



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Zoning Map Amendment Initiation

HEARING DATE: MARCH 5, 2015

Project Name: **241-261 Loomis Street**
Case Number: 2013.0069Z
Initiated by: Tom Tunny, Reuben, Junius & Rose
One Bush Street, Ste. 600
San Francisco, CA 94104
Staff Contact: Richard Sucre, Historic Preservation Technical Specialist/Planner
richard.sucre@sfgov.org, 415-575-9108
Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362
Recommendation: **Recommend Initiation**

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The action before the Commission is initiation of amendments to the Zoning Map, as 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 zoning map amendment would amend Special Use District Map No. 10 (SU10) to include Block 5583, Lots 010, 014, and 015 in the Bayshore Boulevard Home Improvement Special Use District (SUD), which is defined in Planning Code Section 249.65.

The Way It Is Now:

Currently, the Bayshore Boulevard Home Improvement SUD does not include Block 5583, Lots 010, 014 and 015 (241-261 Loomis Street).

The Way It Would Be:

Special Use District Map No. 10 (SU10) would be amended to include Block 5583, Lots 010, 014 and 015 in the Bayshore Boulevard Home Improvement Special Use District.

ISSUES AND CONSIDERATIONS

- Currently, the Bayshore Boulevard Home Improvement SUD includes those parcels on the west and east side of Bayshore Boulevard, as bounded by Jerrold Avenue to the north and I-280 to the south. The Bayshore Boulevard SUD principally permits retail sales and personal service, as defined in Planning Code Section 218. Within the Bayshore Boulevard SUD, the following uses require Conditional Use Authorization from the Planning Commission: formula retail use larger than 10,000 square feet (Planning Code Section 303.1); liquor store (Planning Code Section 790.55); drive-up facility (Planning Code Section 790.30); adult entertainment (Planning Code

Section 221(k)); automotive use (Planning Code Section 223); and, fringe financial service (Planning Code Section 249.35).

- The subject lots directly abut the Bayshore Boulevard Home Improvement SUD to the east.
- The surrounding area is industrial in character with commercial and light industrial properties located to the west. The subject lots are located within one block of Bayshore Boulevard Street, which is the primary commercial and industrial thoroughfare within the surrounding neighborhood. The subject lots are located directly behind (to the east) the Lowe's Home Improvement store at 491 Bayshore Boulevard. To the north, south and east of the subject lots are one-to-two-story industrial building, which vary in use and type and are characterized by simple material (either corrugated metal or concrete) and large footprints. The surrounding area is predominantly located within the PDR-2 Zoning District, as bounded by I-280 to the south and east, and the 101 Freeway to the west. Further south, across I-280, this area is characterized by either RH-1 (Residential, House, One-Family) or P (Public) Zoning Districts.
- The subject lots would maintain their current zoning (PDR-2) and height/bulk designation (65-J), and its designation within the Industrial Protection Zone SUD (Planning Code Section 249.22). Each of the subject lots vary in size, and measure: 243-ft by 125-ft (Lot 015); 162-ft by 125-ft (Lot 014); and 50-ft by 125-ft (Lot 010). Currently, Lot 010 and 015 are vacant, while Lot 014 is developed with one-story, corrugated metal storage shed (identified as 231 Loomis Street). The Industrial Protection Zone SUD prohibits housing and office uses.
- No notification is required for initiation of a Zoning Map Amendment.
- The Project Sponsor has applied for the zoning map amendment to increase the possibilities for redevelopment of the subject lots. Currently, there is no project proposed for the subject lots.
- On May 15, 2014, the Bayview Hunters Point Citizens' Advisory Committee (CAC) reviewed and approved the proposed zoning map amendment.

REQUIRED COMMISSION ACTION

The proposed Resolution and Draft Ordinance are before the Commission so that it may recommend approval or rejection of an intent to amend the Zoning Map.

RECOMMENDATION

The Department recommends that the Commission *initiate* the Zoning Map Amendment and adopt the attached Draft Resolution so that the Commission may consider approval of the Ordinance on or after March 25, 2015.

BASIS FOR RECOMMENDATION

The Department recommends initiation of the proposed zoning map amendment, so the Commission can consider the amendment at a later date. Currently, the Department anticipates the amendment hearing on April 2, 2015.

