



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other |

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Planning Commission Motion 18487 General Plan Referral

HEARING DATE: NOVEMBER 10, 2011

Date: November 3, 2011
Case No.: **2009.0291EMRZ; 2010.0275EMRZ**
Project Address: **151 THIRD STREET; 670-676 HOWARD STREET;
935 FOLSOM STREET**
Zoning: 151 Third Street:
C-3-O (Downtown, Office)
500-I Height and Bulk District
670 Howard Street:
C-3-S (Downtown, Support)
320-I Height and Bulk District
676 Howard Street:
P (Public)
320-I Height and Bulk District
935 Folsom Street:
MUR (Mixed Use-Residential)
45-X/85-X Height and Bulk District
SOMA Youth and Family Special Use District
Block/Lot: 676 Howard Street: 3722/028; 935 Folsom Street: 3753/140
Project Sponsor: Greg Johnson
San Francisco Museum of Modern Art
151 Third Street
San Francisco, CA 94103
Staff Contact: Kevin Guy – (415) 558-6163
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Recommendation: **Adopt Findings**

ADOPTING FINDINGS RELATING TO THE DETERMINATION THAT 1) THE VACATION AND CHANGE OF USE FOR THE HUNT STREET RIGHT-OF-WAY LOCATED BETWEEN THE PROPERTIES AT 151 THIRD STREET (ASSESSOR BLOCK 3722, LOT 78) AND 670-676 HOWARD STREET (ASSESSOR'S BLOCK 3722, LOTS 027-28), 2) THE CONSTRUCTION OF A NEW FIRE STATION LOCATED AT 935 FOLSOM STREET

(ASSESSOR'S BLOCK 3753, LOT 140); AND, 3) THE SUBDIVISION OF THE PROPERTY AT 935 FOLSOM STREET INTO TWO LOTS, IN ASSOCIATION WITH THE EXPANSION OF THE SAN FRANCISCO MUSEUM OF MODERN ART AND THE RELOCATION OF FIRE STATION NO. 1, WOULD BE CONSISTENT WITH THE OBJECTIVES AND POLICIES OF THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1; AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On April 9, 2009, Joel Roos, acting on behalf of the San Francisco Museum of Modern Art (SFMOMA, "Project Sponsor), submitted an Environmental Evaluation Application with the Planning Department ("Department"), Case No. 2009.0291E, in connection with a project to demolish the existing 7,620-square-foot, 4-story-over-basement building at 670 Howard Street (Assessor's Block 3722, Lot 027), demolish the existing 4,400-square-foot, two-story Fire Station No. 1 at 676 Howard Street, and vacate a 115-by-30-foot land-locked portion of Hunt Street located between 151 Third and 670 and 676 Howard Street, in order to accommodate an expansion of SFMOMA, measuring approximately 230,000 square feet and reaching a height of approximately 200 feet, located at the rear of the existing SFMOMA building located at 151 Third Street. On March 24, 2011, Joel Roos, acting on behalf of the Project Sponsor, submitted an Environmental Evaluation Application with the Department, Case No. 2010.0275E, in connection with a project to demolish an existing building at 935 Folsom Street (Assessor's Block 3753, Lot 140), subdivide the property, and construct a fire station, measuring approximately 15,000 square feet and reaching a height of approximately 34 feet on the northern portion of the site, and construct a future residential containing up to 13 dwelling units, reaching a height of approximately 43 feet, on the southern portion of the site (collectively, "Project").

The Department issued a Notice of Preparation of Environmental Review on October 25, 2010 to owners of properties within 300 feet, adjacent tenants, and other potentially interested parties.

On July 12, 2010, the Project Sponsor submitted a request for a General Plan Referral, Case No. 2009.0291R, in association with a Conditional Land Disposition and Acquisition Agreement between SFMOMA and the City and County of San Francisco to convey the property located at 676 Howard Street (Fire Station No. 1) and the Hunt Street right-of-way within Block 3722 to SFMOMA, in exchange for conveyance by SFMOMA to the City and County of San Francisco of the property located at 935 Folsom Street and a new fire station to be constructed by or on behalf of SFMOMA. On July 13, 2010, the Department issued a determination finding that the actions described in the Conditional Land Disposition and Acquisition Agreement are consistent with the objectives and policies of the General Plan and the Priority Policies of Planning Code Section ("Section") 101.1.

