

1 [General Plan Amendment - 1629 Market Street]

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3 **Ordinance amending the General Plan to revise Maps 1 and 3 and Policy 7.2.5 of the**
4 **Market and Octavia Area Plan to reflect the 1629 Market Street Special Use District;**
5 **adopting findings under the California Environmental Quality Act, and Planning Code,**
6 **Section 340; and making findings of consistency with the General Plan, and Planning**
7 **Code, Section 101.1.**

8 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.
10 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~strikethrough Arial font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Code
14 subsections or parts of tables.

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

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

16 Section 1. Environmental and Planning Code Findings.

17 (a) California Environmental Quality Act.

18 (1) At its hearing on October 19, 2017, and prior to recommending the proposed
19 General Plan amendments for approval, by Motion No. 20033 the Planning Commission
20 certified a Final Environmental Impact Report (FEIR) for the 1629 Market Street Project
21 (Project) pursuant to the California Environmental Quality Act (CEQA) (California Public
22 Resources Code Section 21000 et seq.), the CEQA Guidelines (14 Cal. Code Reg. Section
23 15000 et seq.), and Chapter 31 of the Administrative Code. A copy of said Motion is in Board
24 of Supervisors File No. 171134, and is incorporated herein by reference. In accordance with
25 the actions contemplated herein, this Board has reviewed the FEIR, concurs with its

1 conclusions, affirms the Planning Commission's certification of the FEIR, and finds that the
2 actions contemplated herein are within the scope of the Project described and analyzed in the
3 FEIR.

4 (2) In approving the Project at its hearing on October 19, 2017, by Motion No.
5 20034, the Planning Commission also adopted findings under CEQA, including a statement of
6 overriding considerations, and a Mitigation Monitoring and Reporting Program (MMRP). A
7 copy of said Motion and MMRP are in Board of Supervisors File No. 171134, and is
8 incorporated herein by reference. The Board hereby adopts and incorporates by reference as
9 though fully set forth herein the Planning Commission's CEQA approval findings, including the
10 statement of overriding considerations. The Board also adopts and incorporates by reference
11 as though fully set forth herein the Project's MMRP.

12 (b) Planning Code Findings.

13 (1) Under San Francisco Charter Section 4.105 and Planning Code Section
14 340, any amendments to the General Plan shall first be considered by the Planning
15 Commission and thereafter recommended for approval or rejection by the Board of
16 Supervisors. On October 19, 2017, the Planning Commission conducted a duly noticed public
17 hearing on the General Plan amendments pursuant to Planning Code Section 340 and, by
18 Resolution No. 20035, found that the public necessity, convenience and general welfare
19 required the proposed General Plan amendments, adopted the General Plan amendments,
20 and recommended them for approval to the Board of Supervisors. A copy of the Planning
21 Commission Resolution No. 20035, is on file with the Clerk of the Board of Supervisors in File
22 No. 171134, and incorporated by reference herein.

23 (2) On October 19, 2017, the Planning Commission, in Resolution No.
24 20035, adopted findings that the actions contemplated in this ordinance are consistent, on
25 balance, with the City's General Plan, as amended, and eight priority policies of Planning

1 Code Section 101.1. The Board adopts these findings as its own. A copy of said Resolutions
2 are in Board of Supervisors File No. 171134, and are incorporated herein by reference.

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4 Section 2. The General Plan is hereby amended by revising Map 1 (Land Use
5 Districts) of the Market and Octavia Area Plan to revise the land use designations on Block
6 3505 to reflect the configuration of the privately-owned, publicly accessible open space
7 (referred to as Brady Park) to reflect the 1629 Market Street Special Use District, as more
8 precisely shown in Exhibit A, in Board of Supervisors File No. 171134.

9
10 Section 3. The General Plan is hereby amended by revising Map 3 (Height Districts) of
11 the Market and Octavia Area Plan to revise the height limits on Block 3505 to reflect the 1629
12 Market Street Special Use District, including configuration of the privately-owned, publicly
13 accessible open space, and the increase in the Colton Street Supportive Housing site height
14 from 40-X to 68-X, as more precisely shown in Exhibit B, in Board of Supervisors File No.
15 171134.

