



# SAN FRANCISCO PLANNING DEPARTMENT

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## Memo to the Planning Commission

HEARING DATE: JULY 26, 2018

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*Case No.:* 2014-002541ENV GPA PCA MAP DEV CWP SHD  
*Project Address:* India Basin Mixed Use Project  
*Existing Zoning:* M-1 (Light Industrial)  
M-2 (Heavy Industrial)  
NC-2 (Small Scale Neighborhood Commercial)  
P (Public)  
40-X and OS (Open Space) Height and Bulk Districts  
*Proposed Zoning:* NC-2, MUG, P  
India Basin Special Use District (SUD)  
20/160-IB, OS  
*Block/Lot:* Various Lots on Blocks 4596, 4597, 4605, 4606, 4607, 4620, 4621, 4622,  
4629A, 4630, 4631, 4644, 4645, and 4646  
*Project Sponsor:* Recreation and Park Department and BUILD Inc.  
*Staff Contact:* Mathew Snyder – (415) 575-6891  
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*Recommendation:* **Approval with Conditions**

This memorandum documents the changes made to the approval packet for the India Basin Mixed-Use Project sent July 19, 2018. (Proposed revisions shown in underline.)

Changes include (1) clarifications to the Executive Summary, Motions and Resolutions regarding required actions and the name of the Project Sponsor; (2) minor edits to the CEQA findings; (3) revised language in the General Plan Amendment Resolution regarding General Plan consistency findings; (4) a revised substitute draft Planning Code and Zoning Map Amendment Ordinance and associated draft Resolution; and (5) additional changes to the Development Agreement resolution recognizing that the Project Sponsor is targeting 20% reduction in vehicle trip.

On July 24, 2018, Supervisor Cohen introduced a substitute Ordinance amending the Planning Code and Zoning Map. In this memo, Staff is recommending some additional minor amendments to this substitute Ordinance.

The Substitute Planning Code Amendment Ordinance is attached along with the Resolution of the Recreation and Parks Commission regarding Shadow Findings under Planning Code section 295 that were made at its March 18, 2018 hearing. Letters of support, including from the India Basin Neighborhood Association, and one letter of opposition is also attached.

### Executive Summary and Motions and Resolutions

Staff is recommending that the Executive Summary and all Motions and Resolutions before you be revised to (1) reflect the official name of the Project Sponsor for the 700 Innes and India Basin Open Space component of the Project as being "India Basin Investments, LLC"; (2) the Executive Summary is to

include General Plan Amendments and General Plan findings as being required actions; and (3) descriptions throughout are to reflect that improvements to the India Basin Open Space are included in the component of the Project that will be implemented by India Basin Investments, LLC.

### CEQA Findings

Staff is recommending the following clarification to the CEQA Findings:

On p. 2 of the CEQA Findings, in the second paragraph, make the following edit to the first sentence:

BUILD would redevelop approximately 29.26 acres of privately and publicly owned parcels along the shoreline to create a new publicly accessible network of improved parkland and open space and a mixed-use urban village, consisting 1,575 residential units, 209,000 of commercial use, 1,800 off-street parking spaces, and 1,575 bicycle parking spaces.

On p. 61 of the CEQA Findings, under Bullet "Land Use and Sustainable Development", make the following edit to the second sentence:

Key elements of the Sustainability Plan include developing a currently underutilized site with mixed-use development and open space...and rehabilitation of historic resources such as 702 Earl Street and the Shipwrights Cottage, the later in compliance with the Secretary of Interior's Standards of Rehabilitation.

### General Plan Consistency Findings

The General Plan Findings and Planning Code Section 101.1 Findings are included in the General Plan Amendments Resolution. To clarify that these findings can be used for actions that are consistent with and further the project beyond those before the Planning Commission at the July 26 hearing, staff is recommending the following revision:

AND BE IT FURTHER RESOLVED, that the Planning Commission finds these General Plan Amendments are in general conformity with the General Plan, and the Project and its approvals associated therein, all as more particularly described in Exhibit E to the Development Agreement on file with the Planning Department in Case No. 2014-002541DVA are each on balance, consistent with the following Objectives and Policies of the General Plan, as it is proposed to be amended as follows. These General Plan Findings are for the entirety of the Project and contemplate approval actions that, in addition to the General Plan Amendments, include but are not limited to Planning Code Text and Zoning Map Amendments, DA approval, DSG approval, adoption of Shadow findings under Planning Code Section 295, land acquisitions and conveyances as necessary to implement the public trust exchange contemplated in the DA, and actions by the Board of Supervisors and applicable City agencies approving the vacation of portions of Griffith Street, Hudson Avenue, Earl Street and Arelious Walker Avenue within the Project Site as contemplated by the DA; and

AND BE IT FURTHER RESOLVED, That in regard to any other later approvals that are consistent with and further the Project, this Commission and the Department, to the maximum extent practicable, shall rely on these General Plan consistency findings.

### Development Agreement Draft Resolution

The Transportation Plan / Transportation Demand Management Plan will include a goal of reducing estimated aggregate daily one-way vehicle trips by 20%. This new target is greater than required by the MMRP. As such, Planning staff is recommending the following addition to the Resolution acknowledging this difference.

