



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Initiation of Zoning Map Amendment

HEARING DATE: JUNE 2, 2016

EXPIRATION DATE: N/A

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Name: **Height Rezoning of 1493-1497 Potrero Avenue**
Case Number: **2015-014314MAP** [Board File No. TBD]
Initiated by: Jim Abrams
Staff Contact: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362
Recommendation: **Initiate draft ordinance for consideration or adoption on or after July 28, 2016.**

The action before the Commission is the initiation of the code amendments described below. Initiation does not involve a decision on the substance of the amendments; it merely begins the required 20 day notice period, after which the Commission may hold a hearing and take action on the proposed Code amendments.

PLANNING CODE AMENDMENT

The proposed Ordinance would amend the Planning Code to revise Section Map HT08 of the Zoning Map to rezone the Height and Bulk Designation for 1493-1497 Potrero Avenue, Block 4277, Lot 16, from OS (Open Space) to 55-X.

The Way It Is Now:

1493-1497 Potrero Avenue is currently zoned MUR (Mixed Use Residential) with a Height and Bulk designation of OS (Open Space).

The Way It Would Be:

1493-1497 Potrero Avenue would be zoned MUR (Mixed Use Residential) with a Height and Bulk designation of 55-X.

BACKGROUND

On December 19, 2008 then Mayor, Gavin Newsom, signed the Eastern Neighborhoods Rezoning ordinance (Board File 081154), which amended Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, HT08 and SU08 of the Planning Code. These amendments revised use and height and bulk districts within the four Eastern Neighborhoods Planning Areas comprised of the East South of Market, Mission, Showplace Square/Potrero Hill and Central Waterfront Area Plans. Included in this rezoning was the subject property, which was zoned M-1/40-X prior to this rezoning (See Exhibit B). The ordinance rezoned the subject property to MUR/OS. The Department believes that the OS designation was a mistake and that the 40-X designation should have been maintained.

ISSUES AND CONSIDERATIONS

Property Location and Description

1493-1497 Potrero is located at the north east intersection of Potrero and Caesar Chavez, next to an elevated maze of roadways. 1493 Potrero is currently developed with a one-story industrial type building constructed in 1963. Department records indicate that the building's designated use is industrial. There was a project review meeting back in 2010 to discuss the potential development opportunities on this site, but there is no active planning application for this site.

The property is directly adjacent to the Potrero del Sol Park and an urban farm, which sits to the property's north. Across the street there is also another park, which is used as a baseball diamond. Other than the adjacent park and farm, which are zoned P/OS, all of the other surrounding properties on this block are zoned MUR/40-X.

IMPLEMENTATION

The Department has determined that this ordinance will not impact our current implementation procedures.

REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may adopt or reject the proposed initiation.

RECOMMENDATION

The Department recommends that the Commission recommend approval of the resolution to initiate the Planning Code amendments for consideration on or after July 28, 2016

BASIS FOR RECOMMENDATION

The Department supports the initiation of the proposed ordinance because it will allow an error in the City's zoning map to be corrected. The subject property is privately owned and currently developed with a one-story industrial type building. The rezoning of the subject parcel from 40-X to OS was clearly an error, likely caused by the property's adjacency to the Potrero Del Sol Park.

ENVIRONMENTAL REVIEW

The proposal to amend the Planning Code is anticipated to result in no physical impact on the environment. Evaluation under CEQA will be complete prior to the initiation hearing.

PUBLIC COMMENT

As of the date of this report, the Planning Department has received one email about his proposed rezoning. The email was from Sue Hestor who commented that the site is inaccessible for pedestrians and dangerous to walk to. She did not comment on the proposed height change.

