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[Zoning Map Amendment.]

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification, special use district classification and the height and bulk designation of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street and Folsom Street (excepting the southern portion of Block 3746), and adopting findings.

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

Section 1. Findings. The Board of Supervisors makes the following findings:

The Board of Supervisors has reviewed and considered the information in the Final Environmental Impact Reports for the 300 Spear Project and the 201 Folsom Project (both dated June 19, 2003), copies of which are on file with the Clerk of the Board of Supervisors in File Nos. 031631 and 031627, regarding the proposed Zoning Map changes. The Board hereby adopts and incorporates herein by reference as though fully set forth the findings adopted by the Planning Commission in Resolution No. 16645, including the California Environmental Quality Act ("CEQA") and the findings that overriding considerations warrant approval of the rezoning despite the determination of the FEIRs that the rezoning project may result in significant environmental impacts. For purposes of this action, this Board also adopts the CEQA mitigation monitoring and reporting programs, set forth in Planning Commission Motion Nos. 16647 and 16648, as its own and this Board finds that the mitigation measures cited therein are within the jurisdiction of the City agencies identified therein and such measures have been, can and should be adopted and implemented by such other agencies.

[Faint, illegible stamp or signature]

1 B. On September 23, 2003, Sue C. Hestor, on behalf of the Rincon Hill Residents
2 Association and Baycrest Towers Residential Association, appealed the Planning
3 Commission's FEIR certifications for the projects located at 201 Folsom and 300 Spear to the
4 Board of Supervisors, such certifications being set forth in Planning Commission Motion Nos.
5 16642 and 16643. Thereafter, on ^{November 18, 2003} this Board held a duly noticed public
6 hearing to consider the appeals of the FEIR certifications. After reviewing the FEIRs and
7 hearing the testimony and public comment, the Board affirmed the decision of the Planning
8 Commission to certify the FEIRs in compliance with CEQA, the State CEQA Guidelines, and
9 Chapter 31, and adopted the findings contained in Planning Commission Motion Nos. 16642
10 and 16643, pursuant to this Board's Motion Nos. M03-194, and M03-195.

11 C. The proposed zoning map amendments are consistent with the City's General
12 Plan and with Planning Code Section 101.1(b) for the reasons set forth in Planning
13 Commission Resolution No. 16645, which reasons are incorporated herein by reference as
14 though fully set forth. A copy of Resolution No. 16645 is on file with the Clerk of the Board of
15 Supervisors in File No. 031771.

16 D. Pursuant to Planning Code Section 302, the Board finds that the proposed
17 zoning map amendment will serve the public necessity, convenience and welfare for the
18 reasons set forth in Planning Commission Resolution No. 16645, which reasons are
19 incorporated herein by reference as though fully set forth.

20 Section 2. Pursuant to Section 302(c) of the San Francisco Planning Code, the
21 following change in property use classification is hereby adopted as an amendment to
22 Sectional Map 1 of the Zoning Map of the City and County of San Francisco:
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| Description of Property | Use District to be Superseded | Use District Hereby Approved |
|--|-------------------------------|------------------------------|
| The property generally bounded by Spear Street, Harrison Street, Beale Street, and Folsom Street (excluding southern one-half of Block 3746) | P | RC-4 |

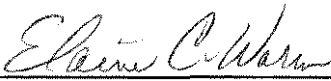
Section 3. Pursuant to Section 302(c) of the San Francisco Planning Code, the following change in property special use district subdistrict classification is hereby adopted as an amendment to Sectional Map 1 and ISU of the Zoning Map of the City and County of San Francisco:

| Description of Property | Use District to be Superseded | Use District Hereby Approved |
|---|---|--|
| The property generally bounded by Spear Street, Harrison Street, Beale Street and Folsom Street (excluding southern one-half of Block 3746 and Lot 9 of Block 3745) | Rincon Hill Special Use District, Residential Subdistrict | Rincon Hill Special Use District, Residential/Commercial Subdistrict |

Section 4. Pursuant to Section 302(c) of the San Francisco Planning Code, the following change in property height and bulk designation is hereby adopted as an amendment to Sectional Map 1H of the Zoning Map of the City and County of San Francisco:

| Description of Property | Height and Bulk Districts to be Superseded | Height and Bulk Districts Hereby Approved |
|--|--|---|
| The property generally bounded by Spear Street, Harrison Street, Beale Street, and Folsom Street (excluding the southern half of Block 3746 and Block 3745, Lot 9) | 200 – R 150 – R 105 – R | 400 – W 300 – W (Block 3745, Lot 8) |

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

By: 
ELAINE C. WARREN
 Deputy City Attorney

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 031771

Date Passed:

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification, special use district classification and the height and bulk designation of the property zoned P (Public) and bounded by Spear Street, Harrison Street, Beale Street and Folsom Street (excepting the southern portion of Block 3746), and adopting findings.

January 13, 2004 Board of Supervisors — CALLED FROM COMMITTEE

January 27, 2004 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval

Noes: 1 - Ammiano

February 3, 2004 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Peskin, Sandoval

Noes: 1 - Ammiano

File No. 031771

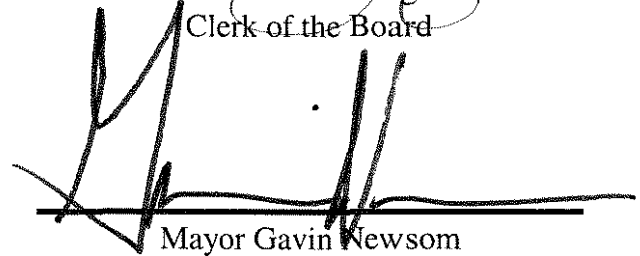
I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on February 3, 2004 by the Board of Supervisors of the City and County of San Francisco.

FEB 12 2004

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom