San Francisco Bay Conservation and Development Commission
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September 23, 2016

Application Summary
(For Commission consideration on October 6, 2016)

Number: BCDC Permit Application No. 1998.011.05 (Material Amendment No. Five)
Date Filed: August 10, 2016
90th Day: November 8, 2016
Staff Assigned: Tinya Hoang (415/352-3622; tinya.hoang@bcdc.ca.gov)

Summary

Applicants: Trux Airline Cargo Services; Park SFO LLC; Robert E. Simms; and City of South San Francisco.

Location: Within an existing parking facility primarily serving San Francisco International Airport ("SFO") customers, at 195 North Access Road, in the City of South San Francisco, San Mateo County, east of U.S. Highway 101, north of SFO, south of the South San Francisco Water Quality Control Plant, and adjacent to San Bruno Channel.

Project: The proposed project involves the construction of an 86-foot-tall, 1,530-space parking garage, an associated interior roadway, and landscaping. In addition, the project involves public access improvements, including traffic calming measures at the parking facility, approximately 0.5 miles of Class II bike lanes, approximately 0.15 miles of green pavement painting at existing Class II bike lanes, new and improved pedestrian crossings, an improved San Francisco Bay Trail entrance and wayfinding signage in the vicinity.

Issues Raised: The San Francisco Bay Conservation and Development Commission (Commission or BCDC) staff believes that the application for a material amendment to Permit No. 1998.011.05 raises two primary issues regarding the project's consistency with the McAteer-Petris Act and the San Francisco Bay Plan (Bay Plan):
(1) whether the proposed public access would be the maximum feasible consistent with the project; and (2) whether the proposed project would affect public views to the Bay and shoreline.

Background

The proposed project site is subject to BCDC Permit No. 1998.011.04 (through Amendment No. Four). The original permit, issued in 1998, authorized the construction of an approximately 70,000-square-foot long-term parking garage and surface parking lot to serve SFO passengers. The permit required a public access park at a small peninsula located adjacent to the parking garage and a pedestrian and bicycle Bay Trail connection at North Access Road. Prior to permit issuance, the Commission staff recommended to the applicant the development of an on-site public path east of the parking garage and connected to a planned future path through the South San Francisco Water Quality Control Plant (WQCP) to the north. The permittees conducted a public access alternatives analysis and found that it would be difficult to develop the eastern path due to hazards associated with public access at the WQCP and the incompatibility of pedestrians, bikes, and vehicles within a parking facility. The Commission staff concluded that on-site access was undesirable because there was adequate shoreline access on opposite shores and because it would not adversely affect wildlife at the site. Thus, an alternative inland public path was selected and required in the permit.

Amendment Nos. One and Two authorized time extensions for completion of the public access required in the original permit. Amendment No. Three consisted of a time extension and additional language changes, but was revoked as null and void due to the permittees' failure to provide an executed original. Amendment No. Four was issued on May 10, 2016 to partially resolve violations primarily related to providing required public access.

The proposed project, which is the subject of Material Amendment No. Five, involves an expansion of the parking facility authorized in the amended permit, approximately doubling the footprint of the parking structure.

Project Description	
Project Details:	The applicants, Trux Airline Cargo Services; Park SFO LLC; Robert E. Simms; and City of South San Francisco, describe the proposed project as follows: **In the 100-foot shoreline band:** 1. Demolish approximately 26,888 square feet of surface parking area, and excavate approximately 2,447 cubic yards of material; 2. Construct, use, and maintain in-kind an approximately 72,053-square-foot, 86-foot-tall (majority 70-foot-tall) parking structure expansion, containing approximately 1,530 parking spaces, and of which approximately 11,362 square feet is within the 100-foot shoreline band and approximately 60,691 square feet is outside the 100-foot shoreline band; 3. Repave, use, and maintain in-kind approximately 9,826 square feet of asphalt paving; and 4. Install, use, and maintain approximately 5,700 square feet of landscaping and associated irrigation.
Public Access:	As proposed, the project provides the following public access improvements: traffic calming measures at the parking facility site, approximately 0.5 miles of Class II bike lanes at nearby South Airport Boulevard, approximately 0.15 miles of green pavement painting at existing Class II bike lanes on Belle Aire Road, new and improved pedestrian crossings at South Airport Boulevard and Belle Aire Road, and an improved Bay Trail entrance and wayfinding signage in the vicinity.
Schedule and Cost:	Project construction is planned to commence in Fall 2016. According to the permit applicants, the total project cost is approximately $25,960,000.

Staff Analysis

A. **Issues Raised**: The staff believes that the application raises two primary issues regarding the project's consistency with McAteer-Petris Act and the San Francisco Bay Plan (Bay Plan): (1) whether the proposed public access would be the maximum feasible consistent with the project; and (2) whether the proposed project would affect public views to the Bay and shoreline.

1. **Public Access.** Section 66602 of the McAteer-Petris Act states, in part: "…existing public access to the shoreline and waters of the…[Bay] is inadequate and that maximum feasible public access, consistent with a proposed project, should be provided." In addition, the Bay Plan Public Access Policy 1 states, in part, "a proposed fill project should increase public access to the Bay to the maximum extent feasible…." Policy 2 states, in part, "…maximum feasible public access to and along the waterfront…should be provided in and through every new development in the Bay or on the shoreline, whether it be for housing, industry, port, airport, public facility, wildlife area, or other use, except in cases where public access would be clearly inconsistent with the project because of public safety considerations or significant use conflicts, including unavoidable, significant adverse effects on Bay natural resources. In these cases, in lieu access at another location preferably near the project should be provided." Policy 7 states, in part, "public access improvements…should be designed and built to encourage…movement to and along the shoreline, should permit barrier free access for persons with disabilities to the maximum feasible extent, should include an ongoing maintenance program, and should be identified with appropriate signs." Policy 9 states, "access to and along the waterfront should be provided by walkways, trails, or other appropriate means and connect to the nearest public thoroughfare where convenient parking or public transportation may be available...." Policy 12 states, "the Public Access Design Guidelines should be used as a guide to siting and designing public access consistent with a proposed project. The Design Review Board should advise the Commission regarding the adequacy of the public access proposed."

   a. **Existing Public Access.** The project site includes four small peninsulas projecting into San Bruno Channel. A fifth peninsula is located north of the project site at the WQCP. The subject permit authorizes vehicle parking at and inland of the three middle peninsulas, and a parking garage, and requires that the southernmost peninsula be used as a public access park (a.k.a, the "finger park") with dedicated public parking. Other public access in the project vicinity, as generally shown on Exhibit A, includes:

      (a) A Bay Trail spur on North Access Road between its intersection with South Airport Boulevard and the San Bruno Channel Bridge, and a Bay Trail connection, located south of the parking garage, connecting the North Access Road spur trail to the finger park, as required in the subject permit;

      (b) A Bay Trail path along a portion of North Access Road to the east of the parking facility, from the tip of the finger park via a pedestrian bridge to Belle Aire Island, and a Bay Trail entrance adjacent to the U.S. Highway 101 Northbound on-ramp, at the intersection of South Airport Boulevard and the south fork of North Access Road, as required in BCDC Permit No. 1996.002.06; and

(c) The Bay Trail along South Airport Boulevard, from its intersection with North Access Road to the San Bruno Channel at Costco, and the Bay Trail on Belle Aire Road and across the Colma Creek bridge, as required in BCDC Permit No. 1998.008.05. Although BCDC Permit No. 1998.008.05 requires a Class I bicycle and pedestrian path along South Airport Boulevard, the City of South San Francisco does not allow bicycles on sidewalks and, thus, cyclists must use the street that does not have dedicated lanes.

A planned—not yet developed—Bay Trail alignment is located at the project site immediately west of the small peninsulas continuing north and along the perimeter of the WQCP and ultimately connecting to the Colma Creek Bridge (Exhibit B). Bus transit is also available nearby on South Airport Boulevard and North Access Road.

The proposed project involves the construction of 72,053-square-foot expansion (of which approximately 11,362 square feet is within the 100-foot shoreline band) of the parking garage that was authorized in the original permit. The expanded structure would be built at an existing surface parking area, and would accommodate 1,530 vehicles, approximately doubling the existing building footprint and increasing the parking facility's capacity by approximately 63 percent, from 1,901 spaces to 3,095 spaces. According to the applicants, the current daily average of cars entering and exiting the facility is, respectively, 450 and 448. The facility operates 24 hours a day, 7 days a week, with shuttles to and from the airport. Vehicles enter and exit the facility at a single location on North Access Road and must cross at the Bay Trail, located on the sidewalk and street, at North Access Road. As proposed, the daily average would be 750 cars entering and 748 cars exiting; the location of the entrance/exit would remain unchanged. The increased use would generate more traffic entering and exiting the parking facility and within the surrounding area, thus increasing the potential for conflict between vehicles and pedestrians and cyclists, thereby affecting public use of and access to the shoreline and the Bay Trail.

b. **Proposed Public Access.** The applicants propose the following public access improvements at and near the project site, as shown on Exhibit C:

(a) Installation of traffic calming rumble strips, stop signs, and stop limit lines where the parking garage main entry/exit driveways meet a sidewalk and bike lane;

(b) Establishment of Class II bicycle lanes along both sides of nearby South Airport Boulevard from the south "fork" of North Access Road to Utah Avenue with green "skip" painting at adjoining driveways;

(c) Creation of high-visibility crosswalks, ADA ("Americans with Disabilities Act") curb ramps and pedestrian islands on South Airport Boulevard and Belle Aire Road;

(d) Green pavement painting of existing Class II bicycle lanes on Belle Aire Road;

(e) Re-grading the entrance to the Bay Trail at the Belle Aire Road cul-de-sac for easier bicycle transition, and entry signage to the Colma Creek bridge; and

(f) Installation of up to 15 Bay Trail wayfinding signs to improve safety and movement for pedestrians and bicyclists within the proposed project vicinity.

The traffic calming measures would be maintained by Park SFO LLC, while the bicycle lanes, crossings and other Bay Trail improvements would be maintained by the City. The combination of these improvements is expected to greatly improve pedestrian and bicycle transportation in an area that is currently dominated by vehicular traffic. In addition, it would provide a safe link between two remote shoreline access areas (Belle Aire Island and Colma Creek bridge).

At the early stages of the application process for the subject material amendment, the Commission staff requested that the applicants examine the potential for developing the not-yet-developed, planned Bay Trail alignment at the site, west of the small peninsulas or along the perimeter of the individual peninsulas. The applicants, however, stated that the issues constraining development of this alignment are the same as those making it infeasible to do so in 1998, when the originally-proposed garage was permitted by the Commission. According to the applicants, an alignment at the base of the fingers would result in "continual crossing of…bicycle and pedestrian traffic…and…car traffic…[that] would be unacceptable from a safety standpoint, " and that an alignment along the perimeter of the peninsulas would "undermin[e] the financial viability of the enterprise." The Commission staff requested that the applicants explore alternative inland alignments located west of the parking facility leading north towards the shoreline at the nearby WQCP. However, at this time, these alignments would dead-end at the WQCP site, as the site remains closed to the general public. Further, according to the WQCP staff, it is unknown as to when a connection through the WQCP will be developed, in light of facility operational conflicts and health hazards to the public. The Commission staff determined that shoreline access was not feasible through or in immediate vicinity of the proposed parking project site due to operational considerations, public safety concerns, and uncertainty about the establishment of future connections to and through the WQCP facility.

Consequently, the applicants proposed the above-referenced access improvements that would provide immediate benefits to the public, rather than benefits at an indeterminate time in the future. The public access proposal was developed in collaboration with the Commission staff and members of the City of South San Francisco Bicycle and Pedestrian Advisory Committee. The Commission staff determined that the proposed project did not warrant review by the Design Review Board because the proposed improvements involve enhancements to existing facilities for bicycle and pedestrian safety and circulation, which would need to meet City design standards.

c. **Similar Permitted Projects.** In evaluating whether the proposed public access is the maximum feasible consistent with the project, the Commission looks, in part, to its past actions on comparable projects—two of which are summarized in Table 1 below. In 1998, the Commission permitted the construction of the existing 70,000-square-foot parking garage at the project site, which has a similar footprint to that of the proposed structure (approximately 72,053 square feet). The originally-permitted project provided a 36,024-square-foot (area corrected in Amendment No. Four) public park at the site's southernmost peninsula, eight dedicated public parking

spaces, a sidewalk and Class II bike lanes along portions of North Access Road, an additional public access connection, signage, site furnishings and landscaping. In 2000, the Commission issued BCDC Permit No. 1999.008.00 for the construction of a portion of an approximately 39,364-square-foot hotel parking structure located at Oyster Point in the City of South San Francisco. The project provided a 37,500-square-foot public access area, a 67,500-square-foot view corridor, an 800-foot-long public path, six public parking spaces, signage, landscaping, furnishings and other amenities.

BCDC Permit/BCDC Permit Application	Authorized/Proposed Project	Required/Proposed Public Access
Park SFO Parking Structure Permit No. 1998.011.00	A 70,000-square-foot parking structure and surface parking, partly in the 100-foot shoreline band.	A 36,024-square-foot[2] public access park, eight public parking spaces, bicycle and pedestrian Bay Trail connections, signage, landscaping, furnishings and other amenities.
Oyster Point Hotel Parking Structure[1] Permit No. 1999.008.00	A 39,364-square-foot hotel parking structure, partly in the 100-foot shoreline band.	A 37,500-square-foot public access area, a 67,500-square-foot view corridor, an 800-foot-long public path, six public parking spaces, signage, landscaping, furnishings and other amenities.
Park SFO Expansion Project **Permit Application No. 1998.011.05**	**An approximately 72,053-square-foot parking structure expansion, partly in the 100-foot shoreline band.**	**Traffic calming measures, 0.5 miles of Class II bike lanes, green painting of existing Class II bike lanes, new and improved pedestrian crossings, improved Bay Trail entrance and signage.**

Table 1. Summary of BCDC-Approved Projects and the Proposed Project (shown in bold)

[1] The authorized hotel parking structure was never built.

[2] The original permit required 67,350 square feet of public access park. The area was corrected to 36,024 square feet in Amendment No. Four.

As shown in the table above, the proposed public access improvements are significantly different in character from the two other examples in that they do not provide open space or park-like features. However, they do provide more than a half-mile of bike lane improvements, crosswalks and signage, resulting in safe, non-motorized facilities that would vastly improve public access in a currently auto-dominated commercial and industrial neighborhood.

The Commission should determine whether the proposed public access is the maximum feasible consistent with the project.

2. **Appearance, Design, and Scenic Views.** The Bay Plan Appearance, Design, and Scenic Views Policy 2 states, in part, "all bayfront development should be designed to enhance the pleasure of the user or viewer of the Bay. Maximum efforts should be made to provide, enhance, or preserve views of the Bay and shoreline, especially from public areas, from the Bay itself, and from the opposite shore." Policy 4 states, in part, "structures and facilities that do not take advantage of or visually complement the Bay should be located and designed so as not to impact visually on the Bay and shoreline. In particular,

parking areas should be located away from the shoreline." Policy 8 states, in part, "shoreline developments should be built in clusters, leaving areas open around them to permit more frequent views of the Bay. Developments along the shores of tributary waterways should be Bay-related and should be designed to preserve and enhance views along the waterway, so as to provide maximum visual contact with the Bay." Policy 14 states, in part, "views of the Bay from… roads should be maintained by appropriate arrangements and heights of all developments and landscaping between the view areas and the water. In this regard, particular attention should be given to all waterfront locations…and areas along roads that provide good views of the Bay for travelers…."

Public views near the project site towards the Bay (San Bruno Channel) are possible from the finger park, required in the existing permit, and from the section of North Access Road located east of the site. From these locations, the proposed structure would be visible, but not block public views of the Bay and, in fact, be farther away from public viewing areas than the garage, authorized in the existing permit. There are no existing views of the Bay from the portion of North Access Road located west of the site; the garage authorized in the original Commission permit as well as vegetation, fencing and cars block public views to the Bay from that location. Therefore, impacts to public views associated with the proposed project would be nominal.

The Commission should determine whether the proposed project would affect public views of the Bay and shoreline.

B. **Review Boards**

1. **Engineering Criteria Review Board.** The Commission's Engineering Criteria Review Board did not review the proposed project because no Bay fill would be involved.

2. **Design Review Board.** As described above, the Commission staff determined that the proposed project did not warrant review by the Design Review Board because the proposed improvements involve enhancement to existing facilities for bicycle and pedestrian safety and circulation, which would need to meet City design standards.

C. **Environmental Review.** Pursuant to the California Environmental Quality Act (CEQA), the City of South San Francisco Planning Commission adopted a Mitigated Negative Declaration on March 6, 2014. The Planning Commission evaluated the potential impacts of constructing the parking structure expansion, and mitigation measures were made a condition of the approval of the project. An appeal was filed on the project, and the matter was considered by the City of South San Francisco City Council. The City Council upheld the Planning Commission's decision, and adopted the Mitigated Negative Declaration on June 11, 2014.

D. **Coastal Zone Management Act.** The Commission further finds, declares, and certifies that the activity or activities authorized herein are consistent with the Commission's Amended Management Program for San Francisco Bay, as approved by the Department of Commerce under the Federal Coastal Zone Management Act of 1972, as amended.

E. **Relevant Portions of the McAteer-Petris Act**

1. Section 66602
2. Section 66632

F. **Relevant Portions of the San Francisco Bay Plan**

1. *San Francisco Bay Plan* Policies on Public Access
2. *San Francisco Bay Plan* Policies on Appearance, Design and Scenic Views

Exhibits

A. **Existing Public Access in Vicinity**

B. **Bay Trail Map**

C. **Proposed Public Access Improvements**