



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code and Zoning Map Amendments

HEARING DATE: DECEMBER 15, 2011

Date: December 8, 2011
Case No.: **2011.1209TZ**
Project Address: 3450 Third Street (Northern portion of the block bounded by Third Street on its east, Arthur Avenue on its north, and Quint Street on its west; and the India Basin Industrial Park Special Use District
Zoning: PDR-2 (Heavy Production, Distribution and Repair)
65-J Height and Bulk
Design and Development SUD
India Basin Industrial Park SUD
Bayview Hunters Point Redevelopment Project Area
Block/Lot: 5211/028-054
Project Sponsor: Supervisor Cohen
Staff Contact: Mat Snyder – (415) 575-6891
mathew.snyder@sfgov.org

Recommendation: **Approval**

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PROJECT DESCRIPTION

The proposed Ordinance would (1) amend the India Basin Industrial Park Special Use District by allowing medical clinic uses under 15,000 square feet as a principle use, and allowing such uses 15,000 square feet and above through conditional use authorization; and (2) rezone 3450 Third Street (approximately 27 commercial condominiums located at the portion northern portion of lot 5211 (bounded by Quint Street, Arthur Avenue, and Third Street) to be within the India Basin Industrial Park SUD.

SITE DESCRIPTION AND PRESENT USE

The Subject Property to be rezoned is located at 3450 Third Street (AKA 101-111 Quint Street), Lots 028-54 of Block 5211. These lots are commercial condominium lots improved within five buildings on a ground lot that is roughly 100,000 square feet. The front two buildings facing Third Street are comprised of office tenant spaces. The rear buildings are comprised of warehouse and workshop spaces featuring roll up garage doors facing either an interior parking lot or Quint Street. A wide variety of commercial tenants occupy the compound including contractors office, warehouse, woodworking shops, printing operations, and distribution activities.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject site is at the northern end of the Bayview Hunters Point neighborhood just south of Islais Creek. It is within the Northern Gateway Activity Node as identified in the Bayview Hunters Point

Redevelopment Plan. The site is zoned PDR-2 with a portion of it within the Design and Development SUD (see below for further discussion). Lots further south along Third Street on the same side of the street (west) are also zoned PDR-2, are within the Design and Development SUD, and the Bayview Hunters Point Redevelopment Project Area. They are characterized by large warehouse structures and distribution facilities. The lot immediately across Third Street is currently vacant with a proposal to develop an office building pending. Further south on Third Street on the east side are commercial PDR and office structures, and *Bayview Plaza*, a retail center. The lots on the east side of Third Street are within the India Basin Industrial Park SUD, which allows limited office uses, limited retail, and other community serving uses for those parcels facing Third Street.

BACKGROUND: THE DESIGN AND DEVELOPMENT SUD AND THE INDIA BASIN INDUSTRIAL PARK SUD

The northern portion of the Bayview Hunters Point neighborhood is largely zoned PDR-2. The portions that face Third Street, however, are also within either the Design and Development SUD (on the west side) or the India Basin Industrial Park SUD (on the east side). The Design and Development SUD was created in 2008 when most of the lots within M-2 Districts were rezoned to PDR-2. The purpose of the Design and Development SUD at this location was to also allow limited office uses along Third Street, where the PDR-2 designation would no longer allow it. The India Basin Industrial Park SUD was created in 2009 when the India Basin Industrial Park Redevelopment Plan lapsed. The intention of the India Basin SUD was to allow uses already in existence in the Industrial Park that would not otherwise be allowed in the PDR-2 zoning, such as limited retail, office, and social service uses. In addition to accommodating these existing uses, staff concluded that the retail, office, and social service uses were appropriate for their location along Third Street.

The parcel(s) to be rezoned are partially within the Design and Development SUD. All parcels were intended to be included within the Design and Development SUD; because of a technical error, only one of the condominium lots (Lot 028) was included leaving out the rest. Without this legislation, it was staff's intention to correct this error. However, staff believes that including the subject parcels in the India Basin Industrial Park SUD would accomplish the similar goal as including them within the Design and Development SUD. Staff believes that allowing additional uses such limited retail, community and medical services are appropriate for 3450 Third Street as well because the character of the subject lot is similar to those within the existing India Basin Industrial Park SUD.

PROPOSED USE

There is a proposal for Center for Youth Wellness and San Francisco Child Abuse Prevention Center to occupy two condominiums in one of the front buildings, equaling roughly 22,000 square feet. No formal applications have been submitted to the Planning Department at this time. The two related organizations would include multiple uses related to the well being of Bayview youth. The organizations would incorporate health clinic, medical health and social services, along with child abuse preventative services. The existing zoning would not allow the use as currently proposed because the underlying PDR-2 District (and Design and Development SUD) do not allow social services greater than 5,000 or medical uses greater than 5,000 square feet.

ENVIRONMENTAL REVIEW

The Project was determined on [date] to exempt from Environmental Review under the General Rule Exclusion [Section 15061(b)(3) of the CEQA Guidelines].

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	November 23, 2011	November 23, 2011	20 days
Posted Notice	[not required]	[not required]	[not required]	[not required]
Mailed Notice	10 days	December 5, 2011	December 5, 2011	10 days

PUBLIC COMMENT

Planning staff received several calls regarding this project. In general the calls were inquisitive in nature and neither registered definitive support or opposition.

ISSUES AND OTHER CONSIDERATIONS

- Staff believes that the proposed amendments are minor. By placing the subject parcels within the India Basin Industrial Park SUD rather than the Design Development SUD similar objectives are met to continue allowing and encouraging PDR uses, while at the same time, allow more community-related uses along Third Street. Attached is a comparison chart of how the land use controls that would change due to the legislation.
- The proposal would also amend the India Basin Industrial Park by allowing medical clinics as principally permitted uses up to 15,000 where they are limited to 5,000 by the underlying PDR-2 zoning. The amendment would also allow such uses greater than 15,000 with conditional use authorization. Staff believes this amendment is keeping with the intent of the India Basin Industrial Park SUD controls to allow community serving uses along Third Street.
- While there are currently no proposed projects before the Planning Department at this time that would take advantage of this rezoning, staff is aware of a desire for Center for Youth Wellness and San Francisco Child Abuse Prevention Center to locate at 3450 Third Street. The existing zoning would not allow the use as currently proposed because the underlying PDR-2 District (and Design and Development SUD) do not allow social services greater than 5,000 or medical uses greater than 5,000 square feet. The rezoning would allow the new use.

REQUIRED COMMISSION ACTION

The Commission may approve, or approve in part, or disapprove the proposed code amendment and map change.