Prior to the first NOW THEREFORE BE IT RESOLVED clause, insert:

WHEREAS, as a part of the requirements of the DA, the Project Sponsor has committed to implementing a Transportation Plan / Transportation Demand Management Plan, that among other commitments, includes a goal of reducing estimated aggregate daily one-way vehicle trips associated with the 700 Innes and India Basin Open Space properties by at 20 percent compared to the aggregate daily one-way vehicle trips identified in the project-related Transportation Impact Study. The Mitigation Monitoring Reporting Program requires that such trips be reduced by at least 15 percent; therefore the new 20 percent target is consistent with meeting the "at least" 15 percent requirement.

### Planning Code and Zoning Map Ordinance

Subsequent to the Planning packets being sent last week, City staff continued to work on the new Planning Code provisions that would implement the Project. Supervisor Cohen introduced a substitute Ordinance at the Board Supervisors on July 24, 2018 that reflected changes to the Special Use District. Staff has been involved in the review of this legislation and supports it. Staff's recommendation is for the Planning Commission to approve the substitute Ordinance (attached). Below is a description of the substantive changes:

#### Major and Minor Modifications Process

Section 249.84 (f), page 5, lines 19 through 23:

Definitions for Major and Minor Modifications have been revised by removing indication that such modifications apply to "vertical development only".

#### Land Use

Section 249.84(g), pages 7 (line 1) through 9 (line 1), Land Use Chart has been revised by (1) correcting that "Entertainment, Arts & Recreation Use" are generally principally permitted in the Public Market / Town Triangle Zone (publicly accessible privately owned spaces); and (2) clarified that "Entertainment, Arts & Recreational Uses" are not permitted within the "Privately Owned Open Space" and removed unnecessary exception to allowing "Passive Open Area" within such zone and renumbered exceptions accordingly.

#### Interim Uses

Section 249.84(g)(4), page 11 (lines 4-5); Subsection (J) has been added as follows:

(J) Trailers, recreational vehicles, or other temporary housing for construction workers, seasonal labor, or other workforce employment needs.

### Usable Open Space

Section 249(h)(8), page 13 (lines 12-19): In recognition that the Project includes a significant amount of new open space (both publicly owned and privately owned) that will be delivered in conjunction with vertical development, the following open space exception has now been included in the Draft Ordinance:

Notwithstanding the above, dwelling units within “the Cove” portion of the site, as described in the Development Agreement and shown in Figure 1-38 of the DSG, are exempt from this usable open space requirement, given their immediate adjacency to “the Market Place” open space.

NOTE: Planning staff is also recommending further revisions to the open space requirement that were not included in the Substitute Ordinance and are described below under discussion of the Draft Planning Code Resolution.

### Dwelling Unit Exposure

Section 249(h)(9), Page 13 (lines 20-24): revised the language to be consistent with the DSG:

All required dwelling unit windows and openings as defined by Section 504: Light and Ventilation of the San Francisco Housing Code shall face directly on an open area such as a public street, laneway, parcel break, trail, or unobstructed open space, for a minimum horizontal clear dimension of 25 feet, measured perpendicularly from the required window or opening face, as further provided in the DSG.

### Off-Street Parking

Section 249(h)(10), Page 14 (lines 1-20): revised Table 249.84-3 to include the following requirements specifically for grocery stores:

<u>Retail, except General Grocery or Special Grocery Use</u>	<u>1 space: 700 gross square feet</u>
<u>General Grocery or Special Grocery Uses below 20,000 gross square feet</u>	<u>1 space: 500 gross square feet</u>
<u>General Grocery or Special Grocery Uses with 20,000 gross square feet or more</u>	<u>1 space: 250 gross square feet</u>

New language has also been added to clarify that publicly accessible parking for the Project’s parks and open spaces is permitted beyond those provided in the parking maximum ratios:

Notwithstanding the maximum off-street parking ratios established in Table 249.84-3, up to 225 public parking spaces may be provided to visitors to India Basin’s parks, subject to the 1,800-parking-space cap.

### Planning Code and Zoning Map Draft Resolution: Staff Recommendation for Additional Text Amendments

As noted above, Planning staff is recommending further revisions to the Planning Code Text amendments regarding Usable Open Space, which were not included in the revised draft Ordinance described above.

Therefore, staff is recommending that the Commission include as part of its action the following language to address further exceptions to the on-site usable open space requirement:

AND BE IT FURTHER RESOLVED, that the Commission hereby recommends that the Board of Supervisors incorporate the following additional provision and corrections within the Draft Ordinance:

Section 249.84(f) Definitions: add to the end of the Minor Modification definition:

*Notwithstanding the forgoing, minor modifications shall also include modifications of up to 50% for the usable space requirement for buildings on F3, F4, F5, F6 and F8 and identified in the DSG.*

On top of the above additional open space provision, correct the following to Section 3 of the Draft Ordinance :

(d) To change the Zoning Map (ZN09) from M-2 (Heavy Industrial) to P:

4646/002, 003, 003A, 019	NC-2	<u>P</u>
<u>4596 / 025; 4597 / 025</u>	<u>M-2</u>	<u>P</u>

**Attachments:**

- Draft Substitute Planning Code and Map Ordinance
- Recreation and Parks Commission Resolution 1807-004
- Letter of Opposition
- Letter of Support