



SAN FRANCISCO PLANNING DEPARTMENT

May 19, 2009

Ms. Grace Kwak, Project Manager,
Mission Bay Task Force (MBTF)
30 Van Ness Ave., Suite 4200
San Francisco, CA 94102

Re: Case 2009.0071R Mission Bay South
Blocks 40/44 and Parks P26 and P27
Approval of Tentative Subdivision Map, Final Map and Acceptance of
Land and Public Improvements in Assessor's Block/lot No. 8727/005;
Acceptance of Improvements in Parks P26 (AB 8723/003, 004, 006) and P27
(AB 8723/002)

Dear Ms. Kwak,

We are in receipt of your letter dated January 22, 2009, as revised by additional material received April 7, 2009, requesting that the Planning Department consider a General Plan Referral application concerning a Mission Bay South Tentative Subdivision Map, City acceptance of land and public improvements and related actions, pursuant to Section 4.105 of the Charter and Section 2A.53 of the Administrative Code. The Project, as revised by materials submitted on April 7, 2009 is, on balance, **in conformity** with the General Plan, as described in the Case Report, included as **Attachment 1**.

In the subject case, the Mission Bay Force (MBTF) proposes a number of actions to implement the Mission Bay Redevelopment Area South of Channel Street. The Mission Bay South Redevelopment Project was approved as part of Planning Case 1996.771EMTZR. The Planning Commission found the Mission Bay North and Mission Bay South Redevelopment Plan Projects, on balance, in conformity with the General Plan by Resolution 14699, on September 17, 1998. The specific actions considered as part of the current Project require a General Plan Referral consistency determination and consideration and approval by the Board of Supervisors for City-approval of the actions referenced above, including a Tentative and Final Map, vacation of easements, acceptance of real property and horizontal infrastructure improvements, and exchange of real property. The proposed project is described in further detail below.

PROPOSED ACTIONS BY THE BOARD OF SUPERVISORS

1. Tentative Map

The Department of Public Works (DPW) will conditionally approve the Tentative Map, as shown in Exhibit B of your submittal, and provide conditional approval of the project. This action will provide conditional approval of the lot pattern, and confirm that access and utilities can be provided to each lot.

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2. Final Subdivision Map

After DPW recommends the approval of the Final Subdivision Map, the Board of Supervisors may act to approve the Final Subdivision Map. Board approval of the Final Subdivision Map will allow the sale, finance or lease of the property or properties.

3. Acceptance of Land and Public Improvements

The Final Map will designate and offer a portion of parcel lot No.005 in Assessor's Block No. 8727 to the City and County for development of a public street and easement use, required for public purposes. The Board of Supervisors may consider acceptance of the portion of the parcel shown on the Final Map, and the public improvements.

4. Vacation and Quitclaim of City Easements

After DPW recommends the approval of City vacation and quitclaim of existing easements within the project boundary, the Board of Supervisors may act to approve the documents necessary in order to execute the Vacation and Quitclaim of City easements shown on the Tentative Map, provided as Exhibit B of your application. The City Vacation and Quitclaim of Easements include the following:

- a. Vacation and Quitclaim of the City Slope Maintenance Easement located adjacent to 16th Street in the NW corner of lot 005 in Assessor's Block No. 8727.
- b. Vacation and Quitclaim of a City sewer easement located in the NE corner of Lot 005 in Assessor's Block. No. 8725
- c. Vacation and Quitclaim of a portion of an offer of dedication of a strip of land for right-of-way purposes located in the NW corner of Lot 005 in Assessor's Block No. 8727.