ENVIRONMENTAL REVIEW

The Proposed Zoning Map Amendment is exempt from environmental review as a General Rule Exclusion under Section 15061(b)(3) of the CEQA Guidelines.

PUBLIC COMMENT

As of the date of this report, the Planning Department has not received any public correspondence regarding the proposed zoning map amendment. On May 15, 2014, the Bayview Hunters Point Citizens' Advisory Committee (CAC) reviewed and approved the proposed zoning map amendment with no public comment.

RECOMMENDATION:	Recommendation of Initiation
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Attachments:

Draft Commission Resolution
Draft Ordinance
Zoning Map
Special Use District Map
Block Book Map
Sanborn Map
Aerial Photographs
Environmental Determination
Project Sponsor Memo



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Resolution No. XXXX Initiation of Zoning Map Amendment HEARING DATE: MARCH 5, 2015

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Reviewed by: Aaron Starr, Manager of Legislative Affairs
aaron.starr@sfgov.org, 415-558-6362

Recommendation: **Initiate Zoning Map Amendment**

INITIATING ZONING MAP AMENDMENT TO SAN FRANCISCO ZONING MAP SHEET NO. SU10 TO INCLUDE BLOCK NO. 5583, LOTS NO. 010, 014 AND 015 (241-261 LOOMIS STREET) IN THE BAYSHORE BOULEVARD HOME IMPROVEMENT SPECIAL USE DISTRICT.

PREAMBLE

WHEREAS, on January 17, 2013, Tom Tunny of Rueben, Junius & Rose on behalf of J2 Properties, Inc. (Property Owner) filed an application with the San Francisco Planning Department for a Zoning Map Amendment, as detailed in Case Number 2013.0069Z; and

WHEREAS, the Zoning Map Amendment would amend San Francisco Zoning Map Sheet No. SU10 to include Block 5583, Lots 010, 014 and 015 in the Bayshore Boulevard Home Improvement Special Use District; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing to consider the initiation of the proposed Ordinance on March 5, 2015; and

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15061(b)(3); and

WHEREAS, 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 on behalf of Department staff and other interested parties; and

WHEREAS, the 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 Commission has reviewed the proposed Ordinance:

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 Zoning Map Amendment contained in the Case No. 2013.0069Z, approved as to form by the City Attorney in **Exhibit A**, to be considered at a publicly noticed hearing on or after March 25, 2015.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on March 5, 2015.

