

Incompatibilities with the General Plan in Case 2011.1249C

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The project breaks a vast array of policies

The project is not compatible with San Francisco's General Plan. The project wedges a full-service restaurant into the middle of a residential neighborhood-- in a space so small, the patrons must sit outside. Since this is bad city planning, it breaks a vast array of General Plan policies.

Disapproving the project is pro-business

The project is so flawed, it is incompatible with three objectives and six specific policies from the Commerce and Industry element. The worst is it makes San Francisco less attractive to firms considering relocating to the city. Approving the project would be a terrible precedent: that sends a message that neighborhood livability is no longer a priority. Employers will not want to ask employees to move to a city where residential neighborhoods are at risk of odorous and noise polluting commercial development popping up directly underfoot. Disapproving the project is the best way to promote business in the long term.

Here are specific incompatibilities with objectives and policies. Quotes from the San Francisco General Plan are set in Courier.

Incompatibilities with the Mission Area Plan ¹

OBJECTIVE 1.1: STRENGTHEN THE MISSION'S EXISTING MIXED USE CHARACTER, WHILE MAINTAINING THE NEIGHBORHOOD AS A PLACE TO LIVE AND WORK.

Adding odor and significant noise pollution to the residential area around 23rd and Bryant fails to maintain the neighborhood as a place to live.

OBJECTIVE 1.5: MINIMIZE THE IMPACT OF NOISE ON AFFECTED AREAS AND ENSURE GENERAL PLAN NOISE REQUIREMENTS ARE MET.

Outside dining cannot be soundproofed, so the impact of the noise on the surrounding areas cannot be minimized.

¹ http://www.sf-planning.org/ftp/General_Plan/Mission.htm

OBJECTIVE 1.8: MAINTAIN AND STRENGTHEN THE MISSION'S NEIGHBORHOOD COMMERCIAL AREAS. POLICY 1.8.1: Direct new mixed-use residential development to the Mission's neighborhood commercial districts to take advantage of the transit and services available in those areas.

This implies the project should be directed to a neighborhood commercial district, such as the one along 24th Street nearby, rather than being allowed in the middle of the residential area surrounding 23rd and Bryant.

OBJECTIVE 2.2: RETAIN AND IMPROVE EXISTING HOUSING AFFORDABLE TO PEOPLE OF ALL INCOMES. POLICY 2.2.2: Preserve viability of existing rental units.

Adding the odors and noise pollution of a full-service restaurant lowers the viability of the nearby existing rental units.

OBJECTIVE 3.2: PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE, ACTIVE AND SAFE PUBLIC REALM.

The project puts tables into the sole available broad pathway, narrowing it from 110" to 50". (See the site plan at <http://commissions.sfplanning.org/cpcpackets/2011.1249Cc1.pdf>; the tables narrow the one broad pathway along Bryant. The distance between the big bench and the wall is, according to my on-site measurement, no more than 110". Subtracting the five feet the site plan specifies for chairs and tables leaves 50". Workers will have to use that remaining 50" to talk with patrons and to bring things to and take things away from the tables; hence, what's left of the pathway will be blocked.) A blocked sidewalk does not support walking.

OBJECTIVE 4.2: INCREASE TRANSIT RIDERSHIP BY MAKING IT MORE COMFORTABLE AND EASY TO USE.

By interfering with the use of the sidewalk and bus stop, the tables block easy use of the 27 Bryant line; this loss of ease of use will tend to decrease ridership.

OBJECTIVE 4.6: SUPPORT WALKING AS A KEY TRANSPORTATION MODE BY IMPROVING PEDESTRIAN CIRCULATION WITHIN THE MISSION AND TO OTHER PARTS OF THE CITY.

Blocking the sidewalk worsens pedestrian circulation. Running a full-service restaurant in space used as a sidewalk adds collision hazards.

OBJECTIVE 5.1: PROVIDE PUBLIC PARKS AND OPEN SPACES THAT MEET THE NEEDS OF RESIDENTS, WORKERS AND VISITORS. Policy 5.1.2: Require new residential and commercial development to contribute to the creation of public open space.

The project does not contribute to the creation of public open space. Indeed, it reallocates space by the bulb-out pedestrian enclave at 23rd and Bryant away from public use and to private use.

Incompatibilities with the General Plan: Housing Element ²

OBJECTIVE 11: SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS. POLICY 11.5: Ensure densities in established residential areas promote compatibility with prevailing neighborhood character.

The area around 23rd and Bryant is an established residential area. An outdoor-seating full-service restaurant in so little space is far denser a development than is consistent with the neighborhood's quiet and pleasant prevailing character.

Incompatibilities with the General Plan: Commerce and Industry Element ³

OBJECTIVE 1: MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT. Policy 1.1: Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

The project is small; such benefits as it may yield will be modest. Since there's no space inside, diners have to sit outside. But since they're outside, the impact of the noise they'll make is MAXIMIZED. Outside dining can't be soundproofed, so there's no way to mitigate the noise pollution.

This project is precisely the sort of low benefit yet high impact development that this policy discourages.

POLICY 1.3: Locate commercial and industrial activities according to a generalized commercial and industrial land use plan. . . . 1: The natural division of the city into two distinct functional areas—one primarily for production, distribution and services, and the other for residential purposes and the community facilities which are closely related to residential activities—should be recognized and encouraged.

A full-service restaurant is a service. Putting a restaurant in the middle of a residential neighborhood fails to encourage the natural division of the city.

2 http://www.sf-planning.org/ftp/General_Plan/I1_Housing.html

3 http://www.sf-planning.org/ftp/General_Plan/I2_Commerce_and_Industry.htm

OBJECTIVE 2: MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY. POLICY 2.3: Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

The project adds odor and noise pollution to a residential neighborhood, and increases traffic near a school; it lowers a residential area's environmental quality, making San Francisco a less attractive place to live. This lowers San Francisco's attractiveness as a location for firms.

It's a terrible precedent. Firms will note that even in solidly residential neighborhoods, a full-service restaurant (or other development ill-suited to a residential area) might suddenly open right by their employees' homes. Employees won't want to risk this. Employers will prefer places less uncertain for their employees.

OBJECTIVE 6: MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS. POLICY 6.1: Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

23rd and Bryant is a residential neighborhood. Putting commercial development into a residential neighborhood rather than a neighborhood commercial district fails to maintain and strengthen neighborhood commercial districts. (There's one nearby along 24th Street; area commercial development should be directed there.)

POLICY 6.4: Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

2500 Bryant was a neighborhood grocery until recently. While a retail coffee shop can be considered to be "neighborhood shopping" at least to the extent that it sells coffee, a full-service restaurant is not "neighborhood shopping." Hence, this policy suggests the applicant should be encouraged to implement his backup plan, which is to open a retail coffee shop.

POLICY 6.9 Regulate uses so that traffic impacts and parking problems are minimized. ⁴

The project adds commercial development outside existing commercial zoning, which will inevitably lead to additional traffic impacts and parking problems. The project specifies nothing that will minimize the impacts; while we can hope patrons and workers won't arrive by car, we can't require it.

Indeed, Policy 6.9 specifically lists "Full-Service Restaurant" as a potential heavy vehicle trip generator. It says, "The following types of uses are potential heavy vehicle trip generators, due to the nature and/or size of use, and should be closely examined: . . . Full-Service Restaurant . . . Potential traffic impact and parking demand generated by the use should be evaluated, using estimates of the numbers of customers and trips generated by the use and the distribution of different types of trips by mode of travel for various time periods, when possible, on a neighborhood or area-specific basis."

There has been no such close examination or evaluation. The project doesn't include an estimate of the number of customers who will be present at various times, so we can't even start the time-period-specific evaluations.

Incompatibilities with the General Plan: Transportation Element ⁵

OBJECTIVE 1: MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA. POLICY 1.2: Ensure the safety and comfort of pedestrians throughout the city.

The project blocks a sidewalk. Operating an outdoor-seating full-service restaurant on the sidewalk of a residential neighborhood is unsafe. Workers will be carrying hot things and sharp things around children at play. Installing tables that reduce the single available broad pathway from 110" to 50" is not compatible with the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (AADAG), which specify that "The minimum width for two wheelchairs to pass is 60 in (1525 mm)".⁶

POLICY 21.9: Improve pedestrian and bicycle access to transit facilities.

Adding tables large enough for a full-service restaurant to the corner of 23rd and Bryant degrades pedestrian and bicycle access to the 27 Bryant line bus stop there; wherever they go, the tables will be in the way.

4 http://www.sf-planning.org/ftp/General_Plan/I2_Commerce_and_Industry.htm#CAI_NBC_6_9

5 http://www.sf-planning.org/ftp/General_Plan/I4_Transportation.htm

6 <http://www.access-board.gov/adaag/html/adaag.htm#4.2>

POLICY 22.3: Guarantee complete and comprehensive transit service and facilities that are accessible to all riders, including those with mobility impairments.

The sidewalk blockage and lack of a 60" wide pathway will reduce easy access to the bus for people with mobility impairments.

POLICY 23.5: Establish and enforce a set of sidewalk zones that provides guidance for the location of all pedestrian and streetscape elements, maintains sufficient unobstructed width for passage of people, strollers and wheelchairs, consolidates raised elements in distinct areas to activate the pedestrian environment, and allows sufficient access to buildings, vehicles, and streetscape amenities.

Installing tables that reduce the single available broad pathway from 110" to 50" is not compatible with the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (AADAG), which specify that "The minimum width for two wheelchairs to pass is 60 in (1525 mm)".⁷

POLICY 23.9: Implement the provisions of the Americans with Disabilities Act and the city's curb ramp program to improve pedestrian access for all people.

Meeting the guidelines of AADAG is part of implementing the Americans with Disabilities Act. This project makes that impossible for the west side of Bryant street.

POLICY 25.3: Develop design guidelines for pedestrian improvements in Neighborhood Commercial Districts, Residential Districts, Transit-Oriented Districts, and other pedestrian-oriented areas as indicated by the pedestrian street classification plan. . . . Pedestrian enclaves are defined by location rather than size; enclaves can utilize portions of the street and can establish broad corner bulb-outs. They should provide either restful space for pedestrians to enjoy a moment of reflection or active space such as open air weights or a dog obstacle course.

The space beyond the sidewalk per se in front of 2500 Bryant is a bulb-out, and thus is a pedestrian enclave. Reallocating space there away from public use to noisy private restaurant use interferes with the pedestrian enclave's use as a restful space to enjoy a moment of reflection.

7 <http://www.access-board.gov/adaag/html/adaag.htm#4.2>

Incompatibilities with the General Plan: Urban Design Element ⁸

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.

The project reallocates outdoors space on 23rd and Bryant away from public use as a sidewalk, pedestrian enclave, and bus stop. This will cause overcrowding in the sidewalk and bus stop space remaining. The General Plan puts it well:

Short-term gains in stimulating development, receipt of purchase money and additions to tax revenues will generally compare unfavorably with the long-term loss of public values.

POLICY 2.9: Review proposals for the giving up of street areas in terms of all the public values that streets afford. . . . a. No release of a street area shall be recommended which would result in: 1. Detriment to vehicular or pedestrian circulation;

The project narrows the single broad pathway available to 50", resulting in a serious detriment to pedestrian circulation.

Incompatibilities with Priority Policies of Planning Code section 101.1(b) ⁹

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

The proposed restaurant does not currently exist; hence, it is not an existing retail use in need of preservation. There is nothing in the project particularly inclining it to resident employment or ownership in the long term; being close to a BART station, workers could easily come in from other parts of the San Francisco Bay Area, notably nearby Oakland. Since we cannot make the employment of San Francisco residents a condition of use, there's no way to guarantee going forward that it will be San Francisco residents working there.

8 http://www.sf-planning.org/ftp/General_Plan/I5_Urban_Design.htm

9 http://www.sf-planning.org/ftp/General_Plan/index.htm

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

Adding a full-service restaurant into the middle of this residential neighborhood fails to protect the neighborhood; it adds odor and noise pollution. Odor and noise pollution are not part of the neighborhood's quiet and pleasant character.

3. That the City's supply of affordable housing be preserved and enhanced;

The building itself and many nearby buildings are rent-controlled pre-1979 developments, and so are part of the City's supply of affordable housing. Placing a full-service restaurant into the middle of this residential neighborhood fails to preserve and enhance the supply of affordable housing; instead, it degrades the units by adding odor and noise pollution.

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

There's no way to know for sure how patrons and employees will travel to get to the site, or impose a requirement on how they do so. Every person who arrives by car, specifically including commuting employees, will impede MUNI and contribute to overburdening the streets and neighborhood parking.

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

The space in front of 2500 Bryant is a bulb-out, and therefore is a form of "open space", as is noted in the Transportation Element, Policy 25.3.¹⁰ Proceeding with the project fails to protect this open space from development.

These incompatibilities with the general goals show that the project would damage the character of the neighborhood, and would thus be a detrimental development.

I suggest this:

- (1) **Don't do it.** Disapprove the project.
- (2) Encourage the applicant to build his new restaurant in commercial zoning.

¹⁰ http://www.sf-planning.org/ftp/General_Plan/I4_Transportation.htm#TRA_PED_25_3