RECOMMENDATION:	Approve Resolution and Consider on or After July 28, 2016
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Attachments:

Exhibit A: Draft Planning Commission Resolution
Exhibit B: Excerpt from Board File 081154

Exhibit C: Parcel Map, Height Map and Picture of Subject Property
Exhibit D: Draft Ordinance



SAN FRANCISCO PLANNING DEPARTMENT

Exhibit A Planning Commission Draft Resolution HEARING DATE JUNE 2, 2016

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INITIATING AMENDMENTS TO THE PLANNING CODE TO REVISE SECTION MAP HT08 OF THE ZONING MAP TO REZONE THE HEIGHT AND BULK DESIGNATION FOR 1493-1497 POTRERO AVENUE, BLOCK 4277, LOT 16, FROM OS (OPEN SPACE) TO 55-X; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on or around October 27, 2015, Jim Abrams submitted an application to rezone Assessor Block 4277, Lot 16 from OS (Open Space) to 55-X;

WHEREAS, The Eastern Neighborhoods Rezoning (Board File 081154) rezoned the subject property from M-1/40-X to MUR/OS; and

WHEREAS, the Planning Commission believes that the OS designation was a mistake and that the 40-X designation should have been maintained; and

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider initiation of the proposed Ordinance on June 2, 2016; and,

WHEREAS, the Environmental Review will be completed prior to the Commission taking action on this item; and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

MOVED, that pursuant to Planning Code Section 302(b), the Planning Commission Adopts a Resolution of Intent to Initiate amendments to the Planning Code;

AND BE IT FURTHER RESOLVED, that pursuant to Planning Code Section 306.3, the Planning Commission authorizes the Department to provide appropriate notice for a public hearing to consider the above referenced Planning Code amendments contained in the draft ordinance, approved as to form by the City Attorney in Exhibit A, to be considered at a publicly noticed hearing on or after **July 28, 2016**.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on June 2, 2016.

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: June 2, 2016

Exhibit B



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 081154

Date Passed:

Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, HT08 and SU08 of the City and County of San Francisco Planning Code with revised use districts and height and bulk districts within the four Eastern Neighborhoods Planning Areas comprised of the East South of Market, Mission, Showplace Square/Potrero Hill and Central Waterfront Area Plans; and creating three four five four special use districts for Life Science and Medical Special Use District bounded generally by Mariposa Street to the north, Illinois Street to the West, Iowa Street to the East, and 23rd Street to the South; for Innovative Industries Incubator Special Use District bounded generally by 3rd Street to the West, Illinois Street to the east, 20th Street to the north and 23rd Street to the South; for Transit Oriented Retail Special Use District on 16th Street bounded generally by Capp Street to the East, Potrero Avenue to the West, 15th Street to the North and 17th Street to the South; for Restricted Integrated PDR Special Use District bounded generally by Cesar Chavez Street to the South, Pennsylvania and Iowa Streets to the West, 23rd Street to the North and Michigan and Maryland Streets to the East; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1.

- November 18, 2008 Board of Supervisors — CONTINUED ON FIRST READING
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly
- November 25, 2008 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE
Ayes: 9 - Alioto-Pier, Ammiano, Chu, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Daly
- November 25, 2008 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly
- November 25, 2008 Board of Supervisors — PASSED ON FIRST READING AS AMENDED
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

December 9, 2008 Board of Supervisors — FINALLY PASSED

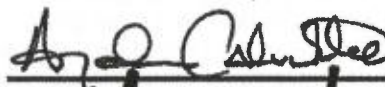
Ayes: 10 - Alioto-Pier, Campos, Chu, Dufty, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

File No. 081154

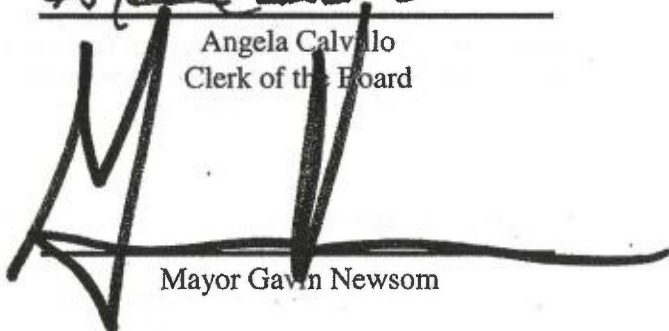
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on December 9,
2008 by the Board of Supervisors of the City
and County of San Francisco.