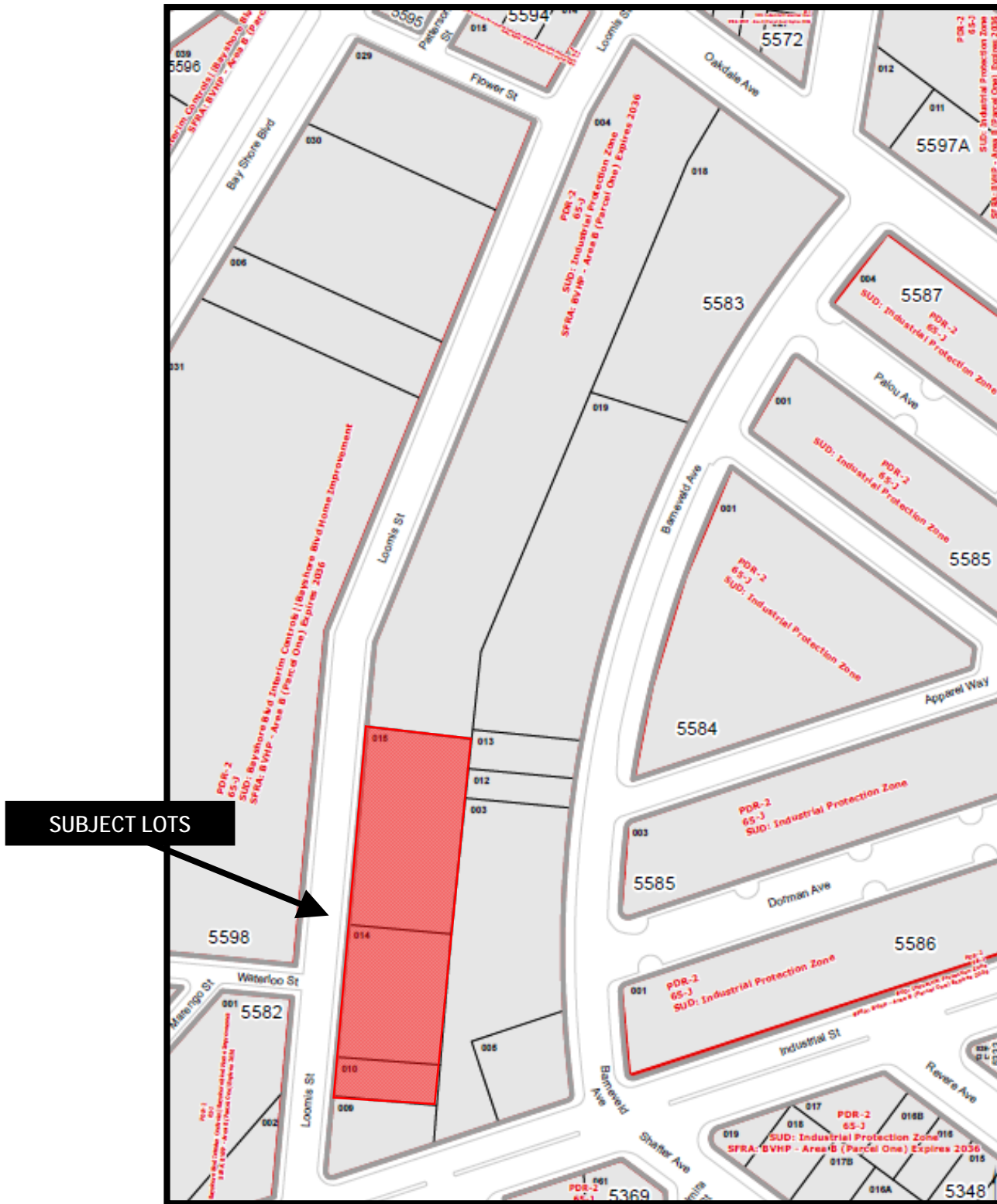
Jonas P. Ionin
Commission Secretary

AYES:

NOES:

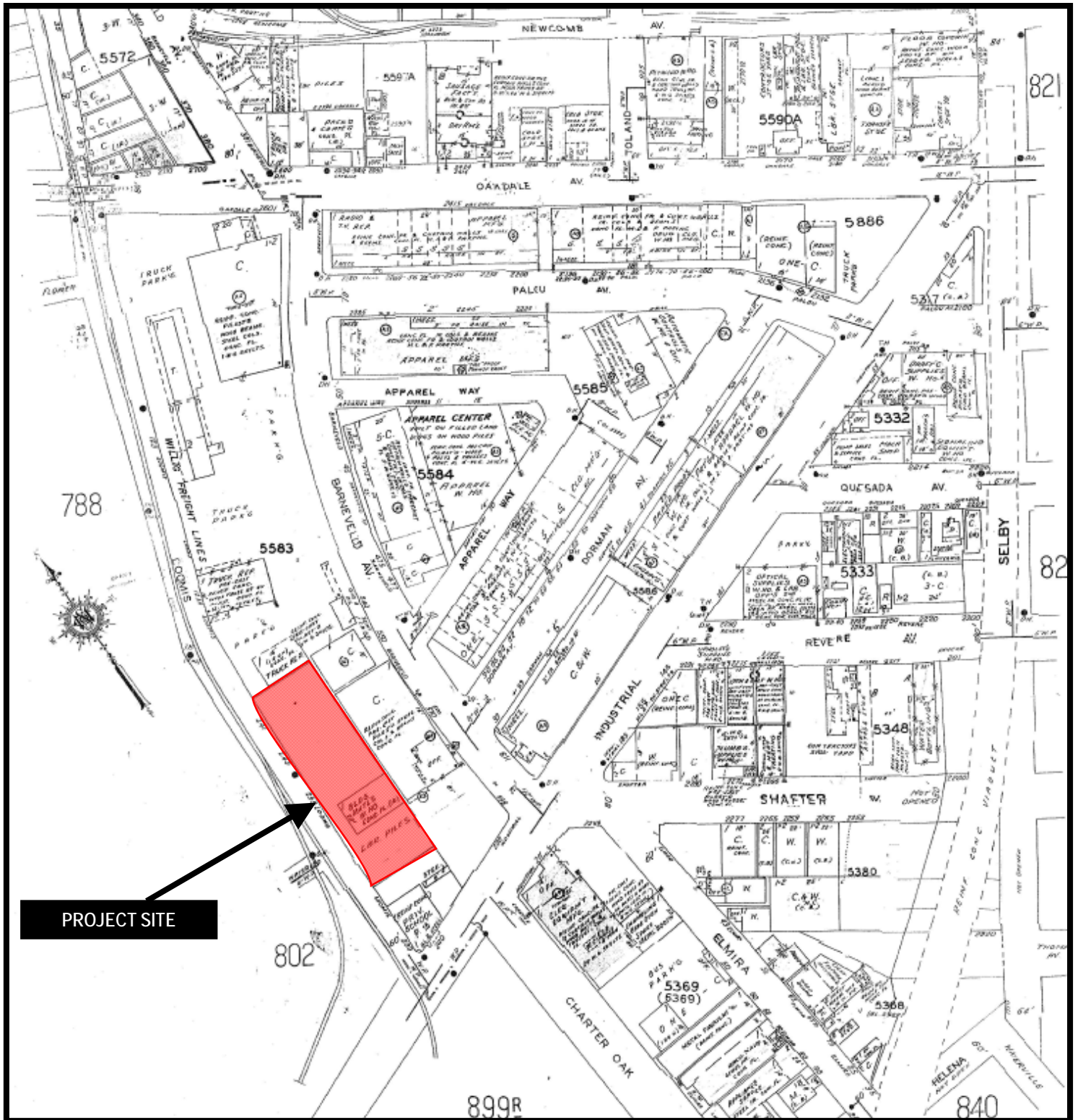
ABSENT:

