Plan to allow for a deviation from the tower bulk and tower separation policies:

In recognition of a new housing project at 525 Harrison Street, tower spacing less than 115 feet to a minimum of 82 feet and tower bulk in excess of the bulk control dimensions shown in Figure 4 may be permitted to encourage the provision of housing on this site in keeping with the overall goals of this plan, provided that the other urban design and planning policies of the plan are met.

(See the Attached Ordinance)

Planning Code Text Amendment

Planning Code Sections 270(e) and 309.1 would be amended to allow the Planning Commission to consider exceptions to the tower bulk, tower sculpting and tower spacing requirements on Block 3764 under Planning Code Section 309.1 (Permit Review in Downtown Residential Districts). The Planning Commission may grant an exception only on Assessor's Block 3764 Lot 063, if the proposed tower is no more than 250-ft in height, is located on a lot no more than 15,000 square feet, is primarily residential with no more than 250,000 gsf, and has a tower separation of 82-ft. (See the Attached Ordinance)

Zoning Map Amendment

Block 3764/063 on Height and Bulk District Map No. 01 (HT01) would be amended from 65/400-R to 65/250-R. (See the Attached Ordinance)

ENVIRONMENTAL REVIEW

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Rincon Hill Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on May 5, 2005, by Motion No. 17007, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

The Department is preparing an Addendum to the previously-certified Final EIR. Copies of the EIR Addendum will be provided upon availability.

PUBLIC COMMENT

As of the date of this report, the Department has one public correspondence regarding the proposed project, which has expressed neither support nor opposition to the proposed legislative amendments.

AMENDED HEARING NOTIFICATION (FOR PLANNING COMMISSION ACTION)

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	July 24, 2015	July 24, 2015	20 days
Posted Notice	20 days	July 24, 2015	July 24, 2015	20 days
Mailed Notice	10 days	August 3, 2015	July 24, 2015	20 days
Intersection Notice	10 days	August 3, 2015	July 24, 2015	20 days

ISSUES AND CONSIDERATIONS

- On May 28, 2015, the Commission initiated the General Plan Amendment, Planning Code Text Amendment and Zoning Map Amendment for 525 Harrison Street, as noted in Planning Commission Resolution No. 19382.
- Currently, the subject lot is irregularly-shaped and is bounded Harrison Street to the west and a freeway on-ramp to the east and south. The subject lot has 140-ft of frontage along Harrison Street. The subject lot contains a two-story concrete building that is occupied by a nightclub (d.b.a. Sound Factory).
- The Project Sponsor has applied for the amendments to General Plan, Planning Code and Zoning Map Amendment to accommodate a proposed project at 525 Harrison Street. The proposed project would construct a new 17-story residential tower (approximately 173-ft tall; measuring 229,270 gsf) with 179 dwelling units, 575 gsf of ground floor retail spaces and three levels of below-grade, off-street parking with 97 parking spaces.
- The proposed project requires a Downtown Project Authorization (DPA), as defined in Planning Code Section 309.1. The public hearing for the DPA is also scheduled on August 13, 2015.
- Currently, the Rincon Hill Area Plan and Planning Code include modifications to the requirements for the housing projects at 375 and 399 Fremont Street. The Rincon Hill Area Plan includes accommodations for a lesser tower separation and a modification of the bulk requirements for the projects at 375 and 399 Fremont Street. This precedent for lessening the tower separation is reinforced in the Planning Code through Planning Code Sections 270(e)(3) and 270(e)(4), which provide for a variation in the tower spacing and upper tower sculpting requirements for Block 3747 Lots 001E, 002 and 006. 375-399 Fremont Street first received its entitlements from the Planning Commission in March 2006.
- The surrounding area is mixed in character with smaller-scale commercial and light industrial uses and newer residential towers. Directly to the east of the subject lot is a vacant lot and a three-story commercial building. Across Harrison Street is a four-story commercial building and a residential tower at 45 Lansing Street, which is under construction. The surrounding area is predominantly located within the RH-DTR (Rincon Hill Downtown Residential) Zoning District. Further west and north, the area is characterized by either: TB-DTR (Transbay Downtown Residential), P (Public) or MUO (Mixed-Use Office) Zoning Districts.
- The subject lot would maintain its current zoning (RH-DTR).

