

1 [Approving a General Plan Amendment Related to the Trinity Plaza Project at Market and 8th
2 Streets.]

3 **Ordinance amending the San Francisco General Plan by amending the height and bulk**
4 **districts found on “Map 5 - Proposed Height and Bulk Districts,” and referred to in**
5 **Policy 13.1 of the Downtown Area Plan, for the proposed Trinity Plaza Special Use**
6 **District, which encompasses the real property located at 1167 Market Street**
7 **(Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot**
8 **No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission**
9 **Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street**
10 **between 7th and 8th Streets, by changing the height and bulk classification from 120-X,**
11 **150-X and 240-S to 160-X, 180-X and 240-S; adopting environmental findings and**
12 **findings that the proposed General Plan amendments are consistent with the General**
13 **Plan and eight Priority Policies of Planning Code Section 101.1.**

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

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

18 Section 1. Findings.

19 A. Section 4.105 of the Charter of the City and County of San Francisco provides
20 that the Planning Commission shall periodically recommend to the Board of Supervisors, for
21 approval or rejection, proposed amendments to the General Plan.

22 B. On _____, the Board of Supervisors received from the Planning
23 Department the proposed General Plan amendment, which consists of the proposed
24 amendment to “Map 5—Proposed Height and Bulk Districts,” for the real property at 1167
25 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block

1 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission
2 Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between
3 7th and 8th Streets (collectively, "Project Site" and "Trinity Plaza Special Use District") within
4 the Downtown Area to change the height and bulk classification from 120-X, 150-X and 240-S
5 to 160-X, 180-X, and 240-S ("Proposed General Plan Amendment"), which was adopted by
6 the Planning Commission on _____.

7 C. Section 4.105 of the City Charter further provides that if the Board of
8 Supervisors fails to Act within 90 days of receipt of the proposed General Plan Amendment,
9 then the proposed amendment shall be deemed approved.

10 D. Section 340 of the San Francisco Planning Code provides that an amendment to
11 the General Plan may be initiated by an application by one or more property owners, residents
12 or commercial lessees or their authorized agents. Section 340 further provides that the
13 Planning Commission shall adopt the proposed General Plan amendment after a public
14 hearing if it finds from the facts presented that the public necessity, convenience and general
15 welfare require the proposed amendment or any part thereof. If adopted by the Planning
16 Commission in whole or in part, the proposed amendment shall be presented to the Board of
17 Supervisors, which may approve or reject the amendment by a majority vote.

18 E. The Proposed General Plan Amendment is part of a project proposed by the
19 Project Sponsor to demolish an existing 4- to-7 story apartment building at the Project Site
20 that contains 377 residential rental units (including 360 rent-controlled units), a ground-floor
21 restaurant, and surface and below-grade parking for approximately 450 vehicles, and replace
22 it with three buildings—ranging in height from 148 feet to 223 feet and totaling approximately
23 1,943,000 gross square feet—which would contain residential units, retail/personal services at
24 street level, off-street accessory parking, and open space ("Project").

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1 F. On February 17, 2006, Trinity Properties, Inc. ("Project Sponsor") filed an
2 application for the Proposed General Plan Amendment.

3 G. The Project Sponsor has also filed applications for: (1) approval of a
4 Development Agreement under Administrative Code Chapter 56; (2) a Zoning Map
5 amendment under Planning Code Section 302; (3) a Planning Code amendment under
6 Planning Code Section 302; (4) Conditional Use Authorization under Planning Code Section
7 303; (5) C-3 District Review, including exceptions, under Planning Code Section 309; and (6)
8 a determination of insignificant shadow impact under Planning Code Section 295.

9 H. The City wishes to ensure appropriate development of the Project Site as an
10 important part of an ongoing effort to revitalize the Mid-Market area, to provide for the
11 replacement of the 360 rent-controlled units and tenant amenities in the residential structure
12 currently existing on the Project Site and proposed to be demolished, and to protect the
13 tenants of the existing residential structure from displacement due to the proposed future
14 development of the Project Site. To this end, the Development Agreement for the Trinity
15 Plaza Development Project has been proposed.

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

3 J. The Project evaluated in the Final EIR includes, among other things,
4 amendments to the General Plan, Planning Code, and Zoning Map related to the Project. The
5 Proposed General Plan Amendment is within the scope of the Project evaluated in the Final
6 EIR.