Parcel Map



Zoning Map Amendment
Case Number 2013.0069Z
 241-261 Loomis Street

Sanborn Map*

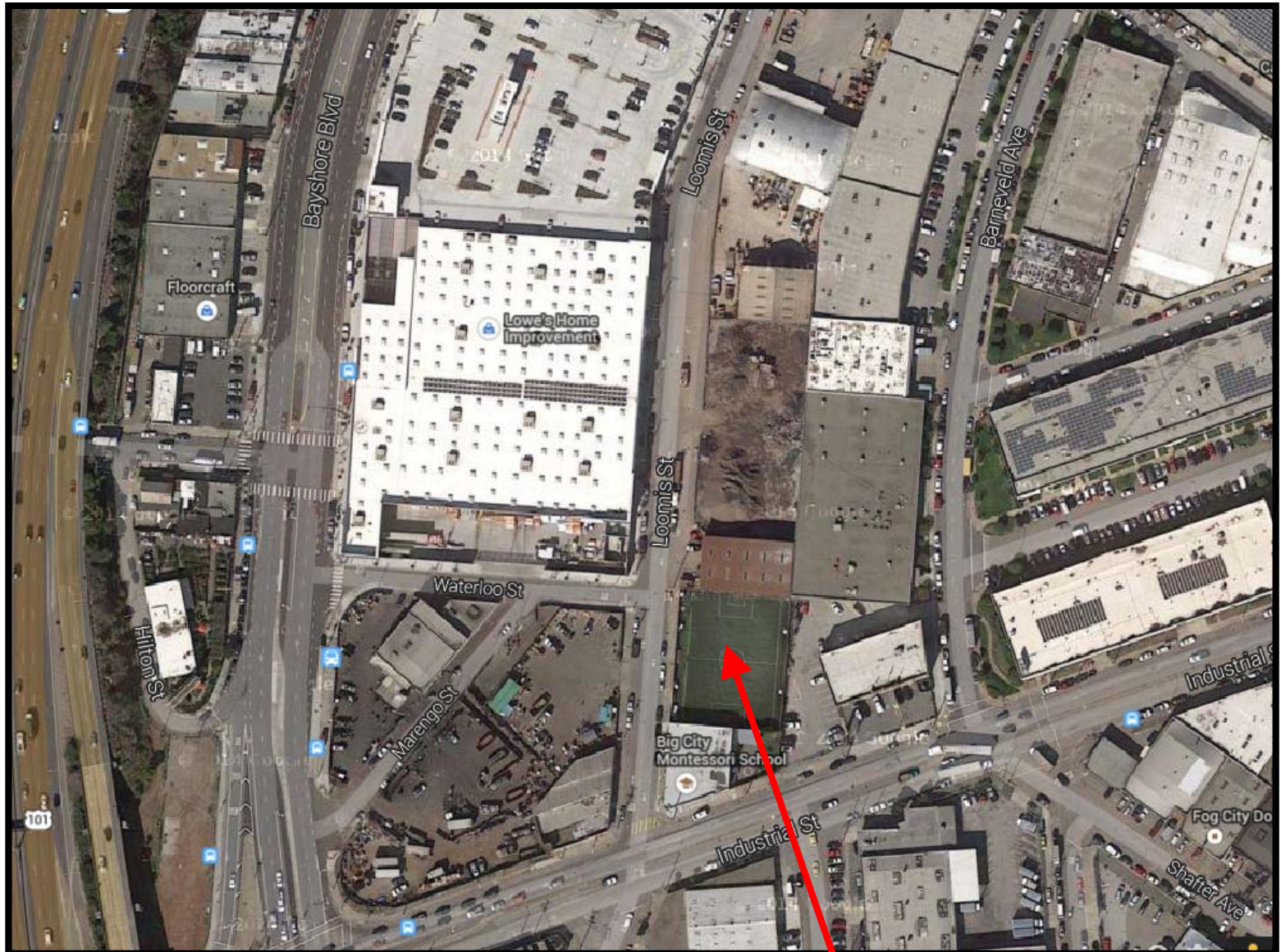


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Zoning Map Amendment
Case Number 2013.0069Z
241-261 Loomis Street