- Subsequent to the July 2nd Planning Commission Design Review Hearing, the Project Sponsor has undertaken a redesign of the proposed project at 525 Harrison Street to address the concerns voiced by the Commission and to better align the project to the Rincon Hill Area Plan. The revised project entails construction of a new 23-story residential tower (approximately 250-ft tall; measuring 259,905 gsf) with 205 dwelling units, 575 gsf of ground floor retail spaces and three levels of below-grade, off-street parking with 103 parking spaces (See Attached Schematic Plans). Therefore, the Project Sponsor is also requesting a modification to the proposed Zoning Map Amendment to decrease the height limit from 65/400-R to 65/250-R for Block 3764 Lot 063.

REQUIRED COMMISSION ACTION

The Department recommends that the Commission recommend *approval* of amendment to the General Plan, Planning Code and Zoning Map and adopt the attached Draft Resolution.

BASIS FOR RECOMMENDATION

The Department recommends approval of the proposed amendments to the Rincon Hill Area Plan, so the Commission can consider the Project under Planning Code Section 309.1. The proposed legislative amendments would assist in facilitating a new residential housing project in support of the City's overall goals for housing production.

RECOMMENDATION:	Recommendation of Approval
------------------------	-----------------------------------

Attachments:

Draft Commission Resolution
Draft Ordinances
Planning Commission Resolution No. 19382
Zoning Map
Special Use District Map
Block Book Map
Sanborn Map
Aerial Photographs



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Downtown Project Authorization

HEARING DATE: SEPTEMBER 24, 2015
CONTINUED FROM: JULY 16, 2015 & AUGUST 13, 2015

Date: September 10, 2015
Case No.: 2013.0159X
Project Address: 525 HARRISON STREET
Zoning: RH-DTR (Rincon Hill Downtown Residential) Zoning District
Existing Height/Bulk: 65-X & 65/400-R Height and Bulk District
Proposed Height/Bulk: 65-X & 65/250-R Height and Bulk District
Block/Lot: 3764/063
Project Sponsor: Steve Vettel, Farella Braun + Martel, LLP
235 Montgomery Street
San Francisco, CA 94104
Staff Contact: Richard Sucre – (415) 575-9108
richard.sucre@sfgov.org

Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The proposed project includes demolition of the existing two-story former industrial building (27,500 gsf), and the new construction of a 23-story residential building (approximately 255,468 gross square feet; up to 250-ft tall) with up to 205 dwelling units, 1,000 square feet of ground floor café/retail, 103 off-street parking spaces, 127 Class 1 bicycle parking spaces, and 20 Class 2 bicycle parking spaces. The project includes a dwelling unit mix consisting of 94 two-bedroom units, 69 one-bedroom units, and 42 studio units. The project includes approximately 15,683 square feet of open space via ground floor street improvements, private balconies, a podium level roof deck, and a rooftop terrace. The entrance to the below-grade parking levels via a 22-ft wide entrance off of Harrison Street. The project also includes streetscape improvements, including installation of a signalized pedestrian crosswalk with continental striping along Harrison and Essex Streets, as well as sidewalk widening, new street trees, landscaping and corner bulb outs.

SITE DESCRIPTION AND PRESENT USE

The proposed project is located on an irregularly-shaped lot on the east side of Harrison Street between 1st and Essex Streets. The subject lot has a lot area of approximately 12,998± sq ft, and has approximately 140-ft of frontage on Harrison Street. The subject lot is bordered by a freeway on-ramp to the south and east, and a vacant lot to the north. The subject lot is currently occupied by a two-story former industrial building (measuring approximately 27,500 gsf), which is currently an entertainment venue (d.b.a. Sound Factory).

