

1 [General Plan Amendment in connection with Seawall Lot 330]

2 **Ordinance amending the San Francisco General Plan in connection with approvals for**
3 **the proposed Bryant Street Residential Tower on Seawall Lot 330; adopting findings**
4 **pursuant to the California Environmental Quality Act; and adopting findings that the**
5 **General Plan amendment is consistent with the eight Priority Policies of Planning Code**
6 **Section 101.1.**

7 Note: This entire section is new.

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

9 Section 1. Findings. The Board of Supervisors of the City and County of San
10 Francisco hereby finds and determines that:

11 (a) City Charter Section 4.105 requires that the San Francisco Planning Commission
12 (the “Planning Commission”) consider any proposed amendments to the City’s General Plan
13 and make a recommendation for approval or rejection to the Board of Supervisors before the
14 Board of Supervisors acts on the proposed amendments.

15 (b) Approval of development of a residential condominium tower with approximately
16 135-145 units on an approximately 22,600 square foot portion of Seawall Lot 330 (the “Bryant
17 Street Residential Tower”) requires an amendment to Map 2 contained in the Northeastern
18 Waterfront Area Plan of the General Plan of the City and County of San Francisco (the
19 “General Plan”) to redesignate the Height and Bulk classification. The proposed amendment
20 is to change the height and bulk classification as shown in the General Plan, Northeastern
21 Waterfront Area Plan, Map 2 referred to in Policy 10.26 from 105-F to 220-G.

22 (c) The Planning Department prepared the Final Supplemental Environmental
23 Impact Report for the San Francisco Cruise Terminal Mixed-Use Project and Brannan Street
24 Wharf Project (“FSEIR”) , and by Motion No. 16480, on file with the Department (File No.
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1 2000.1229E) the Planning Commission made findings and certified completion of the FSEIR
2 in compliance with the California Environmental Quality Act ("CEQA") (California Public
3 Resources Code sections 21000 et seq.), the State CEQA Guidelines (California Code of
4 Regulations Title 14 sections 15000 et seq.), and Chapter 31 of the San Francisco
5 Administrative Code ("Chapter 31"). The Commission's certification of the FSEIR was upheld
6 on appeal by the Board of Supervisors, by Motion No. M03-8, on file with the Clerk of the
7 Board in File No. 022021; and

8 (d) On July 15, 2003 the Board adopted in Resolution No. 460-03 AND 461-03, and
9 on July 31, 2003, the Planning Commission adopted, in Motion No. 16625 San Francisco
10 Cruise Terminal Mixed-Use Project and Brannan Street Wharf Project CEQA Findings, as
11 required under CEQA, CEQA Guidelines, and Chapter 31, regarding the alternatives,
12 mitigation measures and significant environmental impacts analyzed in the FSEIR, a
13 statement of overriding considerations, and a proposed mitigation monitoring and reporting
14 program, which motion, attachment and exhibits are incorporated herein by reference; and

15 (e) On July 31, 2003, the Planning Commission held a duly noticed public hearing and
16 in Resolution No. 16626, the Planning Commission approved and recommended for adoption
17 by the Board an amendment to Map 2 referred to in Policy 10.26 in the Northeastern
18 Waterfront Area Plan of the General Plan to reflect a change in the Height and Bulk
19 classification on an approximately 22,600 square foot portion of Seawall Lot 330 of 105-F to
20 220-G. Planning Commission Resolution No. 16626, a copy of which is on file with the Clerk
21 of the Board of Supervisors in File No. _____, is incorporated by reference herein.

22 (f) Pursuant to Planning Code Section 340, this Board of Supervisors finds that this
23 General Plan Amendment will serve the public necessity, convenience and general welfare for
24 the reasons set forth in Planning Commission Motion No. 16628 and Resolution No. 16626
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1 recommending approval of a conditional use permit and this Zoning Map amendment,
2 respectively, and incorporates such reasons by reference herein.

3 (g) Pursuant to Planning Code Section 101.1, this Board of Supervisors finds that this
4 ordinance is consistent with the priority policies of Section 101.1(b) of the Planning Code and
5 the General Plan and hereby adopts the findings of the Planning Commission, as set forth in
6 Planning Commission Motion No. 16628 and Resolution No. 16628, and incorporates said
7 findings by reference herein. A copy of said motion and resolution are on file with the Clerk of
8 the Board of Supervisors in File No. _____.

9 (h) The Preferred Alternative and Brannan Street Wharf Project, including the
10 Bryant Street Residential Tower, Zoning Map Amendment, and the General Plan Amendment
11 approved by this ordinance, have been thoroughly analyzed in the Revised FSEIR and, since
12 the Planning Commission's approval actions on July 31, 2003 there are no changed
13 circumstances or other factors present that would trigger the need or requirement for
14 additional environmental review under CEQA, the CEQA Guidelines, or Chapter 31.
15 Specifically, the Board finds that (1) any modifications incorporated into the Bryant Street
16 Residential Tower will not require major revisions to the FSEIR due to the involvement of new
17 significant environmental effects or a substantial increase in the severity of previously
18 identified significant effects; (2) no substantial changes have occurred with respect to the
19 circumstances under which the Bryant Street Residential Tower is undertaken which would
20 require major revisions to the FSEIR due to the involvement of new significant environmental
21 effects, or a substantial increase in the severity of effects identified in the FSEIR; and (3) no
22 new information of substantial importance has become available which would indicate (a) the
23 Bryant Street Residential Tower will have significant effects not discussed in the FSEIR, (b)
24 significant environmental effects will be substantially more severe, (c) mitigation measures or
25 alternatives found not feasible which would substantially reduce one or more significant

1 effects have become feasible but the Project Sponsors decline to adopt the measure or
2 alternative, or (d) mitigation measures or alternatives which are considerably different from
3 those in the FSEIR would substantially reduce one or more significant effects on the
4 environment but the Project Sponsors decline to adopt the measure or alternative.

5 Section 3. The Board of Supervisors hereby approves amendments identifying Height
6 and Bulk reclassification to the General Plan as follows: The Height and Bulk designation for
7 an approximately 22,600 square foot portion of Seawall Lot 330 in Assessor's Block 3771 as
8 shown in Planning Commission Resolution No. 16626 ("the Property"), found on Map 2
9 referred to in Policy 10.26 in the Northeastern Waterfront Area Plan of the General Plan shall
10 be amended to have a height and bulk designation of 220-G.

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12 APPROVED AS TO FORM:

13 DENNIS J. HERRERA, City Attorney

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16 By: _____
17 Susan Cleveland-Knowles
18 Deputy City Attorney

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