



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Zoning Map and General Plan Amendments

HEARING DATE: OCTOBER 25, 2018
90-DAY DEADLINE: DECEMBER 18, 2018

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Project Name: **Rezoning 1650-1680 Mission Street**
Case Number: **2018-007507MAP [Board File No. 180474]**
2018-007507GPA [Board File No. TBD]
2018-007507GPA-2 [Board File No. TBD]
Initiated by: SF Real Estate Division / Introduced May 15, 2018
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362
Recommendation: **Approval**

PLANNING CODE AMENDMENT

Zoning Map Amendment

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;

Downtown Plan Amendment

The proposed Ordinance would amend the San Francisco General Plan to revise Map 1 of the Downtown Area Plan (Exhibit D) to include 1650, 1660, 1670, and 1680 Mission Street, Assessor's Block No. 3512, Lot Nos. 005, 006, 008, 009, and 010 in the C-3-G, Downtown General Area Plan.

Market and Octavia Plan Amendment

Ordinance amending the San Francisco General Plan to revise Map 1 of the Market and Octavia Area Plan (Exhibit E) 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.

The Way It Is Now:

Zoning Map Amendment

1. 1650, 1660, and 1670 Mission Street are zoned NCT-3.
2. 1680 Mission Street is zoned P (Public).

Downtown Plan Amendment

3. 1650, 1660, 1670, and 1680 Mission Street are zoned NCT-3 or P and are therefore not included in Map 1 of the Downtown Area Plan.

Market and Octavia Plan Amendment

4. Map 1 of the Market and Octavia Plan shows that the properties at 1650, 1660 and 1670 Mission Street are zoned NCT-3.
5. Map 1 of the Market and Octavia Plan shows that the properties at 1680 Mission Street are zoned P.

The Way It Would Be:

Zoning Map Amendment

1. 1650, 1660, and 1670 Mission Street would be zoned C-3-G.
2. 1680 Mission Street would be zoned C-3-G.

Downtown Plan Amendment

3. Map 1 of the Downtown Area Plan would be amended to include 1650, 1660, 1670, and 1680 Mission Street.

Market and Octavia Plan Amendment

4. Map 1 of the Market and Octavia Plan would show the properties at 1650, 1660 and 1670 Mission Street zoned as C-3-G.
5. Map 1 of the Market and Octavia Plan would show the properties at 1680 Mission Street zoned as C-3-G.

BACKGROUND

The purpose of the proposed zoning map amendment is to align the zoning with the existing and use and new ownership of the subject properties. The properties have long been used for City offices; however, title recently transferred from the City to a private owner for all the properties except 1650 Mission, which is still owned and occupied by City departments.

On August 23 and September 27, the Planning Commission initiated the Amendments to the Downtown Plan and the Market and Octavia Plan, respectively. These initiations were done to ensure that the General Plan and the Zoning Map were consistent. Both initiations were adopted unanimously by the Planning Commission and scheduled for adoption.

ISSUES AND CONSIDERATIONS

Context and Zoning

1680 Mission Street, which is occupied by the Department of Public Works, is currently zoned P (Public) and is proposed to be zoned C-3-G. P districts are reserved for “land that is owned by a governmental agency and in some form of public use, including open space.” Since this property is no longer under public ownership and Public Works intends to move to the City’s new office space at 49 South Van Ness, the P zoning designation is no longer appropriate for this property.

1650 and 1660 house a variety of City departments including the Planning Department and the Department of Building Inspection, both of which will also be moving to 49 South Van Ness. 1670 is currently a parking lot used by 1660 Mission Street. The 1650-1670 Mission are zoned NCT-3, which is a mixed-use district that support neighborhood-serving commercial uses on lower floors and housing above. NCT-3 Districts are intended in most cases to offer a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood, additionally providing convenience goods and services to the surrounding neighborhoods. NCT-3 District permit a wide variety of uses, but with special emphasis on neighborhood-serving businesses. NCT-3 Districts do not allow General Office.

The C-3-G Zoning District covers the western portions of downtown and is composed of a variety of uses: Retail, offices, hotels, entertainment, clubs and institutions, and high-density residential. Many of these uses have a Citywide or regional function, although the intensity of development is lower here than in the downtown core area. Near Market Street, the configuration of this District reflects easy accessibility by rapid transit.

The subject neighborhood does not function as a neighborhood commercial district. Its relatively isolated and does not currently have an abundance of neighborhood serving businesses for the surrounding area. While there are residential buildings, they tend to be large high-density buildings with little active retail on the ground floor. The neighborhood is more consistent with the C-3-G zoning districts in that uses in the area have a Citywide or regional function, there is high-density housing, and easy access to rapid transit. Further, the intensity of development is lower here than in the downtown core area making C-3-G the more appropriate Downtown Zoning District for these properties.

Office Development Annual Limit

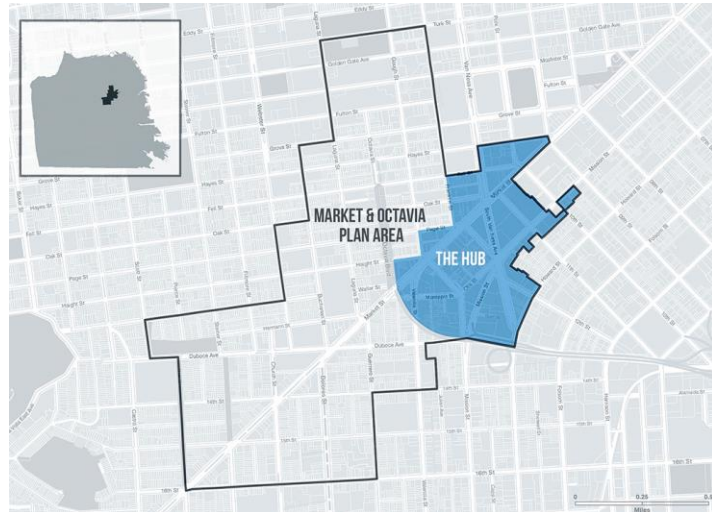
The Office Development Annual Limit (“Annual Limit”) Program, became effective in 1985 with the adoption of the Downtown Plan and associated amendments to the Planning Code. It was subsequently amended by 1986’s Proposition M and 1987’s Proposition C. The Annual Limit Program governs the approval of all development projects that contain more than 25,000 gross square feet of office space. Such projects require an “office space allocation” from the Planning Commission.

The central provision of the Annual Limit Program is a “metering limit” designed to restrict the amount of office space authorized in a given year. In doing so, the Annual Limit Program aims to ensure a manageable rate of new development and to guard against typical “boom and bust” cycles, among other goals.

The subject buildings contain existing office space and are therefore not subject to the Annual Limit. Should a new building be constructed on the parking lot located at 1670 Mission Street and used as office it would be subject to Annual Limit depending on how much office space is added. Similarly, if additional office space is added to the existing buildings on the other lots, that additional space would also be subject to the Annual Limit depending on how much office space is added.

The Hub Neighborhood

The subject parcels are included in what is known as the Hub neighborhood. In the early 2000s, the Hub neighborhood was included within the boundaries of the 2008 Market and Octavia Area Plan. In the Plan, the Hub was envisioned as a "vibrant new mixed-use neighborhood." The plan also created the Van Ness and Market Downtown Residential Special Use District (SUD). This SUD encourages the development of a transit-oriented, high-density, mixed-use residential neighborhood around the intersections of Market Street and Van Ness Avenue and Mission Street and Van Ness. Following the Plan's adoption in 2008, most the housing imagined in the Hub was stalled due to the recession.



In today's current economic climate, this area is now receiving concentrated attention from the development community. The Hub is also in the midst of major infrastructure improvements, such as Van Ness Avenue Bus Rapid Transit. Considering these recent changes, the Planning Department is studying this portion of the Market and Octavia Plan, and considering plan amendments to better ensure that the area's growth supports the City's goals for housing, transportation, the public realm, and the arts. Currently, the Planning Department is proposing to modify the zoning within the Hub boundary and create one zoning district with consistent land use controls across the area. Consistent with this ordinance, the Planning Department is proposing to replace the NCT-3 zoning across the Hub project area, including the subject parcels zoned NCT-3, with a uniform C-3-G designation (see Exhibit C).

General Plan Compliance

Both land use maps in the Downtown Plan and the Market and Octavia Plan are being amended so that the Zoning Map and the General Plan are consistent. The proposed rezoning is also constant with the following objectives and policies in the General Plan.

Downtown Plan

OBJECTIVE 2

MAINTAIN AND IMPROVE SAN FRANCISCO'S POSITION AS A PRIME LOCATION FOR FINANCIAL, ADMINISTRATIVE, CORPORATE, AND PROFESSIONAL ACTIVITY.

Policy 2.2: Guide location of office development to maintain a compact downtown core and minimize displacement of other uses.

The proposed rezoning will be contiguous with the existing C-3-G zoning district will maintain the compact downtown core and will not directly lead to the displacement of the existing office uses.

OBJECTIVE 8

PROTECT RESIDENTIAL USES IN AND ADJACENT TO DOWNTOWN FROM ENCROACHMENT BY COMMERCIAL USES.

Policy 8.1: Restrict the demolition and conversion of housing in commercial areas.

The proposed rezoning will not lead to the demolition or conversion of existing housing.

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 contain office space and 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.

Implementation

The Department has determined that this ordinance will not impact our current implementation procedures.

RECOMMENDATION

The Department recommends that the Commission *approve* the proposed Ordinance and adopt the attached Draft Resolution to that effect.

