



SAN FRANCISCO PLANNING DEPARTMENT

General Plan Referral

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Date: June 15, 2010
Case No. Case No. 2010.0266R
**Street Vacation and Transfer of Jurisdiction from DPW
to Department of Real Estate for Use by the Alemany Farmers
Market.**

Block/Lot No.: Blocks 5731, 5732, 5733, 5733A, and 5734.
Project Sponsor: Amy L. Brown, Director
San Francisco Real Estate Department
25 Van Ness Ave. Suite 400
San Francisco, CA 94102

Applicant: Same as Above

Staff Contact: Johnny Jaramillo – (415) 575-6818
johnny.jaramillo@sfgov.org

Recommendation: Finding the project, on balance, is in conformity with
the General Plan

Recommended
By: 
John Rahaim, Director of Planning

PROJECT DESCRIPTION

The Project is the City's proposed vacation of portions of Ogden Avenue, Bradford Street, and Crescent Avenue and transfer of jurisdiction to the Department of Real Estate. The street areas proposed for vacation are unimproved and located within the perimeter of the Alemany Farmers Market. The Alemany Farmers Market was established in 1943. The Market relocated to its current location on August 4, 1947. The proposed street vacation and transfer of property would not be used to construct any buildings or structures, and the property would continue to be used for the Farmer's market. The proposed Project would continue to provide improved access to healthy foods. All foods sold at the market are required to be grown by the farmers/vendors. The submittal is for a General Plan Referral to recommend whether the Project is in conformity with the General Plan, pursuant to Section 4.105 of the Charter, and Section 2A.52 and 2A.53 of the Administrative Code.



SITE DESCRIPTION AND PRESENT USE

The portions of Ogden Avenue, Bradford Street, and Crescent Avenue proposed for vacation are located in the Southeast quadrant of the City at the southern edge of Bernal Heights. The site is located in the Alemany Farmers Market, directly northwest and adjacent to the intersection of Highway 101 and 280. The Alemany Farmers Market is open on Saturdays, dawn to dusk. The market contains a two rows of permanent vendor stalls and a small office structure with public restrooms; the permanent stalls are supplemented by additional temporary vendor stalls, as required, throughout the year. The market occupies approximately 45,588 square feet of property, including the undeveloped public rights-of-way proposed to be vacated. The site is located in an NC-S (Neighborhood Commercial Shopping Center) Use District and a 40-X (Height) District.

The street areas proposed for vacation are not necessary for present or future vehicular circulation use.

ENVIRONMENTAL REVIEW

On June 11, 2010, the Major Environmental Analysis of the Department determined that the Project is Categorical Exempt from Environmental Review under CEQA Guidelines Section 15312 – Surplus Government Property sales.

GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION

The Project is the City's proposed street vacation and transfer of jurisdiction to the Department of Real Estate for continued use by the Alemany Farmers Market. The Project is consistent with the Eight Priority Policies of Planning Code Section 101.1 as described in the body of this letter and is, on balance, **in-conformity** with the following Objectives and Policies of the General Plan:

URBAN DESIGN ELEMENT

OBJECTIVE 2

**CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE,
CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.**

POLICY 2.8

Maintain a strong presumption against the giving up of street areas for private ownership or use, or for construction of public buildings.

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POLICY 2.9

Review proposals for the giving up of street areas in terms of all the public values that streets afford.

Every proposal for the giving up of public rights in street areas, through vacation, sale or lease of air rights, revocable permit or other means, shall be judged with the following criteria as the minimum basis for review:

a. No release of a street area shall be recommended which would result in:

- (1) Detriment to vehicular or pedestrian circulation;
- (2) Interference with the rights of access to any private property;
- (3) Inhibiting of access for fire protection or any other emergency purpose, or interference with utility lines or service without adequate reimbursement;
- (4) Obstruction or diminishing of a significant view, or elimination of a viewpoint; industrial operations;
- (5) Elimination or reduction of open space which might feasibly be used for public recreation;
- (6) Elimination of street space adjacent to a public facility, such as a park, where retention of the street might be of advantage to the public facility;
- (7) Elimination of street space that has formed the basis for creation of any lot, or construction or occupancy of any building according to standards that would be violated by discontinuance of the street;
- (8) Enlargement of a property that would result in (i) additional dwelling units in a multi-family area; (ii) excessive density for workers in a commercial area; or (iii) a building of excessive height or bulk;
- (9) Reduction of street space in areas of high building intensity, without provision of new open space in the same area of equivalent amount and quality and reasonably accessible for public enjoyment;
- (10) Removal of significant natural features, or detriment to the scale and character of surrounding development.
- (11) Adverse effect upon any element of the General Plan or upon an area plan or other plan of the Department of City Planning; or

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(12) Release of a street area in any situation in which the future development or use of such street area and any property of which it would become a part is unknown.

b. Release of a street area may be considered favorably when it would not violate any of the above criteria and when it would be:

(1) Necessary for a subdivision, redevelopment project or other project involving assembly of a large site, in which a new and improved pattern would be substituted for the existing street pattern;

(2) In furtherance of an industrial project where the existing street pattern would not fulfill the requirements of modern industrial operations;

(3) Necessary for a significant public or semi-public use, or public assembly use, where the nature of the use and the character of the development proposed present strong justifications for occupying the street area rather than some other site;

(4) For the purpose of permitting a small-scale pedestrian crossing consistent with the principles and policies of The Urban Design Element; or

(5) In furtherance of the public values and purposes of streets as expressed in The Urban Design Element and elsewhere in the General Plan.

While the General Plan's Urban Design Element generally discourages the vacation of streets, it also provides for the release of streets if such an action: 1) would not violate the 12 criteria outlined under (a.) above, and 2) would support one or more of the five objectives presented under (b.) above. With regard to the 12 criteria, the proposed street vacation of a section of Ogden, Bradford, and Crescent Avenue would not be detrimental to pedestrian or vehicular circulation, reduce access to private property, inhibit access by emergency vehicles, or interfere with utility service. No views, open space, or public facility would be affected. The proposed vacation would not affect existing structures or proposed construction, unduly enlarge a property, reduce street space in a high density area, or affect significant natural features. The project would not adversely affect any other part of the General Plan. The vacated streets would continue to be used by the Alemany Farmers Market and would remain City property by transferring jurisdiction from the Department of Public Works to the Department of Real Estate.

The vacation would also meet objective b.(3) above by supporting Farmers Market businesses that provide a critical service to the city, its residents, and economy.

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.

The transfer of property from the Department of Public Works to the Department of Real Estate would result in the vacation of unused portions of public streets. However, this is appropriate given that it

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would also result in the permanent establishment of a public Farmers Market, incorporating the public rights-of-way which it has used since 1947.

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 2

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

POLICY 2.1

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

OBJECTIVE 3

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

POLICY 3.1

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

PROPOSITION M FINDINGS – PLANNING CODE SECTION 101.1

Planning Code Section 101.1 establishes Eight Priority Policies and requires review of discretionary approvals and permits for consistency with said policies. The Project, demolition and replacement of the Chinese Recreation Center, is found to be consistent with the Eight Priority Policies as set forth in Planning Code Section 101.1 for the following reasons:

Eight Priority Policies Findings

The subject project is found to be consistent with the Eight Priority Policies of Planning Code Section 101.1 in that:

The proposed project is found to be consistent with the eight priority policies of Planning Code Section 101.1 in that:

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

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The Project would have no adverse effect on neighborhood serving retail uses or opportunities for employment in or ownership of such businesses and would retain existing businesses operating at the Alemany Farmers Market.

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

The Project would have no adverse effect on the City's housing stock or on neighborhood character. The existing housing and neighborhood character will not be negatively affected.

3. That the City's supply of affordable housing be preserved and enhanced.
The Project would have no adverse effect on the City's supply of affordable housing.

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

The Project would not result in commuter traffic impeding MUNI's transit service, overburdening the streets or altering current 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 residential employment and ownership in these sectors be enhanced.

The Project would not affect the existing economic base in this area.

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

The Project would not adversely affect achieving the greatest possible preparedness against injury and loss of life in an earthquake. It would improve the City's ability to respond to injuries caused by earthquakes and other emergencies.

7. That landmarks and historic buildings be preserved.

The project would not affect any existing landmarks or historic buildings.

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

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The Project would have no adverse effect on parks and open space or their access to sunlight and vista.

RECOMMENDATION:	Finding the Project, on balance, in-conformity with the General Plan
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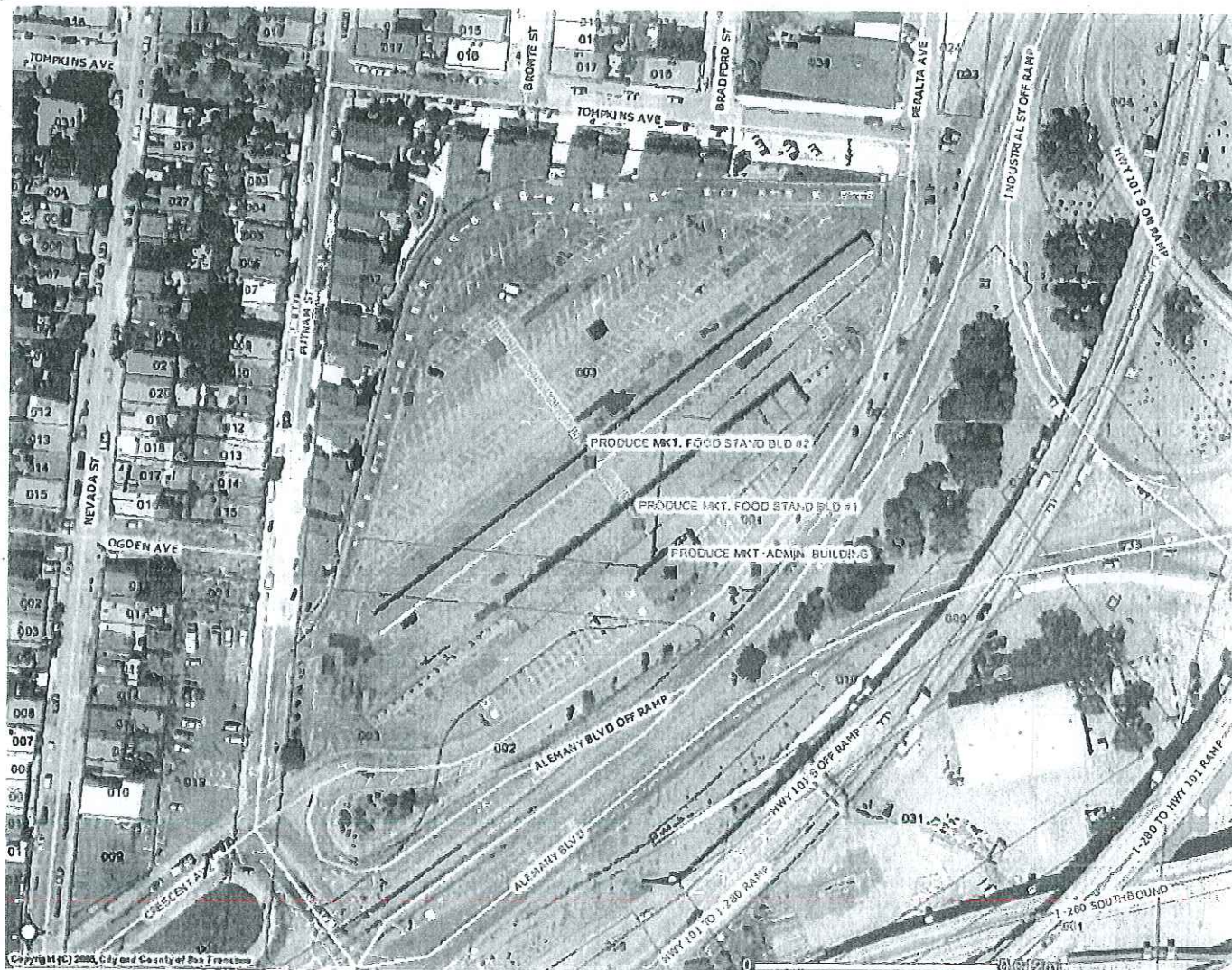
Attachments:



Site Plan

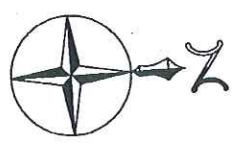
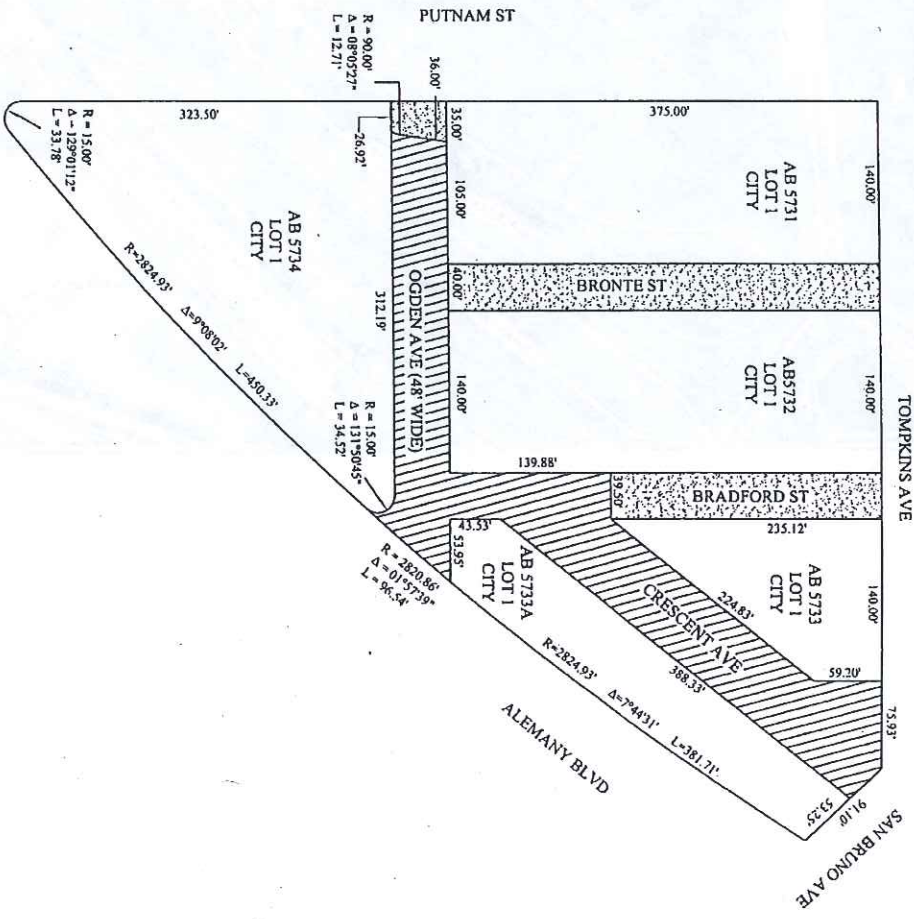
Aerial Photo

cc: Larry Ritter, Real Estate

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- Notes:
-  Proposed Vacation
 -  Previously Vacated Areas per SUR 2193



REFERENCES:				TABLE OF CHANGES				CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS					
NO	DATE	BY	DESCRIPTION	DRW	JR	11/05/09	PROPOSED STREET VACATION OF A PORTION OF OGDEN AVE, BETWEEN PUTNAM ST, AND ALEMANY BLVD, A PORTION OF BRADFORD ST, BETWEEN TOMPKINS AVE, AND BRADFORD ST, OGDEN AVE, AND CRESCENT AVE.	DATE	APPROVED	SCALE: 1:100	FILE	SUR	CHANGE
				CK	KH	11/12/09						21009	
				APP	BS								

A-15-05
 SUR 2193
 Ded. Map 267

SHEET 1 OF 1