5. Acceptance of Dedication of Horizontal Public Infrastructure:

After the Department of Public Works (DPW) determines that the facilities have been constructed in accordance with the Plans and Specifications and are ready for their intended use, the Developer is obligated to dedicate the Horizontal Infrastructure facilities to the City. The dedication will be for Owens Street, Sixteenth Street adjacent to the subdivision, Mariposa Street adjacent to Parks P26 and P27. The Board of Supervisors must act to accept the dedication of the Public Infrastructure Facilities. The Horizontal Infrastructure will be constructed per the approved Improvement Plans. The approved Infrastructure will include: roadway curbs, gutters, sidewalks, street lighting, traffic controls, low pressure, reclaimed and auxiliary water, sewer, storm, gas and electric lines and services, joint utility trench, fire hydrants and landscaping as shown on the excerpts of the Improvement Plans included as Exhibit C of the application. The

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Public Horizontal Infrastructure facilities to be dedicated will be for the following three streets adjacent to the subdivision and Parks P26 and P27:

- a. The south half of Sixteenth Street: approximately 500 feet in length, two eastbound lanes with sidewalk and bike lane with a left turn lane at the intersection of Owens Street (no parking lane).
- b. Owens Street: approximately 700 feet in length, two southbound lanes, two northbound lanes with sidewalks on both sides and a left turn lane at the intersection of Owens Street (no parking lane).
- c. Mariposa Street along Park P27: approximately 350 feet in length, widening the north side by 14 feet for three westbound lanes, two eastbound lanes and sidewalks on both sides (no parking).
- d. Park P26: approximately 2.01 acres of landscaping improvements.
- e. Park P27: approximately 0.42 acres of landscaping improvements.

Note: Improvements to Park P26 and P27 shall include the following landscape improvements: a picnic area, outdoor classroom area, bicycle racks, paved plaza areas with seating, lighting, waste receptacles and other plaza furnishings, children's play area(s) including playground equipment such as "Metamorphosis Play "Egg", "Caterpillar" balance beam, "Cocoon" swing structure, "Butterfly lift" mounds, Multi-use lawn areas. Landscaped areas shall include lawns, ground cover, shrubs and other plant material and trees. Design features shall include paved pathways, walkways, planting beds, trees and vegetation, bioswale features to manage stormwater flow, seating in the form of benches and seating walls. Park improvements shall be similar to plan drawing entitled "Mission Bay Mariposa Park Conceptual Site Plan," provided as Exhibit C in submittal.

PREVIOUS ACTIONS RELATED TO THIS PROJECT

In previous undertakings related to the project, the Planning Commission found the Mission Bay South Redevelopment Project, dated September 4, 1998, in conformity with the San Francisco General Plan, in Planning Commission Resolution No. 14699, adopted September 17, 1998. The project and project elements described in the current application (Case 2009.0071R) were included as part of the Mission Bay South Redevelopment Plan approved in earlier actions.

In addition to the actions above, an Owner Participation Agreement (OPA) was executed between the Redevelopment Agency of the City and County of San Francisco and the project sponsor, on November 16, 1998. The OPA required the owner to implement the Infrastructure Plan and construct the horizontal infrastructure and improvements that are incorporated into the subject project.

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ENVIRONMENTAL REVIEW

The Major Environmental Analysis section of the Planning Department completed Environmental Review of the Mission Bay FSEIR) as part of Case No. 1996.771EMTZR. The review included analysis of regulatory and physical aspects of the Plan, including the vacation of public rights-of-way, property acquisition, (acceptance of offers of dedication of land for road rights-of-way, and acceptance of offers of dedication of horizontal improvements (street and public rights-of-way), among other actions.

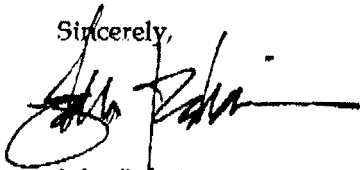
The Final Subsequent Environmental Impact Report for Mission Bay (FSEIR) was prepared pursuant to the California Environmental Quality Act and was certified as adequate, accurate and objective in the following actions:

- Redevelopment Commission Resolution No. 182-98 on September 17, 1998;
- Planning Commission Resolution No. 14696 on September 17, 1998, certifying the Mission Bay North and Mission Bay South FSEIR;
- Board of Supervisors affirming the Planning Commission's certification by Resolution No. 854-98 on October 19, 1998.
- FSEIR Addendum # 6, issued by the Redevelopment Agency on September 10, 2008.

