

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

LAND USE AND TRANSPORTATION COMMITTEE SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Ahsha Safai, Interim Chair
Land Use and Transportation Committee

FROM: Erica Major, Assistant Clerk

DATE: January 14, 2019

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, January 15, 2019

The following file should be presented as a **COMMITTEE REPORT** at the Board meeting, Tuesday, January 15, 2019. This item was acted upon at the Committee Meeting on Monday, January 14, 2019, at 1:30 p.m., by the votes indicated.

Item No. 74 **File No. 181112**

Ordinance amending the General Plan to revise Map 1 of the Market and Octavia Area Plan to change the designation of 1650, 1660, 1670 and 1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006, 008, 009 and 010, from NC-3 (Moderate Scale Neighborhood Commercial Transit) and P (Public Use District) to C-3-G (Downtown General Commercial District); and making environmental findings, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience and welfare under Planning Code, Section 340.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Ahsha Safai - Aye
Supervisor Aaron Peskin - Aye
Supervisor Matt Haney - Aye

c: Board of Supervisors
Angela Calvillo, Clerk of the Board
Jon Givner, Deputy City Attorney

1 [General Plan Amendment - Market and Octavia Area Plan - 1650, 1660, 1670 and 1680
2 Mission Street]

3 **Ordinance amending the General Plan to revise Map 1 of the Market and Octavia Area**
4 **Plan to change the designation of 1650, 1660, 1670 and 1680 Mission Street, Assessor's**
5 **Parcel Block No. 3512, Lot Nos. 005, 006, 008, 009 and 010, from NC-3 (Moderate Scale**
6 **Neighborhood Commercial Transit) and P (Public Use District) to C-3-G (Downtown**
7 **General Commercial District); and making environmental findings, findings of**
8 **consistency with the General Plan, and the eight priority policies of Planning Code,**
9 **Section 101.1, and findings of public necessity, convenience and welfare under**
10 **Planning Code, Section 340.**

11 NOTE: Additions are *single-underline italics Times New Roman*;
12 deletions are *strike-through italics Times New Roman*.
13 Board amendment additions are double-underlined;
Board amendment deletions are ~~strikethrough-normal~~.

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

15
16 Section 1. Environmental and Planning Code Findings.

17 (a) California Environmental Quality Act Findings. The Planning Department has
18 determined that the actions contemplated in this ordinance comply with the California
19 Environmental Quality Act (California Public Resources Code Sections 21000 et seq.), and
20 the Board of Supervisors hereby affirms this determination. Said determination is on file with
21 the Clerk of the Board of Supervisors in File No. 181112 and is incorporated herein by
22 reference.

23 (b) General Plan and Planning Code Findings.

24 (1) Under Charter Section 4.105 and Planning Code Section 340, any
25 amendments to the General Plan shall first be considered by the Planning Commission and

1 thereafter recommended for approval or rejection by the Board of Supervisors. On October
2 25, 2018, by Resolution No. 20326, the Commission conducted a duly noticed public hearing
3 on the General Plan Amendment pursuant to Planning Code Section 340, and found that the
4 public necessity, convenience, and general welfare required the proposed General Plan
5 Amendment, and recommended it for approval to the Board of Supervisors. The Board
6 adopts these findings as its own. A copy of said resolution is on file with the Clerk of the
7 Board of Supervisors in File No. 181112, and is incorporated herein by reference.

8 (2) On October 25, 2018, the Planning Commission, in Resolution No. 20326,
9 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
10 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
11 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
12 the Board of Supervisors in File No. 181112, and is incorporated herein by reference.

13
14 Section 2. The San Francisco General Plan is hereby amended by revising Map 1 of
15 the Market and Octavia Area Plan to change the designation of 1650, 1660, 1670 and 1680
16 Mission Street, Assessor's Parcel Number No. 3512, Lot Nos. 005, 006, 008, 009, and 010,
17 as recommended to the Board of Supervisors by the Planning Commission in Resolution No.
18 20326, as follows:

19 1650, 1660, and 1670 Mission Street (Assessor's Parcel Number No. 3512, lots Nos.
20 005, 006 and 008, from NC-3 to C-3-G; and

21 1680 Mission Street (Assessor's Parcel Number No. 3512, lots 009 and 010, from P to
22 C-3-G.

