



# SAN FRANCISCO PLANNING DEPARTMENT

---

## Planning Commission Initiation of Amendments to the General Plan and Zoning Map

HEARING DATE: FEBRUARY 23, 2017

*Project Name:* 1540 Market Street (a.k.a One Oak)  
**General Plan, Zoning Map Amendments**

*Case Number:* 2009.0159GPAMAP

*Project Sponsor:* Steve Kuklin, 415.551.7627  
Build  
315 Linden Street  
steve@bldsf.com  
San Francisco, CA 94102

*Staff Contact:* Tina Chang, AICP  
[tina.chang@sfgov.org](mailto:tina.chang@sfgov.org), 415-575-9197

*Reviewed by:* Mark Luellen, Northeast Team Manager  
[mark.luellen@sfov.org](mailto:mark.luellen@sfov.org), 415-558-6697

*Recommendation:* **Adopt Draft Resolution to Initiate the General Plan and Zoning Map Amendments**

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The action before the Commission is the request for amendments to the General Plan and Zoning Maps filed by the Project Sponsor in connection with the 1540 Market Street / One Oak development project. Very generally, the project would demolish three buildings and construct a new 300-unit, 40-story residential tower (400 feet tall, plus a 20-foot-tall parapet) with ground-floor commercial space, one off-street loading space, and a subsurface parking garage for residents. The proposed project would also include the construction of a public plaza within the Oak Street right-of-way. Several wind canopies would be provided within the proposed plaza and one within the sidewalk at the northeast corner of Market Street and Polk Street to reduce pedestrian-level winds.

The proposed amendments would effectively result in a height swap between Lots 001 and 005 on Assessor's Block 0836. 668 square feet of Lot 001 would be rezoned to decrease the allowable height from 400' to 120'. Similarly, 668 square feet of Lot 005 would be rezoned to increase the allowable height from 120' to 400'. More specifically, the amendments would:

1. Modify Map 3 of the Market and Octavia Plan of the General Plan to reclassify the height limit of the eastern 15 feet of Assessor's Block 0836, Lot 001 from 400' tower/120' podium to 120', and a 4'-7.5" wide area located 28'-3" from the western edge of Assessor's Block 0836, Lot 005 from 120' to 400' tower/120' podium; Modify Map 5 of the Downtown Area Plan of the General Plan to reclassify the height and bulk of the same Assessor's Block and Lots from 150-S and 120-F to 120-R-2 and 120/400-R-2; and

2. Modify Zoning Map HT07 to reclassify the height and bulk of the eastern 15 feet of Assessor's Block 0836, Lot 001 from 120/400-R-2 to 120-R-2, and a 4'-7.5" wide area located 28'-3" from the western edge of Assessor's Block 0836, Lot 005 from 120-R-2 to 120/ 400-R-2.

In summary, the proposed General Plan and Zoning Map Amendments would result in a height swap of 668 square feet between Lots 001 and 005. Lot 001, 1500 Market Street, currently contains a three-story office over ground-floor retail shop doing business as "All Star Donuts" and permits building heights of up to 400-feet. Lot 005, 1540 Market Street, currently contains a 4-story office building and has split zoning; the eastern portion of the lot permits building heights up to 400 feet whereas the western half permits building heights up to 120 feet. Most of Lot 001, the site currently containing All Star Donuts, would remain undeveloped, and a portion of Lot 005 (4'-7.5" width x 144'-5" length) would contain a sliver of the proposed 400-foot tower.

## **COMMUNITY OUTREACH AND PUBLIC COMMENT**

According to the Project Sponsor, extensive and lengthy community engagement has been conducted for the One Oak residential tower and the associated Oak Plaza public improvements. The Project Sponsor team has held over 68 meetings and outreach discussions, including roughly 253 participants, over 2 years since January 2015. Given the important civic location of the Project, which includes transforming the southern end of Oak Street into a new public plaza and shared public way, outreach activities have included a wide range of institutional, arts and culture stakeholders, in addition to neighborhood groups, neighboring property owners and businesses.

**General Community Engagement:** The Project team has solicited public input through a series of meetings including a public pre-application meeting, small group meetings, and individual meetings with various residents, property owners and business owners. In addition to design presentations, the Project Sponsor team distributed Project Fact Sheets outlining the Project's program, circulation, residential unit counts, parking ratio, public realm improvements, Zoning Map revisions, and affordable housing commitments, etc. The design and program evolved over time based on specific stakeholder feedback, beginning over 2 years ago.

The Project Sponsor sites an early proposal for the Project Sponsor to develop conventional off-site affordable housing on three Octavia Boulevard parcels that transformed into a creative partnership with MOH whereby the project transferred its rights to two of the parcels to MOH, along with its future fees, so that MOH could issue an RFP for a local non-profit housing organization to develop all three parcels, including a very low-income, service-supported, Transitional Aged Youth ("TAY") housing on one of the sites.

Additionally, the Project Sponsor recently revised their project description to eliminate the Market Street freight loading area based on concerns voiced by the SFBC and other cycling advocates. In addition, outreach often included detailed discussions regarding the long-term stewardship of the plaza, daytime activation, nighttime public safety, public market kiosks, and physical changes proposed for streets, Muni access, public parking and loading spaces in the area, as well as the voluntary formation of a Community Facilities District (CFD), into which the owners at One Oak will contribute \$360,000 annually dedicated to operations and maintenance of the Plaza for 100 years.

**Arts and Culture Stakeholder Engagement:** In addition to outreach to the general community, the Project team has been working with numerous arts, cultural, and educational institutions of the neighborhood with the intent to activate the proposed public plaza & shared public way with small and

large performing arts events. The design intent is for Oak Plaza to serve as a public “front porch” for both Hayes Valley and the Civic Center/performing arts district, inviting and exposing residents, daytime workers, students, and visitors to the district’s cultural richness through public performances and ticket sales at a box office kiosk. Through one-on-one meetings and a brain-storming workshop, Build Public, a non-profit arm of Build focused on public spaces, has been working closely with representatives of these institutions to design the plaza in such a way that caters to their specific needs for public performing space. Feedback from this engagement addressed potential stage and seating capacity and configuration, sound amplification, adjacent traffic noise mitigation, lighting, audio and electrical hookup locations, permitting of events, and parking and loading.

A partial list of the outreach conducted between January 26, 2015 and February 1, 2017 is provided as an enclosure to this case report.

## **REQUIRED COMMISSION ACTION**

The two proposed Resolutions for the General Plan and Zoning Map Amendments are before the Planning Commission so that it may approve or disapprove the initiation of the General Plan, Zoning Map and Planning Code Amendments.

## **RECOMMENDATION**

The Department recommends that the Commission *initiate* the proposed amendments and adopt the attached Draft Resolutions so that the Commission may consider approval of the Ordinances in the future.

## **BASIS FOR RECOMMENDATION**

- The proposed General Plan and Zoning Map Amendments would improve pedestrian safety and circulation by allowing for the enlargement of the corner at Market Street and Van Ness Avenue from approximately 15 feet wide to 43 feet wide at ground level
  - The enlargement would allow for a public open space adjacent to a heavily trafficked and transit-oriented intersection where a MUNI stop for the Van Ness Bus Rapid Transit is planned. Additionally, the open space could serve as a gateway to the Civic Center Arts & Culture District and the Hayes Valley neighborhood.
- The proposed General Plan and Zoning Map Amendments help reduce pedestrian-level wind impacts in the area by alleviating constricted wind passages between neighboring towers.
- The proposed General Plan and Zoning Map Amendments do not result in any increased development capacity. Further, reducing the height closer to the intersection of Market Street and Van Ness Avenue allows for relief from overwhelming mass along the on-site open space and adjacent plaza provided along the Van Ness Avenue and Oak Street frontages.
- The Project would address the City’s severe need for additional housing for low income households, providing approximately 72 permanently affordable Below Market Rate (BMR) units through a “directed in-lieu fee agreement” with the Mayor’s Office of Housing and Community Development.

- The BMR units would include a substantial portion of deeply affordable studio units for Transitional Aged Youth (TAY)
- The BMR units would be located within 0.3 miles of the project along Octavia Boulevard.
- The Project would help achieve General Plan objectives to expand the supply of housing in and adjacent to downtown.
- The Project is compatible with the surrounding neighborhood character, in terms of height, scale, and massing.
- The Project is compatible with the heights and bulks, urban design approaches and land use goals of the Market and Octavia Plan and those envisioned for the Hub Plan Area within which the Project is located.

<b>RECOMMENDATION:</b> <b>Adopt the Resolutions to Initiate the Proposed Amendments.</b>
--

**Attachments:**

- One Oak / Oak Plaza Community Outreach & Public Engagement Meeting Summary:
- Exhibit A:
  - Draft Resolution for the General Plan Amendment
  - Draft Ordinance for General Plan Amendment
  - Map 3 of the Market & Octavia Plan Area (including proposed changes)
  - Map 5 of the Downtown Plan Area (including proposed changes)
- Exhibit B:
  - Draft Resolution for the Zoning Map Amendment
  - Draft Ordinance for the Zoning Map Amendment
  - Height & Bulk Map (HT 07) – includes proposed changes
  - Existing and Proposed Height and Bulk Diagram

**ONE OAK / OAK PLAZA COMMUNITY OUTREACH & PUBLIC ENGAGEMENT MEETING  
SUMMARY:**

DATE	AUDIENCE	LOCATION	ATTENDEES
1/26/2015	Hayes Valley Neighborhood Association Transportation & Planning Committee	700 Hayes St	10
3/9/2015	Hayes Valley Neighborhood Association Transportation & Planning Committee	700 Hayes St	12
6/5/2015	New Conservatory Theatre Center (25 Van Ness Ave)	315 Linden St	4
7/7/2015	New Conservatory Theatre Center	315 Linden St	4
8/10/2015	Hayes Valley Neighborhood Association Transportation & Planning Committee	700 Hayes St	7
8/25/2015	Conservatory of Music (50 Oak St)	50 Oak St	1
8/25/2015	SF Jazz	201 Franklin St	1
9/1/2015	San Francisco Opera	315 Linden St	2
9/14/2015	Residents of 77 Van Ness	315 Linden St	6
12/8/2015	One Oak/Oak Plaza Public Pre-Application Community Meeting - Providing community stakeholders with the opportunity to learn about both the residential tower and proposed plaza (including design, programming and stewardship) and offer feedback.	1540 Market St	21
12/18/2016	Owner of 45 Franklin St	606 Mission St	1
1/13/2016	Oak Plaza Cultural Stakeholders Workshop	25 Van Ness Ave	15
1/21/2016	Crescent Heights - Owner of 10 S. Van Ness	315 Linden St	3
2/5/2016	French American International School (150 Oak St, 98 Franklin St & 159 Fell St)	315 Linden St	1
2/17/2016	Conservatory of Music	50 Oak St	1
2/18/2016	Mercy Housing (20 Franklin Street)	1390 Mission St	5
2/22/2016	French American International School	150 Oak St	3
2/22/2016	Market Octavia CAC – Introductory Presentation	1650 Mission St	12
2/24/2016	ArtSpan (1540 Market Street)	315 Linden St	2
2/25/2016	Owner of 45 Franklin St	307 Hayes St	1
2/25/2016	San Francisco Ballet	455 Franklin St	4
3/1/2016	Owner of 1 Franklin Street	2044 Fillmore St	1
3/30/2016	Chris White, Owner of Rickshaw Stop	Call	1
4/15/2016	Owner of 1554 Market Street	315 Linden	4
4/20/2016	Civic Center CBD	315 Linden St	1
5/12/2016	Gloria Kim, Conservatory of Music VP, External Relations & Artistic Operations	315 Linden St	1

5/23/2016	Owner of 23 Franklin Street	315 Linden St	4
6/16/2016	Owner of 22 Franklin Street	1256 Howard St	2
7/6/2016	SPUR/Planning Hub Walking Tour	Site Tour	31
7/13/2016	Owner of 110 Franklin St	315 Linden St	2
7/18/2016	Residents Gail Baugh & Bob Anderson	315 Linden St	2
7/20/2016	SF Arts Commission Visual Arts Committee Hearing - Concept Design Presentation	401 Van Ness Ave	4
7/22/2016	Mohammed Soriano-Bilal, Market Octavia CAC Representative and African American Arts & Culture Complex Executive Director	315 Linden St	1
7/26/2016	French American International School	150 Oak St	1
7/28/2016	Conservatory of Music (50 Oak St	50 Oak St	3
7/28/2016	Josh Marker	315 Linden St	1
8/1/2016	San Francisco Symphony	315 Linden St	1
8/3/2016	San Francisco Opera	315 Linden St	1
8/3/2016	Emma Rosenbush, GM of Cala Restaurant	315 Linden St	1
8/8/2016	New Conservatory Theatre Center	315 Linden St	2
8/11/2016	Hayes Valley Neighborhood Association Arts & Entertainment Committee	409 Gough St	2
8/19/2016	Kim Duran, Mercy Housing	San Jose, CA	1
8/30/2016	Conservatory of Music	30 Van Ness Ave	2
9/8/2016	Market Street Cycles (1592 Market Street)	315 Linden	1
9/12/2016	Hayes Valley Neighborhood Association Transportation & Planning Committee	700 Hayes St	8
9/22/2016	Hayes Valley Neighborhood Association Arts, Culture & Entertainment Committee	315 Linden St	10
9/30/2016	Conservatory of Music & Kevin Jensen	30 Van Ness Ave	2
10/7/2016	District 5 Supervisor London Breed's Office	City Hall	2
10/12/2016	David Wilson, African American Arts & Culture Complex Community Relations	762 Fulton St	1
10/28/2016	Gail Baugh, President of Hayes Valley Neighborhood Association	315 Linden St	2
11/1/2016	Jim Haas, Civic Center CBD Board Member	315 Linden St	1
11/7/2016	Bo Idzkowski, Bo's Flowers (1510 Market Street)	315 Linden St	1
11/15/2016	Chinese American International School	150 Oak St	1
11/21/2016	Market Octavia CAC – Design Presentation	1650 Mission St	10
12/7/2016	French American International School	150 Oak St	4
12/9/2016	Hub CFD meeting	Planning Dept	2
1/6/2017	Brian Wiedenmeier, SF Bicycle Coalition	315 Linden St	1
1/11/2017	Oak Plaza City Partners Meeting	Planning Dept	5

1/18/2017	Gail Baugh - HVNA; Moe Jamil - Cathedral Hill Neighborhood Assoc; Marlayne Morgan - Lower Polk Neighborhood Assoc.	401 Van Ness Ave	3
1/18/2017	SFAC Canopy Update Meeting	SFAC	3
1/19/2017	Supervisor Breed Aides - Sam Roxas & Conor Johnston; Teresa Yanga - MOH; Emily Lesk (OEWD)	City Hall	4
1/23/2017	Donn Harris, SFUSD	135 Van Ness	1
1/25/2017	Sean Waugh, San Francisco Opera	401 Van Ness	1
1/26/2017	Owner of 1554 Market Street	Hayes & Buchanan	1
1/26/2017	Beth Schecter, Girls Chorus	Phone Call	1
1/26/2017	Joe Landini, SAFEhouse for the Arts	1200 Market St	1
1/31/2017	Doug Shoemaker, Mercy Housing	Phone Call	1
2/1/2017	Entertainment Commission, Jocelyn Kane	City Hall	1

*This page intentionally left blank.*



# **EXHIBIT A:**

GENERAL PLAN AMENDMENT RESOLUTION, ORDINANCE & GRAPHICS

*This page intentionally left blank.*



# SAN FRANCISCO PLANNING DEPARTMENT

---

## Planning Commission Draft General Plan Amendment Resolution

HEARING DATE: FEBRUARY 23, 2017

*Project Name:* 1540 Market Street (a.k.a One Oak)  
General Plan, Zoning Map Amendments

*Case Number:* 2009.0159GPAMAP

*Project Sponsor:* Steve Kuklin, 415.551.7627  
Build  
315 Linden Street  
steve@bldsf.com  
San Francisco, CA 94102

*Staff Contact:* Tina Chang, AICP  
[tina.chang@sfgov.org](mailto:tina.chang@sfgov.org), 415-575-9197

*Reviewed by:* Mark Luellen, Northeast Team Manager  
[mark.luellen@sfov.org](mailto:mark.luellen@sfov.org), 415-558-6697

*Recommendation:* **Adopt the Draft Resolution to Initiate the General Plan Amendment**

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

**MOTION OF INTENT TO INITIATE AN AMENDMENT TO THE GENERAL PLAN TO FACILITATE THE CONSTRUCTION OF A MIXED-USE BUILDING CONTAINING APPROXIMATELY 300 DWELLING UNITS AND GROUND FLOOR RETAIL, INCLUDING AN AMENDMENT TO MAP 3 OF THE MARKET AND OCTAVIA AREA PLAN AND MAP 5 OF THE DOWNTOWN AREA PLAN OF THE GENERAL PLAN RECLASSIFY THE HEIGHT LIMIT OF ASSESSOR'S BLOCK 0836, LOTS 001 AND 005.**

### PREAMBLE

WHEREAS, Section 4.105 of the Charter of the City and County of San Francisco mandates that the Planning Commission shall periodically recommend to the Board of Supervisors for approval or rejection proposed amendments to the General Plan; and

WHEREAS, the General Plan consists of goals, policies and programs for the future physical development of the City and County of San Francisco that take into consideration social, economic and environmental factors; and

WHEREAS, the General Plan shall be periodically amended in response to changing physical, social, economic, environmental or legislative conditions; and

WHEREAS, on August 27, 2012, John Kevlin of Reuben & Junius, LLP filed an Environmental Evaluation application on behalf of CMR Capital, LLC, the previous property owner for the property at Assessor's Block 0836, Lots 2, 3, 4, and 5.

November 18, 2015 and December 9, 2016 Steve Kuklin of Build, Inc., on behalf of One Oak Owner, LLC ("Project Sponsor") filed applications requesting a.) approval of a Downtown Project Authorization pursuant to Section 309 of the San Francisco Planning Code; b.) a Zoning Map Amendments; and c.) an application for a General Plan Amendment to change of the eastern 15 feet of Assessor's Block 0836, Lot 001 from 120/400-R-2 to 120-R-2, and a 4'-7.5" wide area located 28'-3" from the western edge of Assessor's Block 0836, Lot 005 from 120-R-2 to 120/ 400-R-2. These approvals are necessary to facilitate the construction of a mixed-use project located at 1540 Mission Street, Assessor Block 0836, Lots 1, 2, 3, 4 and 5, ("Project"). The Project proposes to build an approximately 400-foot tall building containing approximately 300 dwelling units with a directed in-lieu contribution to facilitate the development of approximately 72 Below Market Rate dwellings units within 0.3 miles of the project site, amounting to 24 percent of the total constructed units Planning Code section 415).

WHEREAS, the Project is located on the Market Street transit corridor, and responds to the transit-rich location by proposing increased housing and employment on the Project site; and

WHEREAS, the project site is located within the Hub Plan Area currently being studied by the Planning Department and is consistent with the proposed heights and bulks associated with the Market and Octavia Plan Area, as well as those currently envisioned for the Hub Project; and

WHEREAS, the Project would address the City's severe need for additional housing for low income households, by providing a directed in-lieu contribution to facilitate the development of approximately 72 Below Market Rate dwellings units within 0.3 miles of the project site, amounting to 24 percent of the total constructed units; and

WHEREAS, the proposed General Plan and Zoning Map Amendments would not result in increased development potential from what is permitted under the existing height and bulk district; and

WHEREAS, the Project proposes neighborhood-serving amenities, such as new ground floor retail and proposes new publicly accessible open space; and

WHEREAS, the City Attorney's Office drafted a Proposed Ordinance in order to make the necessary amendments to the General Plan to implement the Project. The Office of the City Attorney approved the Proposed Ordinance as to form; and

WHEREAS, a General Plan Amendment Initiation is not a project under California Environmental Quality Act; 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 Planning Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Planning Department, Jonas Ionin (Commission Secretary) as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

RESOLVED, that pursuant to Planning Code Section 340, the Commission Adopts a Motion of Intent to Initiate amendments to the General Plan;

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

**Draft Resolution**  
**Hearing Date: February 23, 2017**

**Case No.'s: 2009.0159GPA**

referenced General Plan Amendment contained in the draft Ordinance, approved as to form by the City Attorney in **Exhibit A**, to be considered at a publicly noticed hearing.

I hereby certify that the foregoing RESOLUTION was ADOPTED by the San Francisco Planning Commission on February 23, 2017.

Jonas P. Ionin  
Commission Secretary

AYES:

NOES:

ABSENT:

*This page intentionally left blank.*

1 [General Plan Amendments - One Oak Street Project]

2  
3 **Ordinance amending the General Plan by revising the height and bulk designations for**  
4 **the One Oak Street project, at the Van Ness / Oak Street / Market Street Intersection,**  
5 **Assessor's Block 0836 Lots 001 and 005, on Map 3 of the Market and Octavia Area Plan**  
6 **and on Map 5 of the Downtown Area Plan; adopting findings under the California**  
7 **Environmental Quality Act; making findings of consistency with the General Plan as**  
8 **proposed for amendment and the eight priority policies of Planning Code, Section**  
9 **101.1; and adopting findings of public necessity, convenience, and welfare under**  
10 **Planning Code Section 340.**

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

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

19 Section 1. Findings.

20 (a) The One Oak Street project (Assessor's Block 0836, Lots 001 and 005, referred to  
21 herein as the "Project") is planned for an approximately 0.43 acre site located at the western  
22 corner of the Van Ness Avenue, Oak Street and Market Street intersection. The easternmost  
23 portion of the building site, at 1500 Market Street, is currently occupied by an existing three-  
24 story, 2,750-square-foot commercial building, built in 1980. Immediately west of the 1500  
25 Market Street building is an existing 30-car surface parking lot. The westernmost portion of  
the site at 1540 Market Street is occupied by a four-story, 48,225-square-foot commercial  
office building, built in 1920.

1 (b) The Project would demolish existing improvements and construct a 40-story  
2 residential building with ground floor retail space and three levels of underground parking at  
3 One Oak Street. The proposed building would include 310 dwelling units, 4,025 square feet  
4 of retail, and 155 vehicular parking spaces.

5 (e) On \_\_\_\_\_, 2016, in Resolution No. \_\_\_\_\_, the Planning  
6 Commission initiated this legislation in accordance with Planning Code Section 340. This  
7 Resolution is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_.

8 (f) On \_\_\_\_\_, 2017, in Motion No. \_\_\_\_\_, the Planning  
9 Commission certified as adequate and complete the One Oak Street Final Environmental  
10 Impact Report (the "FEIR" found in Planning Case No. 2009.0159E) in accordance with the  
11 California Environmental Quality Act ("CEQA", California Public Resources Code Sections  
12 21000 et seq.) and Administrative Code Chapter 31. Said Motion is on file with the Clerk of  
13 the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference.  
14 Copies of the FEIR and Motion No. \_\_\_\_\_ are on file with the Clerk of the Board of  
15 Supervisors in File No. \_\_\_\_\_ and are incorporated herein by reference. In  
16 addition, other documents, reports, and records related to the FEIR and Project approvals are  
17 on file with the Planning Department custodian of records, and located at 1650 Mission Street,  
18 Fourth Floor, San Francisco, California, 94103. The Board of Supervisors treats these  
19 additional Planning Department records as part of its own administrative record and  
20 incorporates such materials by reference herein.

21 (g) At the same hearing, in Motion No. \_\_\_\_\_, the Planning Commission  
22 adopted CEQA Findings, including a Mitigation Monitoring and Reporting Program. In  
23 accordance with the actions contemplated herein, this Board has reviewed the FEIR and the  
24 record as a whole, and adopts and incorporates by reference, as though fully set forth herein,  
25 the CEQA Findings pursuant to CEQA. A copy of said Motion No. \_\_\_\_\_ is on file with



1 the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and is incorporated herein by  
2 reference.

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

9 (i) In this same Resolution, the Planning Commission in accordance with Planning  
10 Code Section 340 determined that this ordinance serves the public necessity, convenience,  
11 and general welfare. The Board of Supervisors adopts as its own these findings.

12 (j) This ordinance is companion legislation to an ordinance that revises the Zoning  
13 Map for the One Oak Street project. That ordinance is on file with the Clerk of the Board of  
14 Supervisors in File No. \_\_\_\_\_ .

15  
16 Section 2. The General Plan is hereby amended by revising the Market and Octavia  
17 Area Plan as follows:

18 Revise Map 3 to reclassify the height limit of the eastern 15 feet of Assessor's Block  
19 0836, Lot 001 from 400' tower/120' podium to 120', and a 4'-7.5" wide area located 28'-3" from  
20 the western edge of Assessor's Block 0836, Lot 005 from 120' to 400' tower/120' podium as  
21 described below:

22

Description of Property	Height Districts to be Superseded
Assessor's Block 0836, Lot 001 (eastern 15 feet)	400' Tower / 120' Podium

1	Assessor's Block 0836, Lot 005 (4'-7.5"	120'
2	wide area located 28'-3" from western	
3	edge)	

5	Description of Property	Height Districts Hereby Approved
6	Assessor's Block 0836, Lot 001 (eastern	120'
7	15 feet)	
8	Assessor's Block 0836, Lot 005 (4'-7.5"	400' Tower/120' Podium
9	wide area located 28'-3" from western	
10	edge)	

11

12 Section 3. The General Plan is hereby amended by revising the Downtown Area Plan

13 as follows:

14 Revise Map 5 to reclassify the height and bulk of the same Assessor's Block and Lots

15 from 150-S and 120-F to 120-R-2 and 120/400-R-2 as described below:

17	Description of Property	Height Districts to be Superseded
18	Assessor's Block 0836, Lot 001 (eastern	150-S
19	15 feet)	
20	Assessor's Block 0836, Lot 005 (4'-7.5"	120-F
21	wide area located 28'-3" from western	
22	edge)	

24	Description of Property	Height & Bulk Districts Hereby
25		Approved

1 2	Assessor's Block 0836, Lot 001 (eastern 15 feet)	120-R-2
3 4 5	Assessor's Block 0836, Lot 005 (4'-7.5" wide area located 28'-3" from western edge)	120/400-R-2

6  
7           Section 4. Effective Date. This ordinance shall become effective 30 days after  
8 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
9 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
10 of Supervisors overrides the Mayor's veto of the ordinance.

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

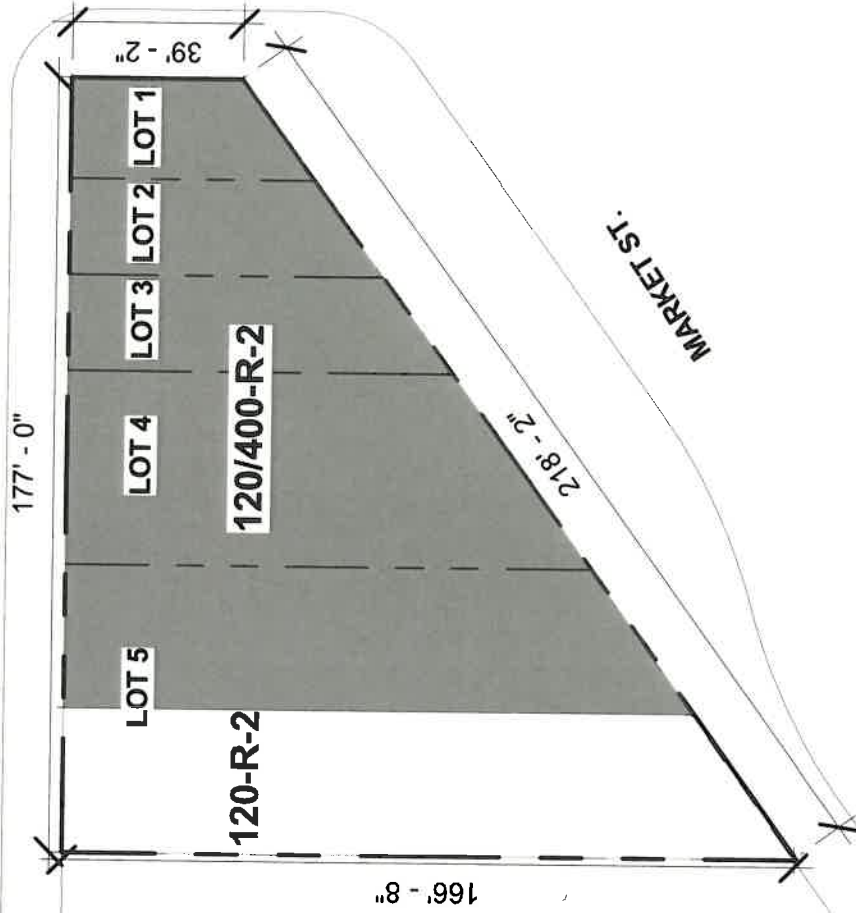
14 By:   
15 ANDREA RUIZ-ESQUIDE  
16 Deputy City Attorney

17 n:\leganas2017\1700102\01170525.docx

*This page intentionally left blank.*



OAK ST.



VAN NESS AVE.

MARKET ST.

SITE PLAN\_ EXISTING HEIGHT DISTRICTS  
SCALE: 1" = 30'-0"

