



SAN FRANCISCO PLANNING DEPARTMENT

Memo to the Planning Commission

HEARING DATE: AUGUST 31, 2017

Date: August 24, 2017
Project Name: **Third Street Formula Retail Restricted Use District**
Case Number: **2017-004521MAP**
Staff Contact: Diego R Sánchez, Legislative Affairs
diego.sanchez@sfgov.org, 415-575-9082
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362
Recommendation: **Indefinite Continuance**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

BACKGROUND

On June 8, 2017 Planning Department staff (Staff) recommended Case Number 2017-004521MAP, Third Street Formula Retail Restricted Use District, for initiation. This case proposes to amend Zoning Map Sheet SU10 to include the parcels located at 5545 Third Street (Block 5419, Lot 006) and 5501 Third Street (Block 5419, Lot 009) in the Third Street Formula Retail Restricted Use District. These parcels were included in Ordinance establishing the Third Street Formula Retail Restricted Use District¹ but were omitted from inclusion on Zoning Map Sheet SU10. The Planning Commission took staff's recommendation to initiate amendments to the Zoning Map under Planning Commission Resolution 19935 (*attached*).

In August 2017, the City Attorney advised Staff that correcting the omission on Zoning Map Sheet SU10 may be done in house by Staff and does not require an Ordinance. The City Attorney also advised Staff that the initiated Case No. 2017-004521MAP should be continued indefinitely.

CURRENT PROPOSAL

Planning Department staff is recommending, upon advice from the City Attorney, that the Planning Commission continue Case Number 2017-004521MAP, Third Street Formula Retail Restricted Use District indefinitely.

REQUIRED COMMISSION ACTION

For the purposes of correcting the identified Zoning Map omission in the Third Street Formula Retail Restricted Use District, the Planning Commission should move to continue Case Number 2017-004521MAP indefinitely.

¹ BF 130372

<https://sfgov.legistar.com/View.ashx?M=F&ID=2724214&GUID=6CA3A3F5-1690-46E2-B262-11DB5AFB1358>

BASIS FOR RECOMMENDATION

Correcting the omission on Zoning Map Sheet SU10 simply requires Planning Department staff to internally correct the Zoning Map. Planning Commission action to amend the Zoning Map is unnecessary.

RECOMMENDATION: Continue Indefinitely

Attachments:

Planning Commission Resolution 19935



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 19935 HEARING DATE JUNE 8, 2017

Project Name: Third Street Formula Retail Restricted Use District
Case Number: 2017-004521MAP [Board File No. TBD]
Initiated by: John Rahaim, Director of the Planning Department
Staff Contact: Diego R Sánchez, Legislative Affairs
diego.sanchez@sfgov.org, 415-575-9082
Reviewed by: Aaron D Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362

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INITIATING AMENDMENTS TO THE ZONING MAP TO INCLUDE PARCELS LOCATED AT 5545 THIRD STREET AND 5501 THIRD STREET IN THE THIRD STREET FORMULA RETAIL RESTRICTED USE DISTRICT; 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, in December 2013 the Third Street Formula Retail Restricted Use District (RUD) became effective; and

WHEREAS, the RUD was created to regulate and monitor the influx of Formula Retail uses establishing along Third Street, from Williams Avenue to Paul Street; and

WHEREAS, the Zoning Map failed to show that the properties at 5545 Third Street (Block 5419, Lot 006) and 5501 Third Street (Block 5419, Lot 009) (collectively Subject Properties) are within the RUD despite their inclusion in the Ordinance establishing the RUD; and

WHEREAS, the proposed Ordinance intends to correct that omission and show on the Zoning Map that the Subject Properties are within the RUD; 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 to initiate amendments to the Zoning Map.

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 Zoning Map 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 June 28, 2017

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on June 8, 2017.



Jonas P. Ionin
Commission Secretary

AYES: Hillis, Johnson, Melgar, Moore, Richards

NOES: None

ABSENT: Fong, Koppel

ADOPTED: June 8, 2017