



SAN FRANCISCO PLANNING DEPARTMENT

June 21, 2018

Ms. Angela Calvillo, Clerk
Honorable Supervisor Sheehy
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

**Re: Transmittal of Planning Department Case Number: 2018-003260PCA
Public Parking Lot as a Permitted Use in the Glen Park NCT and
Adjoining Locations
Board File No. 180191
Planning Commission Recommendation: Disapprove**

Dear Ms. Calvillo and Supervisor Sheehy,

On June 7, 2018, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance that would amend the Planning Code to permit a Public Parking Lot as of right on a parcel of land currently straddling two zoning districts: Glen Park NCT and RH-2. At the hearing the Planning Commission recommended disapproval.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron D. Starr", written over a white background.

Aaron D. Starr
Manager of Legislative Affairs

cc:

Austin M. Yang, Deputy City Attorney
Koledon Lambright, Legislative Aide to Supervisor Sheehy
Erica Major, Office of the Clerk of the Board

Attachments :

Planning Commission Resolution
Planning Department Executive Summary



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20197

HEARING DATE JUNE 7, 2018

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Name: Public Parking Lot as a Permitted Use in the Glen Park NCT and Adjoining Locations
Case Number: 2018-003260PCA [Board File No. 180191]
Initiated by: Supervisor Sheehy / Introduced February 27, 2018
60-Day Extension Introduced May 15, 2018
Staff Contact: Audrey Butkus, Legislative Affairs
audrey.butkus@sfgov.org, 415-575-9129
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362

THE PLANNING COMMISSION HEREBY DISAPPROVES A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO PERMIT AS OF RIGHT PUBLIC PARKING LOT USES WHERE THE PARCEL IS LOCATED IN BOTH THE GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT AND RH-2 (RESIDENTIAL, HOUSE DISTRICTS, TWO-FAMILY) ZONING DISTRICTS, THE PROPERTY HAS BEEN USED AS PUBLIC PARKING LOT FOR THE PAST TEN YEARS WITHOUT THE BENEFIT OF A PERMIT, AND THE ADJOINING RH-2 PARCEL IS NO LARGER THAN 40 FEET BY 110 FEET; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on February 27, 2018, Supervisor Sheehy introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 180191, which would amend the Planning Code to permit as of right Public Parking Lot uses where the parcel is located in both the Glen Park Neighborhood Commercial Transit and RH-2 (Residential, House Districts, Two-Family) zoning districts, the property has been used as Public Parking Lot for the past ten years without the benefit of a permit, and the adjoining RH-2 parcel is no larger than 40 feet by 110 feet;

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on June 7, 2018; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2) and 15378; and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

MOVED, that the Planning Commission hereby recommends that the Board of Supervisors **disapprove** the proposed ordinance.

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:

General Plan Compliance. The proposed Ordinance is inconsistent with the following Objectives and Policies of the General Plan:

GLEN PARK AREA PLAN

OBJECTIVE 1

PROTECT AND STRENGTHEN THE QUALITIES THAT MAKE DOWNTOWN GLEN PARK SPECIAL.

Policy 2.2

Update existing neighborhood zoning to strengthen Glen Park's commercial district and reinforce the area's pedestrian and transit oriented character.

The subject parcel, although currently used for parking, is in a pivotal location, between the Glen Park Greenway and the Glen Park BART station. This permanent installation of parking at this site will only impede the pedestrian experience and safety to residents traveling along the greenway and BART station.

OBJECTIVE 2

ENSURE THE COMPATIBILITY OF NEW DEVELOPMENT WITH THE FORM AND CHARACTER OF GLEN PARK.

Policy 2.2

Consider new housing and commercial opportunities in appropriately scaled infill development that supports the commercial area.

Glen Park is a largely built-out neighborhood and will not experience massive new growth or development. Only a limited number of sites for future development exist in the commercial core. These include the parcels at the northwest corner of Diamond and Bosworth Streets and the BART parking lot. The prominence of these sites requires they receive a high level of attention to ensure any development proposals support the context and character of the village.

TRANSPORTATION ELEMENT

OBJECTIVE 2

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

POLICY 2.1

Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

OBJECTIVE 3

MAINTAIN AND ENHANCE SAN FRANCISCO'S POSITION AS A REGIONAL DESTINATION WITHOUT INDUCING A GREATER VOLUME OF THROUGH AUTOMOBILE TRAFFIC.

OBJECTIVE 32

ENSURE THAT THE PROVISION OF NEW OR ENLARGED PARKING FACILITIES DOES NOT ADVERSELY AFFECT THE LIVABILITY AND DESIRABILITY OF THE CITY AND ITS VARIOUS NEIGHBORHOODS.

POLICY 32.4

Restrict long term automobile parking at rapid transit stations in the city in favor of development of effective feeder transit service and enhanced access for pedestrians and bicyclists.

The subject parcel is located just one block from the Glen Park BART station and is one of few developable parcels left in the neighborhood. Its future should be carefully considered and proposals should only be approved if the highest and best use of the property is being proposed. Surface parking is generally not encouraged nor considered the highest and best use of parcels located close to both neighborhood commercial districts and public transit hubs.

HOUSING ELEMENT

OBJECTIVE 1

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

POLICY 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 12

Balance housing growth with adequate infrastructure that serves the City's growing population.

Policy 12.1

Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

OBJECTIVE 13

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

POLICY 13.1

Support "smart" regional growth that locates new housing close to jobs and transit.

POLICY 13.3

Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

Each of the above objectives and policies directs the Planning Department to identify sites that are ideal for housing development due to their access to public transit and pedestrian accessibility. The subject parcel's location sits between the entrance to the Glen Park Greenway and the Glen Park BART station, making it extremely accessible to both public transportation and pedestrian infrastructure. The permanent development of this site to a Public Parking Lot would be a great waste of land with great potential for denser housing and commercial development.

NOW THEREFORE BE IT RESOLVED that the Commission hereby DISAPPROVES the proposed Ordinance described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on June 7, 2018.



Jonas P. Iorin
Commission Secretary

AYES: Hillis, Johnson, Koppel, Melgar, Moore, Richards

NOES: None

ABSENT: Fong

ADOPTED: June 7, 2018



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code Text Amendment

HEARING DATE: JUNE 7, 2018

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Name: **Public Parking Lot as a Permitted Use in the Glen Park NCT and Adjoining Locations**

Case Number: **2018-003260PCA [Board File No. 180191]**

Initiated by: **Supervisor Sheehy / Introduced February 27, 2018
60-Day Extension Introduced May 15, 2018**

Staff Contact: **Audrey Butkus, Legislative Affairs
audrey.butkus@sfgov.org, 415-575-9129**

Reviewed by: **Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362**

Recommendation: **Disapproval**

PLANNING CODE AMENDMENT

The proposed Ordinance would amend the Planning Code to permit a Public Parking Lot as of right on a parcel of land currently straddling two zoning districts: Glen Park NCT and RH-2.

The Way It Is Now:

A parcel at 21 Brompton Avenue straddles two zoning districts: Residential House - Two Family (RH-2) and the Glen Park Neighborhood Commercial District (Glen Park NCT). The parcel has operated as an unwarranted parking lot without improvements since the 1970's. Under the current zoning, a Public Parking Lot is not permitted in RH-2 Districts, and only permitted as a temporary use (five year maximum) with a Conditional Use authorization in the Glen Park NCT.



The Way It Would Be:

A Public Parking Lot would be allowed as of right on the parcel at 21 Brompton Avenue.

BACKGROUND

History of the Subject Property:

In 1963, as part of a Planned Unit Development application submitted by the Real Estate Department, Bosworth Street was proposed to be widened in the area adjacent to the subject property. At the time of filing, the subject property was seven separate lots, with the first three lots from the east zoned C-2 and developed with a mixture of single-family and two-family dwellings, stores and a gas station at the rear of the lot on the northeast corner of Diamond Street and Bosworth Street. The four lots on the western portion of the block were zoned R-2 and developed with a two-family dwelling and three single-family dwellings. In the years immediately following the application's approval, these buildings were demolished or relocated. Bosworth Street was widened and the remaining portion of the lot was reserved for a future City-owned parking lot under the City's neighborhood parking program, as indicated in the Planning Commission report for Case R70.13:

"The sale of Lot 29, Block 6744 is in conflict with the Master Plan because a portion of it has been landscaped by the City as a part of the Bosworth Street widening project and because the remainder of it should be reserved for a public parking lot under the City's neighborhood parking program."

However, as indicated in a Memorandum to the City Planning Commission from the Director of Planning on December 13, 1971 in reference to Case R71.48, the City's Parking Authority had failed to demonstrate further interest in the parking lot proposal and the lot was proposed for sale:

"The Parking Authority has shown no interest in developing a neighborhood shopping district parking lot on the level portion of the property. The site would be suitable for housing for the elderly and staff members of Housing Authority have shown some interest, but at present the outlook for public housing there seems remote because of federal policies. In the meantime, a local realtor has actively sought to have the property declared surplus, and since there is no immediate public use it is difficult to recommend that the City retain it on the basis of unforeseen future public needs."

In 1971, and as a result of the proposed sale, the Planning Department issued a General Plan Referral finding that the sale of the landscaped portion of the subject lot along Bosworth Street was in conflict with the Master Plan, but that sale of the un-landscaped portion of the property along Kern Street —that which is now the subject property -would be consistent with the Master Plan. Three years later the subject property was sold to a private owner, who is still the owner present day.

As part of the General Plan Referral case file, a July 21, 1971 Memorandum identified potential uses of the lot and gave recommendations for future development. The Memorandum specified that the then current use of the lot was that of "unauthorized parking":

"Parking Authority does not see need to develop subject city-owned lot for parking; however lot is presently used for unauthorized parking."

The property has been operating as an unimproved parking lot by the property owner since the 1970's. In 2013 the property owners requested a Project Review Meeting with Planning Department staff. The purpose of the meeting was to help the owners determine the possibilities for future development of their property. Department staff concluded that the site at 21 Brompton Avenue would best fulfill the objectives of the General Plan by being developed as multi-unit housing.

In 2017, the property owners filed a request for a Zoning Administrator Determination letter to establish that the subject property was a legal nonconforming Public Parking Lot. The ZA found the lot was never established with the benefit of a permit. Additionally, the letter stated that although the PUD at one time slated the lot to be parking, as early as 1971 the Planning Director at the time wrote that the site would be suitable for housing and that there was no interest from the Parking Authority to develop a parking lot. The Zoning Administrator further concluded that it would be difficult to establish as Public Parking Lot on the parcel. The only portion of the parcel eligible to apply for a Conditional Use authorization for a Parking Lot would be the smaller portion on the eastern side of the parcel which is zoned Glen Park NCT. The small size of the portion of the parcel would make it nearly impossible to meet street tree requirements without cutting into the property owner's proposed number of parking spaces. The western portion of the parcel, zoned RH-2, would not be eligible for establishing a Public Parking Lot as the underlying zoning does not permit this use.

ISSUES AND CONSIDERATIONS

Rezoning to Encourage Housing Development:

The subject property's location just one block from the Glen Park BART station makes it an ideal site for housing development. The Glen Park Area Plan identifies a small cluster of sites, (including the subject parcel), as ideal for future development of a mix of retail and housing. The Glen Park Area Plan recognizes that the neighborhood contains a very limited amount of space available for development. This limitation in available land further emphasizes the importance of treating the subject parcel with the utmost consideration of the Glen Park Area Plan's desire to see more dense land uses in this location.

The Department recognizes that the current split zoning of the subject parcel makes coherent development of the lot difficult. Staff would recommend the Commission support any future proposal to rezone the western portion of the lot from RH-2, to the Glen Park NCT. This rezoning would not only solidify the parcel as a single zoning district, but also facilitate the opportunity for more dense development.

Glen Park Greenway Plan:

Glen Canyon Park lies to the west of the subject parcel. Running between the park and the subject parcel is a longstanding pedestrian pathway used by residents for both recreation, and commuting between the park and other parts of the neighborhood. The neighborhood identified this corridor as a valuable community asset that should be enhanced and maintained. The result has been the development of the Glen Park Greenway Plan. Residents have been constructing this plan for over eight years, involving professional planners, designers, and local residents to develop a strategy for the corridor's future development. Although the Greenway Plan has not been adopted into the General Plan, its objectives should be considered in any potential development within the area identified by the Greenway Plan. The

subject parcel has been identified in the Greenway Plan as an entranceway to the greenway. The Plan shows that the subject parcel and its street frontage along Kern Street should be developed in a way that promotes safe pedestrian access to the greenway and acts as the gateway to the greenway. The Plan also identifies the public parcel abutting the subject parcel along Bosworth Street as being retained as public greenspace.

Underlying Zoning of the Subject Parcel:

The subject parcel lies across two zoning districts: the Glen Park NCT covers approximately one third of the eastern side of the property, and RH-2 covers the western two thirds. The Glen Park NCT requires a Conditional Use Authorization to establish a Public Parking Lot, and may not exceed a period of more than five years. Public Parking Lots are not permitted in RH-2 Districts. If the proposed ordinance is approved, the ability for a Public Parking Lot to establish at this site would be as of right.

The purpose of NCT Districts are to create an environment that is friendly to pedestrians and public transit, rather than private vehicle traffic. RH-2 Districts do not permit parking, as the main goal of these districts is to reserve the land within them for housing. The establishment of a parking lot at this site, therefore, does not conform to the ideals of the NCT District or RH-2 Districts.

General Plan Compliance:

The proposed Ordinance is **not** in conformance with the following objectives of the General Plan:

GLEN PARK AREA PLAN

OBJECTIVE 1

PROTECT AND STRENGTHEN THE QUALITIES THAT MAKE DOWNTOWN GLEN PARK SPECIAL.

Policy 2.2

Update existing neighborhood zoning to strengthen Glen Park's commercial district and reinforce the area's pedestrian and transit oriented character.

The subject parcel, although currently used for parking, is in a pivotal location, between the Glen Park Greenway and the Glen Park BART station. This permanent installation of parking at this site will only impede the pedestrian experience and safety to residents traveling along the greenway and BART station.

OBJECTIVE 2

ENSURE THE COMPATIBILITY OF NEW DEVELOPMENT WITH THE FORM AND CHARACTER OF GLEN PARK.

Policy 2.2

Consider new housing and commercial opportunities in appropriately scaled infill development that supports the commercial area.

Glen Park is a largely built-out neighborhood and will not experience massive new growth or development. Only a limited number of sites for future development exist in the commercial core. These include the parcels at the

northwest corner of Diamond and Bosworth Streets and the BART parking lot. The prominence of these sites requires they receive a high level of attention to ensure any development proposals support the context and character of the village.

TRANSPORTATION ELEMENT

OBJECTIVE 2

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

POLICY 2.1

Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

OBJECTIVE 3

MAINTAIN AND ENHANCE SAN FRANCISCO'S POSITION AS A REGIONAL DESTINATION WITHOUT INDUCING A GREATER VOLUME OF THROUGH AUTOMOBILE TRAFFIC.