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located in the Rincon Hill DTR Zoning District along a transitioning corridor within the Rincon Hill Plan area. To the north of the project site is a vacant lot and a three-story, former industrial building (d.b.a Terra), while to the south of the project site is the freeway on-ramp. Across from the project site, opposite Harrison Street, is a four-story residence with 33 dwelling units and a new 400-ft residential tower with up to 320 dwelling units at 45 Lansing Street, which is under construction. Other zoning districts in the vicinity of the project site include: P (Public), SB-DTR (South Beach Downtown Residential District), and TB-DTR (Transbay Downtown Residential).

ENVIRONMENTAL REVIEW

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Rincon Hill Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared; circulated for public review and comment, and, at a public hearing on May 5, 2005, by Motion No. 17007, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

On August 6, 2015, the Department prepared an Addendum to the previously-certified Final EIR. The EIR Addendum did not identify any new significant and unavoidable impacts not examined in the original FEIR.

AMENDED HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	10 days	June 26, 2015	June 26, 2015	20 days
Posted Notice	20 days	June 26, 2015	June 26, 2015	20 days
Mailed Notice	10 days	July 6, 2015	June 26, 2015	20 days

An amended public hearing notification was conducted to reflect the update to the project design, which increased in size since the original public notification.

PUBLIC COMMENT

As of August 6, 2015, the Department has received several public inquiries regarding the proposed project. The majority of these inquiries have expressed neither support nor opposition to the proposed project. One of the public correspondences requested additional review of the project against the City's Vision Zero policies. The Department received one letter of support from the San Francisco Housing Action Coalition (See Attached).

ISSUES AND OTHER CONSIDERATIONS

- Design Review/Project Revisions: As a follow-up to the initiation of the legislative amendments on May 28, 2015, the Planning Commission conducted a design review of the proposed project at a public hearing on June 18, 2015. In response to the Commission’s comments, the Project Sponsor has undertaken a redesign of the proposed project at 525 Harrison Street to address the concerns voiced by the Commission and to better align the project to the Rincon Hill Area Plan. The project has been redesigned with a more slender tower, a reduced tower floorplate, a more refined podium, and an increase in the number of dwelling units and overall gross square footage.

Table 1. Original & Project Revisions at 525 Harrison Street

	Original	Revised
Gross Square Footage	229,270 gsf	255,468 gsf
Height	173-ft	250-ft
Dwelling Units	179	205
Parking Spaces	97	103
Tower Floorplate	10,398 gsf	8,925 gsf

- Legislative Amendments: The proposed project requires legislative amendments (General Plan Amendment and Planning Code Text Amendment) to the Rincon Hill Area Plan and Planning Code to provide for modification of the tower bulk, upper tower sculpting and tower spacing requirements of the Planning Code (See Case No. 2013.0159T). Specifically, these legislative amendments would add text to Policies 3.3 and 3.4 of the Rincon Hill Area Plan to address modification of the tower spacing and tower bulk requirements of the San Francisco Planning Code, and would add criteria to Planning Code Section 270(e) and 309.1 to allow for exceptions to the tower bulk, upper tower sculpting, and tower spacing requirements on Block 3764. In addition, the project would also decrease the subject lot’s height limit from 65/400-R to 65/250-R (See Case No. 2013.0159Z). These legislative amendments must be adopted by the Board of Supervisors, in order to vest the Commission’s determination. The legislative amendments have been updated to reflect the updated project design.
- Downtown Project Authorization Exceptions: As part of the Downtown Project Authorization (DPA), the Commission may grant exceptions from certain Planning Code requirements for projects that exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The proposed project requests an exception from the requirements for dwelling unit exposure (Planning Code Section 140) and tower bulk, tower sculpting and tower spacing (Planning Code Section 270(e)(5)). Department staff is generally in agreement with the proposed modifications given the overall project and its outstanding and unique design.
- Inclusionary Affordable Housing: The Project has elected the on-site affordable housing alternative, identified in Planning Code Section 415.6. The project site is located within the RH-DTR Zoning District, which requires 12% of the total number of units to be designated as part of the inclusionary affordable housing program. The Project contains 205 units and the Project Sponsor will fulfill this requirement by providing the 25 affordable units on-site, which will be

available for rent. As part of the project, the Project Sponsor has entered into a Costa-Hawkins Agreement with the City.