Aerial Photo

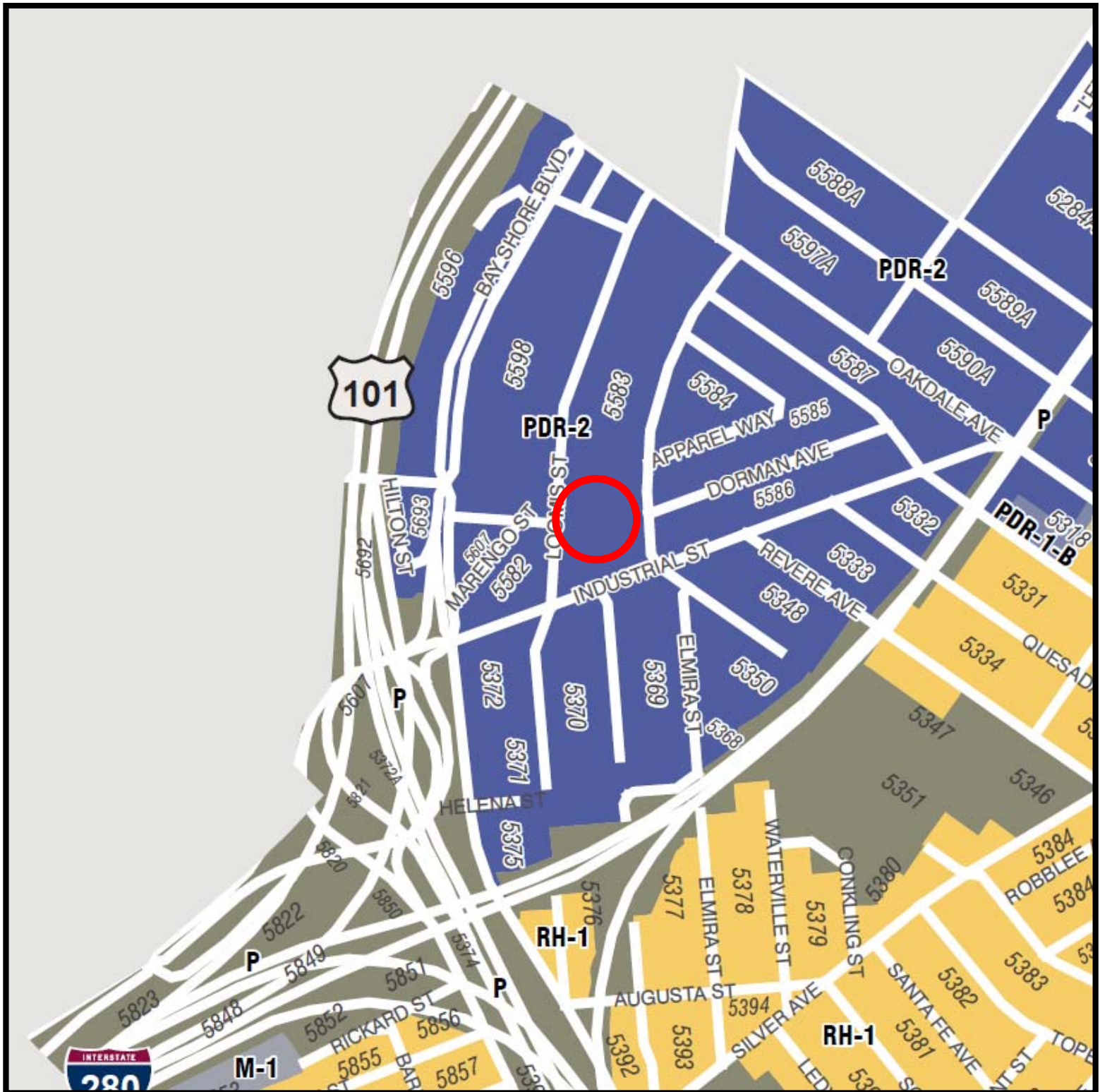


PROJECT SITE



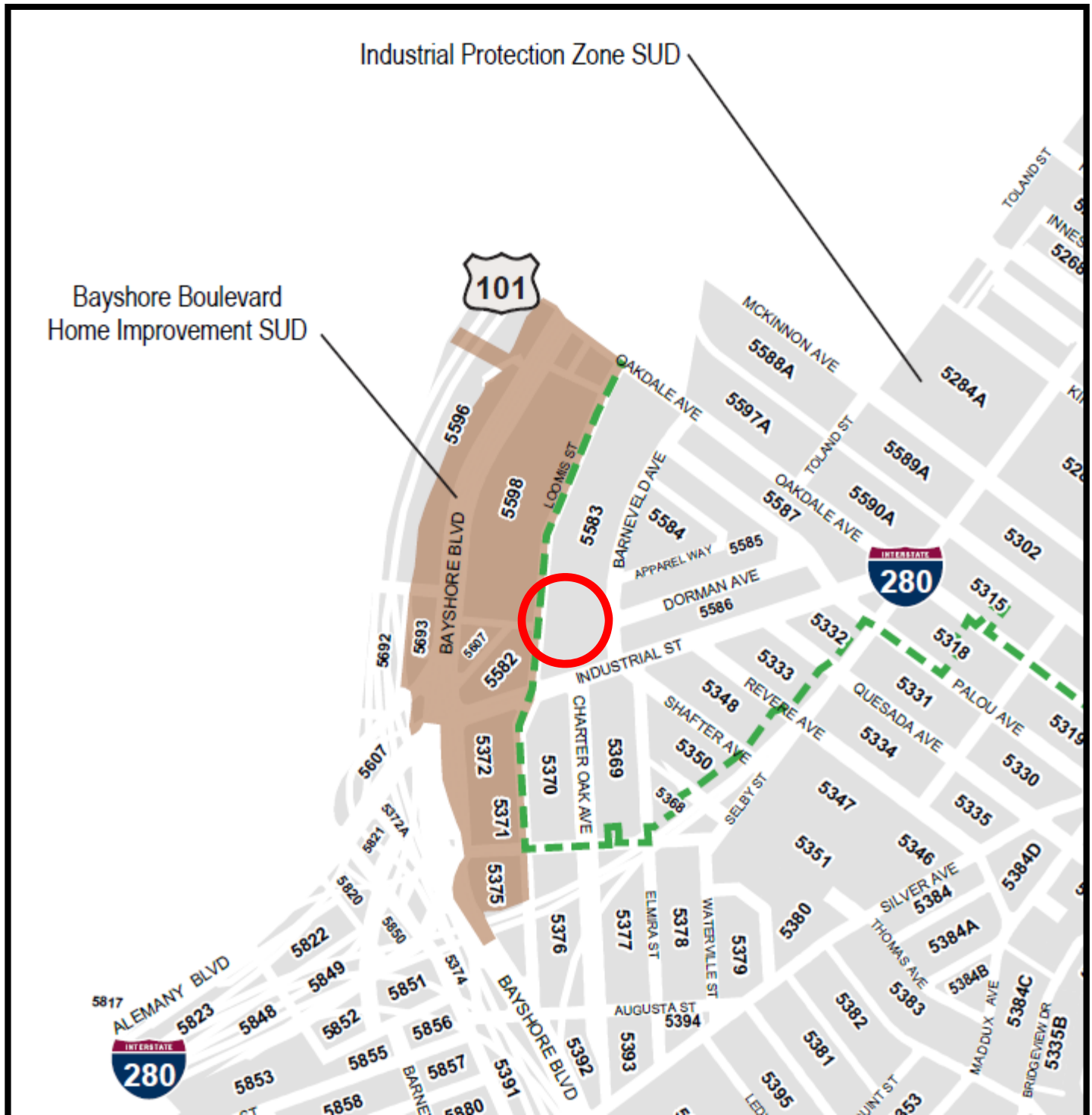
Zoning Map Amendment
Case Number 2013.0069Z
241-261 Loomis Street

Zoning Map



Zoning Map Amendment
Case Number 2013.0069Z
241-261 Loomis Street

Special Use District Map



Zoning Map Amendment
Case Number 2013.0069Z
241-261 Loomis Street

Site Photo

PROJECT SITE



231 Loomis Street

Zoning Map Amendment
Case Number 2013.0069Z
241-261 Loomis Street

[Zoning Map – Rezoning of 241-261 Loomis Street]

Ordinance amending the Planning Code, San Francisco Zoning Map Sheet No. SU10, to include Block No. 5583, Lot Nos. 010, 014, and 015 (241-261 Loomis Street) in the Bayshore Boulevard Home Improvement Special Use District; and affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1 and findings under Planning Code Section 302.

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

Section 1. Findings. The Board of Supervisors makes the following findings:

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

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

(c) This Board finds that the actions contemplated in this ordinance are consistent with the General Plan and with the Priority Policies of Planning Code Section 101.1 for the

1 reasons set forth in Planning Commission Resolution No. _____ and the Board
2 hereby incorporates such reasons herein by reference.

3 Section 2. Sheet SU10 of the Zoning Map of the City and County of San Francisco is
4 hereby amended to include Lots 010, 014, and 015 of Block 5583 within the boundary of the
5 Bayshore Boulevard Home Improvement Special Use District.

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

10
11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

13 By:

14 
Kate H. Stacy
Deputy City Attorney

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SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Exemption from Environmental Review

Case No.: 2013.0069E
Project Title: 241-261 Loomis Street
Zoning: PDR-2 (Production, Distribution, and Repair)
Block/Lot: 5583/010, 014, and 015
Lot Size: 56,986 Square Feet (combined)
Project Sponsor: Thomas Tunny — Reuben, Junius, & Rose LLP
Staff Contact: Christopher Espiritu— (415) 575-9022
christopher.espiritu@sfgov.org

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PROJECT DESCRIPTION:

The proposed project would include the rezoning of three adjacent lots (Assessor's Lots 010, 014, and 015 on Block 5583) to be included in the Bayshore Boulevard Home Improvement District Special Use District (Bayshore HID SUD). The project site is located on the block bounded by Oakdale Avenue to the north, Industrial Street to the south, Barneveld Avenue to the east, Loomis Street to the west and within the Bayview neighborhood. The proposed project would amend San Francisco Zoning Map Sheet No. SU10 to include the project sites in the Bayshore HID SUD. As part of the project, no new uses are proposed for the site at this time. Any future development of the project site will be subject to the applicable environmental review procedures, as appropriate, for the use and changes proposed in the future.

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.

A handwritten signature in black ink, appearing to read "Sarah B. Jones", written over a horizontal line.

Sarah B. Jones

Environmental Review Officer

January 15, 2015
Date

cc: Thomas Tunny, Project Sponsor
Rich Sucre, Northeast Quadrant

Distribution List
Virna Byrd, M.D.F.