BASIS FOR RECOMMENDATION

The Department supports the overall goals of this Ordinance because it will rezone the subject parcels to more closely reflect the existing and long-established office like use, the nature of the site and neighborhood, and it will not result in a discontinuous C-3-G zoning district. Further, the proposed rezoning also aligns with the rezoning for this area that is contemplated by the Market Street HUB Project.

REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may approve it, reject it, or approve it with modifications.

ENVIRONMENTAL REVIEW

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.

PUBLIC COMMENT

As of the date of this report, the Planning Department has received one letter from the public regarding the proposed Ordinance. The letter is from Sue Hestor and brings up issues regarding the Office Development Annual Limit and development fees.

Attachments:

- Exhibit A: Draft Planning Commission Resolutions
- Exhibit B: Public Comment Letters
- Exhibit C: Existing Zoning Map
- Exhibit D: Map 1 of the Downtown Plan
- Exhibit E: Map 1 of the Market and Octavia Plan
- Exhibit F: Board of Supervisors File No. 180474
- Exhibit G: Downtown Plan Amendment Ordinance
- Exhibit H: Market and Octavia Amendment Ordinance



Exhibit A

SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Resolution HEARING DATE OCTOBER 25, 2018

Project Name: Rezoning 1650-1680 Mission Street
Case Number: 2018-007507MAP [Board File No. 180474]
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

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RESOLUTION APPROVING A PROPOSED ORDINANCE THAT 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; 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 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;

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 will rezone the subject parcels to a zoning district that more closely reflects the existing and long-established use, and the nature of the site and neighborhood.
2. The Commission finds that the proposed rezoning will not result in a discontinuous C-3-G zoning district.
3. The Commission also finds that the proposed rezoning also aligns with the rezoning for this area that is contemplated by the Market Street HUB Project.
4. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

In association with this proposed ordinance, both land use maps in the Downtown Plan and the Market and Octavia Plan are being amended so that San Francisco's Zoning Map and the General Plan are consistent. The proposed rezoning is also constant with the following objectives and policies in the General Plan.

Downtown Plan

OBJECTIVE 2

MAINTAIN AND IMPROVE SAN FRANCISCO'S POSITION AS A PRIME LOCATION FOR FINANCIAL, ADMINISTRATIVE, CORPORATE, AND PROFESSIONAL ACTIVITY.

Policy 2.2: Guide location of office development to maintain a compact downtown core and minimize displacement of other uses.

The proposed rezoning will be contiguous with the existing C-3-G zoning district maintain the compact downtown core and will not directly lead to the displacement of the existing office uses.

OBJECTIVE 8

PROTECT RESIDENTIAL USES IN AND ADJACENT TO DOWNTOWN FROM ENCROACHMENT BY COMMERCIAL USES.

Policy 8.1: Restrict the demolition and conversion of housing in commercial areas.

The proposed rezoning will not lead to the demolition or conversion of existing housing.

Market and Octavia Plan

OBJECTIVE 1.1

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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.

5. **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.

6. **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 October 25, 2018.

Jonas P. Ionin
Commission Secretary

AYES:

Resolution XXXXXX
October 25, 2018

CASE NO.2018-007507MAP
Rezoning 1650-1680 Mission Street

NOES:

ABSENT:

ADOPTED: October 25, 2018



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Resolution HEARING DATE OCTOBER 25, 2018

Project Name: Amend Map 1 of the Downtown Plan
Case Number: 2018-007507GPA [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

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RESOLUTION APPROVING A PROPOSED ORDINANCE WOULD AMEND THE SAN FRANCISCO GENERAL PLAN TO REVISE MAP 1 OF THE DOWNTOWN AREA PLAN TO INCLUDE 1650, 1660, 1670, AND 1680 MISSION STREET, ASSESSOR'S BLOCK NO. 3512, LOT NOS. 005, 006, 008, 009, AND 010 IN THE C-3-G, DOWNTOWN GENERAL AREA PLAN (EXHIBIT B); 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 August 23, 3018, the San Francisco Planning Commission initiated an ordinance that would amend the San Francisco General Plan to revise Map 1 of the Downtown Area Plan to include 1650, 1660, 1670, and 1680 Mission Street, Assessor's Block No. 3512, Lot Nos. 005, 006, 008, 009, and 010 in the C-3-G, Downtown General Area Plan; 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:

Downtown Plan

OBJECTIVE 2

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The proposed rezoning will not lead to the demolition or conversion of existing housing.