BASIS FOR RECOMMENDATION

- The subject proposal is consistent with the General Plan, including the Bayview Hunters Point Area Plan, and Planning Code Section 101.1 as outlined in the attached draft Commission Resolution.

- The rezoning is appropriate for the Third Street location in that it will allow a wider variety of community-related uses along Third Street while still allowing PDR uses.
- The proposed rezoning will enable the Center for Youth Wellness and Child Advocacy Center to locate at 3450 Third Street.

RECOMMENDATION: Approval of Text and Map Changes to the Planning Code to allow medical clinics within the India Basin Industrial Park SUD and to rezone Assessor's Block and Lots 5411 /028-054 to be within the India Basin Industrial Park SUD

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Resolution | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Environmental Determination | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | <input type="checkbox"/> Correspondence |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Draft Legislation |
| <input checked="" type="checkbox"/> Aerial Photo | |
| <input type="checkbox"/> Context Photos | |
| <input type="checkbox"/> Site Photos | |

Exhibits above marked with an "X" are included in this packet

Planner's Initials

EW: G:\Documents\TEXT AND MAP AMMENDMENTS\4550 Mission Street\Executive Summary.doc

India Basin Industrial Park SUD Amendment
 Comparison Chart between Existing and Proposed Allowed Uses
 Case No. 2011.1209TZ

Use	PC Sec. Reference	Subject Lot As Is generally PDR-2 + Design and Development SUD	Subject Lot As Proposed PDR-2 + India Basin Industrial Park SUD as amended
Retail	218	P under 2,500 for entire lot; NP above 2,500	Permitted up to 5,999 per establishment, CU 6,000 and above
Office	219	Permitted if meets FAR and other restrictions	Permitted with cap of 50K
Social Services	217(d)	P under 5,000 per establishment; NP above 5,000	Permitted without square footage limitation
Day Care	217(e)	Not Permitted	Permitted without square footage limitation
Medical, Psychiatric, and other Healing Arts Clinic	217(c)	P under 5,000 per establishment	Permitted up to 15,000; CU above 15,000
All Other Uses			[no change]
Development Standards			
Parking Provision	151, 151.1	No different than PDR-2: parking requirements / minimums apply	Parking not required. Accessory amounts determined by Sec .151.
Development Standards (i.e. height, bulk, etc.)			[no change]



SAN FRANCISCO PLANNING DEPARTMENT

DRAFT Planning Commission Resolution No.

HEARING DATE DECEMBER 15, 2011

Date: December 8, 2011
Case No.: **2011.1209TZ**
Project Address: 3450 Third Street (Northern portion of the block bounded by Third Street on its east, Arthur Avenue on its north, and Quint Street on its west; and the India Basin Industrial Park Special Use District
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RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE A PROPOSED ORDINANCE TO AMEND THE PLANNING CODE BY AMENDING PLANNING CODE SECTION 249.42 TO ALLOW OUTPATIENT MEDICAL CARE CLINICS UNDER 15,000 AS PRINCIPALLY PERMITTED USES, AND OUTPATIENT MEDICAL CARE CLINICS 15,000 AND GREATER THROUGH CONDITIONAL USE AUTHORIZATION WITHIN THE INDIA BASIN INDUSTRIAL PARK SPECIAL USE DISTRICT AND TO AMEND PLANNING CODE ZONING MAP SHEET 8 SU TO ADD PARCELS IN BLOCK 5211, LOTS 29 THROUGH 54 TO THE INDIA BASIN SPECIAL USE DISTRICT AND REMOVE THE PARCEL IN BLOCK 5211, LOT 28 FROM THE DESIGN AND DEVELOPMENT SPECIAL USE DISTRICT AND ADD IT TO THE INDIA BASIN SPECIAL USE DISTRICT AND TO MAKE AND ADOPT ENVIRONMENTAL FINDINGS AND FINDINGS OF CONSISTENCY WITH THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1 AND THE GENERAL PLAN.

WHEREAS, on October 4, 2011, Supervisor Cohen introduced an Ordinance under Board of Supervisors (hereinafter "Board") File Number 111078 for a map amendment and text change, which would (1) include parcel Assessor Block 5211, Lots 028-054 within the India Basin Industrial Park Special Use District (SUD) (Planning Code Zoning Map 8 SU); and (2) allow outpatient medical care clinics that less than 15,000 square feet as principally permitted uses, and allow such uses 15,000 or greater through Conditional Use authorization within the India Basin Industrial Park SUD.

The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance for Application No. 2011.1209TZ on December 15, 2011; and,

The Commission adopted the resolution on December 15, 2011, to approve the text change and map amendment; and,

An exemption from Environmental Review under the General Rule Exclusion found in the State CEQA Guidelines Section 15061 (b)(3) was issued for the Project on [DATE]; and

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented by Department staff and other interested parties; and

The Project Site to be rezoned consists of several commercial condominium lots on a base parcel at 3450 Third Street consisting of the northern portion of Assessor's Block 5211 bounded to its east by Third Street, to its north by Arthur Avenue, and to its east by Quint Street. All parcels were intended to be included within the Design and Development SUD when the area was rezoned from M-2 to PDR-2 in 2008. The Design and Development SUD is intended to allow limited office uses. Because of a technical error, only one of the condominium lots (Lot 028) was included leaving out the rest. Without this legislation, it was staff's intention to correct this error. This legislation would include all lots within the Industrial Basin Industrial Park SUD, no longer requiring the correction as the objectives of the Design and Development SUD and the India Basin Industrial Park SUD are similar.

The proposed map change and text amendment has been found to be consistent with the following relevant Objectives and Policies of the General Plan:

BAYVIEW HUNTERS POINT AREA PLAN

OBJECTIVE 1 STIMULATE BUSINESS, EMPLOYMENT, AND HOUSING GROWTH WITHIN THE EXISTING GENERAL LAND USE PATTERN BY RESOLVING CONFLICTS BETWEEN ADJACENT INDUSTRIAL AND RESIDENTIAL AREAS.

Policy 1.5 Encourage a wider variety of light industrial uses throughout the Bayview by maintaining the newly established Production, Distribution and Repair zoning, by more efficient use of industrial space, and by more attractive building design.

The proposed rezoning including parcels at the subject site within the India Basin Industrial Park SUD will be in keeping with the general character of the area, allowing and encouraging the continuation of PDR activities allowed by the underlying district, while also beginning to allow other community-oriented uses appropriate for parcels facing Third Street.