16
17 Section 4: The General Plan is hereby amended by revising Policy 7.2.5 of the Market
18 and Octavia Area Plan, to read as follows:

19 **POLICY 7.2.5**

20 **Make pedestrian improvements within the block bounded by Market, Twelfth,**
21 **Otis, and Gough Streets and redesign Twelfth Street between Market and Mission**
22 **Streets, creating a new park and street spaces for public use, and new housing**
23 **opportunities.**

24 The block bounded by Market, Gough, Otis and 12th Streets, known as the “Brady
25 Block” is a unique place; its interior is divided and made publicly-accessible by four alleys

1 bisecting it in different directions. At its core, the block shows the signs of many years of
2 neglect; surface parking lots and a large ventilation shaft for the BART system create a large
3 swath of indefensible space.

4 The block has tremendous potential despite its present conditions. It is an intimate
5 space of small buildings fronting on narrow alleys. It isn't hard to envision a small
6 neighborhood here-on the scale of South Park: small residential infill and existing buildings
7 framing a new public park at the core of the block's network of alleys. The addition of new
8 housing and the development of a small-scaled living area with a narrow but connected street
9 pattern can make this an enviable mini-neighborhood. Existing uses can stay, but new uses
10 can, by public and private cooperation, create a residential mixed-use enclave.

11 A small new open space can be developed in the center of the Brady Block, taking
12 advantage of a small (approximately 80-foot-square BART-owned parcel that provides access
13 to its tunnel below), and through purchase of an adjacent 100 foot by 80 foot parcel, currently
14 surface parking. By creating a small open space here and connecting the existing alley
15 network, the city *or a private developer* would have created a magnificent centerpiece for this
16 intimate mini-neighborhood. The park will be surrounded by several housing opportunity sites
17 and would be accessed via a network of mid-block alleys designed as "living street" spaces.
18 The BART vent shaft rather than a hindrance could be the site of a central wind-driven kinetic
19 sculpture.

20 *In addition to the land use, height and bulk controls outlined in Element 1, the following actions*
21 *are necessary to realize this change for the Brady Block, in order of importance:*

22 *•An agreement will be necessary with BART to allow the reuse of the land where its ventilation*
23 *shafts comes to the surface as a public park.*

24 *•Parcels 3505031 and 3505031A, which are currently used as surface parking lots, will have to*
25 *be purchased and dedicated to the Recreation and Parks Department as public open space.*

1 ~~•Parcel 3505029, which is currently vacant, will have to be purchased and dedicated to DPW~~
2 ~~as a public right of way connecting Stevenson Alley with Colton and Colusa Alleys.~~

3 ~~•Approximately 4,000 sf. of parcel 3505035, which is currently a surface parking lot, will have~~
4 ~~to be purchased and dedicated to DPW as a public right of way connecting the two disconnected~~
5 ~~halves of Stevenson Alley.~~

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7 Section 5. Effective and Operative Dates.

8 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs
9 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not
10 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the
11 Mayor’s veto of the ordinance.

12 (b) This ordinance shall become operative on, and no rights or duties are affected
13 until),the later of (1) its effective date, or (2) the date that the ordinance approving the
14 Development Agreement for the Project, and the ordinance, approving amendments to the
15 General Plan for the Project, have both become effective. Copies of said Ordinances are on
16 file with the Clerk of the Board of Supervisors in File No. 170939 and 171134.

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18 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
19 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
20 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the General
21 Plan that are explicitly shown in this ordinance as additions, deletions, Board amendment
22 additions, and Board amendment deletions in accordance with the “Note” that appears under
23 the official title of the ordinance.

1 APPROVED AS TO FORM:
2 DENNIS J. HERRERA, City Attorney

3 By: _____
4 ANDREA RUIZ-ESQUIDE
5 Deputy City Attorney

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