Further Environmental Analysis is not required as the subject project (acceptance of real property, acceptance of dedication of horizontal public infrastructure improvements, and vacation of public rights-of-way) were analyzed as part of the FSEIR certified by the Planning Commission and affirmed by the Board of Supervisors, and in the FSEIR Addenda.

In summary, the project is, on balance, in conformity with the General Plan, as described in the attached Case Report (Attachment 1). The project is consistent with Planning Code Section 101.1 policies, included as Attachment 2.

Sincerely,



John Rahaim
Director of Planning

Attachments -

1. Case Report
2. Planning Code Section 101(b) Priority Policies

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cc Ed Reiskin, Director of Public Works
Ashur J. Yoseph, Lead Project Manager, HPSTF
Bruce Storrs, CCSF Surveyor
Kelley Kahn, SFRA
John Malamut, Deputy City Attorney
Stephen Shotland, PD

Note: The following Exhibits are contained in Planning Department File No. 2009.0071R and are available for review at the Planning Department offices.

Exhibit A Location Map
Exhibit B Tentative Map
Exhibit C Excerpts of Horizontal Improvement Plans / Conceptual Plan for park blocks, Prepared for Catellus by WRT, 12/2008.
Exhibit D DCP General Plan Consistency findings letter for property transfers, Dated September 13, 1998
Exhibit E Excerpt from OPA Attachment D., Exhibit 3b -Cross sections of Improvements to 16th Street and Owens Street Rights-of-Way (Infrastructure Plan)
Exhibit F FSEIR Addendum # 6, dated September 10, 2008.

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ATTACHMENT 1

CASE REPORT

Re: Case No. 2009.0071R
Mission Bay South,
Blocks 40/44 and Parks P26 and P27 Tentative
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Land and Public Improvements in Assessor's
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for Parks P26 and P27 (AB 8723/003, 004, 006 and 8723/002)

Staff

Reviewer: Stephen Shotland

DATE: May 15, 2009

Note: General Plan OBJECTIVES in Bold CAPS, General Plan Policies and text are in bold font; text is in regular font; Staff Comments in *italic font*

2004 HOUSING ELEMENT

OBJECTIVE 1

TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYMENT DEMAND.

POLICY 1.1

Encourage higher residential density in areas adjacent to downtown, in underutilized commercial and industrial areas proposed for conversion to housing, and in neighborhood commercial districts where higher density will not have harmful effects, especially if the higher density provides a significant number of units that are affordable to lower income households. Set allowable densities in established residential areas at levels which will promote compatibility with prevailing neighborhood scale and character where there is neighborhoods support.

OBJECTIVE 4

SUPPORT AFFORDABLE HOUSING PRODUCTION BY INCREASING SITE AVAILABILITY AND CAPACITY

OBJECTIVE 11

IN INCREASING THE SUPPLY OF HOUSING, PURSUE PLACE MAKING AND NEIGHBORHOOD BUILDING PRINCIPLES AND PRACTICES TO MAINTAIN SAN FRANCISCO'S DESIRABLE URBAN FABRIC AND ENHANCE LIVABILITY IN ALL NEIGHBORHOODS.

POLICY 11.2

Ensure housing is provided with adequate public improvements, services, and amenities.

The Mission Bay project will provide a significant amount of new housing, including affordable housing units, consistent with these policies. The subject project is limited to review of a Tentative Subdivision Map, approval of a Final Map, and City-acceptance of property and public improvements, including provision of streets, sidewalks and related infrastructure, and improvements to publicly accessible open space in Assessor's Blocks 8723, lots 003, 0004, and 006, and Block 8723, lot 002, as described in the original approval actions. The proposed project appears to be consistent with the plans considered in earlier official actions by the Planning Commission, including Res. No. 14699, finding the Mission Bay North and Mission Bay South Redevelopment Plans in conformity with the General Plan. The proposed project as described above, would be required in order to implement the Mission Bay project, including construction of public infrastructure that will support development of a significant number of new housing units, including market rate and low-cost dwelling units.

1990 RESIDENCE ELEMENT

OBJECTIVE 1

TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYMENT GROWTH

POLICY 1.2

Facilitate the conversion of underused industrial and commercial areas to residential use, giving preference to permanently affordable housing uses.

Policy 1.3

Identify opportunities for housing and mixed-use districts near downtown and former industrial portions of the City.

Objective 4

Support affordable housing production by increasing site availability and capacity

Objective 11

In increasing the supply of housing, pursue place making and neighborhood building principles and practices to maintain San Francisco's desirable urban fabric and enhance livability in all neighborhoods.

Policy 11.2

Ensure housing is provided with adequate public improvements, services and amenities.

Comment: The Project includes acceptance of land for installation of improvements to public rights-of-way, including portions of Owens Street, Sixteenth Street and Mariposa Street, horizontal improvements to publicly accessible open space and other improvements within a portion of the Mission Bay South project area. The project will provide improvements necessary to implement the Mission Bay South Redevelopment Plan, and create a well-planned mixed-use development that will include housing, including low-cost housing, commercial and institutional uses as well as publicly accessible open space. Property proposed to be vacated is not required for transportation use or to access adjacent privately or publicly-owned property. New streets and other horizontal improvements will be constructed and accepted by the City to provide access to adjacent properties.

COMMERCE & INDUSTRY ELEMENT

Policy 6.7

Promote high quality urban design on commercial streets.

Comment: Streets and other public infrastructure improvements will be constructed consistent with the Mission Bay South Redevelopment Plan, which calls for high quality design features in public rights-of-way and adjacent development. Implementation of the Project would permit development of neighborhood commercial uses and new residential development

TRANSPORTATION ELEMENT

Objective 1

Meet the needs of all residents and visitors for safe, convenient and inexpensive travel within San Francisco and between the city and other parts of the region while maintaining the high quality living environment of the Bay Area.

Comment: The project includes acceptance of real property and infrastructure improvements that will accommodate vehicular access, and help to establish a pedestrian-friendly neighborhood.

URBAN DESIGN ELEMENT

Objective 4

Improvement of the neighborhood environment to increase personal safety, comfort, pride and opportunity.

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.

Comment: The Project includes 1) City acceptance of real property to implement the Mission Bay South Redevelopment Project, 2) improve the 7th and 16th Street intersection, 2) accept horizontal improvements in the street constructed by the project sponsor, consistent with plans approved by the City, and 3) vacate a

portion of a public right-of-way and subsequent acceptance of other property within the Plan Area that will be developed by with infrastructure improvements, consistent with plans approved by the City, and consistent with the Redevelopment Project.

The proposed actions are consistent with the Mission Bay South Redevelopment Project adopted by the Redevelopment Commission, found in conformity with the General Plan, and approved by the Board of Supervisors. The project sponsor is responsible for constructing public streets and other public infrastructure improvements (horizontal infrastructure improvements) consistent with approved plans. The City would accept the street areas and infrastructure improvements, consistent with approved plans, when the improvements have been completed.

The easement/ right-of- way proposed to be vacated meet the guidelines contained in Urban Design Element Policies. 2.9, and 2.10. The proposed vacation of an easement is required for the Redevelopment Project to be implemented as approved, and would not: be detrimental to vehicular or pedestrian circulation; interfere with the access to private property; inhibit access for fire protection or other emergency service, interfere with utility lines; obstruct a significant view, or eliminate open space which might be used for public recreation and are necessary for implantation of the Redevelopment Plan.

RECREATION AND OPEN SPACE ELEMENT

POLICY 2.1

Provide an adequate total quantity and equitable distribution of public open spaces throughout the City.

POLICY 2.7

Acquire additional open space for public use.

POLICY 3.5

Provide new public open spaces along the shoreline.

Mission Bay

The area known as Mission Bay is governed primarily by the Mission Bay North and Mission Bay South Redevelopment Plans. The two Redevelopment Plans and their companion Design for Development Documents provide for a balanced program of active and passive recreational opportunities within strategically located open space sites throughout Mission Bay. They also provide that the open spaces within Mission Bay will seek to utilize and enhance the existing natural amenities of Mission Bay, such as the shoreline, China Basin Channel and public vistas.

The concept for the open space system for Mission Bay is to provide opportunities for local, citywide and regional recreational usage. The intent is to develop: (1) flexible/multiple use spaces that can accommodate heavy, active recreational uses as well as a balance of active and passive

uses; and (2) spaces that will accommodate the immediate as well as the long-term/changing needs of the local community and the City

The Recreation and Open Space Element calls for the City to provide adequate open space to serve the needs of all San Francisco residents. Redevelopment of the Mission Bay area will result in provision for a significant amount of new housing as well as office, commercial and retail development that will create a demand for publicly accessible open space that are not available in the area. As part of the Mission Bay redevelopment project, the project sponsor is responsible for establishing and maintaining new publicly accessible parks and open spaces for the area's residents, workers and visitors. By approving this action, the City will accept approximately 2.01 acres of property and landscape improvements at the site described as P 26 and approximately 0.42 acres of land and landscape improvements at the park site described as P-27, once the Department of Public Works has determined that the improvements have been installed as approved by the City's Department of Public Works. P 27, including the property

CENTRAL WATERFRONT AREA PLAN

POLICY 6.2

Encourage additional housing within established residential areas.

The Central Waterfront Area Plan references the Mission Bay North and Mission Bay South Redevelopment Plans.

OBJECTIVE 8

IMPROVE TRANSPORTATION CONDITIONS WITHIN THE SUBAREAS.

POLICY 8.1

Improve internal vehicular circulation through the construction, repair, and maintenance of public streets, and the provision of appropriate signing and lighting.

POLICY 8.2

Maintain and construct sidewalks on streets with pedestrian traffic.

The project will result in improvements to public rights-of-way and will improve vehicular and pedestrian access to the neighborhood.

On balance, the Project is X in conformity with the General Plan.

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Planning Code Section 101.1(b) Policies

ATTACHMENT 2

**Re: Case No. 2009.0071R
Mission Bay South
Blocks 40/44 and Parks P26 and P27 Tentative
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for Parks P26 and P27 (AB 8723/003, 004, 006 and 8723/002**

Planning Code Section 101.1(b) establishes eight priority planning policies and requires the review of projects for consistency with said policies:

(1) That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

The Project would have no adverse effect on neighborhood serving retail uses or opportunities for employment in or ownership of such businesses. The Project actions considered in this case would implement policies and plans contained in the Mission Bay South Redevelopment Plan DDA, which was found consistent with the General Plan. The project would not negatively affect the level of neighborhood serving retail.

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

The Project considered would have no adverse effect on existing housing and neighborhood character. City acceptance of real property, acceptance of dedication of horizontal public infrastructure improvements (streets and related improvements), and vacation of a portion of a public Rights-of-Way is necessary for the Redevelopment Project to be implemented. The Project is necessary in order to establish new residential and mixed-use development on the site.

(3) That the City's supply of affordable housing be preserved and enhanced.

The Project in itself would have no adverse effect on the City's supply of affordable housing. However, overall, the implementation of the Mission Bay North and South Redevelopment Plans, as adopted, would add to the City's supply of affordable housing through adherence to the Community Redevelopment Law that requires at least 15% of all new and substantially rehabilitated dwelling units developed within the Project Area be affordable and occupied by, persons and families of low- or moderate income as defined by the California Health and Safety Code.

(4) That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project would not adversely impede MUNI transit service or overburden city streets and neighborhood parking.

(5) 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 would not adversely affect a diverse economic base. The site is an abandoned naval shipyard.

(6) That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project, limited to vacation of portions of public rights-of-way and easements, acquisition of real property and acceptance of public infrastructure improvements (once constructed consistent with approved plans) would not adversely affect City preparedness against injury or loss of life in an earthquake.

(7) That landmarks and historic buildings be preserved.

The Project would not adversely affect landmarks or historic buildings.

(8) That our parks and open space and their access to sunlight and vistas be protected from development.

The Project would not adversely affect parks and open space and their access to sunlight and vistas. The project sponsor would install publicly accessible open spaces consistent with the approved Mission Bay South Redevelopment Plan.

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