On February 22, 2011, the Project Sponsor submitted a request for review of a proposed development on the Project Site exceeding 40 feet in height, pursuant to Section 295, analyzing the potential shadow impacts of the proposed expansion of SFMOMA to properties under the jurisdiction of the Department of Recreation and Parks (Case No. 2009.0291K). Department staff

prepared a shadow fan depicting the potential shadow cast by the development and concluded that the Project would have no impact to properties subject to Section 295.

On March 23, 2011, the Project Sponsor applied for a Planning Code Section ("Section") 309 Determination of Compliance and Request for Exceptions, Application No. 2009.0291X, for the expansion of SFMOMA.

On August 26, 2011, the Project Sponsor applied for a General Plan Referral (Application Nos. 2009.0291R and 2010.0275R), for the vacation of Hunt Street, subdivision of 935 Folsom Street, and construction of a new fire station on the northerly portion of 935 Folsom Street.

On October 4, 2011, the Board of Supervisors initiated a rezoning to amend Sectional Map ZN01 of the Zoning Maps of the San Francisco Planning Code to change the use classification of 676 Howard Street from Public (P) to Downtown—Support District (C-3-S) and a portion of 935 Folsom Street from Mixed Use—Residential (MUR) to Public (P) (Board of Supervisors File No. 111080, Case Nos. 2009.0291Z and 2010.0275Z).

On October 20, 2011, the Planning Commission ("Commission") initiated a General Plan Amendment to amend Map 2 of the Community Facilities Element of the San Francisco General Plan to delete the reference to 676 Howard Street as a fire facility and add a reference to 935 Folsom Street as a fire facility (Resolution R-18463, Case Nos. 2009.0291M and 2010.0275M).

On July 11, 2011, the Department published a Draft Environmental Impact Report (EIR) for public review (Case Nos. 2009.0291E and 2010.0275E). The Draft EIR was available for public comment until August 25, 2011. On August 11, 2011, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to solicit comments regarding the Draft EIR. On October 27, 2011, the Department published a Comments and Responses document, responding to comments made regarding the Draft EIR prepared for the Project.

On October 25, 2011, the Board of Supervisors approved a motion urging the Commission to review and consider the above-referenced General Plan Amendment to Map 2 of the Community Facilities Element of the General Plan (Board of Supervisors File No. 111121, Case Nos. 2009.0291M and 2010.0275M).

On November 10, 2011, the Commission reviewed and considered the Final EIR and found that the contents of said report and the procedures through which the Final EIR was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) ("CEQA"), 14 California Code of Regulations Sections 15000 et seq. ("the CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

The Commission found the Final EIR was adequate, accurate and objective, reflected the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the Draft EIR, and approved the Final EIR for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

The Planning Department, Linda Avery, is the custodian of records, located in the File for Case No. Case Nos. 2009.0291E and 2010.0275E, at 1650 Mission Street, Fourth Floor, San Francisco, California.

Department staff prepared Mitigation Monitoring and Reporting programs ("MMRP's") for the SFMOMA Expansion Project and the Fire Station Relocation and Housing Project, and these materials were made available to the public and this Commission for this Commission's review, consideration and action.

On November 10, 2011, the Commission adopted Motion No. 18486, adopting CEQA findings, including a Statement of Overriding Considerations, and adopting the MMRP's, which findings and adoption of the MMRP's are hereby incorporated by reference as though fully set forth herein.

On November 10, 2011, the Commission adopted Resolution No. 18488, recommending that the Board of Supervisors approve the General Plan Amendment to amend Map 2 of the Community Facilities Element of the San Francisco General Plan to delete the reference to 676 Howard Street as a fire facility and add a reference to 935 Folsom Street as a fire facility.

On November 10, 2011, the Commission adopted Resolution No. 18489, recommending that the Board of Supervisors approve the rezoning to amend Sectional Map ZN01 of the Zoning Maps of the San Francisco Planning Code to change the use classification of 676 Howard Street from Public (P) to Downtown—Support District (C-3-S) and a portion of 935 Folsom Street from Mixed Use—Residential (MUR) to Public (P).

On November 10, 2011, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Case Nos. 2009.0291R and 2010.0275R. 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 the applicant, the Planning Department staff, and other interested parties.

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 the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby adopts the General Plan Referral described in Application Nos. 2009.0291R and 2010.0275R, based on the following findings:

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 above recitals are accurate and constitute findings of this Commission.