OBJECTIVE 32

ENSURE THAT THE PROVISION OF NEW OR ENLARGED PARKING FACILITIES DOES NOT ADVERSELY AFFECT THE LIVABILITY AND DESIRABILITY OF THE CITY AND ITS VARIOUS NEIGHBORHOODS.

POLICY 32.4

Restrict long term automobile parking at rapid transit stations in the city in favor of development of effective feeder transit service and enhanced access for pedestrians and bicyclists.

The subject parcel is located just one block from the Glen Park BART station and is one of few developable parcels left in the neighborhood. Its future should be carefully considered and proposals should only be approved if the highest and best use of the property is being proposed. Surface parking is generally not encouraged nor considered the highest and best use of parcels located close to both neighborhood commercial districts and public transit hubs.

HOUSING ELEMENT

OBJECTIVE 1

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

POLICY 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 12

Balance housing growth with adequate infrastructure that serves the City's growing population.

Policy 12.1

Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

OBJECTIVE 13

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

POLICY 13.1

Support "smart" regional growth that locates new housing close to jobs and transit.

POLICY 13.3 +

Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

Each of the above objectives and policies directs the Planning Department to identify sites that are ideal for housing development due to their access to public transit and pedestrian accessibility. The subject parcel's location sits between the entrance to the Glen Park Greenway and the Glen Park BART station, making it extremely accessible to both public transportation and pedestrian infrastructure. The permanent development of this site to a Public Parking Lot would be a great waste of land with great potential for denser housing and commercial development.

Implementation

The Department determined that this Ordinance will not impact our current implementation procedures; however the proposed changes can be implemented without increasing permit costs or review time.

RECOMMENDATION

The Department recommends that the Commission recommend *disapproval* of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

BASIS FOR RECOMMENDATION

While the Department recognizes that this property has been used a public parking lot for several decades without the benefit of a permit, the proposed ordinance is not consistent with the Glen Park Plan. Further, the property's proximity to the Glen Park BART station makes it more suitable for housing or a mixed use development. The proposal to allow the subject parcel to become a Public Parking Lot would be a missed opportunity for a property that is ideal for housing and commercial uses. The Glen Park neighborhood is largely developed, leaving few other parcels as options for future housing development. The owners of this parcel have themselves expressed to Planning Department staff that they desire to see

the site developed as housing in the future. Granting a Public Parking Lot to exist not only as of right, but as a permanent land use will only stunt this land from being developed to its highest and best use.

If the Board adopts the proposed ordinance, the Department recommends that the ordinance include a sunset provision to make the parking lot use temporary, rather than permanent. The site is an ideal candidate for dense transit-friendly housing, and the property owners have expressed a desire to develop the property for housing in the future. Allowing a Public Parking Lot to establish by right will only impede the highest and best use of this property for housing.

REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

ENVIRONMENTAL REVIEW

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

PUBLIC COMMENT

The Department has received one letter in opposition to the proposed ordinance, which is attached as Exhibit B. The letter states that the proposed ordinance goes against the neighborhood's stated desire to see the subject parcel used for housing and retail.

RECOMMENDATION: Recommendation of Disapproval

Attachments:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Written Public Comment
- Exhibit C: Glen Park Greenway Design Concepts
- Exhibit D: Board of Supervisors File No. 150731



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Resolution

HEARING DATE JUNE 7, 2018

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Name: **Public Parking Lot as a Permitted Use in the Glen Park NCT and Adjoining Locations**

Case Number: **2018-003260PCA [Board File No. 180191]**

Initiated by: Supervisor Sheehy / Introduced February 27, 2018
60-Day Extension Introduced May 15, 2018

Staff Contact: Audrey Butkus, Legislative Affairs
audrey.butkus@sfgov.org, 415-575-9129

Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362

Recommendation: **Disapproval**

RECOMMENDING THAT THE BOARD OF SUPERVISORS DISAPPROVE A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO REVISE THE DEFINITION OF FORMULA RETAIL TO INCLUDE SUBSIDIARIES OR AFFILIATES OF FORMULA RETAIL MEETING CERTAIN CRITERIA; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on February 27, 2018, Supervisor Sheehy introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 180191, which would amend the Planning Code to permit as of right Public Parking Lot uses where the parcel is located in both the Glen Park Neighborhood Commercial Transit and RH-2 (Residential, House Districts, Two-Family) zoning districts, the property has been used as Public Parking Lot for the past ten years without the benefit of a permit, and the adjoining RH-2 parcel is no larger than 40 feet by 110 feet;

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on June 7, 2018; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2) and 15378; and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

MOVED, that the Planning Commission hereby recommends that the Board of Supervisors **disapprove** the proposed ordinance.

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:

General Plan Compliance. The proposed Ordinance is inconsistent with the following Objectives and Policies of the General Plan:

GLEN PARK AREA PLAN

OBJECTIVE 1

PROTECT AND STRENGTHEN THE QUALITIES THAT MAKE DOWNTOWN GLEN PARK SPECIAL.

Policy 2.2

Update existing neighborhood zoning to strengthen Glen Park's commercial district and reinforce the area's pedestrian and transit oriented character.