- Vision Zero & Streetscape Improvements: In recognition of the City's Vision Zero Program, the Project Sponsor has updated their streetscape plans, and will construct high visibility, continental signaled crosswalks at the intersection of Essex and Harrison Streets. In addition, pending approval from Caltrans, the Project Sponsor will provide a signalized crosswalk across Essex Street along Harrison Street.
- Development Impact Fees: The Project will be subject to the following development impact fees, which are estimated as follows:

FEE TYPE	PLANNING CODE SECTION/FEE	AMOUNT
Rincon Hill Community Improvement Fund (227,968 gsf- New Residential)	418 (@ \$10.44)	\$2,379,986
Rincon Hill Community Improvement Fund (27,500 gsf- Non-Residential to Residential)	418 (@ \$6.07)	\$166,925
SoMa Community Stabilization Fee (232,100 gsf-New Residential)	418.3(d) (@ \$13.29)	\$3,395,170
	TOTAL	\$5,948,081

Please note that these fees are subject to change between Planning Commission approval and approval of the associated Building Permit Application, due to potential changes to the Project and the Controller's annual inflation adjustment for impact fees.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant a Downtown Project Authorization pursuant to Planning Code Section 309.1 to allow the new construction of a 23-story residential building with up to 205 dwelling units, and to allow modifications to the requirements for dwelling unit exposure (Planning Code Section 140) and tower bulk, tower sculpting and tower spacing (Planning Code Section 270(e)(5)).

BASIS FOR RECOMMENDATION

The Department believes this project is approvable for the following reasons:

- The Project is consistent with the objectives and policies of the General Plan, as amended.
- The Project is located in a zoning district where residential is principally permitted.
- The Project will produce a new residential development and significant site updates, including landscaping, private and common open space, sidewalk improvements.
- The Project complies with the First Source Hiring Program.
- The Project adds up to 205 new dwelling units to the City's housing stock.
- The Project shall construct 25 new on-site affordable housing units.

Executive Summary
Hearing Date: September 24, 2015

CASE NO. 2013.0159X
525 Harrison Street

- The Project will fully utilize the Rincon Hill Area Plan controls, and will pay the appropriate development impact fees.

RECOMMENDATION: Approval with Conditions
--

Attachments:

Draft Motion-Downtown Project Authorization
Parcel Map
Sanborn Map
Aerial Photograph
Zoning Map
Project Sponsor Submittal
Architectural Drawings
Affordable Housing Affidavit
Costa-Hawkins Agreement
First Source Hiring Affidavit
Anti-Discriminatory Housing Policy Affidavit
Public Correspondence
EIR Addendum

Attachment Checklist

- | | |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project Sponsor Submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | <input type="checkbox"/> Health Dept. Review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Community Meeting Notice |
| <input checked="" type="checkbox"/> Context Photos | <input checked="" type="checkbox"/> Inclusionary Affordable Housing Program:
Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos | |

Exhibits above marked with an "X" are included in this packet

RS
Planner's Initials

RS: G:\Documents\Downtown Project Authorization\2013.0159X 525 Harrison St\ExecutiveSummary_525 Harrison St.doc

Somera, Alisa (BOS)

From: Steven Vettel <SVettel@fbm.com>
ant: Friday, November 13, 2015 2:17 PM
fo: Yadegar, Danny (BOS); Bruss, Andrea (BOS); Power, Andres
Cc: Somera, Alisa (BOS); Stacy, Kate (CAT); Falconer, Cameron; peter.tsai@hines.com
Subject: Board Files 151062 and 151063: 525 Harrison Street
Attachments: 2015-11-13 memo to Board re 525 Harrison Street.PDF

In preparation for the Land Use Committee hearing on November 23, 2015, on the General Plan, Planning Code and zoning map amendments for 525 Harrison Street, the City Attorney's office requested that the project sponsor confirm that the actions will result in a 20% or greater increase in developable residential gross floor area. Attached is a cover memo from me and a memo from the sponsor confirming that.