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;

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AYES:

NOES:

ABSENT:

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Market and Octavia Plan

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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 XXXXXX
October 25, 2018

CASE NO.2018-007507MAPGPA-2
Rezoning 1650-1680 Mission Street

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:

NOES:

ABSENT:

ADOPTED: October 25, 2018

SUE C. HESTOR

Attorney at Law

870 Market Street, Suite 1128 San Francisco, CA 94102

office (415) 362-2778 cell (415) 846-1021

hestor@earthlink.net

August 29, 2018

Aaron Starr, Manager Legislative Affairs
Planning Department
1650 Market St 4th fl
San Francisco CA 94103

Downtown Area Plan amendment - 1650, 1660, 1670, 1680 Mission Street - 2018-007507

Dear Mr. Starr:

The City proposes to "align the zoning with the existing and historical use of the above properties" by rezoning the above lots to C-3-G. The August 23 staff report states that "the properties have long been used for office space and are currently used as City offices." According to that report, except for 1650 Mission, the properties have been recently transferred to a private owner. The change to C-3-G zoning allows the buildings to house office uses other than government offices.

When he was Zoning Administrator, Robert Passmore formally determined that the presence of leased GOVERNMENT OFFICES in a building did not change the nature of the space to "office use" as defined in Planning Code. While City Hall was being reconstructed, offices for DPW, the Assessor, the Board of Appeals and other City offices moved into 875 Stevenson which building was built in 1975 to serve tenants of Merchandise Mart complex. This issue arose when owners of Merchandise Mart complex, including 875 Stevenson, proposed in 2002 to change complex to office use.

"Office Use" definition is now included in Planning Code 102.

In November 1986 San Francisco voters adopted Proposition M and amended the Planning Code to require Planning Commission approval was required to add new office space over 25,000 gsf in any building. Prior community efforts had resulted imposition of various fees on a building owner including fees to provide additional affordable housing, transit and child care. As the City adopted various Area Plans imposition of those fees was incorporated into the plans.

Pre-existing office space was exempt from the requirements of Proposition M. Space fully legal as office use - **not** offices accessory to another use in that building:

"Preexisting office space" shall mean office space used primarily and continuously for office use and not accessory to any use other than office use for five years prior to Planning Commission approval of an office development project which office use was fully legal under the terms of San Francisco law.

The PIM shows date of construction for the sites on Mission as follows:

August 29, 2018 - page 2

1650 Mission - 1962 construction
1660 Mission - 1990 construction
1670 Mission - parking lot
1680 Mission - 1923 construction

Since **1660 Mission** was **built after 1986** adoption of Prop M, it never required an office allocation for City offices. Once 1660 is vacated by City offices, and occupied by "office use" the owner must get an office allocation and PAY all required fees, including HOUSING, MUNI, CHILD CARE.

1670 Mission is currently a parking lot. It may have been the site of a former fire-damaged residential hotel that was demolished the holiday weekend before an appeal was scheduled to be heard at the Board of Permit Appeals. Since it appears to no longer be owned by the City, I request that it reviewed as to whether any development fees must be paid by a commercial parking lot.

The staff report claims that **1650 Mission** was *long used as office space*. What records does the City have for 1650 Mission use in the 1980s before passage of Proposition M? According to 1971 reverse phone book, the only tenant listed for that site was various offices of Les Vogel Chevrolet. Which appears to be a type of *automotive use*. Not "office use." How many square feet of **1650 Mission** was in office use as defined in the Planning Code in the mid-1980s?

The remaining building, **1680 Mission**, was built in 1923. The 1971 reverse phone book lists only Jack Rosen Inc at 1672 Mission. No other listings. If the City has not already done so, I request that tenants and uses in 1980s be identified to sort out which are "office use" as defined in the Planning Code.

The Market-Octavia Area Plan, and that proposed Plan The Hub, designate this area for various uses, including office use. **SFRG does not object to the proposed rezoning which allows non-governmental offices. Decades of community effort have resulted in imposition of fees that require DEVELOPERS of additional offices. Developers of additional offices must help bear the cost of the demand that new workers place on affordable housing, transit, child care, and other city services.**

Government has spent billions of dollars since the early 80s funding those services, space for government offices is generally exempt from paying development fees. Conversion to non-government offices may not be exempt from expansion of needed housing, transit, child care and other services.

What explanation or notice has already been provided to new owners of 1660, 1670 and 1680 Mission Street regarding any obligation to pay development fees? May I have a copy.