The subject parcel, although currently used for parking, is in a pivotal location, between the Glen Park Greenway and the Glen Park BART station. This permanent installation of parking at this site will only impede the pedestrian experience and safety to residents traveling along the greenway and BART station.

OBJECTIVE 2

ENSURE THE COMPATIBILITY OF NEW DEVELOPMENT WITH THE FORM AND CHARACTER OF GLEN PARK.

Policy 2.2

Consider new housing and commercial opportunities in appropriately scaled infill development that supports the commercial area.

Glen Park is a largely built-out neighborhood and will not experience massive new growth or development. Only a limited number of sites for future development exist in the commercial core. These include the parcels at the northwest corner of Diamond and Bosworth Streets and the BART parking lot. The prominence of these sites requires they receive a high level of attention to ensure any development proposals support the context and character of the village.

TRANSPORTATION ELEMENT

OBJECTIVE 2

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

POLICY 2.1

Use rapid transit and other transportation improvements in the city and region as the catalyst for desirable development, and coordinate new facilities with public and private development.

OBJECTIVE 3

MAINTAIN AND ENHANCE SAN FRANCISCO'S POSITION AS A REGIONAL DESTINATION WITHOUT INDUCING A GREATER VOLUME OF THROUGH AUTOMOBILE TRAFFIC.

OBJECTIVE 32

ENSURE THAT THE PROVISION OF NEW OR ENLARGED PARKING FACILITIES DOES NOT ADVERSELY AFFECT THE LIVABILITY AND DESIRABILITY OF THE CITY AND ITS VARIOUS NEIGHBORHOODS.

POLICY 32.4

Restrict long term automobile parking at rapid transit stations in the city in favor of development of effective feeder transit service and enhanced access for pedestrians and bicyclists.

The subject parcel is located just one block from the Glen Park BART station and is one of few developable parcels left in the neighborhood. Its future should be carefully considered and proposals should only be approved if the highest and best use of the property is being proposed. Surface parking is generally not encouraged nor considered the highest and best use of parcels located close to both neighborhood commercial districts and public transit hubs.

HOUSING ELEMENT

OBJECTIVE 1

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

POLICY 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 12

Balance housing growth with adequate infrastructure that serves the City's growing population.

Policy 12.1

Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

OBJECTIVE 13

PRIORITIZE SUSTAINABLE DEVELOPMENT IN PLANNING FOR AND CONSTRUCTING NEW HOUSING.

POLICY 13.1

Support “smart” regional growth that locates new housing close to jobs and transit.

POLICY 13.3

Promote sustainable land use patterns that integrate housing with transportation in order to increase transit, pedestrian, and bicycle mode share.

Each of the above objectives and policies directs the Planning Department to identify sites that are ideal for housing development due to their access to public transit and pedestrian accessibility. The subject parcel’s location sits between the entrance to the Glen Park Greenway and the Glen Park BART station, making it extremely accessible to both public transportation and pedestrian infrastructure. The permanent development of this site to a Public Parking Lot would be a great waste of land with great potential for denser housing and commercial development.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board DISAPPROVE the proposed Ordinance described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on May 3, 2018.

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: June 7, 2018



May 3, 2018

Supervisor Jeff Sheehy
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco CA 94102

Re: Planning Code - Public Parking Lot as a Permitted Use in the Glen Park Neighborhood Commercial Transit District and Adjoining Locations (file #180191)

Dear Supervisor Sheehy,

On behalf of Livable City, I am writing to express our opposition to your proposed ordinance to allow the expansion of Public Parking Lot uses onto a residentially-zoned portion of a lot adjacent to the Glen Park Neighborhood Commercial District. It is contrary to the intent of the Glen Park Community Plan, and contrary to city policies and good planning practice which support housing and neighborhood-serving non-residential uses in walkable neighborhoods close to major transit stations.

I participated in the Glen Park Community Plan process over a decade ago, and in my role as a BART director, helped provide funding for the planning effort. The plan sought to foster a vital and walkable neighborhood commercial district around Glen Park BART station, including providing more badly-needed housing.

The plan identified two main opportunity sites for buildings that could provide new housing and commercial space – the BART station parking lot, and a cluster of parcels owned by the Hayes family and Bernie Kelly, on either side of Kern Street between Diamond and Brompton streets. The plan envisaged a mixed-use infill project on the Hayes and Kelly sites, replacing the open lots with storefronts and housing. Some of the relevant policies in the City’s Glen Park Community Plan include:

“Recognize Kern Street and the BART plazas as important public space opportunities.”

“Glen Park is a largely built-out neighborhood and will not experience massive new growth or development. Only a limited number of sites for future development exist in the commercial core. These include the parcels at the northwest corner of Diamond and Bosworth Streets and the BART parking lot. The prominence of these sites requires they receive a high level of attention to ensure any development proposals support the context and character of the village.”

“The vibrancy and safety of downtown Glen Park depends on a certain intensity and concentration of activity. The addition of appropriately scaled and designed housing or

small-scale retail should be considered to reinforce the established pattern. Two potential locations where this type of development may be possible and beneficial include the cluster of parcels at the northwest corner of Diamond and Bosworth Streets and the BART parking lot.”