23 The Board of Supervisors directs the Planning Department to update the General Plan
24 to reflect these amendment.

1 Section 3. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor's veto of the ordinance.

5
6 APPROVED AS TO FORM:
7 DENNIS J. HERRERA, City Attorney

8
9 By: 
10 ANDREA RUIZ-ESQUIDE
11 Deputy City Attorney

12 n:\land\as2018\9690391\01304923.doc

LEGISLATIVE DIGEST

[General Plan Amendment - Market and Octavia Area Plan - 1650, 1660, 1670 and 1680 Mission Street]

Ordinance amending the General Plan to revise Map 1 of the Market and Octavia Area Plan to change the designation of 1650, 1660, 1670 and 1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006, 008, 009 and 010, from NC-3 (Moderate Scale Neighborhood Commercial Transit) and P (Public Use District) to C-3-G (Downtown General Commercial District); and making environmental findings, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience and welfare under Planning Code, Section 340.

Existing Law

General plans are broad policy documents to guide development. State law requires that general plans include discussion of seven issues: land use, circulation, housing, conservation, open space, noise and safety. These issues are often included in different chapters, or elements, of a general plan. In addition, local jurisdictions have discretion to include other issues in their general plans. The San Francisco General Plan includes ten elements: the Housing Element, the Commerce and Industry Element, the Recreation and Open Space Element, the Transportation Element, the Urban Design Element, the Environmental Protection Element, the Community Facilities Element, the Community Safety Element, the Arts Element, and the Air Quality Element, and a Land Use Index. In addition, the San Francisco General Plan contains a series of Area Plans, such as Downtown, East and West Soma, Glen Park, Market and Octavia, and Mission, adopted to tailor the General Plan policies to the specific realities of the City's diverse neighborhoods.

Amendments to Current Law

This ordinance would amend Map 1 of the Market and Octavia Area Plan of the General Plan to change the designation of 1650, 1660, 1670 and 1680 Mission Street, Assessor's Block No. 3512, Lot Nos. 005, 006, 008, 009 and 010, from NCT-3 and P to C-3-G.

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SAN FRANCISCO PLANNING DEPARTMENT

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2018 NOV 13 PM 4:51

BY

Planning Commission Resolution No. 20326

HEARING DATE: OCTOBER 25, 2018

Project Name: Rezoning 1650-1680 Mission Street
Case Number: 2018-007507GPA-02-2 [Board File No. TBD]
Initiated by: SF Real Estate Division / Introduced May 15, 2018
Staff Contact: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

RESOLUTION APPROVING A PROPOSED ORDINANCE WOULD AMEND THE SAN FRANCISCO GENERAL PLAN TO REVISE MAP 1 OF THE MARKET AND OCTAVIA AREA PLAN TO CHANGE THE DESIGNATION OF 1650, 1660, 1670 AND 1680 MISSION STREET, ASSESSOR'S BLOCK NO. 3512, LOT NOS. 005, 006, 008, 009 AND 010, FROM NCT-3 AND P TO C-3-G; 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 May 15, 2018, the City and County of San Francisco's Reals Estate Division introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 180474, which would revise the Zoning Map to rezone 1650, 1660, and 1670 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006, and 008, from their current designation as NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) to C-3-G (Downtown General Commercial), and to rezone 1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 009 and 010, from its current designation as P (Public) to C-3-G; and

WHEREAS, on September 27, 2018, the San Francisco Planning Commission initiated an ordinance amending the San Francisco General Plan to revise Map 1 of the Market and Octavia Area Plan to change the designation of 1650, 1660, 1670 and 1680 Mission Street, Assessor's Block No. 3512, Lot Nos. 005, 006, 008, 009 and 010, from NCT-3 and P to C-3-G; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on October 25, 2018; and