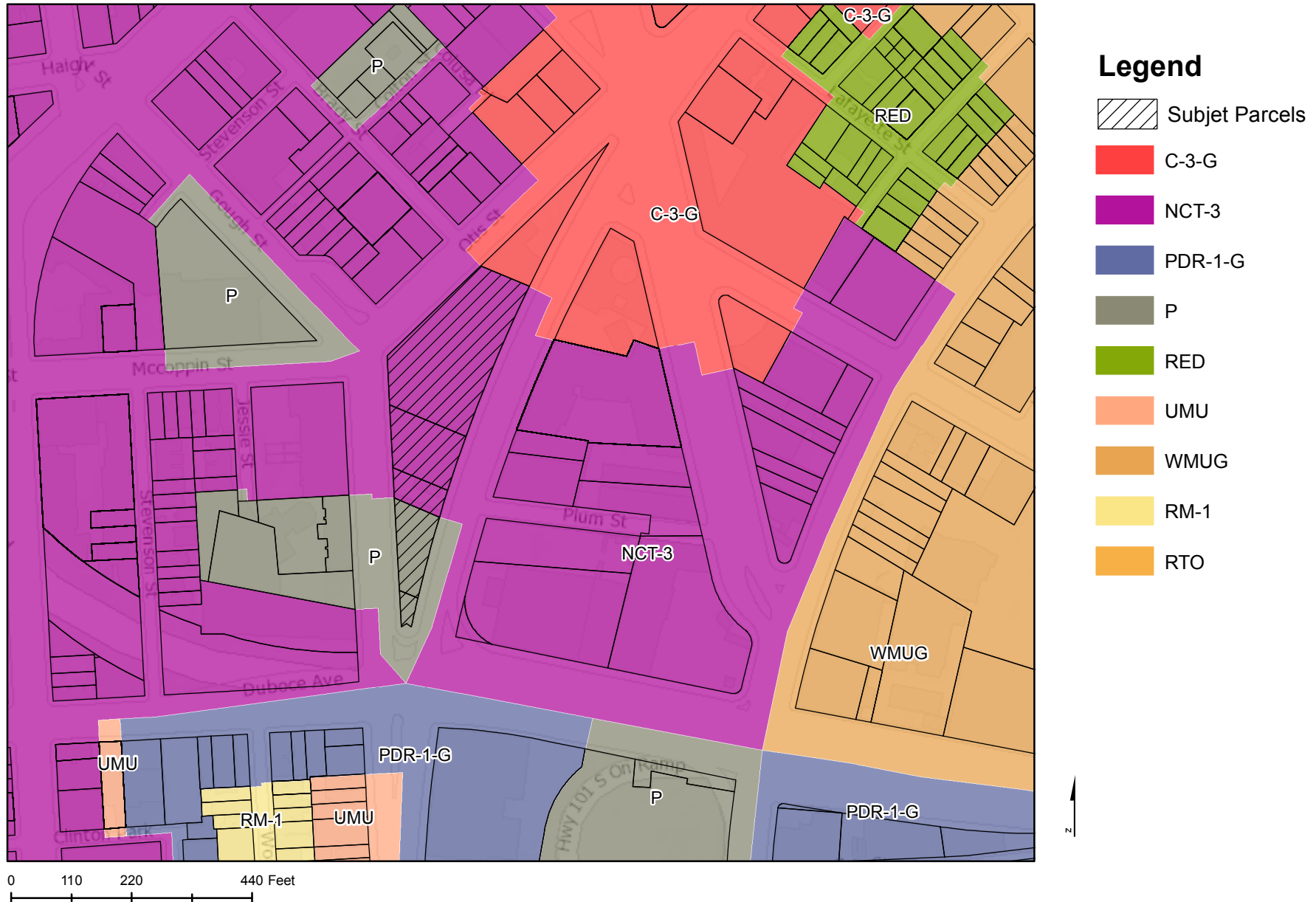
Sincerely,

Sue Hestor
Attorney, San Franciscans for Reasonable Growth

cc: John Rahaim, Director of Planning
Scott Sanchez, Zoning Administrator
Lisa Gibson, Environmental Review Officer
AnMarie Rodgers, Director of Citywide Planning