“Rather than creating new parking spaces and introducing related congestion and traffic, demand for existing parking spaces should be optimized to improve parking availability at all times of day.”

At the time, several of the Kelly and Hayes parcels were dilapidated and ill-maintained, which blighted the area and proved burdensome to neighbors and tenants of the properties. So have some of the landowners’ ongoing uses – a large billboard, and an unpermitted parking lot operation – which are both nonconforming and inconsistent with the community plan.

Over the years the buildings facing Diamond Street have been cleaned up and the storefronts and upper-story units are occupied. However no new housing or commercial space has been built, and the parcels on either side of Kern Street are remain ill-maintained, and neither has proper sidewalks. The lack of usable sidewalks, together with the illegal parking operation’s encroachment into the public right-of-way, forces people to walk in the rutted roadway, and access, especially for children, seniors, people with disabilities, is unacceptably treacherous.

Since the Planning Director decided not to rezone the BART parking lot to permit housing to be built there, the Hayes-Kelly parcels are the only lots in the neighborhood where new housing or storefronts can be built without displacing existing residents or small businesses – principally lot 6744/031, which is the largest parcel (approximately 6,637 square feet) and the only developable privately-owned parcel in the NCT district without a building on it.

Lot 6744/031 is currently split between two zoning districts – a portion is in the Glen Park NCT, and a larger portion in RH-2. The Glen Park NCT district permits housing with no lot-area density limits, as well as various neighborhood-serving commercial and institutional uses, with no required off-street parking. RH-2 zoning permits only two units per lot, and no commercial uses, with one parking space required per unit. Public Parking lots are permitted on a temporary basis in NCT districts, including the Glen Park NCT District, with conditional use authorization, and not permitted in RH districts.

The proposed ordinance would permit a Public Parking Lot use **in perpetuity** on lot 6744/031, the neighborhood’s best candidate site for transit-oriented infill development, while continuing to restrict housing and neighborhood-serving commercial uses across most of the lot. This is a terrible idea. Parking lots are generally bad neighbors – they deaden sidewalks, create conflicts with walking, cycling, and transit, generate automobile traffic and pollution, and attract crime, litter, and graffiti. Making the parking lot use permanent, while continuing to limit housing and commercial uses on the site, makes it more likely that the site will never be developed. Allowing commercial parking to encroach into residential neighborhoods is also a bad precedent; it displaces housing, and is incompatible with the purpose and intent of residential districts.

A far better idea is to amend the zoning map to include the entire parcel in the Glen Park NCT district. This would encourage development of the site by increasing the allowable density and range of uses on the RH portion of the site, and would eliminating minimum parking requirements. The owners could, with conditional use approval, use the lot as a public parking lot for up to five years (per Section 161(f) of the Planning Code), but would also have a stronger incentive to develop the parcel with an appropriate transit-

oriented use, or mix of uses, consistent with both the Glen Park Community Plan and the City's policies encouraging housing and walkable communities near high capacity transit.

We ask that you withdraw or amend your proposed ordinance, and instead consider amending the zoning to encourage housing and transit-oriented commercial uses, not a parking lot, on lot 6744/031.