Hard copies are also being mailed to the three members and to Alisa.

Thank you, and please let me know if the Supervisors need any other materials or a briefing before the hearing.

Steven L. Vettel
svettel@fbm.com
415.954.4902

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Farella Braun + Martel LLP



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MEMORANDUM

Date: November 13, 2015

To: Sup. Jane Kim
Sup. Malia Cohen
Sup. Scott Wiener

cc: Alisa Somera, Clerk of the Land Use Committee
Kate Stacy, Dep. City Attorney
Cameron Falconer, Hines
Peter Tsai, Hines

From: Steven L. Vette *SV*

Re: 525 Harrison Street

Subject: Board Files 151062 and 151063
Hearing at Land Use Committee on November 23, 2015

Supervisors, attached is a letter from Cameron Falconer of Hines, the project sponsor of the 525 Harrison Street project, confirming that the proposed General Plan, Planning Code and Zoning Map amendments for the 525 Harrison Street project will result in a 20% or greater increase in developable residential gross floor area for the project.

These amendments, sponsored by Supervisor Kim and recommended for approval by the Planning Commission, will be heard at the Land Use Committee hearing on November 23, 2015. The amendments and will permit the development of a new 205-unit residential project with on-site inclusionary affordable units in the Rincon Hill neighborhood.

Thank you, and please contact me with any questions.

November 9, 2015

Hon. Jane Kim
San Francisco Board of Supervisors
One Dr. Carlton B. Goodlett Place, Room 235
San Francisco, CA 94102

RE: Board File 151062 and 151063: General Plan, Planning Code and Zoning
Map amendments for 525 Harrison Street

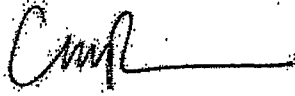
Dear Supervisor Kim:

Thank you for sponsoring the ordinances amending the General Plan, Planning Code and Zoning Map for our 525 Harrison Street residential project. I am writing to confirm that the proposed amendments will result in a 20% or greater increase in developable residential gross floor area for the project.

The 525 Harrison project site is a small triangular lot located partly in a 65-X height and bulk district and partly in a 65/400-R height and bulk district. A portion of the site is only 82 feet away from the existing 400-foot tall 45 Lansing tower across Harrison Street. The current Planning Code does not permit any development above a height of 110 feet within 115 feet of the 45 Lansing tower (regardless of the current height limit), and also mandates very small residential floor plates. Under these current controls, the developable area of the site is compromised and hinders the feasibility of the development. A code conforming development that adheres to the current tower separation requirement of 115 feet would create a narrow and inefficient tower floor plate that would be difficult to construct and would likely result in the development of only a 110-foot tall mid-rise building.

The proposed amendments reduce the tower separation to 82 feet and increase the allowable tower bulk, allowing a potential tower to extend an extra 27 feet toward Harrison Street, thereby generating normal floor plates that can accommodate standard unit layouts. The amendments make feasible a 250-foot tall tower, compared to the 110-foot tall mid-rise development that would likely be built under the current controls. Therefore, these amendments will result in a better overall project and a 20% or greater increase in developable residential gross floor area, justifying an increase in the applicable on-site inclusionary requirement from 12% to 15%.

Very truly yours,

A handwritten signature in black ink, appearing to read 'C. Falconer', with a long horizontal line extending to the right.

Cameron Falconer
Senior Managing Director

cc: Peter Tsai, Hines
Steve Vettel, FBM

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 AND TRANSPORTATION COMMITTEE


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

Date: Monday, November 23, 2015
Time: 1:30 p.m.
Location: Legislative Chamber, Room 250, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA
Subject: Rincon Hill Area Plan

File No. 151062. Ordinance amending the General Plan by amending the Rincon Hill Area Plan, Policies 3.3 and 3.4; making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act.

