

LEGISLATIVE DIGEST

[Planning Code - 524 and 530 Howard Street - Transit Center District Open Space Impact Fee Waiver for 524 Howard Street, LLC]

Ordinance amending the Planning Code to waive the Transit Center District Open Space Impact Fee for 524 Howard Street, LLC's development project at 524 and 530 Howard Street in recognition of the project's proposed construction of a pedestrian bridge connecting to the Transbay Transit Center's rooftop park; affirming the Planning Commission's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and general welfare findings under Planning Code, Section 302.

Existing Law

Planning Code Sections 424.6 et seq. govern the Transit Center District Plan open space development impact fees. Planning Code Section 138(j), which only applies to mixed-use projects, addresses how the Planning Department should approach public connections to the rooftop park on the Transbay Transit Center from adjacent buildings and count such connections as contributing to a project's open space requirements. The development project at 524 and 530 Howard Street (the "Project") proposes to build a pedestrian bridge connection over Natoma Street to the Transit Center. The Project is a fully residential project that includes 672 dwelling units, with 68 dwelling units dedicated to households earning no more than 50% AMI (area median income).

Amendments to Current Law

The legislation would amend Planning Code Sections 424.6 et seq. as applied to this Project to waive the open space impact fees, which are approximately \$2.3 million. The fee waiver would be conditioned upon various subsequent actions including compliance with the general terms of Planning Code Section 138(j). The ordinance would make various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

Background Information

This legislation is related to a companion ordinance that would vacate the airspace above Natoma Street and convey the property to the Transbay Bay Joint Powers Authority to accommodate the construction and use of the pedestrian bridge from the Project to the rooftop park at the Transit Center.

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