12/19/2008

Date Approved



Angela Calvallo
Clerk of the Board

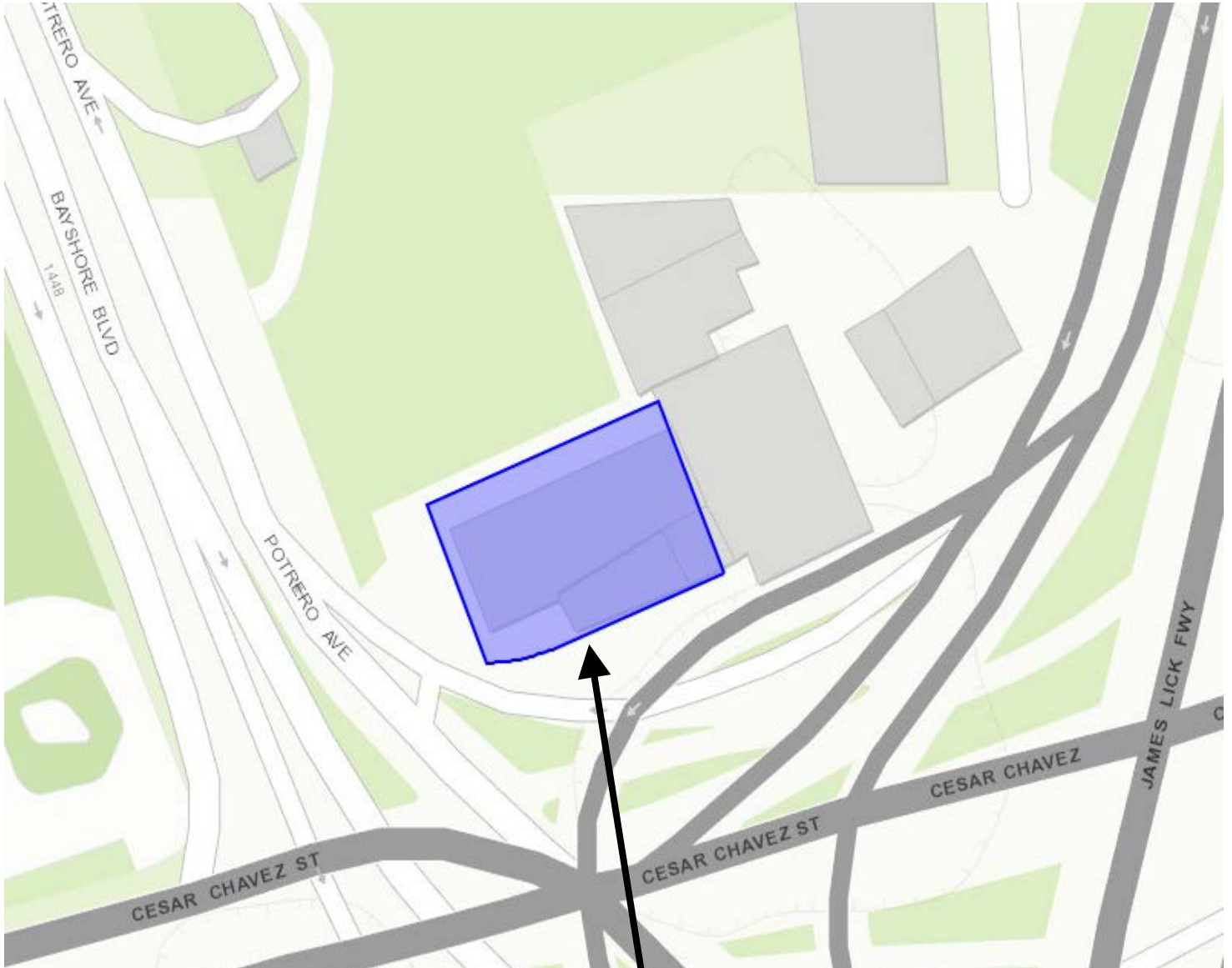


Mayor Gavin Newsom

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BLOCK	LOT	HEIGHT DISTRICT TO BE SUPERSEDED	HEIGHT & BULK DISTRICT HEREBY APPROVED	SHEET
4168	022	40-X/50-X	40-X	8
4168	023	40-X/50-X	40-X	8
4168	024	40-X/50-X	40-X	8
4168	025	40-X/50-X	40-X	8
4168	026	40-X/50-X	40-X	8
4168	027	40-X/50-X	40-X	8
4168	028	40-X/50-X	40-X	8
4168	029	40-X/50-X	40-X	8
4168	030	40-X/50-X	40-X	8
4168	031	40-X/50-X	40-X	8
4168	032	40-X/50-X	40-X	8
4221A	COMA	40-X	OS	8
4221A	COMB	40-X	OS	8
4221A	COMC	40-X	OS	8
4264	024	65-A	65-X	8
4264	027	65-A	40-X	8
4264	028	65-A	40-X	8
4277	006	40-X	OS	8
4277	010	40-X	OS	8
4277	014	40-X	OS	8
4277	016	40-X	OS	8
4282A	COMJ	40-X	OS	8

Parcel Map



SUBJECT PROPERTY



Height Map Amendment
Case Number **2015-014314MAP**
1493-1497 Potrero Avenue

Height Map



SUBJECT PROPERTY



Height Map Amendment
Case Number 2015-014314MAP
1493-1497 Potrero Avenue

Subject Property



Height Map Amendment
Case Number 2015-014314MAP
1493-1497 Potrero Avenue

1 [Planning Code, Zoning Map - Rezoning of 1493-1497 Potrero Avenue]

2

3 **Ordinance amending the Planning Code to revise Sectional Map HT08 of the Zoning**
4 **Map to rezone the Height and Bulk designation for 1493-1497 Potrero Avenue, Block**
5 **4277, Lot 016, from OS (Open Space) to 55-X; affirming the Planning Department’s**
6 **determination under the California Environmental Quality Act; making findings of**
7 **consistency with the General Plan and the eight priority policies of Planning Code**
8 **Section 101.1; and adopting findings of public convenience, necessity, and welfare**
9 **under Planning Code Section 302.**

10 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
11 **Additions to Codes** are in *single-underline italics Times New Roman font*.
12 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
13 **Board amendment additions** are in double-underlined Arial font.
14 **Board amendment deletions** are in ~~strikethrough-Arial font~~.
15 **Asterisks (* * * *)** indicate the omission of unchanged Code
