



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20105

HEARING DATE: FEBRUARY 8, 2018

Case No.: 2015-012994PCA/MAP
Project Address: 200 – 214 Van Ness Avenue Street
Existing Zoning: C-3-G Downtown General
96-X Height and Bulk District
Proposed Zoning: C-3-G Downtown General
120-X Height and Bulk District
Block/Lot: 0811/010 and 012
Project Sponsor: Suzanne Brown, on behalf of
SF Conservatory of Music
50 Oak Street
San Francisco, CA 94102
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RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO AUTHORIZE A HEIGHT LIMIT EXCEPTION FOR THE SAN FRANCISCO CONSERVATORY OF MUSIC PROJECT AT 200-214 VAN NESS AVENUE FOR ADDITIONAL BUILDING ENVELOPE THAT WILL BE USED TO ENCLOSE OR SCREEN SPECIFIED FEATURES FROM VIEW, ALLOW INCREASED ROOF HEIGHT FOR PERFORMANCE AND COMMON SPACE, AND PROVIDE ADDITIONAL VISUAL INTEREST TO THE ROOF OF THE STRUCTURE; AMEND THE ZONING MAP TO CHANGE THE HEIGHT DESIGNATION OF ASSESSOR'S BLOCK 811, LOTS 10 AND 12, FROM 96-X TO 120-X; AFFIRM THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; MAKE FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1; AND ADOPT FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on September 29, 2015, Lawrence Badiner on behalf of the San Francisco Conservatory of Music ("Project Sponsor" or "SFCM") filed an application with the Planning Department ("Department") for Environmental Review, to demolish the existing three-story residential building at 200 Van Ness Avenue and the two-story commercial building at 214 Van Ness Avenue and construct a 12-story over two-level basement, approximately 120-foot tall building with up to 420 student beds in 113 group housing units, up to 30 dwelling units (including 27 replacement units), approximately 49,600 Gross Square Feet (GSF) of educational/institutional use with approximately 2,900 gsf of ground floor restaurant/retail space; and

WHEREAS, on September 28, 2016, the Project Sponsor filed an application with the Department for a Determination of Compliance with Planning Code Section 309 as modified and supplemented on November 14, 2017, with exceptions to the requirements for Rear Yard (Section 134), Open Space (Section 135), Obstructions Over Streets and Alleys (Section 136), Group Housing Exposure (Section 140), Ground (Section

145.1), Reduction of Ground-Level Wind Currents in C-3 Districts (Section 148), and Off-Street Loading (Section 161) within the C-3-G (Downtown General) District; and

WHEREAS, on September 28, 2016, the Project Sponsor also filed an application with the Department for a Conditional Use Authorization as modified and supplemented on November 14, 2017, under Planning Code Sections 124(k), 210.2, 303 and 317, to remove and replace 27 existing dwelling units to allow additional square footage above that permitted by the base FAR limit for Student Housing as defined in Section 102 within the C-3-G (Downtown General) District and a 96-X Height and Bulk District; and

WHEREAS, on November 14, 2017, the Project Sponsor filed an application to reclassify the existing 96-X Height and Bulk District to a 120-X Height and Bulk District, amend Map 5 of the Downtown Plan of the General Plan, amend the HT02 Height Map of the Zoning Map and amend Section 260 of the Planning Code; and

WHEREAS, on December 27, 2017, the Planning Department's Environmental Review Office issued a Notice of Completion, and published a Preliminary Mitigated Negative Declaration (PMND) for the project that included a Mitigation Monitoring and Reporting program (MMRP) which is included as a Condition of Approval for the project. The comment period for the PMND expired on January 17, 2018 with no appeals. The PMND/IS. The Final Mitigated Negative Declaration (MND) was issued on January 23, 2018, and is available online at <http://tinyurl.com/sfceqadocs>. The Planning Department Planning Department Commission Secretary is the custodian of records, located in File No. 2015-012994ENV, at 1650 Mission Street, Fourth Floor, San Francisco, California; and

WHEREAS, on January 10, 2018, after extensive discussions with City staff, the Project Sponsor also filed an application with the Department for a Development Agreement, under Administrative Code Article 56, which include the specified public benefits above and beyond that required by City codes, including the expanding the City's supply of student housing, replacing 27 existing units on site, assuring the interim relocation and right to return of the existing tenants, creating much needed state-of- the-art educational and performance space, providing added artistic and cultural resources, while providing development certainty to the Project Sponsor; and

WHEREAS, the Commission has reviewed and considered and hereby adopts the MND and concurs in the Planning Department's determination that the MND is adequate, accurate and complete and reflects the independent judgment of the Planning Department.

WHEREAS, on January 11, 2018, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting and to consider the proposed Ordinance on February 8, 2018; and

WHEREAS, the Planning 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, this Resolution approving these Planning Code Text Amendments is a companion to other legislative approvals relating to the Project, including recommendation of approval of General Plan Amendments and recommendation for approval of the Development Agreement; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby approves the proposed ordinance based on the following:

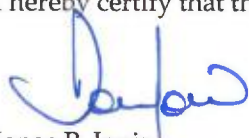
FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The Planning Code Text Amendments would enable construction of a project that will replace 27 dwelling units currently on-site on a one-for-one basis and provide tenants with a robust program for interim housing and relocation assistance during construction.
2. The Planning Code Text Amendments would enable the construction of 113 student housing units with 420 beds for SFMC to house their own students, thus freeing up the City's existing housing stock for other residents.
3. The Zoning Map Amendment would enable the construction of a dense, mixed-use development on a relatively constrained site and enable a unique cultural building with teaching and performance spaces within the Civic Center District.
4. **General Plan Compliance.** The Planning Code and General Plan Compliance Findings set forth in Motion No.20107, Case No. 2015-012994DNX (Downtown Project Authorization, pursuant to Planning Code Section 309) apply to this Motion, and are incorporated herein as though fully set forth.
5. **Planning Code Section 101.1(b).** The Planning Code Priority Policy Findings set forth in Motion No. 20107, Case No. 2015-012994DNX (Downtown Project Authorization, pursuant to Planning Code Section 309) apply to this Motion, and are incorporated herein as though fully set forth.
6. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES the proposed Ordinance as described in this Resolution.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on February 8, 2018.



Jonas P. Ionin
Commission Secretary

AYES: Moore, Koppel, Richards, Hillis, Fong, Melgar

NOES: None

ABSENT: Johnson

ADOPTED: February 8, 2018