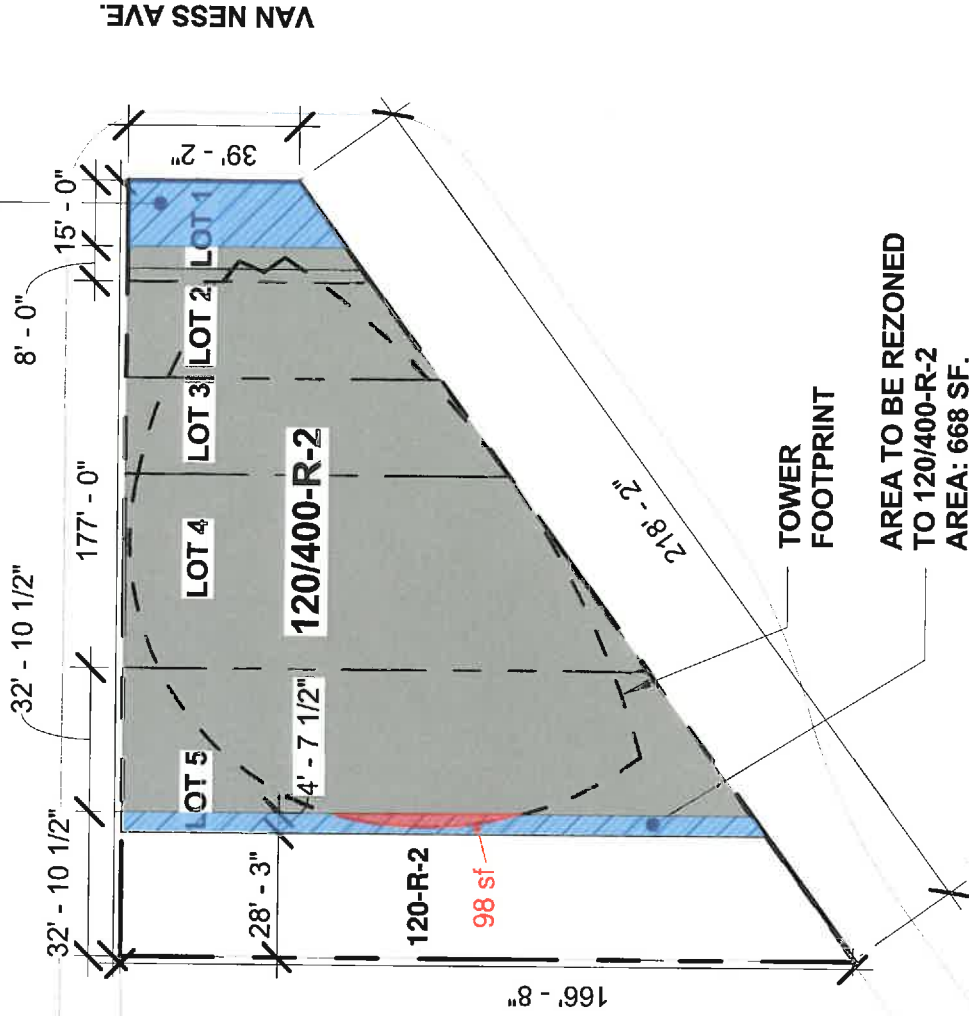
ONE  
OAK



SNØHETTA  
12/18/2015

OAK ST.

REZONED TO 120-R-2  
AREA: 668 SF.



VAN NESS AVE.

TOWER  
FOOTPRINT

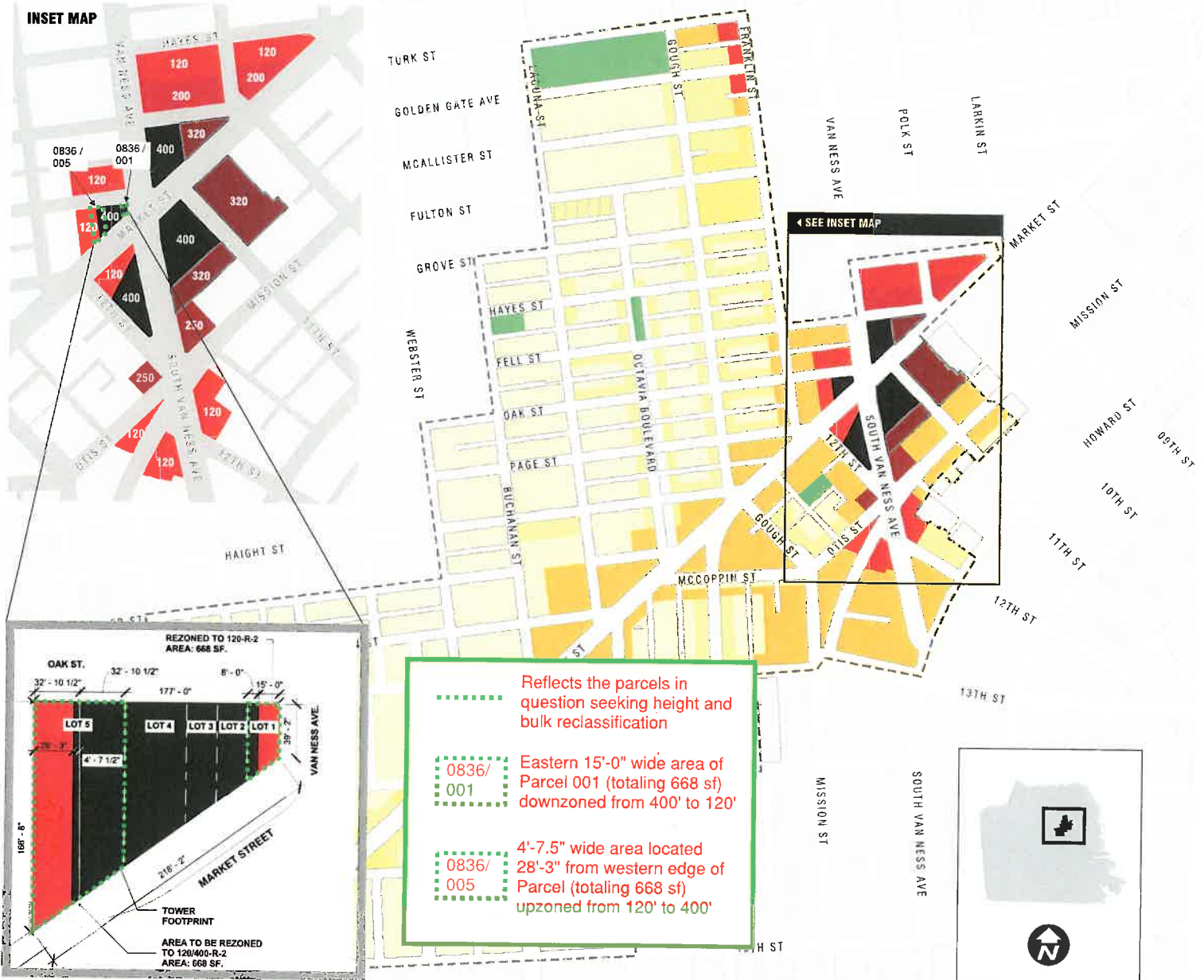
AREA TO BE REZONED  
TO 120/400-R-2  
AREA: 668 SF.

SITE PLAN PROPOSED HEIGHT DISTRICTS  
SCALE: 1" = 30'-0"