OBJECTIVE 2 IMPROVE USE OF LAND ON THIRD STREET BY CREATING COMPACT COMMERCIAL AREAS, ESTABLISHING NODES FOR COMPLEMENTARY USES, AND RESTRICTING UNHEALTHY USES.

Policy 2.1 Improve the physical and social character of Third Street to make it a more livable environment.

Policy 7.2 Encourage complementary development adjacent to the Third Street core commercial area.

By placing the subject parcel within the India Basin Industrial Park SUD, a wider variety of uses will be allowed including smaller scale retail, community-uses, childcare, and with the proposed text amendment, health care

facilities. These community-related uses are appropriate for uses facing Third Street, Bayview Hunters Point "Main Street".

OBJECTIVE 8 STRENGTHEN THE ROLE OF BAYVIEW'S INDUSTRIAL SECTOR IN THE ECONOMY OF THE DISTRICT, THE CITY, AND THE REGION.

Policy 8.1 Maintain industrial zones for production, distribution, and repair activities in the Northern Gateway, South Basin, Oakinba, and India Basin Industrial Park subdistricts.

The subject area will continue to be zoned PDR-2, its underlying Use District, which allows and encourages production, distribution and repair activities.

OBJECTIVE 14 ASSURE ADEQUATE NUMBERS, TYPES, AND LOCATIONS, OF COMMUNITY FACILITEIS AND SERVICES TO MEET THE NEEDS OF THE LOCAL COMMUNITY.

Policy 15.1 Increase funding for and achieve closer coordination between health, social, and educational programs, particularly those relating to drug abuse and teenage pregnancies.

OBJECTIVE 16 PROVIDE ADEQUATE, EFFICIENT AND PROPERLY LOCATED POLICE, FIRE, AND HEALTH SERVICES.

Policy 16.3 Support improved health services that are more relevant to social-oriented health problems in Bayview Hunters Point, and promote the expansion of the Southeast Health Center.

The subject rezoning proposal would allow multifaceted social service / healthcare services within the subject parcels and the portions of the India Basin Industrial Park SUD that faces Third Street, a location convenient to public transit.

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 1 MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.3 Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

Policy 4.11 Maintain an adequate supply of space appropriate to the needs of incubator industries.

OBJECTIVE 4 IMPORVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

Policy 4.5 Control encroachment of incompatible land uses on viable industrial activity.

The subject rezoning could possibly lead to some replacement of PDR uses with uses permitted within the India Basin Industrial Park SUD, but the amount of possible displacement would be relatively minor. More competitive uses, such as residential would continue to be disallowed. Also, by opening up possible uses, a wider variety of job-creating incubator uses would be possible, as well community-related uses appropriate for spaces facing Third Street.

COMMUNITY FACILITIES

OBJECTIVE 3 ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.

Policy 3.7 Program the centers to fill gaps in needed services, and provide adequate facilities for ill-housed existing services.

OBJECTIVE 4 PROVIDE NEIGHBORHOOD CENTERS THAT ARE RESPONSIVE TO THE COMMUNITY SERVED.

OBJECTIVE 9 ASSURE THAT INSTITUTIONAL USES ARE LOCATED IN A MANNER THAT WILL ENHANCE THEIR EFFICIENT AND EFFECTIVE USE.

The subject rezoning proposal would allow multifaceted social service / healthcare services within the subject parcels and the portions of the India Basin Industrial Park SUD that faces Third Street, a location convenient to public transit.

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code 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;

The proposed rezoning would not effect existing neighborhood-serving retail but would create additional opportunities for neighborhood-serving retail along Third Street, Bayview Hunters Point's "Main Street".

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

The proposal would not effect existing housing.

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

The proposal would not effect existing housing.

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

The proposed rezoning in of itself would not significantly impact traffic. No additional parking would be required. Although the proposed amendments could result in additional density, the Subject Property is located on Third Street, which is a major transit corridor.

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 resident employment and ownership in these sectors be enhanced;

The proposed rezoning would allow more uses than currently allowed. While it is possible that some replacement of PDR uses could occur, the replacement would be minor, as it would only effect one map parcel. The subject parcels would continue to have PDR-2 as its base zoning.

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

Any potential development on the Subject Property must meet current Building Code requirements. The proposed amendments will not alter any such requirements.

7. That the landmarks and historic buildings be preserved;

The proposed amendment would not impact any historic buildings. Demolition of the existing structure would require review under CEQA for impacts to potential historic resources.

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

The subject rezoning would not effect parks and open space. Any subsequent construction activity would continue to be subject to analysis under Planning Code section 295.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board APPROVE the proposed Ordinance as described in this Resolution No. RESO NO to amend Planning Code Zoning Map 8 SU and to amend Planning Code Section 249.42.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on December 15, 2011.

Linda D. Avery
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED:



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Exemption from Environmental Review

Case No.: 2011.1209E
 Project Title: BOS 111078: India Basin Industrial Park Map Amendment
 Zoning: PDR-2 (Production, Distribution, and Repair) Use District
 40-X Height and Bulk District
 Block/Lot: 5211/028-054
 Project Sponsor: Supervisor Malia Cohen, District 10
 Staff Contact: Chelsea Fordham- (415) 575-9071
 Chelsea.Fordham@sfgov.org

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 CA 94103-2479

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PROJECT DESCRIPTION:

The project is a proposed ordinance (Board File No. 111078) proposed by Supervisor Cohen that would: (1) amend San Francisco Planning Code Section 249.42 (India Basin Industrial Park Special Use District) to allow outpatient medical care clinic as a principally permitted use if the gross floor area is less than 15,000 square feet (sq.ft.) and require Conditional Use authorization where such use would be 15,000 sq.ft or greater; (2) amend Zoning Map Sheet 8 to add parcels in Block No. 5211, Lot No. 28 through 54 to the India Basin Industrial Park Special Use District; and (3) remove the parcel Block 5211, Lot No. 28 through 54 from the Design and Development Special Use District.

[Continued on next page.]

EXEMPT STATUS:

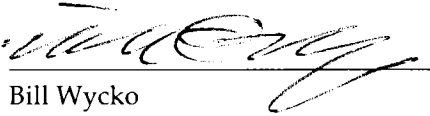
General Rule Exclusion (State CEQA Guidelines, Section 15061(b)(3)).

REMARKS:

See next page.

DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and Local requirements.


 Bill Wycko

Environmental Review Officer


 Date

cc: Mat Snyder, Neighborhood Planner
 Supervisor Malia Cohen, District 10

Virna Byrd, M.D.F
 Distribution List

PROJECT DESCRIPTION (continued):

The underlying zoning for the India Basin Industrial Park Special Use District and the parcels listed above would still remain PDR-2. This area is generally bound by Third Street, Cargo Way, Quint Street, and Custer Avenue in the Bayview Hunters Point neighborhood. The proposed ordinance would allow a child abuse prevention center and center for youth wellness to be located in the India Basin Industrial Park Special Use District on the subject property Block 5211, Lot No. 28 through 54. The subject property contains existing commercial buildings improved with five buildings totaling approximately 100,000 square feet. There is a proposal for the child abuse prevention center to occupy two office tenant spaces of one of the front buildings on the subject property, totaling 22,000 square feet. No formal applications have been submitted to the Planning Department for this project, and any proposal for the child abuse prevention center would require further environmental review.

REMARKS:

Land Use: The subject parcels (Block No. 5211, Lot No. 28 through 54) are in the PDR-2 (Production, Distribution, and Repair) Use District. The proposed ordinance would amend San Francisco Planning Code Section 249.42 (India Basin Industrial Park Special Use District) to allow outpatient medical care clinic as a principally permitted use if the gross floor area is less than 15,000 sq.ft. and require Conditional Use authorization where such a use would be 15,000 sq.ft or greater. The project would also add parcels in Block No. 5211, Lot Nos. 28 through 54 to the India Basin Industrial Park Special Use District; and remove the parcel Block 5211, Lot Nos. 28 through 54 from the Design and Development Special Use District. Table 1 compares the permitted uses of the India Basin Industrial Park Special Use District to the Design and Development Special Use District for the subject property.

Table 1: Permitted and Conditional Uses Permitted in the India Basin Industrial Park Special Use District Compared to the Design and Development Special Use District

Use	Subject Lot As Is generally PDR-2 + Design and Development SUD	Subject Lot As Proposed PDR-2 + India Basin Industrial Park SUD as amended
Retail	P under 2,500 for entire lot; NP above 2,500	Permitted up to 5,999 per establishment, CU 6,000 and above
Office	Permitted if meets FAR and other restrictions	Permitted with cap of 50K
Social Services	P under 5,000 per establishment; NP above 5,000	Permitted without square footage limitation
Day Care	Not Permitted	Permitted without square footage limitation
Medical,	P under 5,000 per	Permitted up to 15,000; CU above 15,000

Psychiatric, and other Healing Arts Clinic	establishment	
Parking Provision	No different than PDR-2: parking requirements / minimums apply	Parking not required. Accessory amounts determined by Sec .151.
Development Standards (i.e. height, bulk, etc.)		[no change]

The proposed ordinance would widen the permitted uses in the India Basin Industrial Park Special Use District and on the subject property. However, the underlying zoning of PDR-2 would remain. Therefore, the proposed ordinance would not result in the permanent conversion of industrial lands to other uses or result in land use conflicts. The proposed ordinance would not create a new or substantially more intensive use than what presently exists in the project vicinity, nor substantially alter the development potential or pattern in this area. Therefore, the proposed ordinance would not physically divide an established community or conflict with any land use plan, policy, or regulation, and would not have a substantial impact upon the existing character of the vicinity. For the above reasons, the proposed project would not result in a significant effect on land use.

Because the physical development of the subject property or the India Basin Industrial Park Special Use District would not change as a result of the proposed ordinance, there would be no environmental impacts from this change. The proposed child abuse prevention center would be located within an existing commercial building and would not result in any physical development. Additionally, the child abuse prevention center and any future development proposal for the subject lot would require additional environmental review.

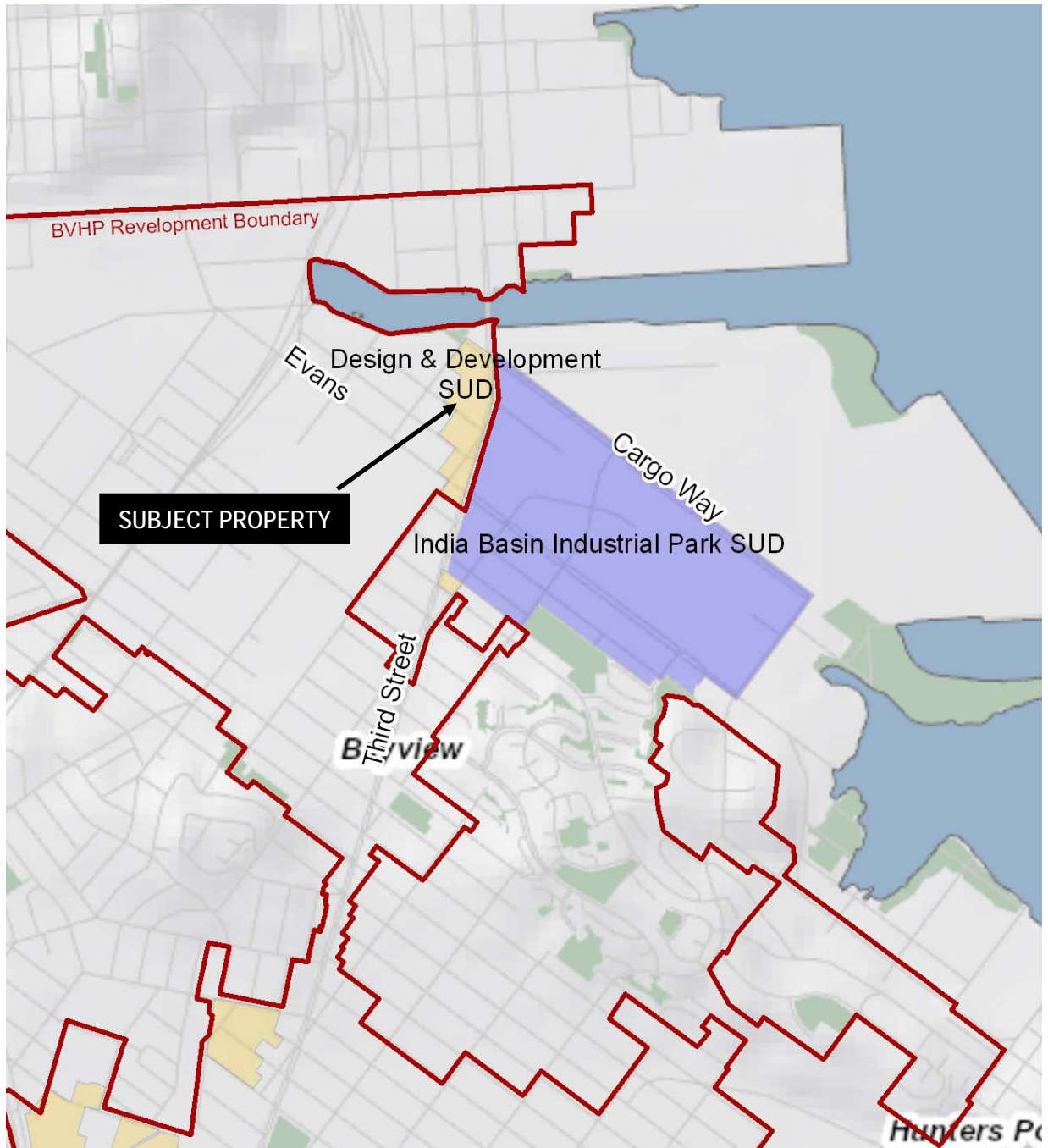
Transportation: The proposed project would allow outpatient medical care clinics in the India Basin Special Use District; and remove the parcel Block 5211, Lot No. 28 through 54 from the Design and Development Special Use District and add it to the India Basin Industrial Park Special Use District. Table 1 compares the permitted uses for the India Basin Industrial Park Special Use District to the Design and Development Special Use District. The proposed project would result in a minimal increase of daily person and vehicle trips because the medical outpatient clinic would result in similar trip generation rates to the existing permitted uses within the PDR-2 and India Special Use District. Additionally, any proposal for development within the India Basin Industrial Park Special Use District or the subject property would be subject to environmental review. Thus, the proposed rezoning would not substantially affect the neighborhood’s existing transportation and circulation conditions.