File No. 151063. Ordinance amending the Planning Code regarding bulk limits and exceptions to the tower separation requirements on 525 Harrison Street, Assessor's Block No. 3764, Lot No. 063; and amending the Zoning Map to redesignate a portion of Assessor's Block No. 3764, Lot No. 063, from a 65/400-R height and bulk district to a 65/250-R height and bulk district; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings under Planning Code, Section 302.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in this matter, 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, City Hall, 1 Dr. Carlton Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, November 20, 2015.


Angela Calvillo, Clerk of the Board

DATED: November 12, 2015
PUBLISHED/MAILED/POSTED: November 13, 2015

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

NOTIFICACIÓN DE AUDIENCIA PÚBLICA

JUNTA DE SUPERVISORES DE LA CIUDAD Y CONDADO DE SAN FRANCISCO COMITÉ SOBRE USO DE SUELOS Y TRANSPORTE

Fecha: Lunes, 23 de noviembre de 2015

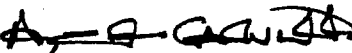
Hora: 1:30 p.m.

Lugar: Cámara Legislativa, Salón 250, Localizado dentro del Ayuntamiento
1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

Asunto: Plan de Área de Rincon Hill

Nº de Expediente 151062. Ordenanza que enmienda el Plan General enmendando las Pólizas 3.3 y 3.4 del Plan de Área de Rincon Hill; hace hallazgos, incluyendo hallazgos coherentes al Plan General, y la Sección 101.1 de las ocho políticas de prioridad del Código de Planificación; afirma la determinación del Departamento de Planificación conforme a la Ley de Calidad Medioambiental de California.

Nº de Expediente 151063. Ordenanza que enmienda el Código de Planificación respecto a los límites de tamaño y excepciones a los requisitos de separación de torres relacionado al 525 de la Calle Harrison, Lote Núm. 063 de la Cuadra Núm. 3764 del Tasador; y enmienda el Mapa de Zonificación para reclasificar una porción del Lote Núm. 063 de la Cuadra Núm. 3764 del Tasador, del distrito de altura y tamaño 65/400-R al distrito de altura y tamaño 65/250-R; afirma la determinación del Departamento de Planificación conforme a la Ley de Calidad Medioambiental de California; y hace hallazgos, incluyendo hallazgos coherentes al Plan General, y la Sección 101. de las ocho políticas de prioridad del Código de Planificación; y hallazgos conforme a la Sección 302 del Código de Planificación.


Angela Calvillo
Secretaria de la Junta

FECHADO: 12 de noviembre de 2015
PUBLICADO/ENVIADO/ANUNCIADO: 13 de noviembre de 2015



公聽會通知

三藩市市及縣市參事委員會
土地使用與交通運輸委員會

日期: 2015年11月23日星期一
時間: 下午1時30分
地點: 市政廳，立法會議廳250室，1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102
議題: Rincon Hill 區域計劃

檔案號碼 151062。 該項條例修訂總體計劃通過修改Rincon Hill區域計劃，政策3.3和3.4; 作出相關裁斷，包括了與總體計劃以及規算法規第101.1條相一致的有關裁斷; 並依據「加州環境質量法」(California Environmental Quality Act) 明確規劃局的決定。

檔案號碼 151063。 該項條例就有關體積限制及大樓分隔的例外規定修訂規算法規，地點：Harrison街525號，評估街區No. 3764，地段No. 063; 以及修改區域劃分圖旨在重新指定評估街區No. 3764，地段Lot No. 063的部分，將65/400-R高度與體積區改為65/250-R高度與體積區; 依據「加州環境質量法」(California Environmental Quality Act) 明確規劃局的裁定; 並作出與總體計劃、規算法規第101.1條的八項優先政策相一致的裁斷，以及依據規算法規第302條作出相關裁斷。


Angela Calvillo
市參事委員會書記

日期: November 12, 2015
公佈/郵寄/張貼: November 13, 2015.

