



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary General Plan Amendment, Planning Code Text Amendment and Zoning Map Amendment

HEARING DATE: SEPTEMBER 24, 2015
CONTINUED FROM: JULY 16, 2015 & AUGUST 13, 2015

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Name: **Amendments to the General Plan, Planning Code and Zoning Map for 525 Harrison Street**

Case Number: 2013.0159TZ

Initiated by: Steve Vettel, Farella, Braun + Martel, LLP
235 Montgomery Street
San Francisco, CA 94104

Staff Contact: Richard Sucre, Historic Preservation Technical Specialist/Planner
richard.sucre@sfgov.org, 415-575-9108

Reviewed by: Julian Bañales, Senior Planner-Southeast Quadrant
julian.banales@sfgov.org, 415-558-6339

Recommendation: **Adoption of Recommendation of Approval for the General Plan Amendment, Planning Code Text Amendment & Zoning Map Amendment.**

The action before the Commission is an adoption of a recommendation specifying approval of amendments to the Rincon Hill Area Plan (General Plan Amendment), Planning Code, and Height and Bulk District Map, as described below. On May 28, 2015, the Commission initiated the General Plan Amendment, Planning Code Text Amendment and Zoning Map Amendment for 525 Harrison Street, as noted in Planning Commission Resolution No. 19382. The Commission's recommendation shall be forwarded to the Board of Supervisors for their consideration.

GENERAL PLAN AMENDMENT

The proposed General Plan Amendment would add text to Policies 3.3 and 3.4 of the Rincon Hill Area Plan to address modification of the tower spacing and tower bulk requirements of the San Francisco Planning Code.

PLANNING CODE TEXT AMENDMENT

The proposed Planning Code Text Amendment would add criteria to Planning Code Section 270(e) to allow for exceptions to the tower bulk, upper tower sculpting, and tower spacing requirements on Block 3764 under Planning Code Section 309.1.

ZONING MAP AMENDMENT

The proposed Zoning Map Amendment would amend Block/Lot 3764/063 on Height and Bulk District Map No. 01 (HT01) to decrease the height limit from 65/400-R to 65/250-R.

The Way It Is Now:

General Plan

Currently, the Policy 3.3 and 3.4 of the Rincon Hill Area Plan provide specific dimensions and requirements for tower bulk and tower spacing. Currently, the Rincon Hill Area Plan states:

Policy 3.3

Minimize tower bulk to the dimensions shown in Figure 4, to ensure a feasible tower floorplate, to create elegant, slender towers and to preserve views and exposure to light and air.

Policy 3.4

Require towers to be spaced no less than 115 feet apart, the maximum plan dimension per Figure 4 for towers over 85 feet in height, to minimize shadowing of streets and open space, and to preserve at least as much sky plane as tower bulk.

In recognition of pipeline housing projects at 375 and 399 Fremont Street, tower spacing less than 115 feet to a minimum of 80 feet may be permitted to encourage the provision of housing on these sites in keeping with the overall goals of this plan, provided that the other urban design and planning policies of the plan are met.

Planning Code Text

Currently, the subject parcel is located in the R (Rincon Hill and South Beach DTR) Bulk District. Per Planning Code Section 270(e), in the R-Bulk District, the bulk limitations include:

- A proposed building may not exceed a plan length of 90 feet and a diagonal dimension of 120 square feet.
- To encourage tower sculpting, the gross floor area of the top one-third of the tower must be reduced by 10 percent from the maximum floor plates, unless the overall tower floor plate is reduced by an equal or greater volume.
- In order to provide adequate sunlight and air to streets and open spaces, a minimum distance of 115 feet must be preserved between all structures above 110 feet in height at all levels above 110 feet in height.

Zoning Map

Currently, Block/Lot 3764/063 on Height and Bulk District Map No. 01 (HT01) has a height and bulk designation of 65/400-R.

The Way It Would Be:

General Plan Amendment

The following text would be added to Policies 3.3 and 3.4 of the Rincon Hill Area Plan to allow for a deviation from the tower bulk and tower separation policies:

In recognition of a new housing project at 525 Harrison Street, tower spacing less than 115 feet to a minimum of 82 feet and tower bulk in excess of the bulk control dimensions shown in Figure 4 may be permitted to encourage the provision of housing on this site in keeping with the overall goals of this plan, provided that the other urban design and planning policies of the plan are met.

(See the Attached Ordinance)

Planning Code Text Amendment

Planning Code Sections 270(e) and 309.1 would be amended to allow the Planning Commission to consider exceptions to the tower bulk, tower sculpting and tower spacing requirements on Block 3764 under Planning Code Section 309.1 (Permit Review in Downtown Residential Districts). The Planning Commission may grant an exception only on Assessor's Block 3764 Lot 063, if the proposed tower is no more than 250-ft in height, is located on a lot no more than 15,000 square feet, is primarily residential with no more than 250,000 gsf, and has a tower separation of 82-ft. (See the Attached Ordinance)

Zoning Map Amendment

Block 3764/063 on Height and Bulk District Map No. 01 (HT01) would be amended from 65/400-R to 65/250-R. (See the Attached Ordinance)

ENVIRONMENTAL REVIEW

The environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Rincon Hill Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on May 5, 2005, by Motion No. 17007, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

The Department is preparing an Addendum to the previously-certified Final EIR. Copies of the EIR Addendum will be provided upon availability.

PUBLIC COMMENT

As of the date of this report, the Department has one public correspondence regarding the proposed project, which has expressed neither support nor opposition to the proposed legislative amendments.

AMENDED HEARING NOTIFICATION (FOR PLANNING COMMISSION ACTION)

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	July 24, 2015	July 24, 2015	20 days
Posted Notice	20 days	July 24, 2015	July 24, 2015	20 days
Mailed Notice	10 days	August 3, 2015	July 24, 2015	20 days
Intersection Notice	10 days	August 3, 2015	July 24, 2015	20 days

ISSUES AND CONSIDERATIONS

- On May 28, 2015, the Commission initiated the General Plan Amendment, Planning Code Text Amendment and Zoning Map Amendment for 525 Harrison Street, as noted in Planning Commission Resolution No. 19382.
- Currently, the subject lot is irregularly-shaped and is bounded Harrison Street to the west and a freeway on-ramp to the east and south. The subject lot has 140-ft of frontage along Harrison Street. The subject lot contains a two-story concrete building that is occupied by a nightclub (d.b.a. Sound Factory).
- The Project Sponsor has applied for the amendments to General Plan, Planning Code and Zoning Map Amendment to accommodate a proposed project at 525 Harrison Street. The proposed project would construct a new 17-story residential tower (approximately 173-ft tall; measuring 229,270 gsf) with 179 dwelling units, 575 gsf of ground floor retail spaces and three levels of below-grade, off-street parking with 97 parking spaces.
- The proposed project requires a Downtown Project Authorization (DPA), as defined in Planning Code Section 309.1. The public hearing for the DPA is also scheduled on August 13, 2015.
- Currently, the Rincon Hill Area Plan and Planning Code include modifications to the requirements for the housing projects at 375 and 399 Fremont Street. The Rincon Hill Area Plan includes accommodations for a lesser tower separation and a modification of the bulk requirements for the projects at 375 and 399 Fremont Street. This precedent for lessening the tower separation is reinforced in the Planning Code through Planning Code Sections 270(e)(3) and 270(e)(4), which provide for a variation in the tower spacing and upper tower sculpting requirements for Block 3747 Lots 001E, 002 and 006. 375-399 Fremont Street first received its entitlements from the Planning Commission in March 2006.
- The surrounding area is mixed in character with smaller-scale commercial and light industrial uses and newer residential towers. Directly to the east of the subject lot is a vacant lot and a three-story commercial building. Across Harrison Street is a four-story commercial building and a residential tower at 45 Lansing Street, which is under construction. The surrounding area is predominantly located within the RH-DTR (Rincon Hill Downtown Residential) Zoning District. Further west and north, the area is characterized by either: TB-DTR (Transbay Downtown Residential), P (Public) or MUO (Mixed-Use Office) Zoning Districts.
- The subject lot would maintain its current zoning (RH-DTR).