ONE  
OAK



SNOHETTA  
12/18/2015

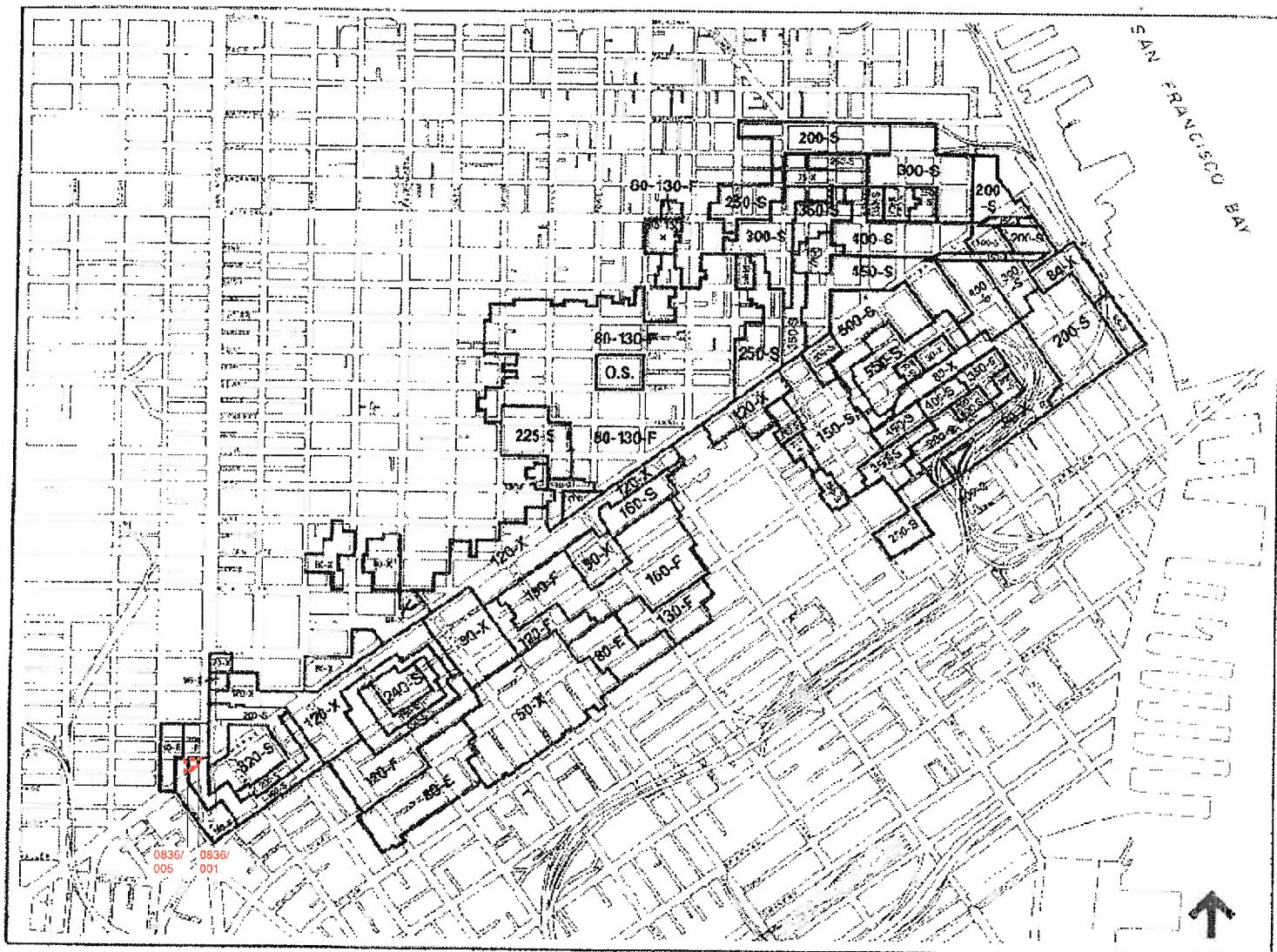


### Height Districts


	40'		65'		120'		320' Tower/120' Podium
	40'/50'		80'		200' Tower/120' Podium		400' Tower/120' Podium
	50'; 55'		85'		250' Tower/85' Podium		Open Space

*This page intentionally left blank.*





## PROPOSED HEIGHT AND BULK DISTRICTS

  
 0 400FT  
**Map 5**

### MAP TO BE EDITED

- Remove 80-X label from freeway lands in Transbay and replace with notation that says "See Transbay Redevelopment Plan Development Controls"
- Reclassify height and bulk limits of Lot 063 in Assessor's Block 3701 from 120-X to 200-S.
- Reclassify height and bulk limits of Lot 006 in Assessor's Block 031, currently zoned C-3-O at the corner of Market Street Kearny Street and Geary Avenue (690 Market St) to 285-S.
- Reclassify height and bulk limits of Lots 039, 051, 052 and 053 in Assessor's Block 3702, as well as a portion of the former Jesse Street, from 120-X, 150-S and 240-S to 160-X, 180-X and 240-S. (2006.1343)
- Reclassify height and bulk limits of Lot 047 in Assessor's Block 3735 from 150-S to 250-S. (2004.0852)
- Reclassify height and bulk limits of Lot 003 in Assessor's Block 0312 from 80-130-F to 150-X. (2004.0165)
- Reclassify height and bulk limits of Lot 066 in Assessor's Block 3724 from 160-F to 320-S. (2000.790)
- Reclassify height and bulk limits of the west corner of Lot 063 in Assessor's Block 3735 from 150-S to 350-S, consistent with the rest of the Lot.
- Reclassify height and bulk limits of the eastern portion of Lot 001 measuring 15'0" wide in Assessor's Block 0836 from 120/400-R-2 to 120-R-2
- Reclassify height and bulk limits of a portion of Lot 005 measuring 4'-7.5" wide located 28'-3" from the western edge of the parcel in Assessor's Block 0836 from 120/400-R-2 to 400-R-2

**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.

*This page intentionally left blank.*

# **EXHIBIT B:**

PLANNING CODE TEXT AND ZONING MAP AMENDMENTS RESOLUTION, ORDINANCE & GRAPHICS

*This page intentionally left blank.*



# SAN FRANCISCO PLANNING DEPARTMENT

---

## Planning Commission Draft Planning Code Text and Zoning Map Amendment Resolution

HEARING DATE: FEBRUARY 23, 2017

*Project Name:* 1540 Market Street (a.k.a One Oak)  
General Plan, Zoning Map Amendments

*Case Number:* 2009.0159GPAMAP

*Project Sponsor:* Steve Kuklin, 415.551.7627  
Build  
315 Linden Street  
steve@bldsf.com  
San Francisco, CA 94102

*Staff Contact:* Tina Chang, AICP  
[tina.chang@sfgov.org](mailto:tina.chang@sfgov.org), 415-575-9197

*Reviewed by:* Mark Luellen, Northeast Team Manager  
[mark.luellen@sfov.org](mailto:mark.luellen@sfov.org), 415-558-6697

*Recommendation:* **Adopt the Draft Resolution to Initiate the Zoning Map Amendment**

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

**MOTION OF INTENT TO INITIATE AN AMENDMENT TO HEIGHT AND BULK MAP HT07 TO FACILITATE THE CONSTRUCTION OF A MIXED-USE BUILDING CONTAINING APPROXIMATELY 300 DWELLING UNITS AND GROUND FLOOR RETAIL AND REDESIGNATE THE HEIGHT AND BULK OF ASSESSOR'S BLOCK 0836, LOTS 001 AND 005.**

### PREAMBLE

WHEREAS, Section 4.105 of the Charter of the City and County of San Francisco authorizes the Planning Commission to propose ordinances regulating or controlling the height, area, bulk, set-back, location, use or related aspects of any building, structure or land for Board of Supervisors' consideration and periodically recommend to the Board of Supervisors for approval or rejection proposed amendments to the General Plan; and

WHEREAS, the Planning Code and associated zoning maps implement goals, policies, and programs of the General Plan for the future physical development of the City and County of San Francisco that take into consideration social, economic and environmental factors; and

WHEREAS, the Planning Code and associated zoning maps shall be periodically amended in response to changing physical, social, economic, environmental or legislative conditions; and

WHEREAS, on August 27, 2012, John Kevlin of Reuben & Junius, LLP filed an Environmental Evaluation application on behalf of CMR Capital, LLC, the previous property owner for the property at Assessor's Block 0836, Lots 2, 3, 4, and 5.

November 18, 2015 and December 9, 2016 Steve Kuklin of Build, Inc., on behalf of One Oak Owner, LLC ("Project Sponsor") filed applications requesting a.) approval of a Downtown Project Authorization pursuant to Section 309 of the San Francisco Planning Code; b.) a Zoning Map Amendments; and c.) an application for a General Plan Amendment to change of the eastern 15 feet of Assessor's Block 0836, Lot 001 from 120/400-R-2 to 120-R-2, and a 4'-7.5" wide area located 28'-3" from the western edge of Assessor's Block 0836, Lot 005 from 120-R-2 to 120/ 400-R-2. These approvals are necessary to facilitate the construction of a mixed-use project located at 1540 Mission Street, Assessor Block 0836, Lots 1, 2, 3, 4 and 5, ("Project"). The Project proposes to build an approximately 400-foot tall building containing approximately 300 dwelling units with a directed in-lieu contribution to facilitate the development of approximately 72 Below Market Rate dwellings units within 0.3 miles of the project site, amounting to 24 percent of the total constructed units Planning Code section 415);

WHEREAS, the Project is located on the Market Street transit corridor, and responds to the transit-rich location by proposing increased housing and employment on the Project site; and

WHEREAS, the project site is located within the Hub Plan Area currently being studied by the Planning Department and is consistent with the proposed heights and bulks associated with the Market and Octavia Plan Area, as well as those currently envisioned for the Hub Project; and

WHEREAS, San Francisco faces a continuing shortage of affordable housing for low-income residents. The San Francisco Planning Department reported that for the five-year period between 2005 and 2009, 14,397, total new housing units were built in San Francisco. This number includes 3,707 units for low and very low-income households out of a total need of 6,815 low and very low-income housing units for the same period. According to the state Department of Housing and Community Development, there will be a regional need for 214,500 new housing units in the nine Bay Area counties from 2007 to 2014. Of that amount, over 58%, or 125,258 units, are needed for moderate/middle, low and very low-income households. The Association of Bay Area Governments (ABAG) is responsible for allocating the total regional need numbers among its member governments which includes both counties and cities. ABAG estimated that San Francisco's low and very low-income housing production need from 2007 through 2014 is 12,124 units out of a total new housing need of 31,193 units, or 39 percent of all units built. The production of low and moderate/middle income units fell short of the ABAG goals; and

WHEREAS, the Project would address the City's severe need for additional housing for low income households, by providing a directed in-lieu contribution to facilitate the development of approximately 72 Below Market Rate dwellings units within 0.3 miles of the project site, amounting to 24 percent of the total constructed units; and

WHEREAS, the proposed Zoning Map Amendment would not result in increased development potential from what is permitted under the existing height and bulk district; and

WHEREAS, the Project proposes neighborhood-serving amenities, such as new ground floor retail and proposes new publicly accessible open space; and

WHEREAS, the City Attorney's Office drafted a Proposed Ordinance in order to make the necessary amendments to the zoning map to implement the Project. The Office of the City Attorney approved the Proposed Ordinance as to form; and

WHEREAS, a Zoning Map Amendment Initiation is not a project under California Environmental Quality Act; 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 Planning Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Planning Department, Jonas Ionin (Commission Secretary) as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

RESOLVED, that pursuant to Planning Code Section 302, the Commission Adopts a Motion of Intent to Initiate amendments to the Planning Code Text and Zoning Maps;

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 Planning Code Text and Zoning Maps Amendment contained in the draft Ordinance, approved as to form by the City Attorney in **Exhibit B**, to be considered at a publicly noticed hearing.

I hereby certify that the foregoing RESOLUTION was ADOPTED by the San Francisco Planning Commission on February 23, 2016.

Jonas P. Ionin  
Commission Secretary

AYES:

NOES:

ABSENT:

*This page intentionally left blank.*



FILE NO.

ORDINANCE NO.

1 [Planning Code, Zoning Map - One Oak Street Project]  
2

3 **Ordinance amending the Planning Code by revising Sheet HT07 of the Zoning Map, to**  
4 **change the height and bulk district classification of Block 0836, portions of Lots 001**  
5 **and 005 for the One Oak Project, at the Van Ness / Oak Street / Market Street**  
6 **Intersection, as follows: rezoning the eastern portion of the property, along Van Ness**  
7 **Avenue, located at Assessor's Block 0836, Lot 001 (1500 Market Street) from 120/400-R-**  
8 **2 to 120-R-2; and rezoning the central portion of the property, located at Assessor's**  
9 **Block 0836, Lot 005 (1540 Market Street) from 120-R-2 to 120/400-R-2; affirming the**  
10 **Planning Commission's determination under the California Environmental Quality Act;**  
11 **and making findings, including findings of public necessity, convenience and welfare**  
12 **under Planning Code Section 302, and findings of consistency with the General Plan**  
13 **and the eight priority policies of Planning Code Section 101.1.**

14 Note: Additions are *single-underline italics Times New Roman*;  
15 deletions are ~~*strikethrough italics Times New Roman*~~.  
16 Board amendment additions are double underlined.  
Board amendment deletions are ~~strikethrough-normal~~.

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

18 Section 1. Findings.

19 (a) On November 18, 2015, One Oak Owner, LLC ("Project Sponsor"), filed an  
20 application to amend Sheet HT07 of the Zoning Map of the City and County of San Francisco  
21 to change the height and bulk classification of (1) the eastern portion (along Van Ness  
22 Avenue) of the property located at Assessor's Block 0836, Lot 001 (1500 Market Street) from  
23 120/400-R-2 to 120-R-2 in a trapezoidal area measuring 668 square feet and (2) a central  
24 portion of the property located at Assessor's Block 0836, Lot 005 (1540 Market Street) from  
25

1 120-R-2 to 120/400-R-2 in a trapezoidal area measuring 668 square feet (collectively  
2 "Proposed Zoning Map Amendment").

3 (b) The Proposed Zoning Map Amendment is part of a project proposed by the  
4 Project Sponsor to demolish existing improvements and construct a 40-story residential  
5 project with ground floor retail space and three levels of underground parking at One Oak  
6 Street ("Proposed Project").

7 (c) On \_\_\_\_\_, at a duly noticed public hearing, by Motion No. \_\_\_\_\_, the  
8 Planning Commission certified a Final Environmental Impact Report ("FEIR") for the Proposed  
9 Project, including the Proposed Zoning Map Amendment. The Planning Commission certified  
10 that the FEIR for the Proposed Project reflects the independent judgment and analysis of the  
11 City and County of San Francisco, is adequate, accurate, and objective, and contains no  
12 significant revisions to the Draft EIR, and that the content of the FEIR and the procedures  
13 through which it was prepared, publicized and reviewed comply with the provisions of the  
14 California Environmental Quality Act ("CEQA") (California Public Resources Code section  
15 21000 et seq.), the State CEQA Guidelines (California Code of Regulations Title 14 sections  
16 15000 et seq.) and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). A  
17 copy of the FEIR is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_.

18 (d) On \_\_\_\_\_ the Planning Commission adopted Motion No. \_\_\_\_\_,  
19 adopting CEQA Findings with respect to the approval of the Proposed Project, including the  
20 Proposed Zoning Map Amendment. A copy of such motion is on file with the Clerk of the  
21 Board of Supervisors in File No. \_\_\_\_\_. The Board of Supervisors hereby affirms and  
22 adopts said findings based on the reasons set forth therein, and incorporates such reasons by  
23 reference.

1 (e) On \_\_\_\_\_ the Planning Commission adopted Resolution No. \_\_\_\_\_,  
2 approving and recommending adoption by the Board of Supervisors of the Proposed Zoning  
3 Map Amendment.

4 (f) The letter from the Planning Department transmitting the Proposed Zoning Map  
5 Amendment to the Board of Supervisors, the FEIR, the CEQA Findings adopted by the  
6 Planning Commission with respect to the approval of the Proposed Project (including a  
7 mitigation monitoring and reporting program) are on file with the Clerk of the Board in File No.  
8 \_\_\_\_\_. These and any and all other documents referenced in this Ordinance have been  
9 made available to, and have been reviewed by, the Board of Supervisors, and may be found  
10 in both the files of the City Planning Department, as the custodian of records, at 1650 Mission  
11 Street in San Francisco, or in File No. \_\_\_\_\_ with the Clerk of the Board of Supervisors at  
12 1 Dr. Carlton B. Goodlett Place, San Francisco, and are incorporated herein by reference.

13 (g) The Board of Supervisors has reviewed and considered the FFEIR, the  
14 environmental documents on file referred to herein, and the CEQA Findings adopted by the  
15 Planning Commission in support of the approval of the Proposed Project, including the  
16 mitigation monitoring and reporting program. The Board of Supervisors has adopted the  
17 Planning Commission's CEQA Findings as its own and hereby incorporates them by  
18 reference as though fully set forth herein.

19 (h) Pursuant to Planning Code Section 302, this Board of Supervisors finds that the  
20 Proposed Zoning Map Amendment will serve the public necessity, convenience and welfare  
21 for the reasons set forth in Planning Commission Motion No. \_\_\_\_\_ (adopting findings  
22 relating to a determination of compliance under Planning Code Section 309 for the Project),  
23 Motion No. \_\_\_\_\_ (approving the Conditional Use Authorization for the Proposed  
24 Project) and Motion No. \_\_\_\_\_ (adopting environmental findings and recommending  
25

1 that the Board of Supervisors approve this Proposed Zoning Map Amendment), and  
2 incorporates such reasons by reference herein.