2. **Site Description and Present Use.** The property located at 151 Third Street, on the east side between Market and Mission Street, Block 3722, Lot 078, measures 59,195 square feet, and is developed with the existing San Francisco Museum of Modern Art ("SFMOMA"). The existing museum was constructed in 1995, measuring approximately 225,000 square feet, and reaching a height of 105 feet. The building contains galleries, retail space, a cafe, a theater, an education center, lobby and circulation spaces, and storage, loading, and administrative support areas. As discussed under Item #5 - "Project Description" below, the Project would expand SFMOMA onto several adjacent properties within the block, and relocate Fire Station No. 1.

The expanded SFMOMA would occupy the vacated Hunt Street right-of-way, as well as the properties at 670-676 Howard Street. The Hunt Street right-of-way is a landlocked street measuring 3,500 square feet, situated to the southeast of the property at 151 Third Street. This right-of-way is currently utilized for surface parking by firefighters, and would be vacated as part of the Project in order to be incorporated in the SFMOMA expansion site. The property located at 670 Howard Street, Block 3722, Lot 027, measures 7,260 square feet, and is developed with a four-story plus basement building formerly occupied by Heald College. This building is currently used for museum support functions, and would be demolished to accommodate the expansion of SFMOMA. The property located at 670 Howard Street, Block 3722, Lot 028, measures 4,400 square feet, and is currently developed with Fire Station No. 1. This building would also be demolished to accommodate the expansion of SFMOMA, and a new fire station would be constructed at 935 Folsom Street, approximately one-half mile to the southwest.

The property located at 935 Folsom Street is located on the south side, between Fifth and Sixth Streets at the corner of Falmouth Street, Block 3753, Lot 140. The property measures 14,400 square feet, and is currently developed with a vacant one-story commercial building, formerly occupied by a laundry and a sewing factory. The building would be demolished in order to accommodate the construction of the relocated Fire Station No. 1 on the northern portion of the property, and the construction of a future residential project on the southern portion of the property.

3. **Surrounding Properties and Neighborhood.** The SFMOMA expansion site is situated in the C-3-O and C-3-S Downtown Commercial zoning districts, and is within the former Yerba Buena Redevelopment Area, a context characterized by intense urban development and a diverse mix of uses. Aside from SFMOMA itself, numerous cultural institutions are clustered in the immediate vicinity, including the Yerba Buena Center for the Arts, the Museum of the African Diaspora, the Contemporary Jewish Museum, the Museum of Craft & Folk Art, Zeum, the California Historical Museum, and others. Multiple hotels and high-rise residential and office buildings are also located in the vicinity, including the adjacent W Hotel, the St. Regis Hotel and Residences, the Four Seasons, the Palace Hotel, the Paramount Apartments, One Hawthorne Street, the Westin, the Marriott Marquis, and the Pacific Telephone building. Significant open spaces in the vicinity include Yerba Buena Gardens and Jessie Square, immediately to the

west of the project site. The Moscone Convention Center facilities are located one block to the southwest of the SFMOMA site, and the edge of the Union Square shopping district is situated two blocks northwest of the site. The Financial District is located in the blocks to the northeast and to the north.

The site of the relocated Fire Station No. 1, at 935 Folsom Street, is located in the Mixed-Use Residential (MUR) zoning district and the SOMA Youth and Family Special Use District, within the South of Market area (SOMA), a neighborhood characterized by an eclectic mix of land uses that generally occupy low-rise structures. Many of the uses can be broadly categorized as Production, Distribution, and Repair uses, including auto repair, auto body shops, light manufacturing, and contractor's offices. There are also numerous low-rise residential buildings in the area, often situated on mid-block alleys, including on Shipley Street across from the 935 Folsom Street property. Surface parking lots are also common in the area, serving as public parking or for use by specific establishments. Significant open spaces in the area include the Gene Friend Recreation Center and Victoria Manolo Draves Park, both located to the southwest of the Fire Station site.

- 4. Project Description.** The Project proposes to demolish the existing buildings located at 670 and 676 Howard Street to accommodate an expansion at the rear of the existing SFMOMA that measures approximately 230,000 square feet, reaching a height of approximately 200 feet. The expansion would include additional gallery space to display the existing permanent collection, the Doris and Donald Fisher Collection, and other special exhibitions. The expansion will also add areas for free, publicly accessible art displays and other public functions, consolidate and enlarge the administrative and support functions for the SFMOMA organization, and enable the reconfiguration and improvement of the entry lobby and circulation spaces, retail and cafe functions, and ticketing areas.