- Subsequent to the July 2nd Planning Commission Design Review Hearing, the Project Sponsor has undertaken a redesign of the proposed project at 525 Harrison Street to address the concerns voiced by the Commission and to better align the project to the Rincon Hill Area Plan. The revised project entails construction of a new 23-story residential tower (approximately 250-ft tall; measuring 259,905 gsf) with 205 dwelling units, 575 gsf of ground floor retail spaces and three levels of below-grade, off-street parking with 103 parking spaces (See Attached Schematic Plans). Therefore, the Project Sponsor is also requesting a modification to the proposed Zoning Map Amendment to decrease the height limit from 65/400-R to 65/250-R for Block 3764 Lot 063.

REQUIRED COMMISSION ACTION

The Department recommends that the Commission recommend *approval* of amendment to the General Plan, Planning Code and Zoning Map and adopt the attached Draft Resolution.

BASIS FOR RECOMMENDATION

The Department recommends approval of the proposed amendments to the Rincon Hill Area Plan, so the Commission can consider the Project under Planning Code Section 309.1. The proposed legislative amendments would assist in facilitating a new residential housing project in support of the City's overall goals for housing production.

RECOMMENDATION: Recommendation of Approval
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Attachments:

- Draft Commission Resolution
- Draft Ordinances
- Planning Commission Resolution No. 19382
- Zoning Map
- Special Use District Map
- Block Book Map
- Sanborn Map
- Aerial Photographs



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. XXXXX General Plan Amendment, Planning Code Text Amendment & Zoning Map Amendment

HEARING DATE: SEPTEMBER 24, 2015

1650 Mission St.
Suite 400
San Francisco,
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Project Name: **Amendments to the General Plan, Planning Code and Zoning Map for 525 Harrison Street**

Case Number: 2013.0159TZ

Initiated by: Steve Vettel, Farella, Braun + Martel, LLP
235 Montgomery Street
San Francisco, CA 94104

Staff Contact: Richard Sucre, Historic Preservation Technical Specialist/Planner
richard.sucre@sfgov.org, 415-575-9108

Reviewed by: Julian Bañales, Senior Planner-Southeast Quadrant
julian.banales@sfgov.org, 415-558-6339

Recommendation: **Adoption of Recommendation of Approval for the General Plan Amendment, Planning Code Text Amendment & Zoning Map Amendment associated with the Project at 525 Harrison Street.**

APPROVAL OF AMENDMENTS TO POLICIES 3.3 AND 3.4 OF THE RINCON HILL AREA PLAN, AMENDMENTS TO PLANNING CODE 270(E) AND 309.1 TO ALLOW EXCEPTIONS TO THE TOWER BULK, TOWER SCULPTING AND TOWER SPACING REQUIREMENTS ON BLOCK 3764, AND ZONING MAP AMENDMENT TO SAN FRANCISCO ZONING MAP SHEET NO. HT01 TO DECREASE THE HEIGHT LIMIT FROM 65/400-R TO 65/250-R ON BLOCK NO. 3764, LOT NO. 063 (525 HARRISON STREET).

PREAMBLE

WHEREAS, on May 23, 2014, Steve Vettel of Farella, Bruan and Martel, LLP on behalf of Hines Interests, LP. (Property Owner) filed an application with the San Francisco Planning Department for a General Plan Amendment, Planning Code Text Amendment, and Zoning Map Amendment, as detailed in Case Number 2013.0159TZ; and

WHEREAS, the General Plan Amendment would amend Policies 3.3 and 3.4 of the Rincon Hill Area Plan (hereinafter RHAP) to allow for a deviation from the RHAP's tower separation and tower bulk policies for Assessor's Block 3764 and Lot 063;

WHEREAS, the Planning Code Text Amendment would amend Planning Code Sections 270(e) and 309.1 to allow for exceptions to the tower bulk, upper tower sculpting and tower spacing requirements described in Planning Code Section 270 (e)(2)(A), (F) and (G);

WHEREAS, the Zoning Map Amendment would amend Assessor's Block 3764 Lot 063 on San Francisco Height and Bulk Map Sheet No. HT01 to decrease the height and bulk limit from 65/400-R to 65/250-R; and

WHEREAS, the Planning Commission (hereinafter "Commission") initiated the proposed Ordinances on May 28, 2015, as noted in Resolution No. 19382; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing to consider the proposed Ordinances on August 13, 2015; and

WHEREAS, the environmental effects of the Ordinances were determined by the San Francisco Planning Department to have been fully reviewed under the Rincon Hill Plan Environmental Impact Report (hereinafter "EIR"). The EIR was prepared, circulated for public review and comment, and, at a public hearing on May 5, 2005, by Motion No. 17007, certified by the Commission as complying with the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 et seq., (hereinafter "CEQA"). The Commission has reviewed the Final EIR, which has been available for this Commission's review as well as public review.

WHEREAS, in approving the Rincon Hill Plan, the Commission adopted CEQA Findings in its Motion No. 17008 and hereby incorporates such Findings by reference.

WHEREAS, on August 6, 2015, the Department finalized an Addendum to the Rincon Hill Plan EIR, which determined that the analyses and the conclusions reached in the Final EIR remain valid. The proposed Ordinances would not cause new significant adverse impacts beyond those identified in the original Rincon Hill Plan Final EIR.

WHEREAS, since the Rincon Hill Plan Final EIR was certified, there have been no substantial changes to the Rincon Hill Area Plan and no substantial changes in circumstances that would require major revisions to the Final EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts. There is no new information of substantial importance that would change the conclusions set forth in the Final EIR. No further environmental review is required. The file for this project, including the Rincon Hill Final EIR and the EIR Addendum, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California (Case No. 2013.0159E).

WHEREAS, the 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, the 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 Commission has reviewed the proposed Ordinance:

MOVED, that pursuant to Planning Code Section 302(b), the Planning Commission Adopts a Resolution of Approval to amend Policies 3.3 and 3.4 of the Rincon Hill Area Plan, amend Planning Code Section 270(e)

to allow for exceptions to the tower bulk, upper tower sculpting and tower spacing requirements under Planning Code Section 309.1, and amend San Francisco Zoning Map No. HT01 to decrease the height limit from 65/400-R to 65/250-R for Block 3764 Lot 063.

AND BE IT FURTHER RESOLVED, That pursuant to Planning Code Section 306.3, the Planning Commission recommends approval of the above referenced Zoning Map Amendment contained in the Case No. 2013.0159TZ, approved as to form by the City Attorney in **Exhibit A**.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on September 24, 2015.

Jonas P. Ionin
Commission Secretary

AYES:

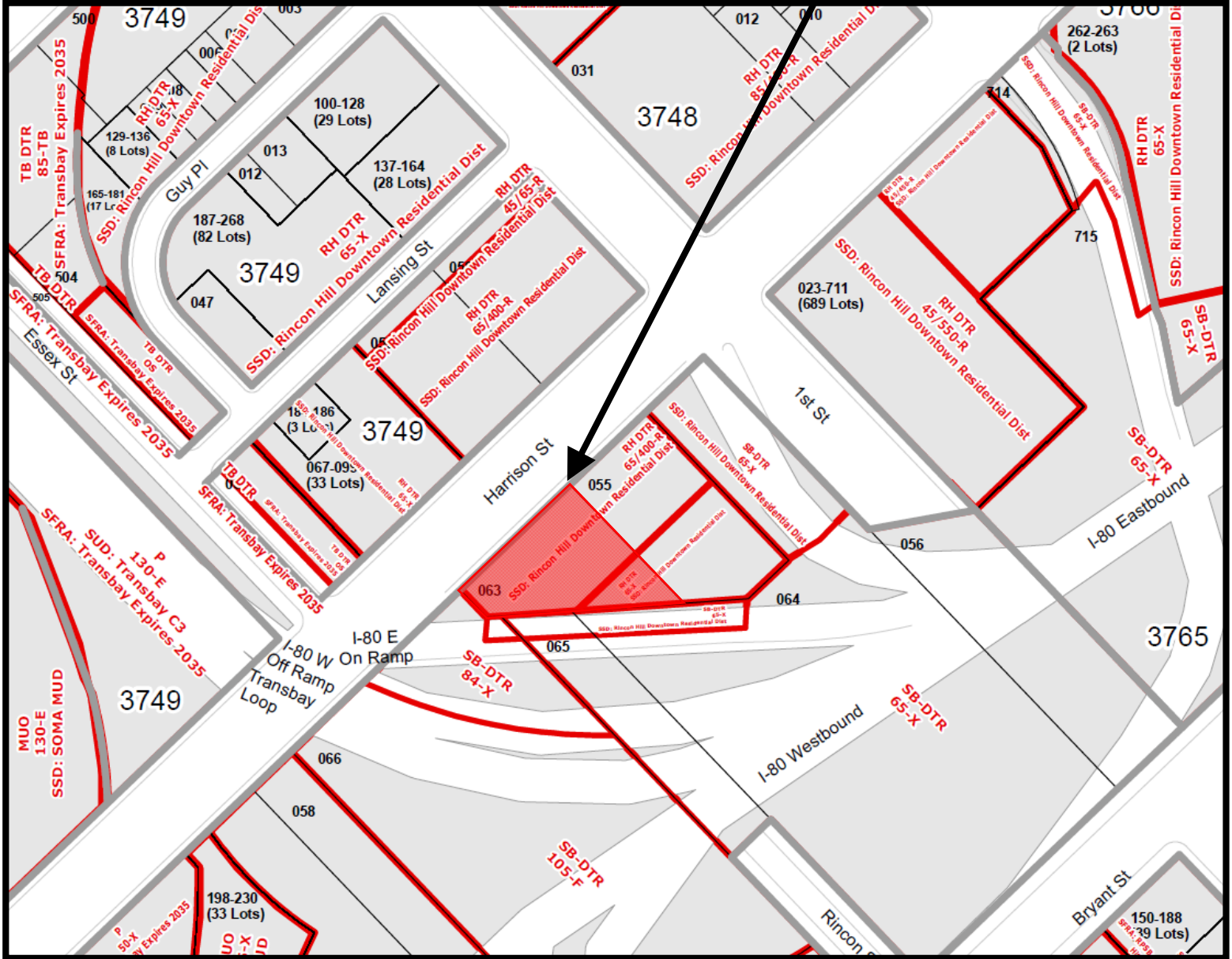
NAYES:

ABSENT:

ADOPTED: September 24, 2015

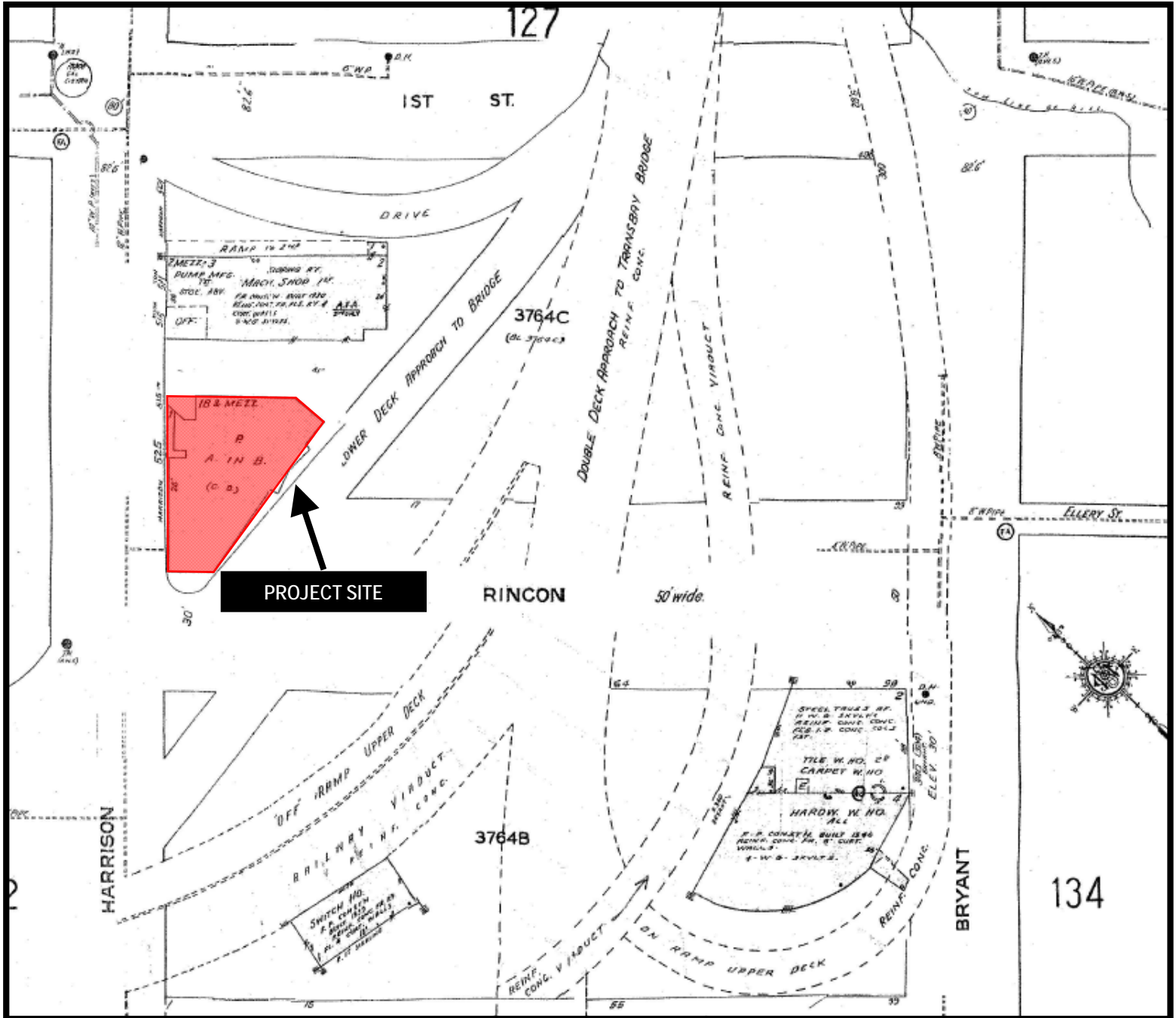
Parcel Map

SUBJECT LOT



General Plan Amendment, Planning Code
Text Amendment & Zoning Map Amendment
Case Number 2013.0159TZ
525 Harrison Street