7 K. At the same hearing during which the Planning Commission certified the Final
8 EIR, the Planning Commission adopted CEQA Findings with respect to the approval of the
9 proposed Project in Motion _____. The letter from the Planning Department
10 transmitting the proposed General Plan Amendment to the Board of Supervisors, the Final
11 EIR and supplemental material described above, the CEQA Findings adopted by the Planning
12 Commission with respect to the approval of the Project, including a mitigation monitoring and
13 reporting program and a statement of overriding considerations, the Proposed General Plan
14 Amendment and the Resolution approving the Proposed General Plan Amendment are on file
15 with the Clerk of the Board in File No. _____. These and any and all other
16 documents referenced in this Ordinance have been made available to, and have been
17 reviewed by, the Board of Supervisors, and may be found in either the files of the City
18 Planning Department, as the custodian of records, at 1660 Mission Street in San Francisco, or
19 in File No. _____ with the Clerk of the Board of Supervisors at 1 Dr. Carlton B.
20 Goodlett Place, San Francisco and are incorporated herein by reference.

21 L. The Board of Supervisors has reviewed and considered the Final EIR and the
22 environmental documents on file referred to herein. The Board of Supervisors has reviewed
23 and considered the CEQA Findings adopted by the Planning Commission in support of the
24 approval of the proposed Project, including the mitigation monitoring and reporting program
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1 and the statement of overriding considerations, and hereby adopts as its own and
2 incorporates the CEQA Findings contained in Planning Commission Motion No.
3 _____ by reference as though such findings were fully set forth in this Ordinance.

4 M. The Board of Supervisors endorses the implementation of the mitigation
5 measures identified in the Planning Commission's CEQA Findings for implementation by other
6 City Departments and recommends for adoption those mitigation measures that are
7 enforceable by agencies other than City agencies, all as set forth in the CEQA Findings,
8 including the mitigation monitoring and reporting program contained in the referenced CEQA
9 Findings.

10 N. The Board of Supervisors finds that: (1) no substantial changes have occurred
11 in the Project that would require revisions to the Final EIR due the involvement of new
12 significant environmental effects or a substantial increase in the severity of previously
13 identified significant effects; (2) no substantial changes have occurred with respect of the
14 circumstances under which the proposed Project is to be undertaken that would require major
15 revisions to the Final EIR due to the involvement of new environmental effects or a substantial
16 increase in the severity of effects identified in the Final EIR; and (3) no new information of
17 substantial importance to the proposed Project has become available that would indicate that
18 (i) the Project will have significant effects not discussed in the Final EIR, (ii) significant
19 environmental effects will be substantially more severe, (iii) mitigation measures or
20 alternatives found not feasible that would reduce one or more significant effects have become
21 feasible, or (iv) mitigation measures or alternatives that are considerably different from those
22 in the Final EIR would substantially reduce one or more significant effects on the environment.

23 O. The Board of Supervisors finds, pursuant to Planning Code Section 340, that the
24 Proposed General Plan Amendment set forth in the documents on file with the Clerk of the
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1 Board in File No. _____ will serve the public necessity, convenience and general
2 welfare for the reasons set forth in Planning Commission Resolution No. _____ and
3 incorporates those reasons herein by reference.

4 P. The Board of Supervisors finds that the Proposed General Plan Amendment as
5 set forth in the documents on file with the Clerk of the Board in File No. _____, are
6 in conformity with the General Plan, as it is amended by this Ordinance, and the eight priority
7 policies of Planning Code Section 101.1 for the reasons set forth in Planning Commission
8 Resolution No. _____. The Board hereby adopts the findings set forth in Planning
9 Commission Resolution No. _____ and incorporates those findings herein by
10 reference.

11 Section 2. The Board of Supervisors hereby approves the Proposed General Plan
12 Amendment as recommended to the Board of Supervisors by the Planning Commission on
13 _____, and referenced above, as follows: The height and bulk districts for the
14 Project Site, found on "Map 5 - Proposed Height and Bulk Districts" and referred to in Policy
15 13.1 of the Downtown Area Plan of the General Plan, shall be amended from the height and
16 bulk classifications of 120-X, 150-X and 240-S to 160-X, 180-X and 240-S, as shown on the
17 drawing on file with the Clerk of the Board of Supervisors in File No. _____.

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

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22 By: _____
Marlena G. Byrne
Deputy City Attorney

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