Existing Zoning for 1650-1680 Mission Street

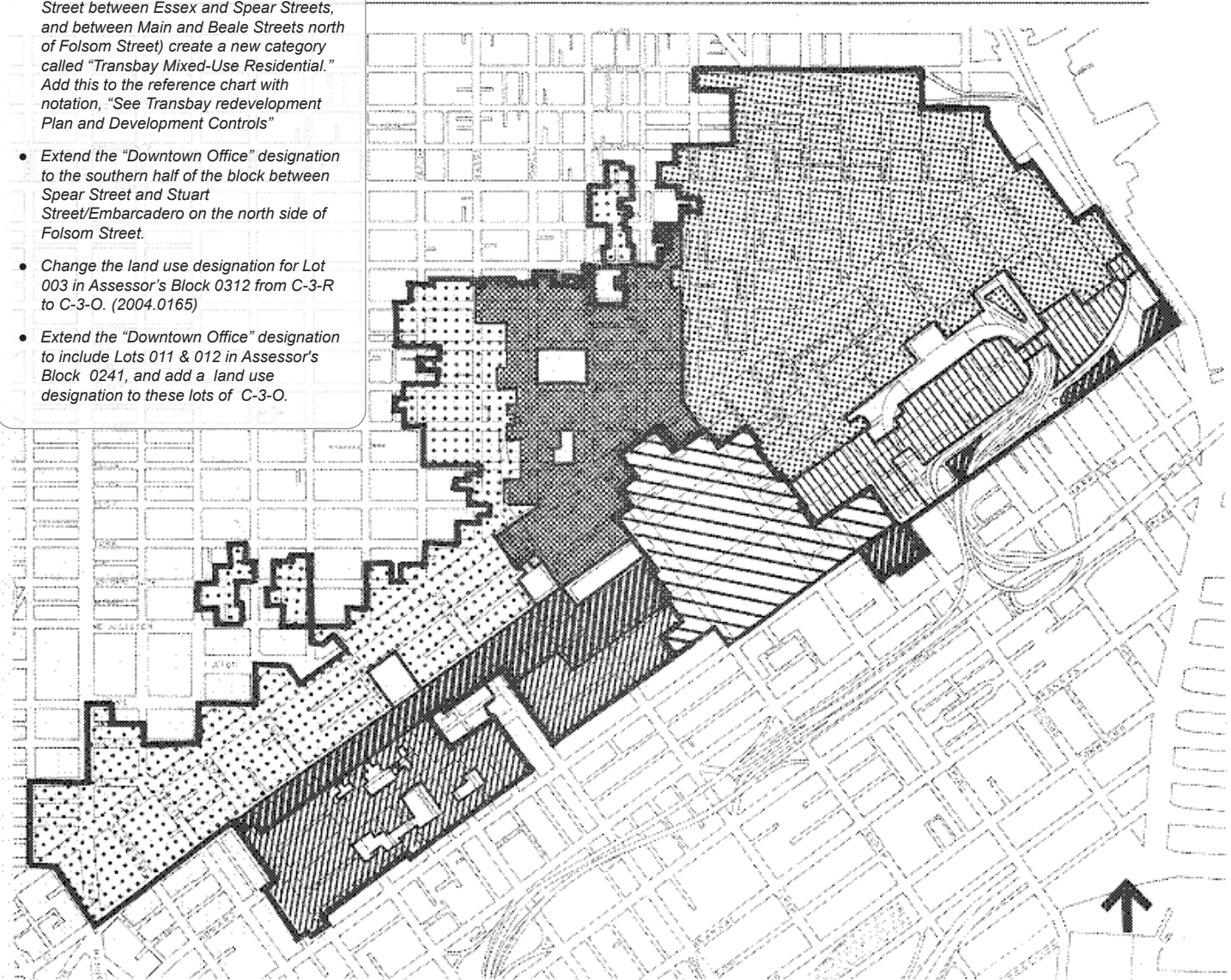


The City and County of San Francisco (CCSF) does not guarantee the accuracy, adequacy, completeness or usefulness of any information. CCSF provides this information on an "as is" basis without warranty of any kind, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.

MAP TO BE EDITED

Exhibit D

- For public parcels on former freeway ramps in the Transbay (along Folsom Street between Essex and Spear Streets, and between Main and Beale Streets north of Folsom Street) create a new category called "Transbay Mixed-Use Residential." Add this to the reference chart with notation, "See Transbay redevelopment Plan and Development Controls"
- Extend the "Downtown Office" designation to the southern half of the block between Spear Street and Stuart Street/Embarcadero on the north side of Folsom Street.
- Change the land use designation for Lot 003 in Assessor's Block 0312 from C-3-R to C-3-O. (2004.0165)
- Extend the "Downtown Office" designation to include Lots 011 & 012 in Assessor's Block 0241, and add a land use designation to these lots of C-3-O.