Neighborhood Concerns: A "Notification of Project Receiving Environmental Review" was mailed on November 10, 2011, to community organizations, potentially interested parties, tenants of the affected property and properties adjacent to the subject property, and those persons who

own property within 300 feet of the subject property requesting comments concerning the potential environmental effects of this project. One commenter requested further notification of the proposal. None of these comments address the environmental impacts of the proposed project.

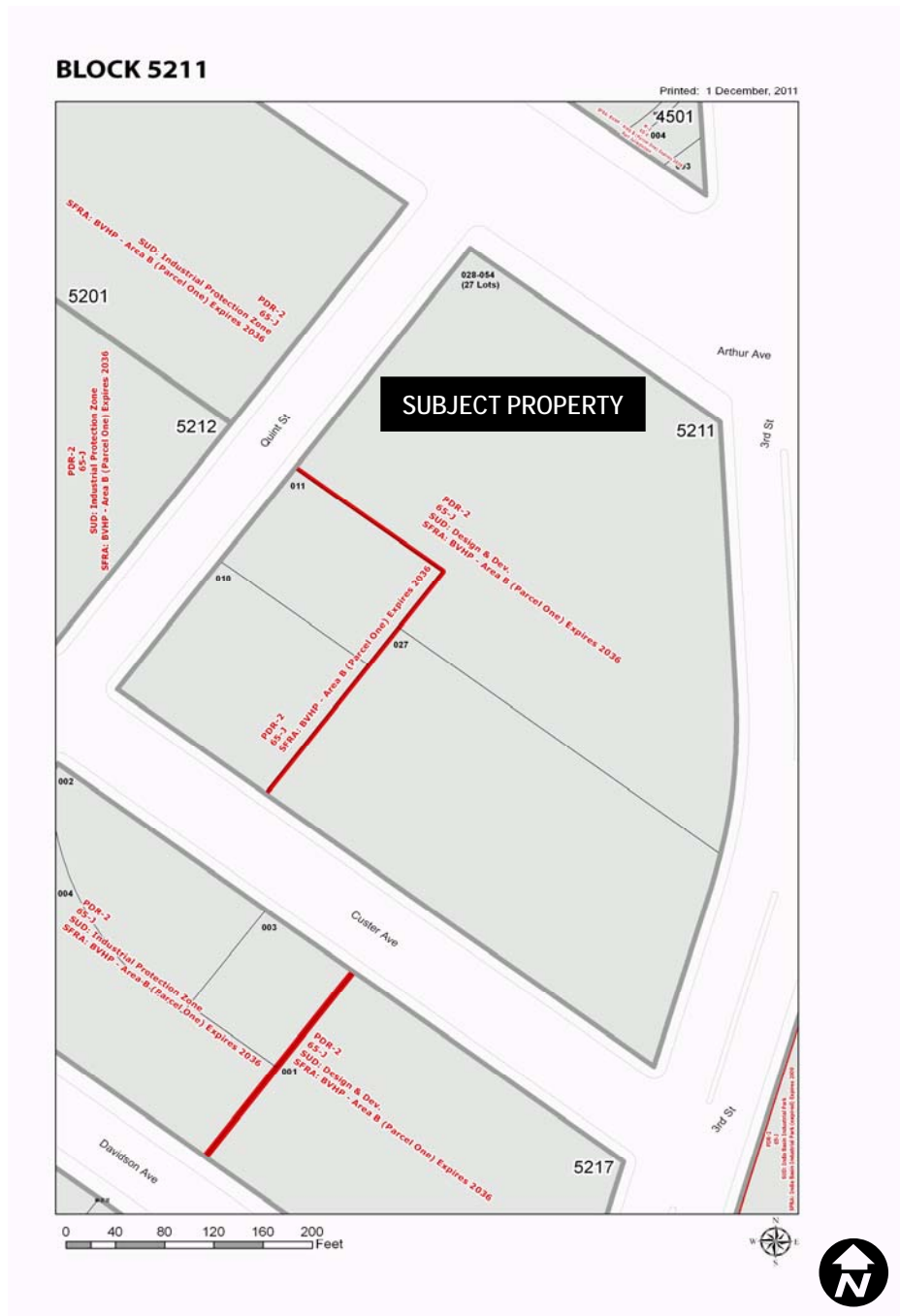
Conclusion: CEQA State Guidelines Section 15061(b)(3) provides an exemption from environmental review where it can be seen with certainty that the proposed project would not have a significant impact on the environment. As discussed above, the project would not result in significant environmental effects. Thus, the proposed project is appropriately exempt from environmental review under the General Rule Exclusion (CEQA Guidelines Section 15061(b)(3)).

Context Map



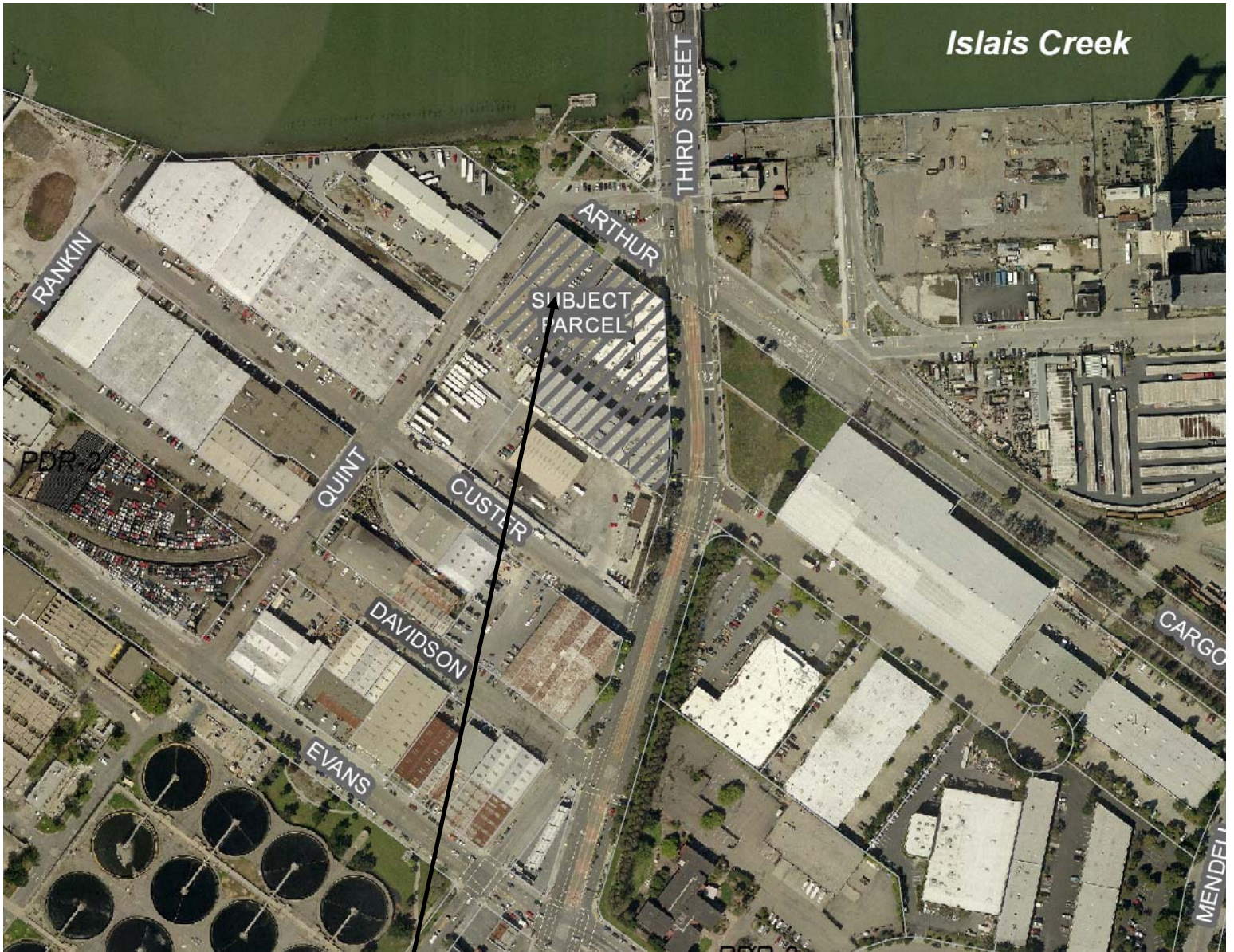
Planning Code Text and Map Amendments
Case Number 2011.1209TZ
India Basin Industrial Park SUD

Parcel Map



Planning Code Text and Map Amendments
Case Number 2011.1209TZ
India Basin Industrial Park SUD

Aerial Photo



SUBJECT PROPERTY



Planning Code Text and Map Amendments
Case Number 2011.1209TZ
India Basin Industrial Park SUD

Pictometry Aerial Photo



SUBJECT PROPERTY



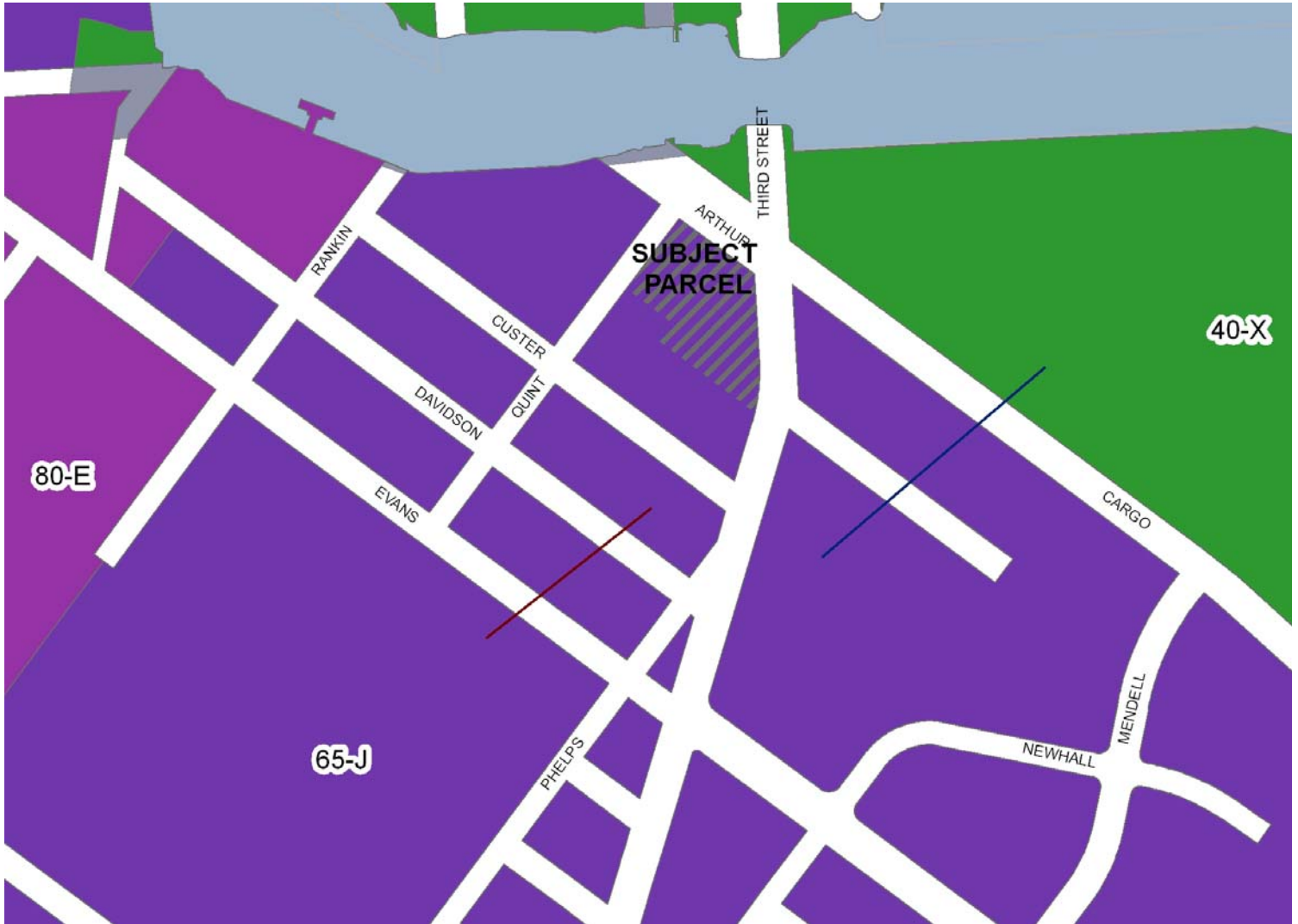
Planning Code Text and Map Amendments
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Zoning



Planning Code Text and Map Amendments
Case Number 2011.1209TZ
India Basin Industrial Park SUD

Zoning – Height Districts



Planning Code Text and Map Amendments
Case Number 2011.1209TZ
India Basin Industrial Park SUD

FILE NO.

LEGISLATIVE DIGEST

[India Basin Industrial Park, Planning Code Text and Zoning Map Amendments.]

Ordinance amending Section 249.42 of the San Francisco Planning Code to allow outpatient medical care clinics; amending Zoning Map Sheet 8 SU of the San Francisco Planning Code to add parcels in block 5211, lots 29 through 54 to the India Basin Special Use District and remove the parcel in block 5211, lot 28 from the Design and Development Special Use District and add it to the India Basin Special Use District; making environmental findings and findings of consistency with general plan.

Existing Law

The India Basin Industrial Park Special Use District (IBIP SUD) was established to enhance and protect certain retail, office and social services uses in the India Basin Industrial Park area, part of a former redevelopment plan area. The IBIP SUD provides that certain parcels in close proximity to Third Street, are subject to PDR-2 District zoning controls except for certain special controls that apply to office, retail institutional and off-street parking controls. In the case of institutional uses pertaining to health care clinics, the IBIP SUD contains no special provisions and thus the underlying PDR-2 zoning controls apply. In the PDR-2 zoning district, health care clinics as defined in Planning Code Section 217(d) that are affiliated with medical institutions that have met the applicable institutional master plan requirements of Planning Code Section 304.5 are not permitted. Under Planning Code Section 217(e), health care clinics not affiliated with medical institutions as defined in Planning Code Section 217(d), are permitted in the PDR-2 zoning district if under 5,000 square feet.

Amendments to Current Law

The ordinance would remove the parcel in block 5211, lot 028 from the Design Development Special Use District and add parcels in block 5211, lots 028 through 054 to the IBIP SUD. This area is generally bounded by Third Street, Cargo Way, Quint Street and Custer Avenue. The ordinance would amend the IBIP SUD controls to authorize outpatient health care clinics to be a principally permitted use if the gross floor area is less than 15,000 square feet. Such uses may be affiliated with a medical institution that has met the applicable institutional master plan requirements of Planning Code Section 304.5. Outpatient health care clinics of 15,000 square feet or greater, whether or not affiliated with a medical institution would require a conditional use permit.

Background Information

The legislation would allow a child abuse prevention center and center for youth wellness in the IBIP SUD.

BOARD OF SUPERVISORS
Supervisor Cohen

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9/30/2011

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1 [India Basin Industrial Park, Planning Code Text and Zoning Map Amendments.]

2
3 **Ordinance amending Section 249.42 of the San Francisco Planning Code to allow**
4 **outpatient medical care clinics; amending Zoning Map Sheet 8 SU of the San Francisco**
5 **Planning Code to add parcels in block 5211, lots 29 through 54 to the India Basin**
6 **Special Use District and remove the parcel in block 5211, lot 28 from the Design and**
7 **Development Special Use District and add it to the India Basin Special Use District;**
8 **making environmental findings and findings of consistency with general plan.**

9 NOTE: Additions are *single-underline italics Times New Roman*;
10 deletions are ~~*strike through italics Times New Roman*~~.
11 Board amendment additions are double-underlined;
Board amendment deletions are ~~strikethrough normal~~.

12 Be it ordained by the People of the City and County of San Francisco:

13 Section 1. Findings.

14 (a) The Planning Department has determined that the actions contemplated in this
15 ordinance are in compliance with the California Environmental Quality Act (California Public
16 Resources Code Section 21000 et seq.). Said determination is on file with the Clerk of the
17 Board of Supervisors in File No. _____ and is incorporated herein by reference.

18 (b) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this
19 ordinance will serve the public necessity, convenience and welfare for the reasons specified in
20 this legislation and in Planning Commission Resolution No. _____, which is
21 incorporated herein by reference as though fully set forth. A copy of said Resolution is on file
22 with the Clerk of the Board in File No. _____.

23 (c) This Board finds that these Planning Code amendments are consistent with the
24 General Plan and the Priority Policies of Section 101.1(b) of the Planning Code for the
25

1 reasons set forth in said Planning Commission Resolution No. _____, and the Board
2 hereby incorporates such reasons into this ordinance by this reference.

3 Section 2. The San Francisco Planning Code is hereby amended by amending Section
4 249.42 to read as follows:

5 SEC. 249.42. INDIA BASIN INDUSTRIAL PARK SPECIAL USE DISTRICT

6 In order to provide continued enhancement and protection of certain retail, office, and
7 social service uses in the India Basin Industrial Park area, and to generally retain setback
8 requirements previously required under the India Basin Industrial Park Redevelopment Plan,
9 there shall be an India Basin Industrial Park Special Use District, the boundaries of which are
10 shown on Sectional Map 8SU and 10SU of the Zoning Map. The following provisions shall
11 apply within this Special Use District:

12 (a) Parcels in close proximity to Third Street. Parcels numbers 5203/035, 5203/043,
13 5203/083, 5203/084, 5211/028-054, 5235/012, 5235/015, 5242/001, 5242/002, 5242/007 and
14 5242/031, are subject to the provisions of the PDR-2 District except as provided below:

15 1. Office Uses. Office uses within the meaning of Section 219 shall not be subject
16 to the use size limits for office uses in the PDR-2 District set forth in Section 219 and the non-
17 residential use size limits in the PDR-2 District set forth in Section 121.8, however, a new or
18 expanded office use is not permitted if the total amount of office use on one of the parcels
19 designated above would exceed 50,000 gross square feet.

20 2. Retail uses. Retail uses within the meaning of Section 218 shall not be subject
21 to the use size limits for retail uses in the PDR-2 District set forth in Section 218 and the non-
22 residential use size limits for the PDR-2 District set forth in Section 121.8, however, any
23 individual new or expanded retail use that contains a gross floor area greater than 5,999
24 square feet shall require Conditional Use authorization pursuant to Section 303 and must
25 comply with the criteria of Sections 121.2(a)(1) through (3).

1 3. Institutional uses. Social service facilities within the meaning of Section 217(d)
2 shall not be subject to the use-size limit for the PDR-2 District set forth in Section 217(d).
3 Child-care facilities within the meaning of Section 217(e) shall be principally permitted. Clinics
4 primarily providing outpatient care in medical, psychiatric or other healing arts shall be principally
5 permitted if the gross floor area of such facility is less than 15,000 square feet. Such clinics may be
6 affiliated with a medical institution, which institution has met the applicable provisions of Section
7 304.5 of this Code concerning institutional master plans. Clinics primarily providing outpatient care
8 in medical, psychiatric or other healing art with a gross floor area equal to or greater than 15,000
9 square feet, whether or not affiliated with a medical institution, which institution has met the applicable
10 provisions of Section 304.5 of this Code concerning institutional master plans, shall require conditional
11 use authorization pursuant to Section 303.

12 4. Off-Street Parking. The minimum off-street parking requirements set forth in
13 Section 151 shall not apply. However, for the purpose of determining the maximum amount of
14 parking allowed as an accessory use under Section 204.5, the amount of parking required by
15 this Code shall be the amount set forth in Section 151.

16 (b) Front setbacks. All parcels within this Special Use District shall provide
17 landscaped front setbacks at depths and along frontages identified in this Subsection. The
18 intent is to maintain and reinforce existing landscaped front setbacks, including the
19 landscaped berms, India Basin Industrial Park signs, and tree hedges. Such setbacks shall be
20 completely and appropriately landscaped and shall remain unpaved and devoted to plant
21 material, excepting reasonable space necessary for ingress and egress to properties. Except
22 as set forth in this Subsection for corner properties, only those permitted obstructions
23 identified in Section 132(f) shall be permitted within such front setback. Corner properties with
24 frontage along more than one street identified below shall provide the required setback along
25 all applicable frontages with two exceptions: (1) the required setback along each frontage may

1 be reduced to the depth of the front setback of an existing building on an adjacent lot along
 2 the same frontage, provided that the adjacent building occupies at least half of the width of the
 3 adjacent lot, and (2) building elements may extend into portions of the required setback,
 4 resulting in an irregular setback, provided that the total area of the resulting setback along
 5 each frontage is at least equal to the total area of the setback that would otherwise be
 6 required. The required front setbacks are as follows:

- 7 1. Third Street, east side, north of Burke Avenue, 10 feet.
- 8 2. Third Street, east side, south of Burke Avenue, 15 feet.
- 9 3. Evans Avenue, north side, 15 feet.
- 10 4. Evans Avenue, south side between Third Street and Mendell Street, 15 feet.
- 11 5. Cargo Way, south side, 15 feet.

12 Section 3. The San Francisco Planning Code is hereby amended by amending Zoning
 13 Map Sheet SU 8 as follows:

14

Assessor Block Lot Parcel Number	Use District Hereby Approved
5211029	India Basin Industrial Park Special Use District
5211030	India Basin Industrial Park Special Use District
5211031	India Basin Industrial Park Special Use District
5211032	India Basin Industrial Park Special Use District
5211033	India Basin Industrial Park Special Use District
5211034	India Basin Industrial Park Special Use District
5211035	India Basin Industrial Park Special Use District
5211036	India Basin Industrial Park Special Use District
5211037	India Basin Industrial Park Special Use District

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Assessor Block Lot Parcel Number	Use District Hereby Approved
5211038	India Basin Industrial Park Special Use District
5211039	India Basin Industrial Park Special Use District
5211040	India Basin Industrial Park Special Use District
5211041	India Basin Industrial Park Special Use District
5211042	India Basin Industrial Park Special Use District
5211043	India Basin Industrial Park Special Use District
5211044	India Basin Industrial Park Special Use District
5211045	India Basin Industrial Park Special Use District
5211046	India Basin Industrial Park Special Use District
5211047	India Basin Industrial Park Special Use District
5211048	India Basin Industrial Park Special Use District
5211049	India Basin Industrial Park Special Use District
5211050	India Basin Industrial Park Special Use District
5211051	India Basin Industrial Park Special Use District
5211052	India Basin Industrial Park Special Use District
5211053	India Basin Industrial Park Special Use District
5211054	India Basin Industrial Park Special Use District

1 Section 4. The San Francisco Planning Code is hereby amended by amending Zoning
2 Map Sheet SU 8 as follows:

3

4 Assessor Block Lot 5 Parcel Number	Use District to be Superseded	Use District Hereby Approved
6 52011028	7 Design Development Special Use District	India Basin Industrial Park Special Use District

8 Section 5. Effective Date. This ordinance shall become effective 30 days from the
9 date of passage.

10 Section 6. This section is uncodified.

11 In enacting this Ordinance, the Board intends to amend only those words, phrases,
12 paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams or any
13 other constituent part of the Planning Code that are explicitly shown in this legislation as
14 additions, deletions, Board amendment additions, and Board amendment deletions in
15 accordance with the "Note" that appears under the official title of the legislation. This
16 Ordinance shall not be construed to effectuate any unintended amendments. Any additions or
17 deletions not explicitly shown as described above, omissions, or other technical and non-
18 substantive differences between this Ordinance and the Planning Code that are contained in
19 this legislation are purely accidental and shall not effectuate an amendment to the Planning
20 Code. The Board hereby authorizes the City Attorney, in consultation with the Clerk and other
21 affected City departments, to make those necessary adjustments to the published Planning
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1 Code, including non-substantive changes such as renumbering or relettering, to ensure
2 that the published version of the Planning Code is consistent with the laws that this Board
3 enacts.

4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6
7 By: _____
8 Elaine C. Warren
9 Deputy City Attorney

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