WHEREAS, the proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment; 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 1650 Mission Street, Suite 400, 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 would make the General Plan consistent with the City's Zoning Map should the Board adopt Board File 180474.
2. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

Market and Octavia Plan

OBJECTIVE 1.1

CREATE A LAND USE PLAN THAT EMBRACES THE MARKET AND OCTAVIA NEIGHBORHOOD'S POTENTIAL AS A MIXED-USE URBAN NEIGHBORHOOD.

Policy: 1.1.2

Concentrate more intense uses and activities in those areas best served by transit and most accessible on foot.

The subject parcels are one to two blocks from the Van Ness Metro Station and will also be adjacent to the Van Ness BRT station, which is currently under construction.

3. **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:

1. 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.

2. 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 or neighborhood character.

3. 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.

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

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. 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.

6. 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.

7. 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.

8. 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.

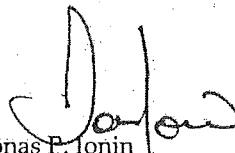
4. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

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

Resolution No. 20326
October 25, 2018

CASE NO.2018-007507GPA-02-2
Amend Map 1 of Market and Octavia Plan

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on October 25, 2018.



Jonas P. Ionin
Commission Secretary

AYES: Hillis, Johnson, Koppel, Melgar, Richards

NOES: None

ABSENT: Fong, Moore

ADOPTED: October 25, 2018

PRESS ALERT

FOR IMMEDIATE RELEASE

1:00 PM, April 3, 2002

BOARD OF APPEALS ASKED TO WAIVE \$25,000,000 OF HOUSING, MUNI AND CHJILDCARE FEES TONIGHT

Tonight the owners of the Western Merchandise Mart buildings at 1355 Market Street and 875 Stevenson Street will ask the Board of Appeals to rule that their Furniture Showrooms at 1355 Market Street have always been “office/showrooms” and therefore legally “office” space in order to avoid paying the city the \$18,000,000 in housing fees, \$6 million MUNI fees and over \$1 million in child care fees necessary to legally convert the buildings to office use. They are going to the Board of Appeals because the City Planning Department’s Zoning Administrator, Larry Badiner, has already ruled against their rather creative argument that the Furniture Mart, where designers bring the public to pick out furniture from a vast array of floor samples, is really office space. Should the Board of Appeals vote to overturn the Planning Department ruling, the owners of the Furniture Mart would avoid having to pay over \$25,000,000 in fees at a time when the City is facing a \$150 million-plus deficit.

| Location (square footage) | Housing Fee (\$14.96/ sq. ft.) | Muni Fee (\$5/sq. ft.) | Childcare Fee (\$2/sq. ft.) |
|---|-------------------------------------|-------------------------------------|-----------------------------------|
| 1355 Market Street (835,000 sq. ft.) | \$12,500,000 | \$ 4,175,000 | \$ 835,000 |
| 875 Stevenson Street (355,000 sq. ft.) | <u>\$ 5,310,000</u> \$17,810,000 | <u>\$ 1,775,000</u> \$ 5,950,000 | <u>\$ 355,000</u> \$ 1,190,000 |
| Total Square Footage: | 1,190,000 sq. ft. | | |
| <u>Total Fees:</u> | <u>\$24,950,000</u> | | |

BOARD OF APPEALS HEARING: TONIGHT, APRIL 3rd, ROOM 416, 4th Floor, City Hall
 (Last item on the agenda, meeting starts at 5:30 PM)

Contact Numbers:

Larry Badiner, City’s Zoning Administrator (415) 558-6683

Sue Hestor, representing those opposing loss of fees (415) 362-2778

Tim Tosta, Atty. For developer seeking fee waiver (415) 788-2019

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
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Fax No. 554-5163
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NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposals and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Monday, January 14, 2019

Time: 1:30 p.m.

