

LEGISLATIVE DIGEST

[Planning Code, Zoning Map - 530 Sansome Mixed-Use Tower and Fire Station Special Use District]

Ordinance amending the Planning Code to create the 530 Sansome Mixed-Use Tower and Fire Station Special Use District, including a conditional use review and approval process allowing streamlined approval and exceptions from certain Planning Code requirements and the conditional rescission of an existing Article 10 landmark designation of 447 Battery Street within the Special Use District; revising the Zoning Map to increase the maximum height for Assessor's Parcel Block No. 0206, Lot Nos. 013, 014, and 017 within the Special Use District; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

Existing Law

The Planning Code and Zoning Map currently designate the parcels at Block 0206, Lots 002, 013, 014, and 017, as part of the C-3-O (Downtown Office) District and the 200-S height & bulk district.

Amendments to Current Law

The proposed ordinance would amend Articles 2 and 3 of the Planning Code to create the "530 Sansome Mixed-Use Tower and Fire Station Special Use District" (the "SUD") consisting of Assessor's Block 0206, Lots 002, 013, 014, and 017, and establish a streamlined review and approval process for the project proposed pursuant to the development agreement for a new mixed-use tower and fire station within the SUD. The new SUD and review and approval procedures would facilitate exceptions from Planning Code requirements and a conditional rescission of landmark designation number 299 for the property at 447 Battery Street (Assessor's Block 0206, Lot 002.)

Specifically, the ordinance would adopt a new section 249.11, creating the SUD and authorizing approval of development projects within the SUD pursuant to a conditional use authorization ("CUA") under new section 304.8. Section 249.11 would also rescind the landmark designation for 447 Battery Street, contingent on the City acquiring fee title to 447 Battery Street, as contemplated in the development agreement. New section 304.8 would establish a comprehensive review process for approval of development projects within the SUD. Section 304.8 would authorize the Planning Commission to approve a CUA for any mix of proposed uses and exceptions from Articles 1.2, 1.5, 2, 2.5, 3, 4, and 6 of the Planning Code reasonably necessary to implement a proposed development project in the SUD. Under the ordinance, a project proposed in the SUD must meet the criteria for a CUA set forth in

section 303(c)(1) through (4) of the Planning Code and also meet certain additional criteria, including: promoting applicable objectives and policies of the General Plan; compliance with any height limit established by the applicable Height & Bulk District Map; obtaining any applicable Project Authorization for proposed office uses; hearings or joint hearings as necessary to comply with section 295; no General Advertising Signs; compliance with Article 4 of the Planning Code, except as to modifications agreed to in the development agreement; and compliance with the provisions of the SUD in section 249.11.

In granting the CUA, the Planning Commission may also authorize the Planning Director to approve modifications to the CUA that the Planning Director reasonably determines are within the intended scope of the CUA. These modifications could include proposed changes of use and exceptions from the Planning Code, provided that: the project would continue to meet the CUA criteria in sections 303 and 304.8; the modifications would not require a change to any condition of the CUA; the modifications would not increase the building envelope of the project by more than 10 percent; and the project would remain in compliance with the development agreement. If the Planning Director determines a proposed modification does not meet these requirements, section 304.8 requires the proposal be considered by the Planning Commission at a public hearing.

Additionally, the ordinance would amend section 1004 of Article 4 to reflect the exception in section 249.11 for conditional rescission of the landmark designation for 447 Battery Street. The ordinance would also amend Special Use District Section Map SU01 to approve and establish the 530 Sansome Mixed-Use Tower and Fire Station Special Use District for Block 0206, Lots 002, 013, 014, and 017, and amend Height & Bulk District Section Map HT01 to supersede the 200-S district with the 555-X district for Block 0206, Lots 013, 014, and 017.

Background Information

This ordinance is intended to facilitate the development of the project contemplated in the Development Agreement associated with the 530 Sansome Mixed-Use Tower and Fire Station 13 Development Project (also known as the 530 Sansome and 447 Battery Street Development Project). EQX Jackson SQ Holdco LLC ("Developer") proposes to build a mixed-use high-rise building at 530 Sansome (currently owned by the City and occupied by Fire Station No. 13) and parcels that it owns at 425 Washington Street and 439-445 Washington Street. Through an affiliate, Developer also has the right to purchase the real property located at 447 Battery Street. Pursuant to the development agreement, Developer would acquire the 530 Sansome property from the City, and in exchange, would convey fee title to the 447 Battery Street, where Developer would build a new fire station for the City at Developer's expense. In companion legislation, the Board of Supervisors will consider adoption the development agreement.

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