Sincerely,

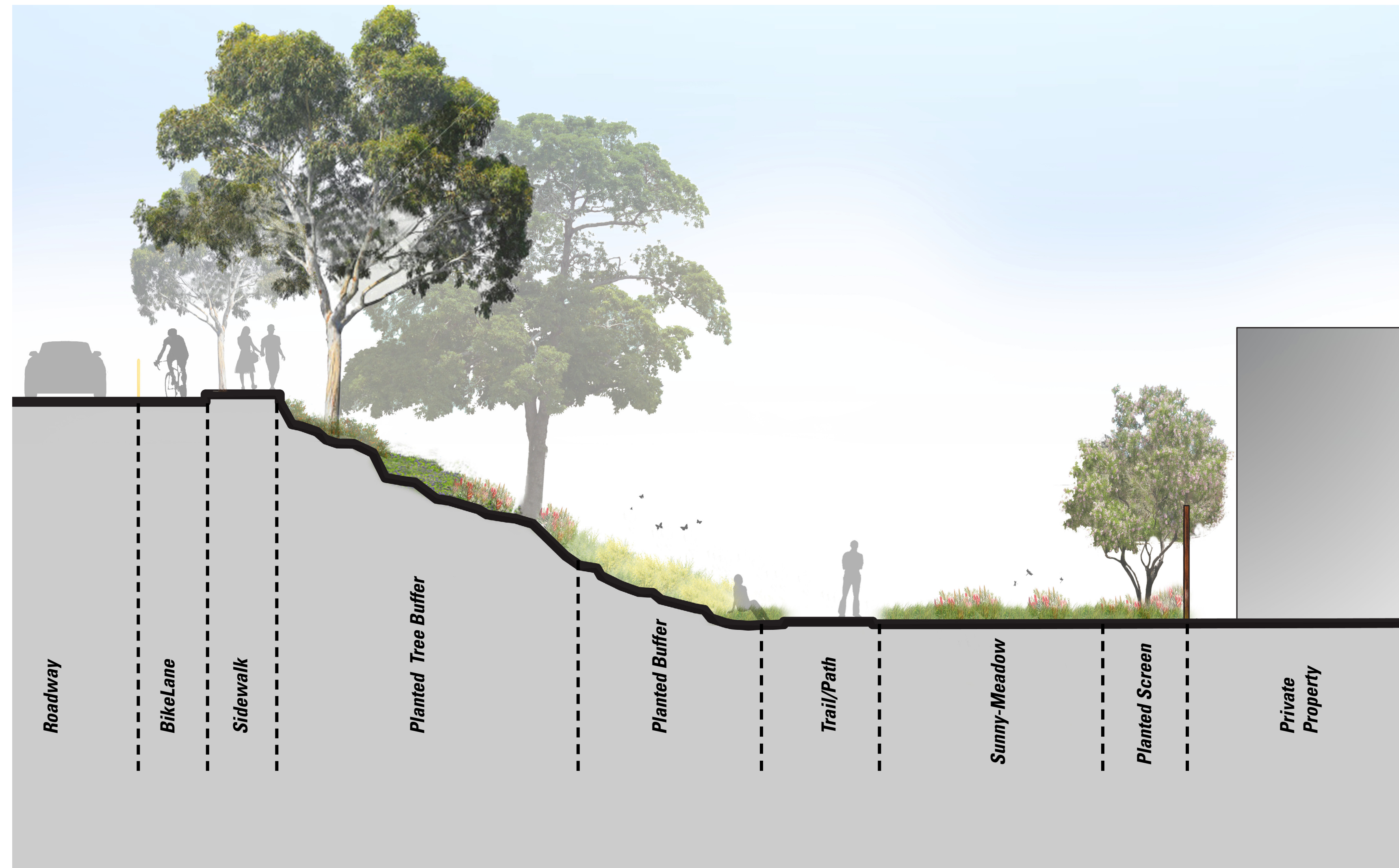
A handwritten signature in black ink that reads "Tom Radulovich". The signature is written in a cursive style with a long horizontal stroke at the top.

Tom Radulovich
Executive Director

cc: Planning Department
Other interested parties

Trail Entrance (Sunny Meadow)

EXHIBIT C



1 Section Elevation Near Brompton Ave
2



2 Perspective Rendering Near Brompton Ave
2

Glen Park Greenway

Project: Glen Park Greenway

Location: Bosworth St-Glen Park, San Francisco, CA

Phase: Conceptual Design- Community Workshop #3



Any Paradise Ave Landscape, Streetscape, Wayfinding and Signage TBD

Greenway Wayfinding and Signage

Existing Path Reinforced

Sunny Chaparral and Grassland

Planted Privacy Screen

Vegetation Management

Planted Privacy Screen

Walking Path-Circulation Non-Loitering Zone Throughout

CHENERY ST.

Chenery Bike Route

Sunny Spot Meadow

Planted Privacy Screen

Alternate Entrance of Greenway

Parking Court/
Potential Development Site

- Planted Privacy Screen- Protects residences from intrusive views by users of paths.

- Walking Path Circulation- Discourage people from lingering, especially near residences.

- Path Paving Surface- Unsuitable for the use of skateboarding.

Proposed Crosswalk

Interpretive Overlook

Eliminate Noise Generation at Potential Boardwalk

existing Crosswalk

Bosworth Bike Path

Woodland Zones Noise Abatement

Traffic Calming Paving

Traffic Calming Paving

Glen Park Entrance

Greenway Wayfinding and Signage TBD

SURFACEDESIGN INC.

Bosworth Greenway Plan

Project:
Glen Park Greenway

Phase:
Conceptual

Scale: 1"=25'-0"



1 [Planning Code - Public Parking Lot as a Permitted Use in the Glen Park Neighborhood
2 Commercial Transit District and Adjoining Locations]

3 **Ordinance amending the Planning Code to permit as of right Public Parking Lot**
4 **uses where the parcel is located in both the Glen Park Neighborhood Commercial**
5 **Transit and RH-2 (Residential, House Districts, Two-Family) zoning districts, the**
6 **property has been used as Public Parking Lot for the past ten years without the**
7 **benefit of a permit, and the adjoining RH-2 parcel is no larger than 40 feet by 110**
8 **feet; affirming the Planning Department’s determination under the California**
9 **Environmental Quality Act; making findings of consistency with the General Plan,**
10 **and the eight priority policies of Planning Code, Section 101.1; and making**
11 **findings of public necessity, convenience, and welfare pursuant to Planning**
12 **Code, Section 302.**

13 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
14 **Additions to Codes** are in *single-underline italics Times New Roman font*.
15 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
16 **Board amendment additions** are in double-underlined Arial font.
17 **Board amendment deletions** are in ~~strikethrough Arial font~~.
18 **Asterisks (* * * *)** indicate the omission of unchanged Code
19 subsections or parts of tables.

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

20 Section 1. Environmental and Land Use Findings.

21 (a) The Planning Department has determined that the actions contemplated in
22 this ordinance comply with the California Environmental Quality Act (California Public
23 Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of
24 the Board of Supervisors in File No. _____ and is incorporated herein by reference.
25 The Board affirms this determination.