As part of the Project, an existing commercial building located at 935 Folsom Street will be demolished to allow construction of a new Fire Station No. 1 on the northern portion of the site, measuring approximately 15,000 square feet and reaching a height of approximately 34 feet. The SFMOMA expansion will require the demolition of the existing Fire Station No. 1 at 676 Howard Street. To avoid disruption in fire protection services, the new Fire Station will be constructed on the northern portion of the property at 935 Folsom Street, and all operations will be shifted to the new location to permit the construction of the SFMOMA expansion. A future residential project would be constructed on the southerly portion of the site, containing up to 13 dwelling units and reaching a height of approximately 43 feet. While a conceptual residential project is analyzed in the EIR, there is no proposal for a specific residential development being considered at this time.

- 5. Public Comment.** The Department has received no comments with respect to the proposed Rezoning, General Plan Amendment, and General Plan Referral associated with the proposed projects. Comments regarding the Draft EIR were submitted to the

Department during the specified comment review period, and these comments are addressed separately in the Comments and Responses document, published on October 27, 2011, consistent with CEQA and the requirements of Administrative Code Chapter 31.

6. **General Plan Referral.** San Francisco Charter Section 4.105 and Sections 2A.52 and 2A.53 of the San Francisco Administrative Code require that, for projects that include certain actions, the Department or the Commission must review these actions and determine whether the project is in conformity with the objectives and policies of the General Plan, as well as the Priority Policies of Section 101.1. The following aspects of the project trigger the requirement for a General Plan referral:
 - A. **Vacation and Change of Use of Hunt Street Right-of-Way.** This right-of-way measures approximately 115 feet by 30 feet, and is situated between the properties at 151 Third Street and 670-676 Howard Street. A separate portion of the Hunt Street right-of-way to the west was previously vacated, severing a connection to Third Street and creating a landlocked area that does not connect to any other public street. Pursuant to a previously-authorized General Plan referral and Conditional Land Disposition and Acquisition Agreement in 2010, the City has agreed to a transactional framework to convey the underlying land (as well as the property at 676 Howard Street) to SFMOMA, in exchange for the conveyance of a portion of the property at 935 Folsom Street and the construction of a new fire station on that site. The Hunt Street right-of-way would be vacated and incorporated into the overall development site for the SFMOMA expansion.
 - B. **Construction of a New Fire Station at 935 Folsom Street.** The SFMOMA expansion will require the demolition of the existing Fire Station No. 1 at 676 Howard Street. To avoid disruption in fire protection services, a new Fire Station will be constructed on the northern portion of the property at 935 Folsom Street, and all operations will be shifted to the new location to permit the construction of the SFMOMA expansion.
 - C. **Subdivision of 935 Folsom Street into Two Lots.** The new Fire Station No. 1 and associated parking areas would occupy the northerly portion of the property at 935 Folsom Street measuring 9,025 square feet, but would not require the entire site. Therefore, the lot would be subdivided to create a separate lot on the southerly portion of the site measuring 5,444 square feet. A future residential project would be constructed on this newly created lot.
7. **Priority Policy Findings.** Section 101.1(b) establishes eight priority planning policies and requires the review of permits for consistency with said policies. The Project complies with these policies, on balance, as follows:

- A. That existing neighborhood-serving retail/personal services uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

The SFMOMA expansion will include expanded restaurant uses. These businesses could serve museum patrons, as well as area residents and employees. In addition, SFMOMA patrons will also shop for goods and services at off-site establishments in the vicinity, bolstering the overall viability of the retail environment of the area.

The relocation of Fire Station No. 1 will not result in the loss of any retail or personal-service establishments, and will provide for continuity of fire protection services prior to the expansion of SFMOMA.

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

No housing would be demolished by either the expansion of SFMOMA or the relocation of Fire Station No. 1. The expansion of gallery space within SFMOMA will further enhance the cultural vitality of the City, and will strengthen the economy by creating a draw for local, national, and international tourism.

- C. That the City's supply of affordable housing be preserved and enhanced.

The Project would not demolish any existing housing. The subdivision of the southerly portion of the site at 935 Folsom Street will allow for the future construction of a residential development containing up to 13 dwelling units that will meet the requirements of the City's Affordable Housing Program.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

Museum attendance is generally highest during the weekend, when patron travel would not conflict with commuter traffic. SFMOMA is situated in an area of excellent transit service. The site is located less than two blocks from Market Street, a major transit corridor that provides access to various Muni and BART lines. In addition, the Project Site is within one block of the future Fourth Street subway corridor, and two blocks from the proposed Transbay Terminal.

The EIR prepared for the Project concludes that commuter traffic associated with the Project would not result in significant congestion on surrounding streets. The Project would incorporate measures related to the operation of the garage to ensure that entering and exiting vehicles do not impede transit service. Neighborhood parking would not be overburdened.

The relocated Fire Station is staffed by approximately 13 firefighters at any given time. Therefore, the Station is not anticipated to generate substantial commuter traffic.

- E. 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 Project does not include the development of any commercial office uses, and would provide enhanced opportunities for service sector employments.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Both the SFMOMA expansion building and the expansion and the newly-constructed Fire Station No. 1 will meet or exceed all current structural and seismic requirements under the San Francisco Building Code.

- G. That landmarks and historic buildings be preserved.

The Project includes the demolition of the existing building at 935 Folsom Street, which is considered individually eligible for listing in the California Register. The Project also includes the demolition of the existing Fire Station No. 1 building at 676 Howard Street, which is a contributor to the potential San Francisco 1952 Firehouse Bond Act Thematic Historic District. The EIR prepared for the Project has determined that the demolition of 935 Folsom Street would result in a significant and unavoidable impact in the area of cultural resources, while the demolition of 676 Howard Street would result in less-than significant impacts to the potential historic district. Neither of the buildings to be demolished is identified as a landmark building. The Commission has adopted a Statement of Overriding Considerations in accordance with findings under CEQA that the economic, legal, social, technological, and other benefits of the Project outweigh the adverse environmental effects to historic resources.

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project's EIR evaluated potential impacts of the SFMOMA expansion on parks and other open spaces, and determined that it would not significantly increase shadows on Yerba Buena Gardens, the SFMOMA sculpture garden, or other open spaces in the vicinity. Because the SFMOMA site is level and is largely surrounded by high-rise development, the Project would not impede views from parks and open spaces. A shadow study confirmed that no public parks protected by Section 295 would be shaded by the SFMOMA expansion or the Fire Station No. 1 Relocation.

8. **General Plan Conformity.** The Project would affirmatively promote the following objectives and policies of the General Plan:

URBAN DESIGN ELEMENT Objectives and Policies

The **Urban Design Element** of the General Plan contains the following relevant objective and policies:

OBJECTIVE 2:

Conservation of resources which provide a sense of nature, continuity with the past, and freedom from overcrowding.

Policy 2.8:

Maintain a strong presumption against the giving up of street areas for private ownership or use, or for construction of public buildings.

Policy 2.9:

Review proposals for the giving up of street areas in terms of all the public values that streets afford.

Every proposal for the giving up of public rights in street areas, through vacation, sale or lease of air rights, revocable permits or other means shall be judged with the following criteria as the minimum basis for review:

a. No release of a street area shall be recommended which would result in:

1. Detriment to vehicular or pedestrian circulation;
2. Interference with the rights of access to any private property;
3. Inhibiting of access for fire protection or any other emergency purpose, or interference with utility lines or service without adequate reimbursement;
4. Obstruction or diminishing of a significant view, or elimination of a viewpoint; industrial operations;
5. Elimination or reduction of open space which might feasibly be used for public recreation;
6. Elimination of street space adjacent to a public facility, such as a park, where retention of the street might be of advantage to the public facility;
7. Elimination of street space that has formed the basis for creation of any lot, or construction or occupancy of any building according to standards that would be violated by discontinuance of the street;
8. Enlargement of a property that would result in (i) additional dwelling units in a multi-family area; (ii) excessive density for workers in a commercial area; or (iii) a building of excessive height or bulk;
9. Reduction of street space in areas of high building intensity, without provision of new open space in the same area of equivalent amount and quality and reasonably accessible for public enjoyment;
10. Removal of significant natural features, or detriment to the scale and character of surrounding development.
11. Adverse effect upon any element of the General Plan or upon an area plan or other plan of the Department of City Planning; or

12. Release of a street area in any situation in which the future development or use of such street area and any property of which it would become a part is unknown.
- b. Release of a street area may be considered favorably when it would not violate any of the above criteria and when it would be:
 1. Necessary for a subdivision, redevelopment project or other project involving assembly of a large site, in which a new and improved pattern would be substituted for the existing street pattern;
 2. In furtherance of an industrial project where the existing street pattern would not fulfill the requirements of modern industrial operations;
 3. Necessary for a significant public or semi-public use, or public assembly use, where the nature of the use and the character of the development proposed present strong justifications for occupying the street area rather than some other site;
 4. For the purpose of permitting a small-scale pedestrian crossing consistent with the principles and policies of The Urban Design Element; or
 5. In furtherance of the public values and purposes of streets as expressed in The Urban Design Element and elsewhere in the General Plan.

Policy 2.10:

Permit release of street areas, where such release is warranted, only in the least extensive and least permanent manner appropriate to each case.

The Vacation and Change of Use of Hunt Street would be consistent with these Objectives and Policies of the Urban Design Element because Hunt Street is a landlocked street that does not connect to any other public streets. The area is located adjacent to Fire Station No. 1., and is currently used for parking by firefighters at Fire Station No. 1. However, this fire station would be relocated as part of the project. Because the right-of-way is landlocked, it is functional as a vehicular thoroughfare or for pedestrian circulation. Third, Howard, and Natoma Streets would continue to provide adequate rights of access to all private property that borders Hunt Street, including access by emergency service vehicles and personnel. SFMOMA would provide continued access for the W Hotel across the vacated Hunt Street and a portion of the SFMOMA property to enable hotel loading and valet parking. The SFMOMA Expansion Project would enhance pedestrian circulation by providing a promenade up to 18 feet in width along the eastern boundary of the Project that would Natoma and Howard Streets.

The vacation of Hunt Street would not result in the elimination of any significant public views or natural features. The vacation would not result in the creation of non-conforming conditions for adjacent lots and buildings. The right-of-way is not located adjacent to a park, and is not suitable for use as public recreation. The SFMOMA Expansion project itself includes publicly-accessible open space in the form of the aforementioned pedestrian promenade, as well as a terrace measuring approximately 3,700 square feet. The vacation would not add dwelling units to the area, or contribute to an excessive density of workers in the area. The area of the right-of-way represents a relatively small portion of the footprint for the SFMOMA Expansion Project, and the vacation would not contribute excessive height or bulk to the project. The project is proposed at a height

well below the applicable 500- and 320-foot height limits, at a scale that will not be detrimental our out of character with the surrounding urban context. As discussed elsewhere in this motion, the vacation does not adversely affect any other element or area plan of the General Plan, or other plans of the Planning Department.

The vacation of Hunt Street is necessary for the development of the SFMOMA Expansion project, which requires the assembly of a large site. The project will achieve a significant public and semi-public benefit in the form of an expanded museum that will house larger galleries, expanded art collections (including free, publicly-accessible art displays), and other areas that could be used to host public functions. Because the project involves the expansion of the existing SFMOMA, which is located adjacent to the Hunt Street right-of-way, these public and semi-public benefits could not be feasibly realized through the selection of another development site.

ARTS ELEMENT

Objectives and Policies

The **Arts Element** of the General Plan contains the following relevant objectives and policies:

OBJECTIVE I-1:

RECOGNIZE THE ARTS AS NECESSARY TO THE QUALITY OF LIFE FOR ALL SEGMENTS OF SAN FRANCISCO.

Policy I-1.2:

Officially recognize on a regular basis the contributions arts make to the quality of life in San Francisco.

OBJECTIVE I-2:

Increase the contribution of the arts to the economy of San Francisco.

Policy I-2.1:

Encourage and promote opportunities for the arts and artists to contribute to the economic development of San Francisco.

Policy I-2.2:

Continue to support and increase the promotion of the arts and arts activities throughout the City for the benefit of visitors, tourists and residents.

OBJECTIVE III-2:

Strengthen the contribution of arts organizations to the creative life and vitality of San Francisco.

Policy III-2.2:

Assist in the improvement of arts organizations' facilities and access in order to enhance the quality and quantity of arts offerings.

OBJECTIVE VI-1:

Support the continued development and preservation of artists' and arts organizations' spaces.

Policy VI-1.11:

Identify, recognize, and support existing arts clusters and, wherever possible, encourage the development of clusters of arts facilities and arts related businesses throughout the city.

The Project will result in a substantial expansion of SFMOMA, strengthening the recognition and reputation of San Francisco as a city that is supportive of the arts. Such activities enhance the recreational and cultural vitality of San Francisco, bolster tourism, and support the local economy by drawing regional, national, and international patrons.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

The **Commerce and Industry Element** of the General Plan contains the following relevant objectives and policies:

OBJECTIVE 1:

Manage economic growth and change to ensure enhancement of the total city living and working environment.

Policy 1.1:

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

OBJECTIVE 2:

Maintain and enhance a sound and diverse economic base and fiscal structure for the city.

Policy 2.3:

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

The SFMOMA is located in an area already characterized by a significant cluster of arts, culture, and entertainment destinations. The expansion of the museum will add substantial economic benefits to the City, and will contribute to the vitality of this district, in an area well served by hotels, shopping and dining opportunities, public transit, and other key amenities and infrastructure to support tourism.

COMMUNITY FACILITIES ELEMENT Objectives and Policies

The **Community Facilities Element** of the General Plan contains the following relevant objective:

OBJECTIVE 5:

Development of a system of firehouses which will meet the operating requirements of the fire department in providing fire protection services and which will be in harmony with related public service facilities and with all other features and facilities of land development and transportation provided for in other sections of the General Plan.

The Project will include the construction of a new, state-of-the-art Fire Station No. 1 to serve the station's service area. Relocation of the functions of the existing Fire Station No. 1 will be phased to avoid disruption in fire protection services.

EAST SOMA AREA PLAN Objectives and Policies

The **East SoMa Area Plan** of the General Plan contains the following relevant objectives and policies:

OBJECTIVE 1.1:

Encourage production of housing and other mixed-use development in East SoMa while maintaining its existing special mixed-use character.

OBJECTIVE 1.2:

Maximize housing development potential in keeping with neighborhood character.

Policy 1.2.1:

Encourage development of new housing throughout East SoMa.

Policy 1.2.2:

Ensure that in-fill housing development is compatible with its surroundings.

OBJECTIVE 7.1:

Provide essential community services and facilities.

The property at 935 Folsom Street will be subdivided to enable future construction an essential community facility (fire station), and an infill residential development on the southerly portion of the site that in not required for the construction of Fire Station No. 1. While no specific residential development is proposed at this time, the conceptual residential project analyzed in the EIR includes 13 dwelling units in a building reaching 43 feet in height. Such a development would add to the housing stock of the area in a manner that is compatible with the prevailing scale, character, and density of East SoMa.

DOWNTOWN AREA PLAN Objectives and Policies

The Project is also consistent with and implements many objectives and policies of the Downtown Area Plan, including but not limited to the following:

OBJECTIVE 4:

Enhance San Francisco's role as a tourist and visitor center.

OBJECTIVE 14:

Create and maintain a comfortable pedestrian environment.

OBJECTIVE 16:

Create and maintain attractive, interesting urban streetscapes.

OBJECTIVE 16.5:

Encourage the incorporation of publicly visible art works in new private development and in various public spaces downtown.

OBJECTIVE 22:

Implement a downtown streetscape plan to improve the downtown pedestrian circulation system, especially within the core, to provide for efficient, comfortable, and safe movement.

Policy 22.1:

Provide sufficient pedestrian movement space.

Policy 22.3:

Ensure convenient and safe pedestrian crossings.

Policy 22.5:

Improve the ambience of the pedestrian environment.

The expansion of SFMOMA would require the vacation of a portion of the Hunt Street right-of-way and thereby preclude from being developed into a Destination Alley. This portion is currently landlocked because its western segment extending to Third Street was previously vacated and does not contribute to the larger network of pedestrian circulation in the area. The expanded SFMOMA is proposed to include numerous elements that create active streetscapes, including a pedestrian promenade connecting Howard and Natoma Streets, retail and café spaces, as well as displays of art that would be readily visible from surrounding sidewalks to the general public without the requirement to purchase admission to SFMOMA.

9. The Commission hereby finds that approval of this General Plan Referral would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **ADOPTS FINDINGS** that 1) Vacation and change of use for the Hunt Street right-of-way, 2) Construction of a new fire station located at 935 Folsom Street; and, 3) Subdivision of the property at 935 Folsom Street into two lots is consistent with the objectives and policies of the General Plan, and the Priority Policies of Section 101.1.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on November 10, 2011.

Linda D. Avery
Commission Secretary

AYES: Miguel, Antonini, Borden, Fong, Moore, Sugaya

NAYS:

ABSENT: Olague

ADOPTED: November 10, 2011