Sanborn Map*

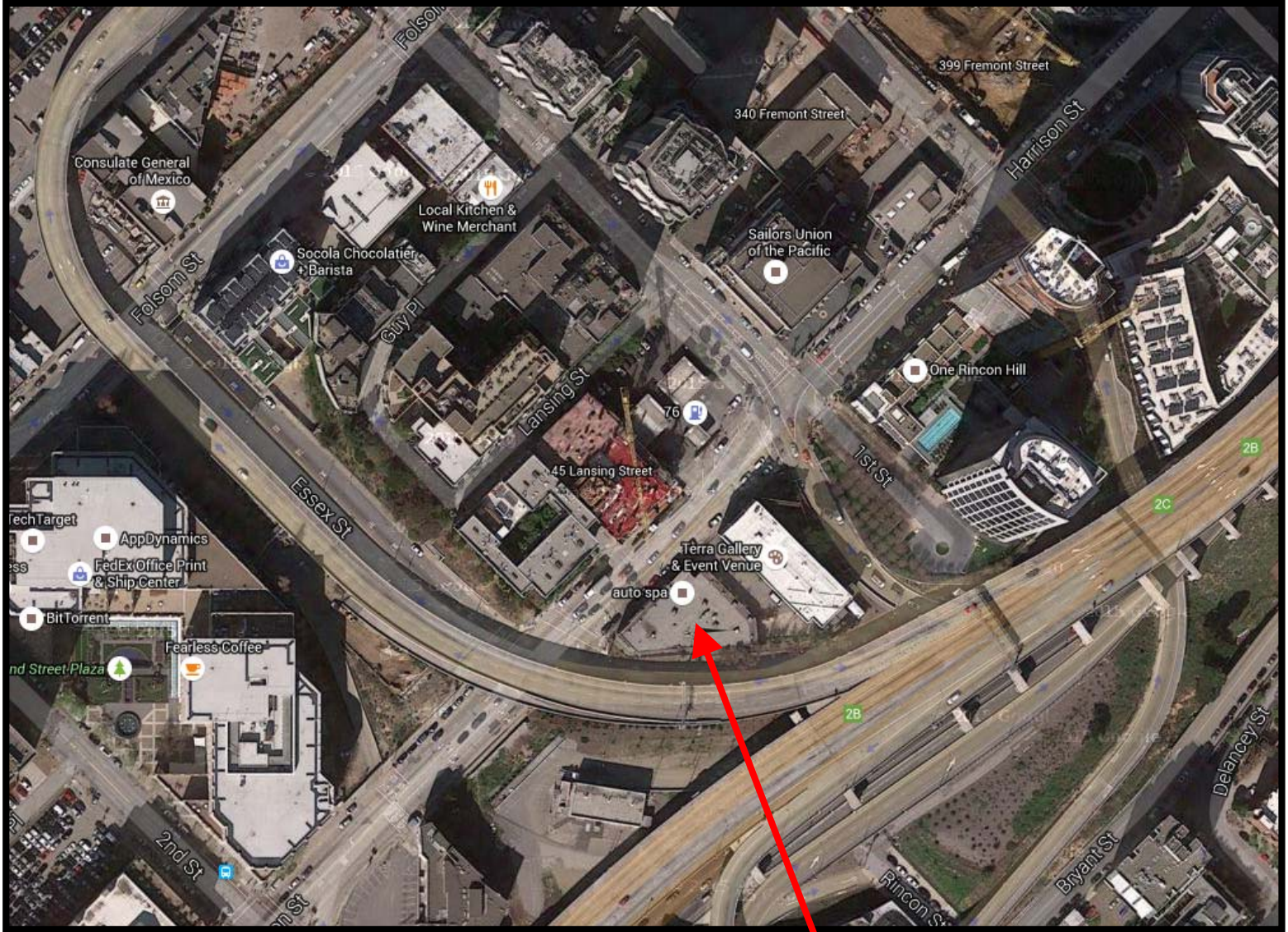


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



General Plan Amendment, Planning Code
 Text Amendment & Zoning Map Amendment
 Case Number 2013.0159TZ
 525 Harrison Street

Aerial Photo

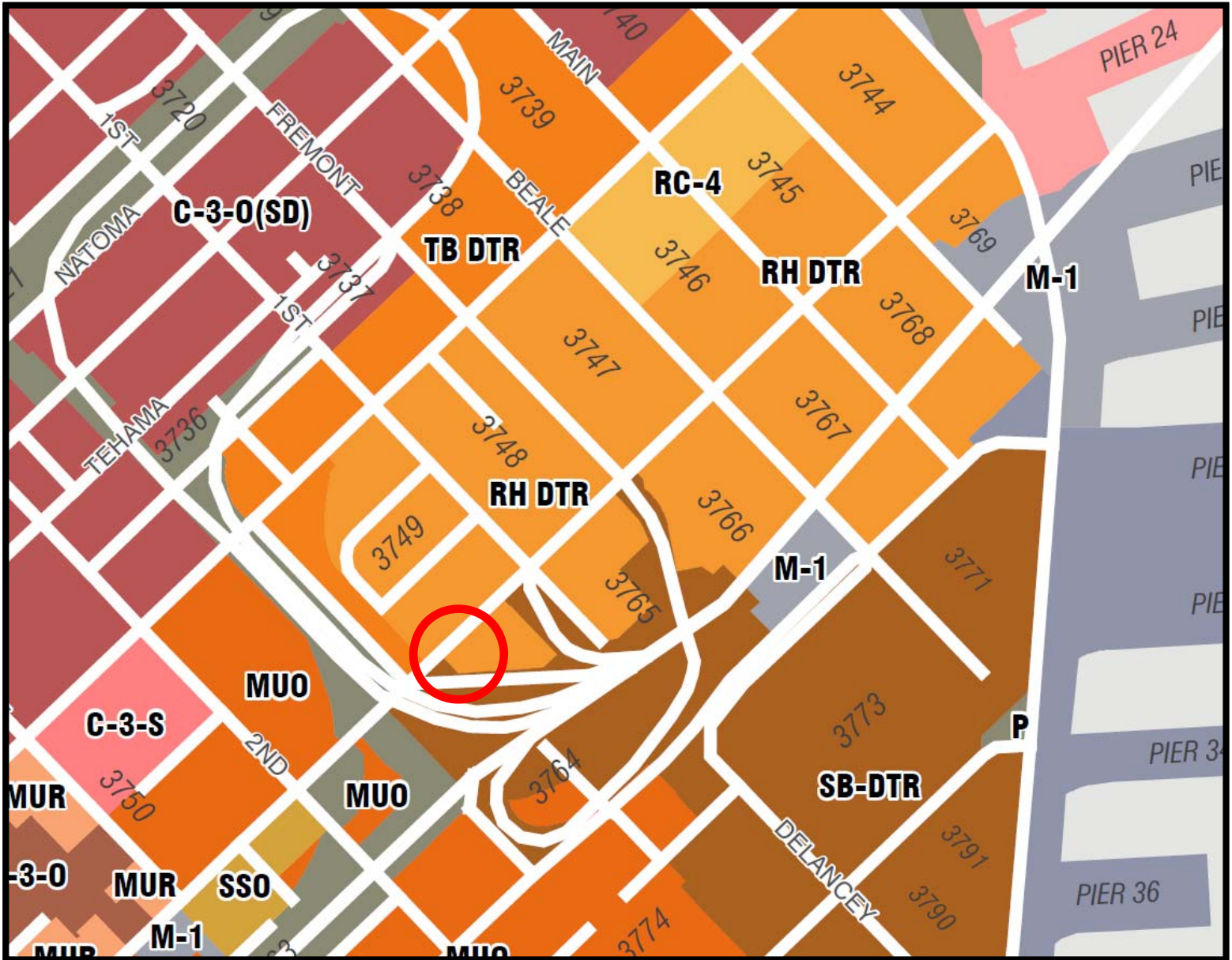


PROJECT SITE



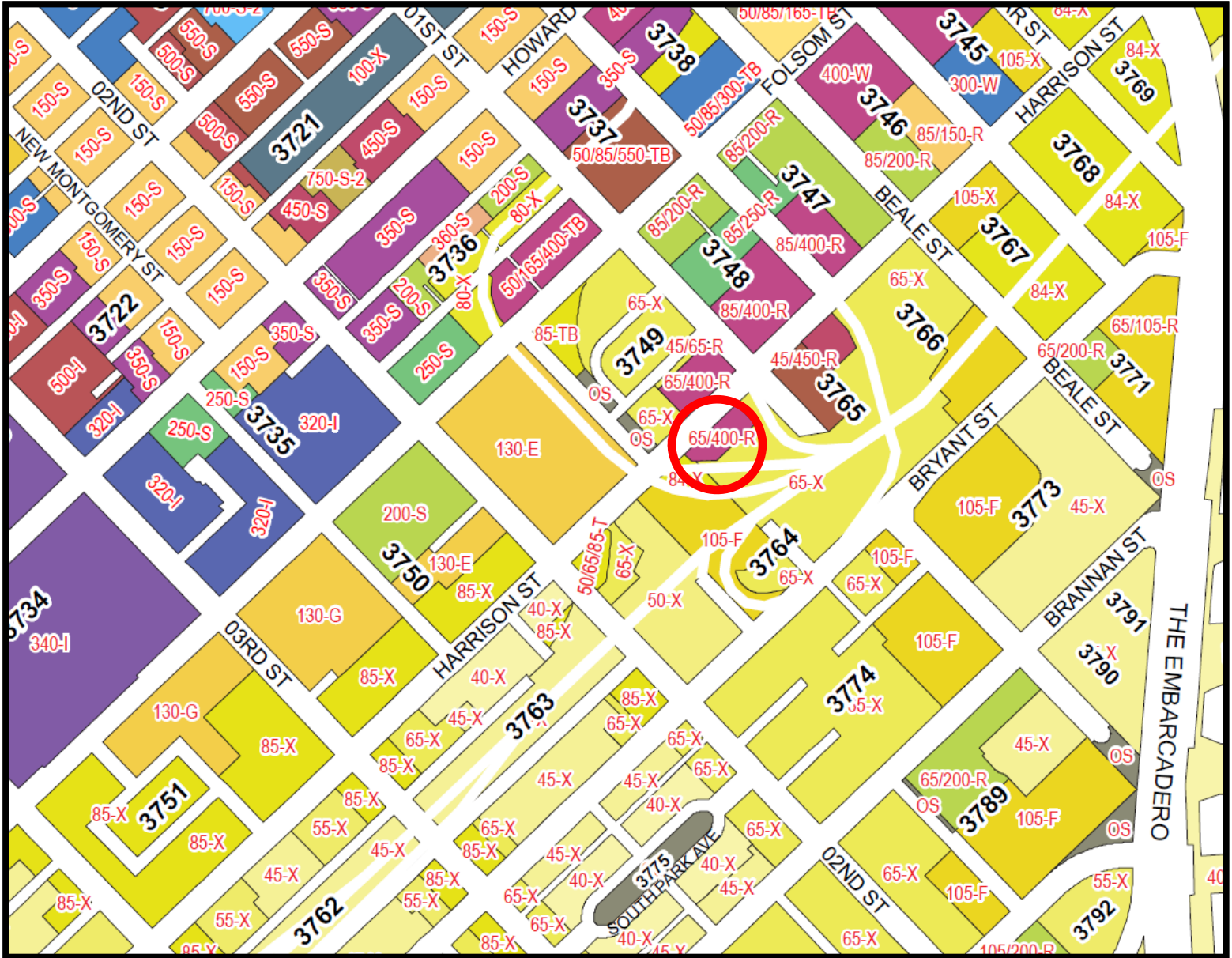
General Plan Amendment, Planning Code
Text Amendment & Zoning Map Amendment
Case Number 2013.0159TZ
525 Harrison Street