1 (b) On _____, the Planning Commission, in Resolution No. _____,
 2 adopted findings that the actions contemplated in this ordinance are consistent, on
 3 balance, with the City's General Plan and eight priority policies of Planning Code
 4 Section 101.1. The Board adopts these findings as its own. A copy of said Resolution
 5 is on file with the Clerk of the Board of Supervisors in File No. _____, and is
 6 incorporated herein by reference.

7 (c) Pursuant to Planning Code Section 302, the Board finds that this Planning
 8 Code Amendment will serve the public necessity, convenience, and welfare for the
 9 reasons set forth in Planning Commission Resolution No. _____, and the Board
 10 incorporates such reasons herein by reference.

11
 12 Section 2. The Planning Code is hereby amended by revising Planning Code
 13 Sections 209.1 and 756, to read as follows:

14 **SEC. 209.1. RH (RESIDENTIAL, HOUSE) DISTRICTS.**

15 * * * *

16 **Table 209.1**

17 **ZONING CONTROL TABLE FOR RH DISTRICTS**

Zoning Category	§ References	<i>RH-1(D)</i>	<i>RH-1</i>	<i>RH-1(S)</i>	<i>RH-2</i>	<i>RH-3</i>
NON-RESIDENTIAL STANDARD AND USES						
Automotive Use Category						
Automotive Uses*	§ 102	NP	NP	NP	NP	NP
Parking Garage, Private	§ 102	C	C	C	C	C

1	Parking Lot, Private	§ 102	C	C	C	C	C
3	<u>Parking Lot, Public</u>	<u>§§ 102, 142,</u> <u>156</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>P(8)</u>	<u>NP</u>

5 * * * *

7 * Not listed below.

8 (1) P for Limited Commercial Uses per § 136.1(a) only; otherwise NP.

9 (2) [Note Deleted]

10 (3) C required for seven~~7~~ or more persons.

11 (4) C for five~~5~~ or fewer guest rooms or suites of rooms; NP for six~~6~~ or more
12 guest rooms.

13 (5) Must be located on a landmark site, and where the site is within a Height
14 and Bulk District of 40 feet or less, and where a columbarium use has lawfully and
15 continuously operated since the time of designation.

16 (6) Construction of Accessory Dwelling Units may be permitted pursuant to
17 Sections 207(c)(4) and 207(c)(5).

18 (7) C if a Macro WTS Facility; P if a Micro WTS Facility.

19 (8) P only for parcels located in both the Glen Park NCT and RH-2 zoning districts
20 where the property has been used as a Public Parking Lot for the past 10 years without the
21 benefit of a permit, and the adjoining RH-2 parcel is no larger than 40 feet by 110 feet.

23 **SEC. 756. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT**
24 **DISTRICT.**

25 * * * *

**Table 756. GLEN PARK NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT
ZONING CONTROL TABLE**

Zoning Category		§ References		Controls		
NON-RESIDENTIAL STANDARD AND USES						
				Controls by Story		
				1st	2nd	3rd+
Automotive Use Category						
Automotive Uses*	§§ 102, 202.2(b)	NP	NP	NP	NP	NP
Automotive Repair	§ 102	C	NP	NP	NP	NP
Automotive Service Station	§§ 102, 187.1, 202.2(b), 202.5	C	NP	NP	NP	NP
Gas Station	§§ 102, 187.1, 202.2(b)	C	NP	NP	NP	NP
Parking Garage, Private	§ 102	C	C	C	C	C
Parking Garage, Public	§ 102	C	C	C	C	C
Parking Lot, Private	§§ 102, 142, 156	C	C	C	C	C
Parking Lot, Public	§§ 102, 142, 156	C ⁽⁵⁾	C	C	C	C

* * * *

* Not listed below

(1) C required for ground floor residential use when street frontage is listed in 145.4(b)

(2) [Note deleted.]

1 (3) C required for seven or more persons.

2 (4) C if a Macro WTS Facility; P if a Micro WTS Facility.

3 (5) P only for parcels located in both the Glen Park NCT and RH-2 zoning districts
4 where the property has been used as a Public Parking Lot for the past 10 years without the
5 benefit of a permit, and the adjoining RH-2 parcel is no larger than 40 feet by 110 feet.

6
7 Section 3. Effective Date. This ordinance shall become effective 30 days after
8 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns
9 the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or
10 the Board of Supervisors overrides the Mayor's veto of the ordinance.

11
12 Section 4. Scope of Ordinance. In enacting this ordinance, the Board of
13 Supervisors intends to amend only those words, phrases, paragraphs, subsections,
14 sections, articles, numbers, punctuation marks, charts, diagrams, or any other
15 constituent parts of the Municipal Code that are explicitly shown in this ordinance as
16 additions, deletions, Board amendment additions, and Board amendment deletions in
17 accordance with the "Note" that appears under the official title of the ordinance.

18
19 APPROVED AS TO FORM:
20 DENNIS J. HERRERA, City Attorney

21 By:

22 AUSTIN M. YANG
23 Deputy City Attorney

24 n:\legana\as2018\1800425\01255796.docx