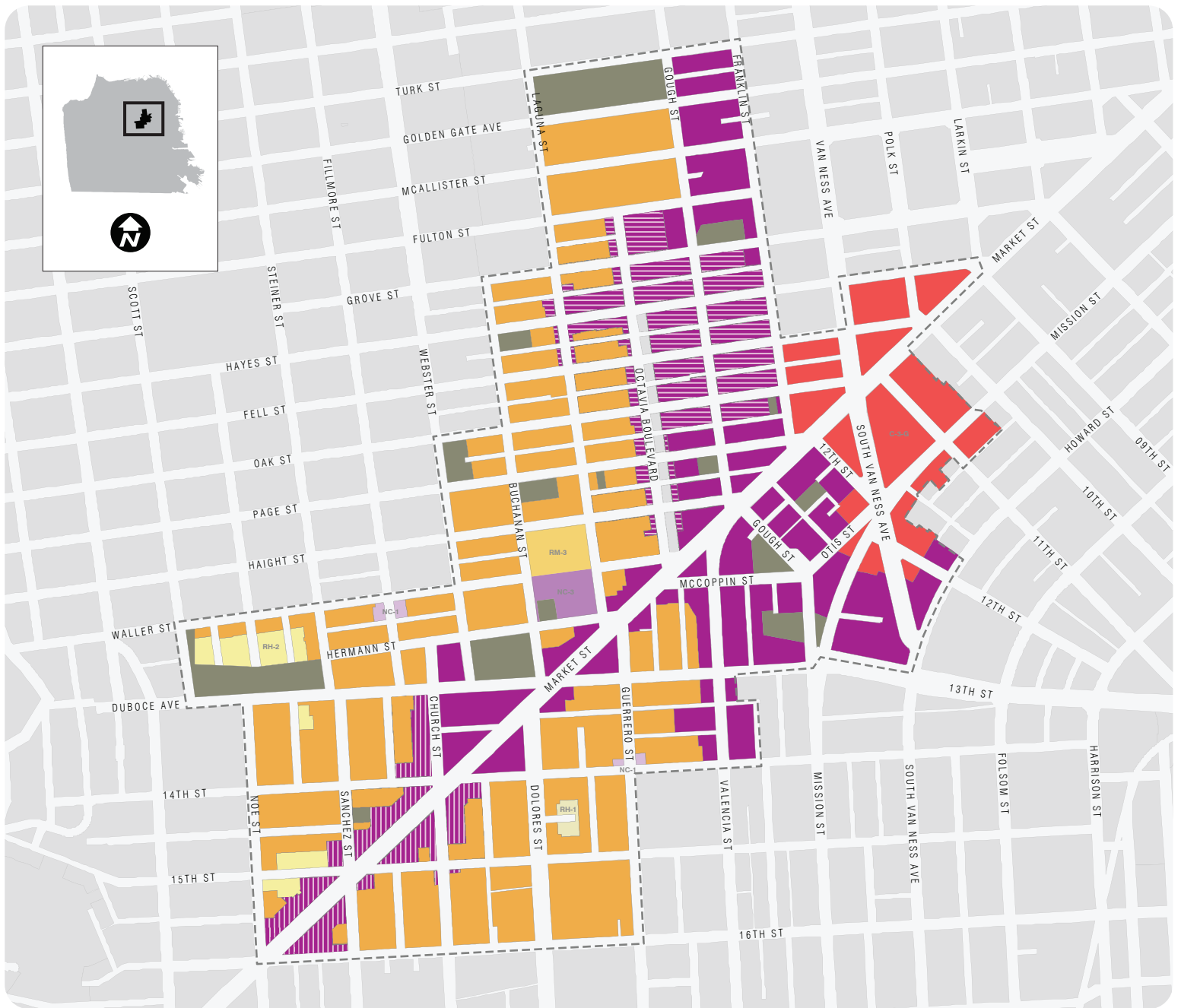
DOWNTOWN LAND USE AND DENSITY PLAN

0 400FT
Map 1

Predominant Commercial Use Type	Building Commercial Intensity Density*	Height	Appropriate Zoning District
Downtown Office	FAR 9:1		C-3-O
Downtown Office	6:1		C-3-O (SD)
Downtown Retail	6:1		C-3-R
Downtown General Commercial	6:1		C-3-G
Downtown Service	5:1		C-3-S
Downtown Service, Industrial	2:1 office, 5:1 other		C-3-S (SU)
Mixed Use	See Yerba Buena Center Redevelopment Plan		

*Unused FAR may be transferred from preservation sites to development sites up to a maximum FAR of 18:1 in the C-3-O and C-3-O (SD) districts and up to one and one half times the basic FAR in the C-3-R, C-3-G and C-3-S districts. See Preservation of the Past Chapter.

NOTE: The notations shown in italics represent recent amendments to the General Plan. This map is intended only as a temporary placeholder, and will be replaced by final maps illustrating these amendments in graphic form.



MAP 01

Land Use Districts

Residential

- RH-1
- RH-2
- RM-3
- RTO

Neighborhood Commercial Districts

- NC-1
- NC-3
- NCT-3
- HAYES NCT
- UPR MARKET NCT

Downtown Office/Residential

- C-3-G (Van Ness & Market Downtown Resid. SUD)

Public

- P

Exhibit F

BOARD of SUPERVISORS



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

May 22, 2018

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On May 15, 2018, the Real Estate Division introduced the following legislation:

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.

The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

c: John Rahaim, Director of Planning
Aaron Starr, Acting Manager of Legislative Affairs
Scott Sanchez, Zoning Administrator
Lisa Gibson, Environmental Review Officer
AnMarie Rodgers, Director of Citywide Planning
Laura Lynch, Environmental Planning
Joy Navarrete, Environmental Planning

1 [Planning Code, Zoning Map - Rezoning 1650-1680 Mission Street]

2
3 **Ordinance amending the Planning Code by revising the Zoning Map to rezone 1650,**
4 **1660, and 1670 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 005, 006,**
5 **and 008, from their current designation as NCT-3 (Moderate-Scale Neighborhood**
6 **Commercial Transit District) to C-3-G (Downtown General Commercial), and to rezone**
7 **1680 Mission Street, Assessor's Parcel Block No. 3512, Lot Nos. 009 and 010, from its**
8 **current designation as P (Public) to C-3-G; affirming the Planning Department's**
9 **determination under the California Environmental Quality Act; making findings of**
10 **consistency with the General Plan, and the eight priority policies of Planning Code,**
11 **Section 101.1; and making findings of public necessity, convenience, and general**
12 **welfare under Planning Code, Section 302.**