16 subsections or parts of tables.

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

17 Section 1. Findings.

18 (a) The Planning Department has determined that the actions contemplated in this
19 ordinance comply with the California Environmental Quality Act (California Public Resources
20 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
21 Supervisors in File No. _____ and is incorporated herein by reference. The Board affirms
22 this determination.

23 (b) On _____, the Planning Commission, in Resolution No. _____,
24 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
25 with the City’s General Plan and the eight priority policies of Planning Code Section 101.1.

1 The Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk
2 of the Board of Supervisors in File No. _____, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, this Board finds that this ordinance will
4 serve the public necessity, convenience, and welfare for the reasons set forth in Commission
5 Resolution No. _____ and the Board incorporates such reasons herein by reference. A
6 copy of Planning Commission Resolution No. _____ is on file with the Clerk of the Board
7 of Supervisors in File No. _____.

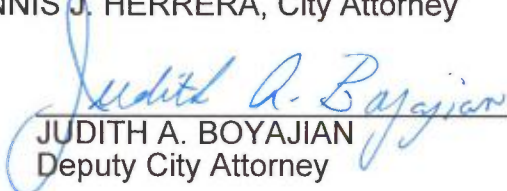
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9 Section 2. The Planning Code is hereby amended by revising Sectional Map HT08 of
10 the Zoning Map of the City and County of San Francisco as follows:

<u>Description of Property</u>	<u>Height and Bulk District to be Superseded</u>	<u>Use District hereby Approved</u>
Block 4277, Lot 016	OS (Open Space)	55-X

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14 Section 3. Effective Date. This ordinance shall become effective 30 days after
15 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
16 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
17 of Supervisors overrides the Mayor's veto of the ordinance.

18
19 APPROVED AS TO FORM:
20 DENNIS J. HERRERA, City Attorney

21 By:


22 JUDITH A. BOYAJIAN
23 Deputy City Attorney

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