



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Resolution No. 19067

HEARING DATE JANUARY 23, 2014

*Case No.:* **2013.1663ZM**  
*Project Address:* **133-135 GOLDEN GATE AVE.**  
*Current Zoning:* RC-4 (Residential-Commercial, High Density)  
80-T and 120-T Height and Bulk District  
*Proposed Zoning:* C-3-G (Downtown, General)  
80-T and 120-T Height and Bulk District  
*Block/Lot:* 0349/012 & 013  
*Project Sponsor:* Supervisor Kim  
*Staff Contact:* Aaron Starr – (415) 558-6362  
[aaron.starr@sfgov.org](mailto:aaron.starr@sfgov.org)  
*Recommendation:* **Recommend Approval**

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**RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE A PROPOSED ORDINANCE TO AMEND THE ZONING MAP THAT WOULD REZONE 133-135 GOLDEN GATE AVENUE FROM RC-4 (RESIDENTIAL-COMMERCIAL, HIGH DENSITY) TO C-3-G (DOWNTOWN GENERAL), AND A PROPOSED ORDINANCE TO AMEND MAP 1 OF THE DOWNTOWN AREA PLAN TO INCLUDE 133-135 GOLDEN GATE AVENUE; TO MAKE AND ADOPT ENVIRONMENTAL FINDINGS; AND FINDINGS OF CONSISTENCY WITH THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1 AND THE GENERAL PLAN.**

WHEREAS, on October 8, 2013, Supervisor Kim introduced an Ordinance under Board of Supervisors (hereinafter “Board”) File Number 130999 for a Zoning Map Amendment to rezone 133-135 Golden Gate Avenue (APN 0349/012 & 013) also known as St. Boniface (hereinafter Subject Property) from RC-4 (Residential-Commercial, High Density) to C-3-G (Downtown, General) in order to provide for the eligibility to sell transferable development rights; and

WHEREAS, on January 9, 2014, the Planning Commission (hereinafter Commission) initiated a General Plan Amendment to expand The Land Use and Density Plan (hereinafter Map 1) of the Downtown Area Plan to include the Subject Property so that Supervisor Kim’s Ordinance would be consistent with the Downtown Area Plan; and

WHEREAS, the Subject Property is Landmark #172, which puts any proposed changes to the Subject Property also under the purview of the Historic Preservation Commission; and

WHEREAS, the Historic Preservation Commission unanimously recommended that the Board of Supervisors approve the proposed Zoning Map Amendment and the General Plan Amendment at their January 15, 2014 hearing; and

WHEREAS, an exemption from Environmental Review under the General Rule Exclusion found in the State CEQA Guidelines Section 15061 (b)(3) was issued for the Project on January 2, 2014; 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 by Department staff and other interested parties; and

WHEREAS, the Commission has reviewed the proposed Ordinances; and

**MOVED**, that the Commission hereby recommends that the Board of Supervisors *approve the proposed Ordinances* and adopts this Resolution to that effect.

## **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. Allowing St. Boniface to participate in the TDR program will provide it with needed funds for the restoration and upkeep of the church, a designated City Landmark.
2. A Zoning Map Amendment and a General Plan Amendment for this same purpose were done for Old St. Mary's Church in 2010 (Case # 2009.1180TZM) also a designated City Landmark.
3. In order for the proposed rezoning to be consistent with the General Plan, Map 1 of the Downtown Area Plan must be modified to include the Subject Property.
4. The proposed rezoning will maintain a contiguous zoning district.
5. The proposed rezoning along with the sale of TDR will not increase the development potential for the subject site.
6. The proposed rezoning will not have adverse effects to adjacent properties.
7. The Subject Property was not part of a recent rezoning effort.
8. The Subject Property is already a designated historic landmark; therefore it will not need a new historic designation in addition to the proposed rezoning.
9. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

## DOWNTOWN AREA 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 and inclusion in the Downtown Area Plan will not displace another use or significantly increase the boundaries of the downtown core. It will help maintain a compact downtown core by allowing more commercial and residential development in other parts of the downtown.*

### OBJECTIVE 6

WITHIN ACCEPTABLE LEVELS OF DENSITY, PROVIDE SPACE FOR FUTURE OFFICE, RETAIL, HOTEL, SERVICE AND RELATED USES IN DOWNTOWN SAN FRANCISCO.

#### Policy 6.1

Adopt a downtown land use and density plan which establishes subareas of downtown with individualized controls to guide the density and location of permitted land use.

*The proposed General Plan Amendment will maintain consistency between the City's zoning map and Map 1 of the Downtown Area Plan.*

### OBJECTIVE 12

CONSERVE RESOURCES THAT PROVIDE CONTINUITY WITH SAN FRANCISCO'S PAST.

#### Policy 12.1

Preserve notable landmarks and areas of historic, architectural, or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

*The proposed project will help preserve a designated historic landmark.*

10. The proposed project is consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

*The proposed Ordinances will not have an adverse effect on neighborhood-serving businesses.*

- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

*The proposed Ordinances will not displace existing housing, nor will it have a negative effect on existing neighborhood character. Allowing the Subject Property to participate in the City's TDR program will allow the church to acquire funds that will, in part, be used to help preserve a*

*designated historic landmark, helping to conserve neighborhood character. Further, the continued operation of the church's mission in the exiting building will help maintain the cultural and economic diversity of the neighborhood.*

- C) The City's supply of affordable housing will be preserved and enhanced:

*The proposed Ordinances will not adversely affect the City's supply of affordable housing.*

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

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

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

*The proposed Ordinances will not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.*

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

*Preparedness against injury and loss of life in an earthquake is unaffected by the proposed Ordinances. Any new construction or alteration associated with a use would be executed in compliance with all applicable construction and safety measures.*

- G) That landmark and historic buildings will be preserved:

*Rezoning the Subject Property so that it can take part in the City's TDR program will allow the church to acquire funds that will be used, in part, to help preserve one of the City's designated historic landmarks.*

- H) Parks and open space and their access to sunlight and vistas will be protected from development:

*The City's parks and open space and their access to sunlight and vistas would be unaffected by the proposed Ordinances. Any additional development caused by the sale of TDR will also be subject to the City's Proposition K shadow requirements.*

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board APPROVE the proposed Ordinances as described in this Resolution to rezone the Subject Property from RC-4 to C-3-G and expand Map 1 of the Downtown Area Plan to include the Subject Property.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on January 23, 2014.

Jonas P. Ionin  
Commission Secretary

AYES: Commissioners Borden, Hillis, Moore, Sugaya and Wu

NOES: none

ABSENT: Commissioners Antonini and Fong

ADOPTED: January 23, 2014