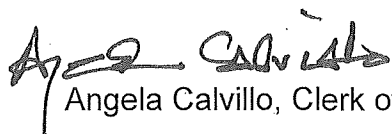
Location: Legislative Chamber, Room 250, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subjects: **File No. 181111.** Ordinance amending the General Plan to revise Map 1 of the Downtown Area Plan to include 1650, 1660, 1670 and 1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006, 008, 009 and 010, in the C-3-G (Downtown General Commercial District) area; and making environmental findings, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience and welfare under Planning Code, Section 340.

File No. 181112. Ordinance amending the General Plan to revise Map 1 of the Market and Octavia Area Plan to change the designation of 1650, 1660, 1670 and 1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006, 008, 009 and 010, from NC-3 (Moderate Scale Neighborhood Commercial Transit) and P (Public Use District) to C-3-G (Downtown General Commercial District); and making environmental findings, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience and welfare under Planning Code, Section 340.

File No. 180474. Ordinance amending the Planning Code by revising the Zoning Map to rezone 1650, 1660, and 1670 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006, and 008, from their current designation as NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) to C-3-G (Downtown General Commercial), and to rezone 1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 009 and 010, from its current designation as P (Public) to C-3-G; affirming the Planning Department's determination 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.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in these matters, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to these matters are available in the Office of the Clerk of the Board. Agenda information relating to these matters will be available for public review on Friday, January 11, 2019.


Angela Calvillo, Clerk of the Board

DATED/MAILED/POSTED: December 21, 2018
PUBLISHED: January 4, 2019

Member, Board of Supervisors
District 11



City and County of San Francisco

Job Dep
Leg Clerk
Leg Clerk
LUCILE C

AHSHA SAFAÍ

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2019 JAN 10 AM 9:56
BY: *ew*

DATE: January 9, 2019

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Supervisor Ahsha Safai, Interim Chair, Land Use and Transportation Committee

RE: Land Use and Transportation Committee
COMMITTEE REPORTS

Pursuant to Board Rule 4.20, as Chair of the Land Use and Transportation Committee, I have deemed the following matters are of an urgent nature and request they be considered by the full Board on Tuesday, December 11, 2018, as Committee Reports:

181111 General Plan Amendment - Downtown Area Plan - 1650, 1660, 1670 and 1680 Mission Street

Ordinance amending the General Plan to revise Map 1 of the Downtown Area Plan to include 1650, 1660, 1670 and 1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006, 008, 009 and 010, in the C-3-G (Downtown General Commercial District) area; and making environmental findings, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience and welfare under Planning Code, Section 340.

181112 General Plan Amendment - Market and Octavia Area Plan - 1650, 1660, 1670 and 1680 Mission Street

Ordinance amending the General Plan to revise Map 1 of the Market and Octavia Area Plan to change the designation of 1650, 1660, 1670 and 1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006, 008, 009 and 010, from NC-3 (Moderate Scale Neighborhood Commercial Transit) and P (Public Use District) to C-3-G (Downtown General Commercial District); and making environmental findings, findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience and welfare under Planning Code, Section 340.

Member, Board of Supervisors
District 11



City and County of San Francisco

AHSHA SAFAI

180474 Planning Code, Zoning Map - Rezoning 1650-1680 Mission Street

Ordinance amending the Planning Code by revising the Zoning Map to rezone 1650, 1660, and 1670 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006, and 008, from their current designation as NCT-3 (Moderate-Scale Neighborhood Commercial Transit District) to C-3-G (Downtown General Commercial), and to rezone 1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 009 and 010, from its current designation as P (Public) to C-3-G; affirming the Planning Department's determination 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.

These matters will be heard in the Land Use and Transportation Committee at a Regular Meeting on Monday, January 14, 2019, at 1:30 p.m.

A handwritten signature in black ink, appearing to read "Ahsha Safai".