



PLANNING COMMISSION RESOLUTION NO. 21003

HEARING DATE: SEPTEMBER 30, 2021

Project Name: 1750 Van Ness Avenue
Case Number: 2016-015987PCA
Initiated by: Melinda Sarjapur – Project Sponsor
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RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND PLANNING CODE SECTION 243 TO EXEMPT THE SUBJECT PROPERTY FROM THE REQUIRED 3:1 RATIO OF RESIDENTIAL USES TO NON-RESIDENTIAL USES IN ASSOCIATION WITH A PROJECT THAT PROPOSES TO DEMOLISH THE EXISTING TWO-STORY RELIGIOUS INSTITUTIONAL BUILDING AND CONSTRUCT A NEW SIX-STORY-OVER-BASEMENT RELIGIOUS INSTITUTIONAL BUILDING (DBA SAN BAO TEMPLE); ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on June 13, 2016, Melinda Sarjapur (hereinafter “Project Sponsor”) submitted Planning Code Amendment Application No. 2016-015987PCA (hereinafter “Application”), which would amend Planning Code Section 243 to exempt the subject property from the required 3:1 ratio of residential uses to non-residential uses in association with a project that proposes to demolish the existing two-story Religious Institutional building and construct a new six-story-over-basement Religious Institutional building (dba San Bao Temple) (hereinafter “Project”);

WHEREAS, The Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on September 30, 2021; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c); 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, all pertinent documents may be found in the files of the Department, as the custodian of records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; 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.

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 Commission finds that the proposed Ordinance will allow for the continuation of an existing community-serving Religious Institutional use, which contributes to the neighborhood character along the Van Ness Avenue corridor.
2. The Commission finds that the proposed Ordinance will not impede housing goals of the Van Ness SUD as the site is not currently occupied by residential uses and the remaining residential development potential within the Van Ness SUD exceeds original assumptions for maximum housing production.
3. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

VAN NESS AVENUE AREA PLAN

Objectives and Policies

OBJECTIVE 5

ENCOURAGE DEVELOPMENT WHICH REINFORCES TOPOGRAPHY AND URBAN PATTERN, AND DEFINES AND GIVES VARIETY TO THE AVENUE.

Policy 5.1

Establish height controls to emphasize topography and adequately frame the width of the Avenue.

Policy 5.2

Encourage a regular street wall and harmonious building forms along the Avenue.

OBJECTIVE 6

ENCOURAGE DISTINGUISHED ARCHITECTURE WHOSE SCALE, COMPOSITION, AND DETAILING ENHANCES THE OVERALL DESIGN STRUCTURE OF THE AVENUE AND RELATES TO HUMAN SCALE.

Policy 6.1

Design exterior facades which complement and enhance significant works of architecture along the Avenue.

Policy 6.3

Incorporate setbacks and/or stepping down of building form on new developments — and major renovations when necessary — to increase sun exposure on sidewalks.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.2

Recognize, protect, and reinforce the existing street pattern, especially as it is related to topography.

Policy 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

OBJECTIVE 2

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

Policy 2.6

Respect the character of older development nearby in the design of new buildings.

OBJECTIVE 3

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1

Promote harmony in the visual relationships and transitions between new and older buildings.

Policy 3.2

Avoid extreme contrasts in color, shape, and other characteristics.

Policy 3.3

Promote efforts to achieve high quality of design for buildings to be constructed at prominent locations.

Policy 3.5

Relate the height of buildings to important attributes of the city pattern.

Policy 3.6

Relate the bulk of buildings to the prevailing scale of development.

OBJECTIVE 4

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE, AND OPPORTUNITY

Policy 4.12

Install, promote and maintain landscaping in public and private areas.

Policy 4.13

Improve pedestrian areas by providing human scale and interest.

Policy 4.14

Remove and obscure distracting and cluttering elements.

Policy 4.15

Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 2

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.1

Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

As noted in the Van Ness Avenue Plan, Van Ness Avenue is the central north-south spine and one of the widest streets in the City. Van Ness Avenue provides access between a number of focal points, including landmark buildings, cultural centers, important view corridors, and the Bay. The juxtaposition on the Avenue of large, monumental structures with fine-grain urban fabric to the east creates an exciting contrast within the cityscape.

The Ordinance will facilitate a project that will reinforce the existing urban pattern by constructing an attractive new temple, retaining and expanding the long-standing ABCS use. The Project will support the continued existence of a Community Institutional Use and will strengthen the preservation and enhancement of the pedestrian environment by drawing community members and visitors to the site thereby activating the public realm. The proposed building respects the scale and character of the development in the neighborhood, and will contribute to the enhancement of the visual and urban design quality of the street and has been thoughtfully designed to maximize light and air to adjacent developments and sidewalks. The building will reach a maximum height of 74 feet, which is consistent with the underlying 80-D Height and Bulk District and represents an appropriate scale of development along the notably wide Van Ness Avenue.

The new temple would be an inspirational, landmark-quality building, enhancing the overall design structure of the Avenue. Its modern design would complement the adjacent St. Luke's Episcopal Church structure as well as other notable area buildings.

The Project site is easily accessible via numerous public transit options, including MUNI lines 01, 01A, 1B, 19, 27, 12, 31A, 31B, 38A, 38B, 41, 47, 61, 76, 90 OWL, and the Van Ness BRT, which is nearing completion. The existing San Bao Temple has operated for nearly 20 years at this site, with many visitors, scholars and monastics walking, biking, or utilizing public transit. Future visitors to the new temple are expected to continue using these modes of transportation. On balance, the Ordinance is consistent with the Objectives and Policies of the General Plan.

4. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail. For more than 20 years, this site has been occupied by the American Buddhist Cultural Society's San Bao Temple. The Project would replace the existing temple with an enhanced religious institutional use. No neighborhood-serving retail uses would be displaced.

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed Ordinance would not have a negative effect on housing, but will conserve and protect neighborhood character by allowing for the retention and expansion of an existing Religious Institutional use (dba San Bao Temple), which has occupied this site for more than 20 years.

- C. That the City's supply of affordable housing be preserved and enhanced.

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The Property is located on Van Ness Avenue which is a major commercial thoroughfare. The area is well-served by public transit including the 1 and 1A California, 1B California, 19 Polk, 27 Bryant, 12 Folsom, 31A and 31B Balboa Express, 38A and 38B Geary Express, 41 Van Ness, 47 Van Ness, 61 California, 76 Marin Headlands, and 90 OWL MUNI bus lines, as well as the Van Ness Bus Rapid Transit (BRT) line, which is nearing completion. The BRT will enhance public transit options in the area by creating a dedicated bus lane for MUNI's 47 and 49 routes and Golden Gate Transit along two miles of Van Ness Avenue, including the area adjacent to the site. The existing San Bao Temple has operated for more than 20 years at this site, with many visitors, scholars and monastics walking, biking, or utilizing public transit. The Project would continue and expand this existing Religious Institutional use and is not anticipated to impede Muni transit or overburden neighborhood streets or parking.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed Ordinance would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

- G. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

- H. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

5. **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 foregoing Resolution was adopted by the Commission at its meeting on September 30, 2021.



Jonas P. Ionin
Commission Secretary

AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel

NOES: No

ABSENT: Chan

ADOPTED: September 30, 2021