Zoning Map



General Plan Amendment, Planning Code
Text Amendment & Zoning Map Amendment
Case Number 2013.0159TZ
525 Harrison Street

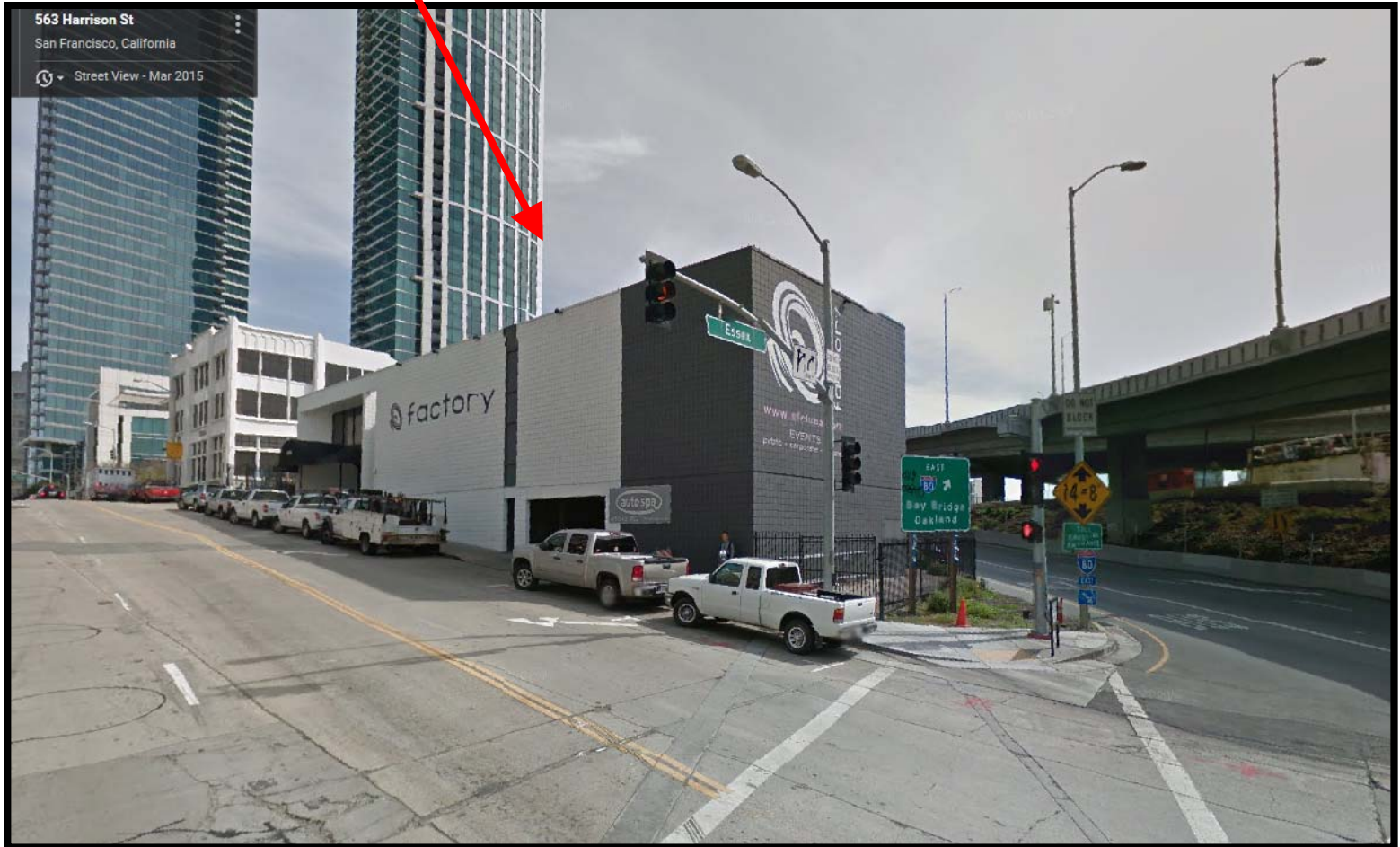
Height & Bulk District Map



General Plan Amendment, Planning Code
Text Amendment & Zoning Map Amendment
Case Number 2013.0159TZ
525 Harrison Street

Site Photo

PROJECT SITE

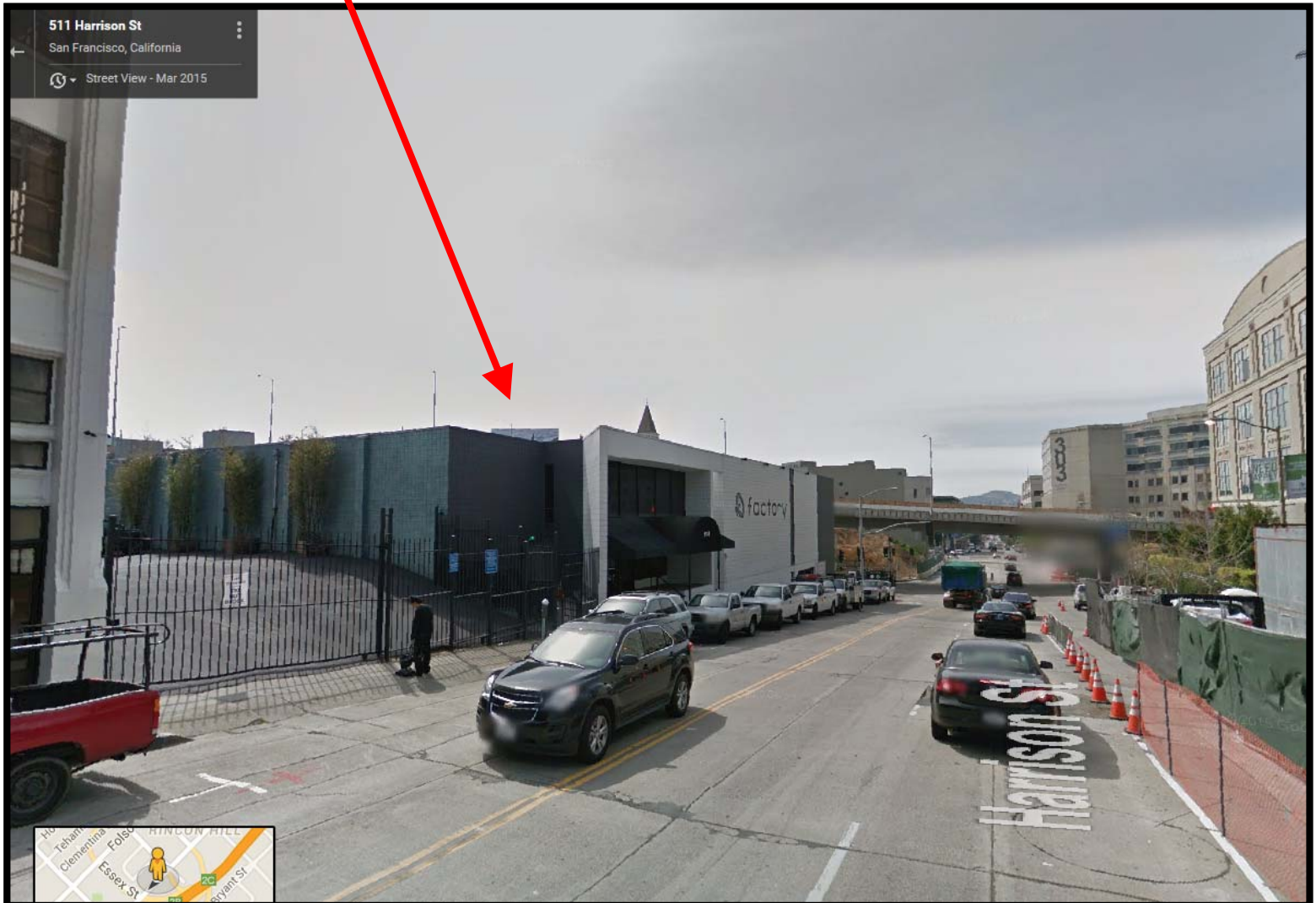


525 Harrison Street

General Plan Amendment, Planning Code
Text Amendment & Zoning Map Amendment
Case Number 2013.0159TZ
525 Harrison Street

Site Photo

PROJECT SITE



525 Harrison Street

General Plan Amendment, Planning Code
Text Amendment & Zoning Map Amendment
Case Number 2013.0159TZ
525 Harrison Street



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 19382

HEARING DATE: MAY 28, 2015

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
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Project Name: **Amendments to the General Plan, Planning Code and Zoning Map for 525 Harrison Street**

Case Number: 2013.0159TZ

Initiated by: Steve Vettel, Farella, Braun + Martel, LLP
235 Montgomery Street
San Francisco, CA 94104

Staff Contact: Richard Sucre, Historic Preservation Technical Specialist/Planner
richard.sucre@sfgov.org, 415-575-9108

Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362

Recommendation: **Approval to Initiate the General Plan Amendment, Planning Code Text Amendment & Zoning Map Amendment and Schedule the Adoption Hearing on or after July 16, 2015.**

INITIATING A GENERAL PLAN AMENDMENT TO POLICIES 3.3 AND 3.4 OF THE RINCON HILL AREA PLAN, PLANNING CODE TEXT AMENDMENT TO PLANNING CODE SECTION 270(E), AND ZONING MAP AMENDMENT TO BLOCK NO. 3764 LOT 063 ON SAN FRANCISCO HEIGHT AND BULK MAP SHEET NO. HT01.

PREAMBLE

WHEREAS, on May 23, 2014, Steve Vettel of Farella, Bruan and Martel, LLP on behalf of Hines Interests, LP. (Property Owner) filed an application with the San Francisco Planning Department for a General Plan Amendment, Planning Code Text Amendment, and Zoning Map Amendment, as detailed in Case Number 2013.0159TZ; and

WHEREAS, the General Plan Amendment would amend Policies 3.3 and 3.4 of the Rincon Hill Area Plan (hereinafter RHAP) to allow for a deviation from the RHAP's tower separation and tower bulk policies for Assessor's Block 3764 and Lot 063;

WHEREAS, the Planning Code Text Amendment would amend the Planning Code to allow for exceptions to the tower bulk, upper tower sculpting and tower spacing requirements described in Planning Code Section 270 (e)(2)(A), (F) and (G);

WHEREAS, the Zoning Map Amendment would amend Assessor's Block 3764 Lot 063 on San Francisco Height and Bulk Map Sheet No. HT01 to decrease the height and bulk limit from 65/400-R to 65/200-R; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing to consider the initiation of the proposed Ordinance on May 28, 2015; and

WHEREAS, the 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, the 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 Commission has reviewed the proposed Ordinance:

MOVED, that pursuant to Planning Code Section 302(b), the Planning Commission adopts a Resolution of Intent to Initiate amendments to the General Plan, Planning Code and Zoning Map.

AND BE IT FURTHER RESOLVED, That pursuant to Planning Code Section 306.3, the Planning Commission authorizes the Department to provide appropriate notice for a public hearing to consider the above referenced General Plan Amendment, Planning Code Text Amendment & Zoning Map Amendment contained in the Case No. 2013.0159TZ, approved as to form by the City Attorney in **Exhibit A**, to be considered at a publicly noticed hearing on or after July 16, 2015.

I hereby certify that the foregoing Resolution was **ADOPTED** by the San Francisco Planning Commission on May 28, 2015.

Jonas P. Ionin
Commission Secretary

AYES: Antonini, Hillis, Moore and Wu

NOES: Fong and Richards

ABSENT: Johnson

1 [General Plan Amendment - Rincon Hill Area Plan]

2
3 **Ordinance amending the General Plan by amending the Rincon Hill Area Plan, Policies**
4 **3.3 and 3.4; making findings, including findings of consistency with the General Plan**
5 **and the eight priority policies of Planning Code Section 101.1 and affirming the**
6 **Planning Department's determination under the California Environmental Quality Act.**

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

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

15 Section 1. Findings.

16 (a) Charter Section 4.105 and Planning Code Section 340 provide that the
17 Planning Commission shall periodically recommend to the Board of Supervisors, for approval
18 or rejection, proposed amendments to the San Francisco General Plan.

19 (b) Planning Code Section 340 provides that an amendment to the General Plan
20 may be initiated by a resolution of intention by the Planning Commission, which refers to, and
21 incorporates by reference, the proposed General Plan amendment. Section 340 further
22 provides that the Planning Commission shall adopt the proposed General Plan amendment
23 after a public hearing if it finds from the facts presented that the public necessity, convenience
24 and general welfare require the proposed amendment or any part thereof. If adopted by the
25 Commission in whole or in part, the proposed amendment shall be presented to the Board of
Supervisors, which may approve or reject the amendment by a majority vote.

1 (c) The Rincon Hill Area Plan Element of the General Plan was adopted by the
2 Planning Commission and Board of Supervisors in 2005.

3 (d) Pursuant to Planning Code Section 340, the Planning Commission initiated this
4 amendment on _____, 2015, in Motion No. _____. Pursuant to Planning Code Section
5 340 and Charter Section 4.105, the Planning Commission adopted this amendment to the
6 Rincon Hill Area Plan on _____, 2015 in Resolution No._____, finding that this amendment
7 serves the public necessity, convenience and general welfare, and is in conformity with the
8 General Plan and the eight Priority Policies in Planning Code Section 101.1.

9 (e) The Planning Department has determined that the actions contemplated in this
10 ordinance comply with the California Environmental Quality Act (California Public Resources
11 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
12 Supervisors in File No. _____ and is incorporated herein by reference. The Board affirms
13 this determination.

14 (f) The _____, 2015 letter from the Planning Department transmitting the proposed
15 amendment to the Rincon Hill Area Plan, and the resolutions adopted by the Planning
16 Commission with respect to the approval of this amendment to the Rincon Hill Area Plan, are
17 on file with the Clerk of the Board of Supervisors in File No. _____.

18 (g) The Board of Supervisors finds, pursuant to Planning Code Section 340, that
19 this amendment to the Rincon Hill Area Plan, set forth in the documents on file with the Clerk
20 of the Board in File No._____, will serve the public necessity, convenience and general
21 welfare for the reasons set forth in Planning Commission Resolution No. _____ and
22 incorporates those reasons herein by reference.

23 (h) The Board of Supervisors finds that these amendments to the Rincon Hill Area
24 Plan, as set forth in the documents on file with the Clerk of the Board in Board File
25 No._____, is in conformity with the General Plan and the eight priority policies of Planning

1 Code Section 101.1 for the reasons set forth in Planning Commission Resolution No.
2 _____. The Board hereby adopts the findings set forth in Planning Commission
3 Resolution No. _____ and incorporates those findings herein by reference.
4

5 Section 2. The San Francisco General Plan is hereby amended by revising the Rincon
6 Hill Area Plan Element of the General Plan, Policies 3.3 and 3.4 of the Rincon Hill Area Plan,
7 to read as follows:

8 Policy 3.3

9 Minimize tower bulk to the dimensions shown in Figure 4, to ensure a feasible tower
10 floorplate, to create elegant, slender towers and to preserve views and exposure to light and
11 air. In recognition of a new housing project at 525 Harrison Street, tower spacing less than 115 feet to
12 a minimum of 82 feet and tower bulk in excess of the bulk control dimensions shown in Figure 4 may be
13 permitted to encourage the provision of housing on this site in keeping with the overall goals of this
14 plan, provided that the other urban design and planning policies of the plan are met.