3 (i) Pursuant to Planning Code Section 101.1, this Board of Supervisors finds that  
4 the Proposed Zoning Map Amendment is consistent with the General Plan, as amended, and  
5 with the Priority Policies of Section 101.1(b) of the Planning Code, and hereby adopts the  
6 findings of the Planning Commission, as set forth in Planning Commission Motion Nos.  
7 \_\_\_\_\_ and \_\_\_\_\_, and incorporates said findings by reference herein.

8 (j) This ordinance is companion legislation to an ordinance that amends the General  
9 Plan for the One Oak Street project. That ordinance is on file with the Clerk of the Board of  
10 Supervisors in File No. \_\_\_\_\_ .

11  
12 Section 2. The Planning Code is hereby amended by revising Sheet HT07 of the  
13 Zoning Map, as follows:

<u>Description of Property</u>	<u>Height and Bulk Districts to be Superseded</u>	<u>Height and Bulk Districts to Be Approved</u>
14 Assessor's Block 0836 15 Lot 001 16 (Western 668 square feet)	120/400-R-2	120-R-2
17 Assessor's Block 0836 18 Lot 005 19 (Central 688 square feet)	120-R-2	120/400-R-2

20 Section 3. Effective Date. This Ordinance shall become effective 30 days from the  
21 date of passage. Enactment occurs when the Mayor signs the ordinance, the Mayor returns  
22 the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the  
23 Board of Supervisors overrides the Mayor's veto of the ordinance.  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

By:

  
\_\_\_\_\_  
ANDREA RUIZ-ESQUIDE  
Deputy City Attorney

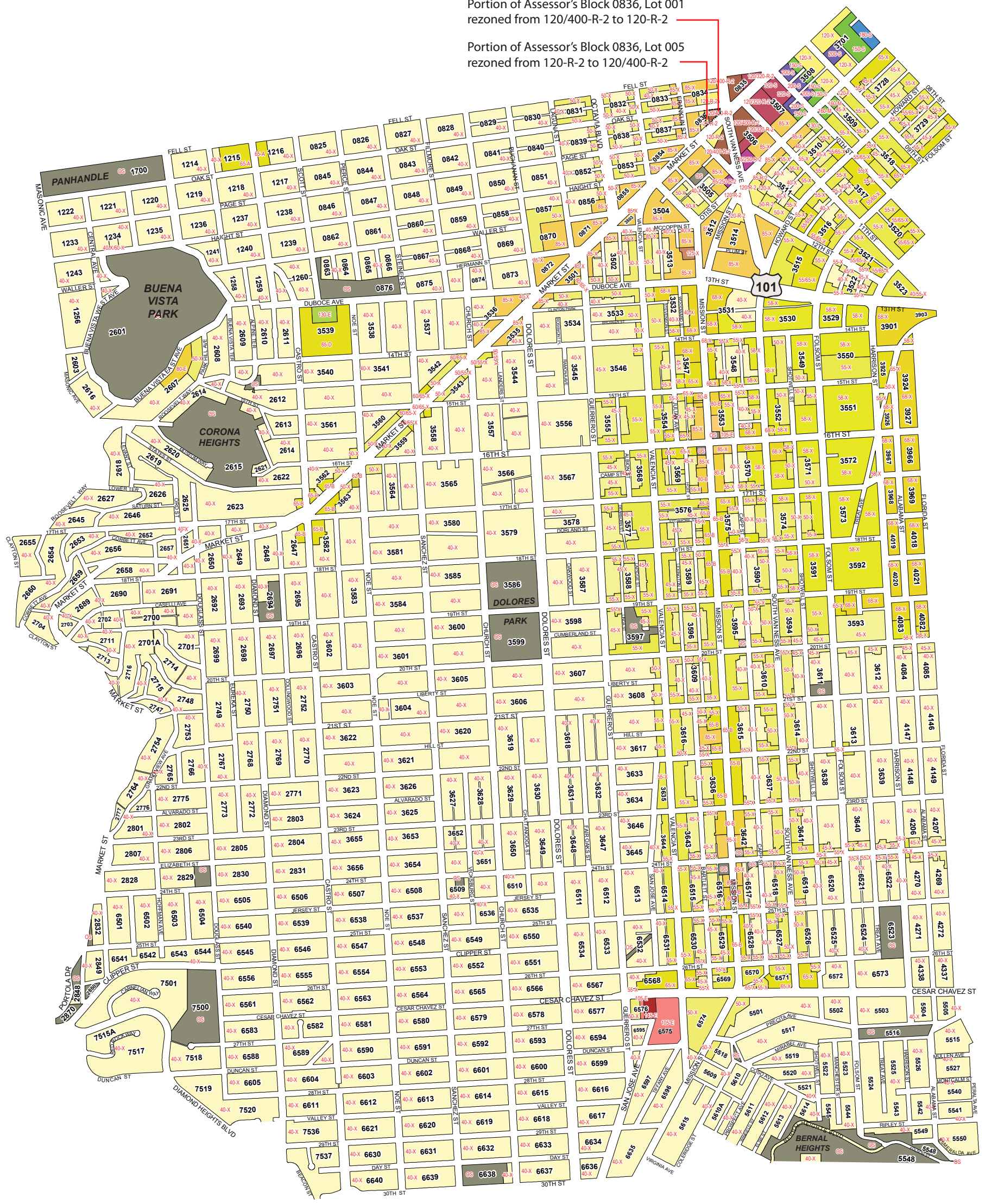
n:\legana\as2017\1700102\01170522.doc

*This page intentionally left blank.*



Portion of Assessor's Block 0836, Lot 001  
rezoned from 120/400-R-2 to 120-R-2

Portion of Assessor's Block 0836, Lot 005  
rezoned from 120-R-2 to 120/400-R-2

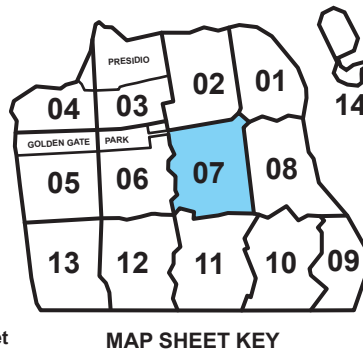
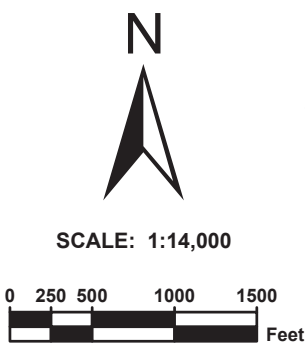


**DISCLAIMER:** The City and County of San Francisco (CCSF) does not guarantee the accuracy, adequacy, completeness or usefulness of any information. CCSF provides this information on an "as is" basis without warranties of merchantability or fitness for a particular purpose, and assumes no responsibility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

© 2016 City and County of San Francisco

## HEIGHT AND BULK DISTRICTS

- OS** "Open Space" District
- "Numbers" are Height Limits in feet. See Planning Code Section 250 and following.
- "Letters" refer to Bulk Limits. See Planning Code Section 270.
- 00-Z-1** "Suffix Numbers" identify districts in which special regulations apply. See Planning Code Sections 263 and following.



THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO IS ESTABLISHED BY SECTIONS 105 AND 106 OF THE PLANNING CODE, A PART OF THE SAN FRANCISCO MUNICIPAL CODE. ZONING USE DISTRICTS ARE ESTABLISHED BY SECTIONS 201, 702, 802 AND 902 OF THE PLANNING CODE.

MAP INCORPORATES BOARD OF SUPERVISORS' ORDINANCES ENACTED THROUGH JULY 2016.

# SHEET HT07

WEBSTER 20160701