

Hearing on July 10, 2008

Amend Height and Bulk Provisions on  
Third Street and Mendell  
Street in the Third Street NCD

**Resolution 17644**

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SAN FRANCISCO

PLANNING COMMISSION

RESOLUTION NO. 17644

**RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD AMEND HEIGHT MAP HT 10 OF THE CITY AND COUNTY OF SAN FRANCISCO PLANNING CODE TO CHANGE THE HEIGHT AND BULK PROVISIONS FROM "105-A" TO "55-X" FOR BLOCK 5323, LOTS 13, 14, 14A, 15, 15A AND 15B.**

WHEREAS, on April 8, 2008 Supervisor Maxwell introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 08-0478 which would amend the Height Map HT 10 of the Zoning Map of the City and County of San Francisco to change the height and bulk provisions from "105-A" to "55-X" for Block 5323, lots 13, 14, 14A, 15, 15A and 15B.

The proposed zoning changes would result in no physical impact on the environment. The proposed amendment is exempt from environmental review under Section 15060(c)(2) of the CEQA Guidelines.

The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on July 10, 2008.

The Board passed Ordinance Number 08-0478 lowering the height and bulk limit from "105-A" to "40-X" for Block 5323, lots 13, 14, 14A, 15, 15A and 15B in the Third Street Neighborhood Commercial District.

The Commission believes this proposed Ordinance improves height and bulk consistency within the Third Street Neighborhood Commercial District and allows for an appropriate scale of development along Mendell Plaza.

In sum, the Commission recommends approval of the proposed Ordinance.

The proposed amendments to the Planning Code are consistent with the General Plan.

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Urban Design Element

***POLICY 1.3***

***Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.***

“Buildings, which collectively contribute to the characteristic pattern of the city, are the greatest variable because they are most easily altered by man. Therefore, the relationships of building forms to one another and to other elements of the city pattern should be moderated so that the effects will be complementary and harmonious.”

***POLICY 2.6***

***“Respect the character of older development nearby in the design of new buildings.”***

“This established character should also be respected. In some cases, formal height limits and other building controls may be required to assure that prevailing heights or building lines or the dominance of certain buildings and features will not be broken by new construction.”

***POLICY 3.4***

***Promote building forms that will respect and improve the integrity of open spaces and other public areas.***

“Buildings to the south, east and west of parks and plazas should be limited in height or effectively oriented so as not to prevent the penetration of sunlight to such parks and plazas.”

***POLICY 3.5***

***Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.***

“In all cases, the height and character of existing development should be considered.”

**Additional Text in the Urban Design Element under “Major New Development” Section**

“The fitting in of new development is, in a broad sense, a matter of scale. It requires a careful assessment of each building site in terms of the size and texture of its surroundings, and a very conscious effort to achieve balance and compatibility in the design of the new building. Good scale depends upon a height that is consistent with the total pattern of the land and of the skyline, a bulk that is not overwhelming, and an overall appearance that is complementary to the building forms and other elements of the city. Scale is relative, therefore, since the height, bulk and appearance of past development differ among the districts of the city.”

The proposed amendments to the Planning Code are consistent with Section 101.1(b) of the Planning Code in that:

1. The proposed Ordinance would not impact and the preservation and promotion of neighborhood-serving retail uses and future opportunities for resident employment in and ownership of such businesses.
2. The proposed legislation would allow for the continued presence and economic viability of existing neighborhood establishments while not negatively affecting existing residential

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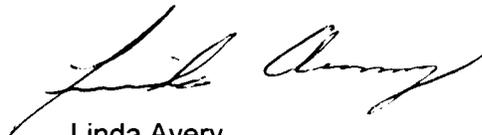
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development, housing or neighborhood character.

3. The City's supply of affordable housing would be unaffected by the proposed Code amendments.
4. The proposed amendments would not impact commuter traffic, MUNI transit service, or streets and neighborhood parking in San Francisco.
5. The proposed Ordinance would not impact the industrial and service sector as it is targeted towards the Third Street Neighborhood Commercial District.
6. Preparedness against injury and loss of life in an earthquake would be unaffected by the proposed amendments.
7. Landmarks and historic buildings would be unaffected by the proposed Ordinance
8. Parks and open space and their access to sunlight and vistas would be unaffected by the proposed Ordinance.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board ADOPT the proposed Ordinance with the proposed amendments.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting July 10, 2008.



Linda Avery  
Commission Secretary

AYES: Antonini, Borden, W. Lee, Miguel, Moore, Olague, Sugaya

NOES:

ABSENT:

ADOPTED: