



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion No. 19150

Date: May 15, 2014
Case No.: 2014.0092U
Project Address: 650 Indiana Street
Plan Area: Central Waterfront Area Plan
Project Sponsor: Michael Yarne
Build, Inc.
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San Francisco, CA 94102

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APPROVING AN IMPACT FEE WAIVER FOR 650 INDIANA STREET IN THE AMOUNT OF \$565,100 TO PROVIDE STREETScape, PEDESTRIAN SAFETY, AND PUBLIC SPACE IMPROVEMENTS ON 19TH STREET BASED ON THE COMPLETION OF AN IN-KIND AGREEMENT BETWEEN THE PROJECT SPONSOR AND THE CITY.

FURTHER, APPROVING AN ADDITIONAL WAIVER OF \$284,900 (\$850,000 IN TOTAL), CONTINGENT ON RECEIVING A POSITIVE RECOMMENDATION FROM THE EASTERN NEIGHBORHOODS CAC FOR THE ADDITIONAL AMOUNT.

PREAMBLE

- On January 19, 2009 the Eastern Neighborhoods Plan became effective, including now Section 423.3 of the San Francisco Planning Code, the Eastern Neighborhoods Infrastructure Impact Fee applicable to all projects in the plan area, including the subject property. The Planning Code also enabled project sponsors to seek a waiver from the impact fees when providing public improvements through an In-Kind Agreement with the Planning Department.
- On May 1, 2014, the Planning Commission granted approval to the project proposed for 650 Indiana Street. The project consists of two five-story, approximately 58-foot-tall residential buildings with 111 residential units and approximately 1,900 gross square feet of ground-floor neighborhood-serving retail uses. In total the new structures would measure approximately 122,185 gross square feet.
- On December 16, 2013, the Project Sponsor, Build, Inc., filed an application with the City for approval of an In-Kind Agreement for provision of streetscape, pedestrian safety, and public space improvements on 19th Street.

- The proposed improvements would provide a new public open space, enhance pedestrian safety, and calm traffic, consistent with the Central Waterfront Area Plan. The Central Waterfront Area Plan builds on the neighborhood's mixed-use, industrial character, envisioning increased housing and commercial uses, an enhanced public realm, and improvements to support transit use, walking, and biking. It also calls for additional parks and open spaces, provided both by the City and in collaboration with new residential and commercial development. Further, the Plan recognizes underutilized streets and rights-of-way as a valuable resource to creatively develop new open spaces.
- On February 10, 2014, in Motion 2014-02-02, the Eastern Neighborhoods Citizens Advisory Committee passed a resolution supporting the proposed improvements for the 650 Indiana Street In-Kind Agreement.

MOVED, that the Commission hereby authorizes the Eastern Neighborhoods Community Impact Fee Waiver for 650 Indiana Street in the amount of \$565,100.

Be it also moved that the Planning Commission hereby approves an additional \$284,900 (for a maximum total of \$850,000 in fees waived), contingent upon the Project Sponsor returning to the Eastern Neighborhoods CAC for their recommendation of the additional amount.

Be it also moved that if the Eastern Neighborhoods CAC does not recommend the additional waiver of \$284,900 in Impact Fee funds, the Planning Commission will review the In-Kind Agreement at a future date to take a final action regarding the total amount of the fee waiver.

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. The proposed In-Kind Agreement is consistent with the Planning Code Section 423.3.
3. The proposed improvements would present a suitable priority for an In-Kind Agreement to satisfy portions of the Area Plan infrastructure impact fees as they meet the following criteria established in the Planning Commission approved "Procedures of In-Kind Agreements".
 - Improvement Fulfills the Purpose of Community Improvements: Per Planning Code section 423.3(d) (which describes in-kind improvements under the EN Impact Fee Fund) open space, such as plazas, are eligible for funding.
 - The Infrastructure Type is Identified in the Fee Ordinance: The plaza project falls under the "Open Space and Recreation" category of improvements in the Eastern Neighborhoods Impact Fee Fund, and therefore is eligible.
 - The Expenditure Category for Infrastructure Type is Not Exhausted: The "Open Space and Recreation" category of funds have not been exhausted.

4. The proposed improvements are a priority for the Plan Area as they meet the following criteria:
 - Improvement is identified in the Five Year Capital Plan; Improvement does not Compete with a CAC and IPIC Endorsed Improvement: This project is not specifically listed in the IPIC Report; however it falls categorically within the open space and recreation funding section, which is largely unprogrammed and is awaiting specific project identification. Funds allocated here would not be removed from any specifically identified project.
 - CAC Supports the Proposed Improvement: The Eastern Neighborhoods CAC approved a resolution in February 2014 supporting the improvements in an amount up to \$565,100.
 - Efficiencies are Gained Through Coordination with Development Project: Project sponsors can utilize the construction tools and labor already working onsite for the 650 Indiana Street to deliver the improvements in a more timely and efficient manner. The project would be timed with the development of the adjacent development and delivered no later than when the development is ready for occupancy. The project could be built in conjunction with the development project, resulting in less disruption from construction than if the project were independently built at another time.
5. The Project is recommended by the Planning Department and has been reviewed by other public agencies, including the Department of Public Works.
6. As the City's design review has resulted in changes intended to increase landscaping, stormwater infrastructure, and safe loading access on the site, the cost estimates for the Project have increased since the Eastern Neighborhoods CAC approved the waiver of impact fee funds. Thus, there is a need to secure additional funds in order to implement the project.
7. **General Plan Compliance.** The proposed Ordinance is, on balance, consistent with the following Objectives and Policies of the General Plan:

The proposed In-Kind improvements support the Central Waterfront Area Plan by implementing the below policies and objectives.

OBJECTIVE 3.2

PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE, ACTIVE AND SAFE PUBLIC REALM

POLICY 3.2.6

Sidewalks abutting new developments should be constructed in accordance with locally appropriate guidelines based on established best practices in streetscape design.

Discussion: The project would enhance the pedestrian conditions on 19th and Indiana Streets, by providing a pedestrian plaza and a bulb-out, shortening pedestrian crossings, increasing landscaping and public art, and calming traffic. The project would reduce vehicular access to 19th Street, providing only limited loading and unloading access.

OBJECTIVE 4.4

SUPPORT THE CIRCULATION NEEDS OF EXISTING AND NEW PDR AND MARITIME USES IN THE CENTRAL WATERFRONT

POLICY 4.4.2

Continue to require off-street facilities for freight loading and service vehicles in new large non-residential developments.

POLICY 4.4.3

In areas with a significant number of PDR establishments and particularly along Illinois Street, design streets to serve the needs and access requirements of trucks while maintaining a safe pedestrian and bicycle environment.

Discussion: The project balances the operational and loading needs of an existing PDR business with the safety needs of pedestrians and bicyclists. The project design would provide limited loading and unloading access in a clearly demarcated area, without significantly compromising pedestrian and bicyclist safety and use of the space.

OBJECTIVE 4.5

CONSIDER THE STREET NETWORK IN CENTRAL WATERFRONT AS A CITY RESOURCE ESSENTIAL TO MULTI-MODAL MOVEMENT AND PUBLIC OPEN SPACE

POLICY 4.5.3

Redesign underutilized streets not needed for PDR business circulation needs in the Central Waterfront for creation of Living Streets and other usable public space.

Discussion: The project redesigns an underutilized, dead-end street to provide a pedestrian plaza and arts-focused outdoor event space. The design retains the existing loading needs of an adjacent PDR business, which has alternate street entrances and does not use 19th street as its primary vehicular access.

OBJECTIVE 4.6

SUPPORT WALKING AS A KEY TRANSPORTATION MODE BY IMPROVING PEDESTRIAN CIRCULATION WITHIN CENTRAL WATERFRONT AND TO OTHER PARTS OF THE CITY

POLICY 4.6.1

Use established street design standards to make the pedestrian environment safer and more comfortable for walk trips.

POLICY 4.6.3

Improve pedestrian access to transit stops including Third Street light rail and the 22nd Street Caltrain Station.

Discussion: This project utilizes established street design standards to improve the pedestrian environment along 19th Street and along Indiana Street, which leads directly to the 22nd Street Caltrain station.

OBJECTIVE 4.9

FACILITATE MOVEMENT OF AUTOMOBILES WHILE STRIVING TO REDUCE NEGATIVE IMPACTS OF VEHICLE TRAFFIC

POLICY 4.9.1

Introduce traffic calming measures where warranted to improve pedestrian safety and comfort, reduce speeding and traffic spillover from arterial streets onto residential streets and alleyways.

Discussion: The project includes a bulb-out and pedestrian crossing, which would calm traffic while providing safer and more comfortable pedestrian access.

OBJECTIVE 5.1

PROVIDE PUBLIC PARKS AND OPEN SPACES THAT MEET THE NEEDS OF RESIDENTS, WORKERS AND VISITORS

POLICY 5.1.1

Identify opportunities to create new public open spaces and provide at least one new public open space serving the Central Waterfront.

POLICY 5.1.2

Require new residential and commercial development to provide, or contribute to the creation of public open space.

POLICY 5.2.4

Encourage publicly accessible open space as part of new residential and commercial development.

Discussion: The project creates a new public open space in collaboration with new residential and commercial development.

OBJECTIVE 5.3

CREATE A NETWORK OF GREEN STREETS THAT CONNECTS OPEN SPACES AND IMPROVES THE WALKABILITY, AESTHETICS, AND ECOLOGICAL SUSTAINABILITY OF THE NEIGHBORHOOD

POLICY 5.3.1

Redesign underutilized portions of streets as public open spaces, including widened sidewalks or medians, curb bulb-outs, "living streets" or green connector streets.

POLICY 5.3.2

Maximize sidewalk landscaping, street trees and pedestrian scale street furnishing to the greatest extent feasible.

POLICY 5.3.4

Enhance the pedestrian environment by requiring new development to plant street trees along abutting sidewalks. When this is not feasible, plant trees on development sites or elsewhere in the plan area.

POLICY 5.3.6

Where possible, transform unused freeway and rail rights-of-way into landscaped features that provide a pleasant and comforting route for pedestrians.

Discussion: The project transforms an underutilized street and freeway right-of-way into a pedestrian plaza with landscaped features.

8. **Planning Code Sections 101.1 Findings.** The proposed replacement project is generally 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 project will have no adverse effects on neighborhood-serving retail uses.
 - 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 project will protect and enhance the existing neighborhood character by creating a public plaza and improving the public life in the neighborhood.
 - C) The City's supply of affordable housing will be preserved and enhanced:

The proposed project will have no adverse effects on 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 project would not impede MUNI transit service.
 - 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 project would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors. The design retains the existing loading needs of an adjacent PDR business, which has alternate street entrances and does not use 19th street as its primary vehicular access.

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

The proposed project would not affect the preparedness against injury and loss of life in an earthquake is unaffected.

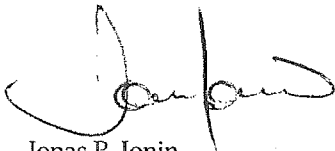
- G) That landmark and historic buildings will be preserved:

The proposed project would not adversely affect landmark and historic buildings.

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

The proposed project will not affect access to sunlight and vistas in parks and open spaces.

I hereby certify that the foregoing Motion was adopted by the Planning Commission on May 15th, 2014.



Jonas P. Ionin
Director of Commission Affairs,
Commission Secretary

AYES: Wu, Fong, Antonini, Borden, Hillis, Moore, Sugaya

NAYS:

ABSENT:

ADOPTED: May 15, 2015