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

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

21 Section 1. Environmental and Land Use Findings.

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

1 (b) On _____, the Planning Commission, in Resolution No. _____,
 2 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
 3 with the City's General Plan and eight priority policies of Planning Code Section 101.1. In this
 4 Resolution, the Planning Commission also found that the Zoning Map amendments will serve
 5 the public necessity, convenience, and general welfare under Planning Code, Section 302.
 6 The Board adopts each of these findings as its own. A copy of said Resolution is on file with
 7 the Clerk of the Board of Supervisors in File No. _____, and is incorporated herein by
 8 reference.

9
 10 Section 2. The Planning Code is hereby amended in accordance with Planning
 11 Code Section 106 by revising Sectional Map ZN07 of the Zoning Map as follows:

Description of Property		Zoning District To Be Superseded	Zoning District Hereby Approved
Block	Lot		
3512	005	NCT-3 (Moderate-Scale Neighborhood Commercial Transit District)	C-3-G (Downtown General Commercial)
3512	006		
3512	008		
3512	009	P (Public)	C-3-G (Downtown General Commercial)
3512	010		

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

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

By: 

JOHN D. MALAMUT
Deputy City Attorney

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LEGISLATIVE DIGEST

[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.

Existing Law

The City's Zoning Map, part of the Planning Code, assigns zoning districts and height and bulk districts to property across the City. Assessor Block No. 3512, Lot Nos. 005, 006, and 008, which are located at 1650, 1660, and 1670 Mission Street, are zoned NCT-3 (Moderate-Scale Neighborhood Commercial Transit District). Assessor Block No. 3512, Lot Nos. 009 and 010, which are located at 1680 Mission Street, is zoned P (Public).

Amendments to Current Law

This Ordinance would amend the Zoning Map to accommodate the sale and disposition of City-owned office buildings and would rezone Assessor Block No. 3512, Lot Nos. 005, 006, and 008 (1650, 1660, and 1670 Mission Street) and Assessor Block No. 3512, Lot Nos. 009 and 010 (1680 Mission Street) to C-3-G (Downtown General Commercial). The legislation would adopt environmental findings, findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and public necessity findings in accordance with Planning Code Section 302.

Exhibit G

[General Plan - Downtown Area Plan Amendment for 1650, 1660, 1670 and 1680 Mission Street.]

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

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

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

Section 1. Environmental and Planning Code Findings.

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

(b) General Plan and Planning Code Findings.

(1) Under Charter Section 4.105 and Planning Code Section 340, any 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
2 _____, by Resolution No. _____, the Commission conducted a duly noticed public
3 hearing on the General Plan Amendment pursuant to Planning Code Section 340, and found
4 that the public necessity, convenience, and general welfare required the proposed General
5 Plan 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. _____, and is incorporated herein by reference.

8 (2) On _____, the Planning Commission, in Resolution No. _____,
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. _____, 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 Downtown Area Plan to include 1650, 1660, 1670 and 1680 Mission Street, Assessor's
16 Block No. 3512, Lot Nos. 005, 006, 008, 009, and 010, within the C-3-G, Downtown General
17 area, as recommended to the Board of Supervisors by the Planning Commission in
18 Resolution No. _____, and directs the Planning Department to update the General Plan
19 to reflect these amendment.

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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

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Exhibit H

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

3 **Ordinance amending the San Francisco General Plan to revise Map 1 of the Market and**
4 **Octavia Area Plan to change the designation of 1650, 1660, 1670 and 1680 Mission**
5 **Street, Assessor’s Block No. 3512, Lot Nos. 005, 006, 008, 009 and 010, from NCT-3 and**
6 **P to C-3-G; and making environmental findings, findings of consistency with the**
7 **General Plan and the Priority Policies of Planning Code Section 101.1, and findings of**
8 **public necessity, convenience and welfare under Planning Code, Section 340.**

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

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

14 Section 1. Environmental and Planning Code Findings.

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

21 (b) General Plan and Planning Code Findings.

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

1 thereafter recommended for approval or rejection by the Board of Supervisors. On
2 _____, by Resolution No. _____, the Commission conducted a duly noticed public
3 hearing on the General Plan Amendment pursuant to Planning Code Section 340, and found
4 that the public necessity, convenience, and general welfare required the proposed General
5 Plan 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. _____, and is incorporated herein by reference.

8 (2) On _____, the Planning Commission, in Resolution No. _____,
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. _____, 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 _____, as follows:

19 1650, 1660, and 1670 Mission Street (Assessor's Parcel Number No. 3512, lots Nos.
20 005, 006 and 008, from NCT-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

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