15 Policy 3.4

16 Require towers to be spaced no less than 115 feet apart, the maximum plan dimension
17 per Figure 4 for towers over 85 feet in height, to minimize shadowing of streets and open
18 space, and to preserve at least as much sky plane as tower bulk. In recognition of a new
19 housing project at 525 Harrison Street, tower spacing less than 115 feet to a minimum of 82 feet and
20 tower bulk in excess of the bulk control dimensions shown in Figure 4 may be permitted to encourage
21 the provision of housing on this site in keeping with the overall goals of this plan, provided that the
22 other urban design and planning policies of the plan are met.
23

24 Section 3. Effective Date. This ordinance shall become effective 30 days after
25 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the

1 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
2 of Supervisors overrides the Mayor's veto of the ordinance.

3
4 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
5 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
6 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
7 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
8 additions, and Board amendment deletions in accordance with the "Note" that appears under
9 the official title of the ordinance

10
11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

13 By:


14 KATE H. STACY
15 Deputy City Attorney

16 n:\legana\as2015\1500819\01014519.docx

1 [Planning Code, Zoning Map - 525 Harrison Street]

2
3 **Ordinance amending the Planning Code regarding bulk limits and exceptions to the**
4 **tower separation requirements on 525 Harrison Street, Assessor's Block 3764, Lot 063,**
5 **and amending the Zoning Map to redesignate a portion of Block 3764, Lot 063 from a**
6 **65/400-R height and bulk district to a 65/250-R height and bulk district; affirming the**
7 **Planning Department's determination under the California Environmental Quality Act;**
8 **and making findings of consistency with the General Plan and the eight priority**
9 **policies of Planning Code Section 101.1 and findings under Planning Code Section 302.**

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

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

18 Section 1. Findings.

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

24 (b) Pursuant to Planning Code Section 302, this Board finds that the actions
25 contemplated in this ordinance will serve the public necessity, convenience, and welfare for
the reasons set forth in Planning Commission Resolution No. _____ and the Board

1 incorporates such reasons herein by reference. A copy of the Planning Commission
2 Resolution No. _____ is on file with the Clerk of the Board of Supervisors in File No.
3 _____.

4 (c) On _____, 2015, the Planning Commission, in Resolution No. _____, adopted
5 findings that the actions contemplated in this ordinance are consistent, on balance, with the
6 City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
7 adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
8 Board of Supervisors in File No. _____, and is incorporated herein by reference.

9
10 Section 2. The Planning Code is hereby amended by revising Section 270 to read as
11 follows:

12 **SEC. 270. BULK LIMITS: MEASUREMENT.**

13 * * * *

14 (e) **Rincon Hill and South Beach.** In Bulk District R (Rincon Hill and South Beach
15 DTR Districts), bulk limitations are as follows:

16 (1) There are no bulk limits below the podium height as described in Section
17 263.19, except for the lot coverage limitations and setback requirements described in
18 Sections 825 and 827.

19 (2) **Tower Bulk and Spacing.** All portions of structures above the podium
20 height as described in Section 263.19 shall meet the following bulk limitations, as illustrated in
21 Chart C.

22 (A) Buildings between the podium height limit and 240 feet in height may
23 not exceed a plan length of 90 feet and a diagonal dimension of 120 square feet.

1 (B) Buildings between 241 and 300 feet in height may not exceed a plan
2 length of 100 feet and a diagonal dimension of 125 feet, and may not exceed a maximum
3 average floor area of 8,500 gross square feet.

4 (C) Buildings between 301 and 350 feet in height may not exceed a plan
5 length of 115 feet and a diagonal dimension of 145 feet. They may not exceed a maximum
6 average floor area of 9,000 gross square feet.

7 (D) Buildings between 351 and 550 feet in height may not exceed a plan
8 length of 115 feet and a diagonal dimension of 145 feet. They may not exceed a maximum
9 average floor area of 10,000 gross square feet.

10 (E) To allow variety in the articulation of towers, the floor plates of
11 individual floors may exceed the maximums described above by as much as 5 percent,
12 provided the maximum average floor plate is met.

13 (F) To encourage tower sculpting, the gross floor area of the top one-
14 third of the tower shall be reduced by 10 percent from the maximum floor plates described in
15 (A) - (D) above, unless the overall tower floor plate is reduced by an equal or greater volume.

16 (G) In order to provide adequate sunlight and air to streets and open
17 spaces, a minimum distance of 115 feet must be preserved between all structures above 110
18 feet in height at all levels above 110 feet in height. Spacing shall be measured horizontally
19 from the outside surface of the exterior wall of the subject building to the nearest point on the
20 closest structure above 110 feet in height. Any project that is permitted pursuant to the
21 exception described in Section 270(e)(3) shall not be considered for the purposes of
22 measuring tower spacing pursuant to this Section.

23 (H) The procedures for granting special exceptions to bulk limits
24 described in Section 271 shall not apply; exceptions may be granted pursuant to Sections
25 270(e)(3) and 270(e)(4).

1 (I) Additional setback, lot coverage, and design requirements for the
2 DTR Districts are described in Sections 825, ~~and 827~~, 828 and 829.

3 (3) **Exceptions to tower spacing and upper tower sculpting requirements**
4 **in Rincon Hill DTR.** An exception to the 115 feet tower spacing requirement and the upper
5 tower sculpting requirement described in (e)(2)(F) and (G) above may be granted to a project
6 only on Block 3747 on a lot formed by the merger of part or all of Lots 001E, 002 and 006,
7 pursuant to the procedures described in 309.1 of this Code provided that projects meet the
8 following criteria:

9 (A) Applications for environmental review and conditional use related to
10 a building above 85 feet in height on the subject lot have been filed with the Department prior
11 to March 1, 2003 and February 1, 2005, respectively;

12 (B) Given the 115 tower spacing requirement described in (~~F~~G) above,
13 the existence of an adjacent building greater than 85 feet in height precludes the development
14 of a tower on the subject lot;

15 (C) The subject lot has a total area of no less than 35,000 square feet;

16 (D) The proposed project is primarily residential and has an area of no
17 more than 528,000 gross square feet;

18 (E) The proposed project conforms to all other controls described or
19 referenced in Section 827 and any other controls in this Code related to the Rincon Hill DTR
20 District.

21 (F) For the purposes of subsection (~~iv~~D) above, the term "gross square
22 feet" shall be the sum of the gross areas of all floors of a building or buildings above street
23 grade measured from the exterior faces of exterior walls or from the center lines of walls
24 separating two buildings, excluding area below street grade. Where columns are outside and
25 separated from an exterior wall (curtain wall) which encloses the building space or are

1 otherwise so arranged that the curtain wall is clearly separated from the structural members,
2 the exterior face of the curtain wall shall be the line of measurement, and the area of the
3 columns themselves at each floor shall also be counted.

4 **(4) Allowance for limited reduction in spacing from existing towers in**
5 **Rincon Hill DTR.** To allow limited variation in tower placement from towers for which a
6 certificate of occupancy has been issued prior to February 1, 2005, a reduction in tower
7 spacing described in (e)(2)(G) above may be granted pursuant to the procedures described in
8 309.1 of this Code if all the following criteria are met:

9 (A) For every percent reduction from the maximum average floor area
10 as described in (2) above, an equal percent reduction in tower separation may be granted
11 subject to the following limits:

12 (i) Up to a height of one-and-one-half times the maximum
13 permitted podium height, tower spacing described in (e)(2)(G) above may be reduced by not
14 more than 15 percent;

15 (ii) up to a height of 180 feet, tower spacing described in (e)(2)(G)
16 above may be reduced by not more than 10 percent; and

17 (iii) all floors above 180 feet achieve the full 115-foot minimum
18 tower spacing requirement described in (e)(2)(G) above. A project may average the tower
19 separation of all floors below 180 feet so long as the requirements of (ii) and (iii) herein are
20 satisfied.