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Alisa Somera
CCSF BD OF SUPERVISORS (OFFICIAL NOTICES)
1 DR CARLTON B GOODLETT PL #244
SAN FRANCISCO, CA 94102

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE
Ad Description AS - 11.23.15 Land Use - Rincon Hill Area Plan

To the right is a copy of the notice you sent to us for publication in the SAN FRANCISCO EXAMINER. Thank you for using our newspaper. Please read this notice carefully and call us with ny corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below. Publication date(s) for this notice is (are):

11/13/2015

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EXM 2816379

NOTICE OF PUBLIC HEARING
BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO
LAND USE AND TRANSPORTATION COMMITTEE
MONDAY, NOVEMBER 23, 2015 - 1:30 PM
LEGISLATIVE CHAMBER, ROOM 250, CITY HALL, 1 DR. CARLTON B. GOODLETT PLACE SAN FRANCISCO, CA

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing on the RINCON HILL AREA PLAN to consider the following proposals and said public hearing will be held as follows, at which time all interested parties may attend and be heard: File No. 151062, Ordinance amending the General Plan by amending the Rincon Hill Area Plan, Policies 3.3 and 3.4; making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and affirming the Planning Department's determination under the California Environmental Quality Act, File No. 151063, Ordinance amending the Planning Code regarding bulk limits and exceptions to the lower separation requirements on 525 Harrison Street, Assessor's Block No. 3764, Lot No. 063; and amending the Zoning Map to redesignate a portion of Assessor's Block No. 3764, Lot No. 063, from a 65/400-R height and bulk district to a 65/250-R height and bulk district; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings under Planning Code, Section 302, in accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in this matter, 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, City Hall, 1 Dr. Carlton Goodlett Place,

Room 244, San Francisco, CA 94102. Information relating to this matter is available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Wednesday, November 25, 2015. - Angela Calvillo, Clerk of the Board

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. 544-5227

PROOF OF MAILING

Legislative File No. 151062 & 151063

Description of Items:

Rincon Hill Area Plan


I, Alisa Somera, an employee of the City and County of San Francisco, mailed the above described document(s) by depositing the sealed items with the United States Postal Service (USPS) with the postage fully prepaid as follows:

Date: November 13, 2015

Time: 12:35 p.m.

USPS Location: Repro Pick-up Box in the Clerk of the Board's Office (Rm 244)

Mailbox/Mailslot Pick-Up Times (if applicable): N/A

Signature: 

Instructions: Upon completion, original must be filed in the above referenced file.

BOARD of SUPERVISORS



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

October 27, 2015

File No. 151063

Sarah Jones
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Jones:

On October 20, 2015, Supervisor Kim introduced the following proposed legislation:

File No. 151063

Ordinance amending the Planning Code regarding bulk limits and exceptions to the tower separation requirements on 525 Harrison Street, Assessor's Block No. 3764, Lot No. 063; and amending the Zoning Map to redesignate a portion of Assessor's Block No. 3764, Lot No. 063, from a 65/400-R height and bulk district to a 65/250-R height and bulk district; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings under Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Alisa Somera".

By: Alisa Somera, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Jeanie Poling, Environmental Planning

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

October 27, 2015

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On October 20, 2015, Supervisor Kim introduced the following legislation:

File No. 151063

Ordinance amending the Planning Code regarding bulk limits and exceptions to the tower separation requirements on 525 Harrison Street, Assessor's Block No. 3764, Lot No. 063; and amending the Zoning Map to redesignate a portion of Assessor's Block No. 3764, Lot No. 063, from a 65/400-R height and bulk district to a 65/250-R height and bulk district; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings under Planning Code, Section 302.

The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script that reads "Alisa Somera".

By: Alisa Somera, Assistant Clerk
Land Use and Transportation Committee

c: John Rahaim, Director of Planning
Aaron Starr, Acting Manager of Legislative Affairs
Scott Sanchez, Zoning Administrator
Sarah Jones, Chief, Major Environmental Analysis
AnMarie Rodgers, Legislative Affairs
Jeanie Poling, Environmental Planning
Joy Navarrete, Environmental Planning