21 * * * *

22 **(5) Exceptions to Tower Bulk, Upper Tower Sculpting and Tower Spacing**
23 **Requirements on Block 3764. Exceptions to the tower bulk, upper tower sculpting and tower spacing**
24 **requirements described in Subsections (e)(2)(A), (F) and (G) above may be granted to a project only on**
25

1 Block 3764, Lot 063, pursuant to the procedures described in Section 309.1 of this Code, provided that
2 the project meets all of the following criteria:

3 (A) Within 115 feet of Block 3764, Lot 063, there is a tower greater than 85 feet
4 in height as part of a building that has received a First Construction Document;

5 (B) The project involves the construction of, or alteration to, a tower of no more
6 than 250 feet in height;

7 (C) The subject lot has a total area of no more than 15,000 square feet;

8 (D) A minimum distance of 82 feet is preserved between any structures on the
9 parcel and any other structure on or off the parcel above 110 feet in height at all levels above 110 feet
10 in height. Spacing shall be measured horizontally from the outside surface of the exterior wall of
11 structures, which shall include those features described in Planning Code Section 136(c)(2) and (3);

12 and

13 (E) The project is primarily residential and contains no more than 250,000
14 gross square feet.

15
16 Section 3. The Planning Code is hereby amended by revising Section 309.1 to
17 read as follows:

18 **SEC. 309.1. PERMIT REVIEW IN DOWNTOWN RESIDENTIAL DISTRICTS.**

19 The provisions and procedures set forth in this Section shall govern the review of project
20 authorization and building and site permit applications for the construction or substantial
21 alteration of structures in Downtown Residential districts, the granting of exceptions to
22 requirements of this Code, and the imposition of modifications necessary to achieve the
23 objectives and policies of the General Plan and the purposes of this Code as provided for in
24 Section 825 and elsewhere. When any action authorized by this Section is taken, any
25

1 determination with respect to the proposed project required or authorized pursuant to CEQA
2 may also be considered.

3 * * * *

4 (b) **Exceptions.**

5 (1) Exceptions to the following provisions of this Code may be granted as provided for
6 below:

7 (A) Exceptions to the tower separation requirements of Section 270(e), pursuant to the
8 criteria described in Sections 270(e)(3), ~~and 270(e)(4)~~ and 270(e)(5).

9 (B) Provision for exceeding an accessory residential parking ratio principally permitted
10 and up to the maximum permitted by Table 151.1.

11 (C) Exceptions to the lot coverage requirements of Section 825(b)(2) for conversions of
12 existing non-residential structures to residential use.

13 (D) Reductions in the dwelling unit exposure requirements of Section 140.

14 (E) Allowing parking access from Folsom Street, pursuant to 827(a)(8)(A)(ii) and
15 155(r).

16 (F) Reduction of required on-site residential open space of 36 square feet per unit
17 described in Section 827(a)(9) to create additional off-site publicly-accessible open space and
18 superior building design.

19 (G) Design, location, and size of publicly-accessible open space as allowed by Section
20 827(a)(9) and equivalence of proposed publicly-accessible open space in size and quality with
21 required on-site open space.

22 (H) Modifications to the required upper story setback above a height of 45 feet on the
23 north side of mid-block pedestrian pathways as allowed in Section 827(a)(5)(C)(i).

24 (I) On development lots larger than ½-acre, minor deviations from the provisions for
25 measurement of height in Section 260 of the Code as otherwise provided in Section

1 304(d)(6), in cases where the Planning Commission finds that such minor measurement
2 modification is necessary for a project of outstanding overall design, complementary to the
3 design of the surrounding area, and necessary to meet the intent and policies of the relevant
4 area plan of the General Plan.

5 * * * *

6
7 Section 4. Sheet HT01 of the Zoning Map of the City and County of San Francisco is
8 hereby amended as follows:

9

<u>Description of Property</u>	<u>Height and Bulk District</u> <u>Superseded</u>	<u>Height and Bulk District Approved</u>
Assessor's Block/Lot: 3764/063	65-X; 65/400-R	65-X; 65/250-R

10
11
12
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14
15
16 Section 5. Effective Date and Operative Date.

17 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs
18 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not
19 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the
20 Mayor's veto of the ordinance.

21 (b) This ordinance shall become operative upon its effective date or upon the effective
22 date of the related General Plan Amendment contained in Board of Supervisors File No.
23 _____, whichever occurs later. If the effective date of the related General Plan
24 Amendment does not occur within 90 days of the effective date of this ordinance, this
25 ordinance shall expire by operation of law.

1
2 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
3 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
4 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
5 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
6 additions, and Board amendment deletions in accordance with the "Note" that appears under
7 the official title of the ordinance

8
9 APPROVED AS TO FORM:
10 DENNIS J. HERRERA, City Attorney

11 By:


12 KATE H. STACY
13 Deputy City Attorney

14 n:\legana\as2015\1500819\01014922.docx

Sucre, Richard (CPC)

From: Sue Hestor <hestor@earthlink.net>
Sent: Sunday, May 24, 2015 7:41 PM
To: Kathrin Moore; Johnson, Christine (CPC); Richards, Dennis (CPC); Rodney Fong; Cindy Wu; Rich Hillis; Michael Antonini
Cc: Secretary, Commissions (CPC); Rich.sucre@sfgov.org; Jamie Whitaker; Dorothy Dana; Katy Liddell; Andrew Brooks; Jones, Sarah (CPC); Schuett, Rachel (CPC)
Subject: 525 Harrison initiation Thursday 5/28

I am unable to be at the Thursday 5/28 Planning Commission meeting. I submit these comments on item #9 for your consideration.

Item #9 is initiation of various text and map changes for the **525 Harrison St project 2013.0159TZ**. The legislation proposes that the hearing to approve 525 Harrison be set no earlier than June 18. A substantial amount of what would be in the staff report to approve the project is in the case material for the initiation. I am basing my comments on what appears in that staff report, including its lack of any environmental document.

The 525 Harrison site is DIRECTLY ACROSS THE BAY BRIDGE from 340 Bryant on the south side of the Bridge. 525 Harrison also DIRECTLY ABUTS THE HEAVY TRAFFIC ON THE ESSEX STREET ON-RAMP ONTO THE NORTH SIDE OF THAT BRIDGE. (According to the recent Chronicle, what also may be a counter-flow west-bound lane during a.m. peak).

This is the second building RIGHT NEXT TO THE BAY BRIDGE (**site across Bridge to the south - 340 Bryant**) where **fast-flowing traffic plus a difficult site** create access problems to the proposed housing units. Specifically for *pedestrians and bicycles*. For 340 Bryant, Sterling not Essex Street provides direct access onto the Bay Bridge. When 340 Bryant was appealed to them, the Board of Supervisors and Board of Appeals responded to public concern about the lack of safe access to 340 Bryant - and required modifications for access. Those changes are are not yet worked out because access to 340 Bryant is so complicated. Action by the Boards was required because Planning failed to analyze, set out problems of safe access, and require installation of modifications to ensure safe pedestrian and bicycle access across Bryant to the change from industrial to tech offices. Here it is Harrison Street.

On again Environmental Review will issue an exemption, this time based on the Rincon Hill Area Plan EIR, for 340 Bryant based on the Eastern Neighborhoods Area Plan EIR. Like 340 Bryant, 525 Harrison needs safe pedestrian access to a VERY DIFFICULT SITE.

I request that the Commission make the following requirements for consideration of approval of 525 Harrison:

- That a thorough analysis of solving access problems to this site AND REQUIRING CONSTRUCTION OF IMPROVEMENTS be done prior to issuing an Environmental EXEMPTION.
- That there be notice of the availability of the environmental exemption at LEAST ONE MONTH before any scheduled consideration of project approval, so that the public can be informed of the proposed provision of safe access.
- That the staff report for the project be available at least TWO WEEKS before the matter is to be considered by the Planning Commission so that there is time for the public to submit written comments for consideration by the Commission.

These changes will require that the next hearing be later than June 18.

Sue Hestor

Attorney for appellant in 340 Bryant
870 Market St #1128
San Francisco 94102

PLEASE PRINT OUT THIS EMAIL AND INSERT INTO APPROPRIATE WRITTEN FILES OF PLANNING COMMISSION