PROJECT DESCRIPTION (continued):

The existing Bayshore Boulevard SUD includes parcels within the area between the I-280 Freeway to the west and Loomis Street to the east, from Jerrold Avenue to the I-280 Freeway, Oakdale Avenue from Loomis Street to Bayshore Boulevard, Marengo Street from Bayshore Boulevard to Waterloo Street and the west side of Boutwell Street from Industrial Street to the I-280 Freeway, and also including some lots on Cortland Avenue; amending the Zoning Map of the City and County of San Francisco to rezone the designated blocks and lots from the current M-1 and P/M-1 zoning to PDR-2, P/PDR-2 and the Bayshore Boulevard Home Improvement Special Use District. The height and bulk designations would remain unchanged.

APPROVALS:

The proposed ordinance would be subject to a hearing by the Planning Commission. Subsequent to the hearing, the Planning Commission will make a recommendation to the Board of Supervisors. The Land Use Committee of the Board will then hear the legislation, followed by a hearing before the full Board. The Board of Supervisors' approval of the proposed ordinance would constitute the Approval Action pursuant to Chapter 31 of the Administrative Code. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the San Francisco Administrative Code.

REMARKS (continued):

The California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) establishes the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Background: The Board of Supervisors adopted new land use controls for much of the industrial areas in Bayview Hunters Point in 2008. The Planning Department did not, at that time, propose specific controls for the Bayshore Boulevard corridor (Jerrold Avenue to I-280) and the commercially-zoned parcels on Cortland from Bradford Street to Highway 101, in recognition of the need for further planning in the area. Today, much of the Bayshore Boulevard corridor remains zoned M-1 and M-2, and the subject Cortland parcels remain C-M (Heavy Commercial) – among the most permissive zoning districts in the City.

The Board of Supervisors adopted Resolution No. 154-09 on April 21, 2009, urging the Planning Department, the Redevelopment Agency and Office of Workforce Development to develop plans and programs to establish a Green and Sustainable Home Improvement District for the Bayshore Boulevard corridor, which could result in one or more of the following: a business attraction plan, a business development and retention program, revised zoning, area-specific design guidelines, and a localized public improvement plan including streetscape and infrastructure enhancements.

On October 19, 2010, Supervisor Maxwell introduced an Ordinance to establish the Bayshore Boulevard Home Improvement District Special Use District (Bayshore HID SUD), and for map amendments which would rezone parcels in the Bayshore Boulevard corridor from M-1 to PDR-2 and the newly created

Bayshore HID SUD, and which would rezone parcels along Cortland Avenue from Bradford Street to Highway 101 from C-M to PDR-1-G. Additionally, the Bayshore HID SUD requires that certain projects adhere to area-specific design guidelines.

Existing Zoning: Generally, parcels east of Loomis Street, including the project sites, are within the Industrial Protection Zone Special Use District (IPZ SUD). This prohibits housing and office uses. Furthermore, on March 23, 2010, the Board of Supervisors adopted interim controls for the Bayshore Boulevard corridor, to enable greater review of projects within the area. These controls require Conditional Use authorization for formula retail, for retail over 25,000 square feet, and for lot mergers over 25,000 square feet.

Proposed Zoning: The proposed project would retain the existing PDR-2 zoning on the project sites. No lot mergers are proposed at this time. Also, the sites would be added to the Bayshore HID SUD and remove them from the IPZ SUD. PDR-2 zoning districts prohibit housing and office uses over 5,000 square feet, making the IPZ SUD designation unnecessary. The inclusion of the sites into the Bayshore HID SUD would encourage development of varying business types on the sites which are focused on home improvement and inclusion into the Bayshore HID SUD would allow development of mixed commercial uses, including retail and production, distribution and repair businesses, as well as other businesses dedicated to the physical improvement of property and related home furnishings.

Design Guidelines: The Bayshore HID SUD requires that certain projects adhere to area-specific design guidelines. The *Bayshore Boulevard Home Improvement District Design Guidelines* support the economic development goals for the Bayshore corridor by creating a safer and more attractive public realm, and by minimizing the negative impacts of parking and loading configuration on pedestrian, bicycle, transit and automobile circulation. The guidelines were developed with special attention to community concerns centering on public realm and circulation issues. Any future proposal for development of the project sites at 241-261 Loomis Street would be subject to specific design guidelines within the Bayshore Boulevard HID SUD.

Neighborhood Concerns

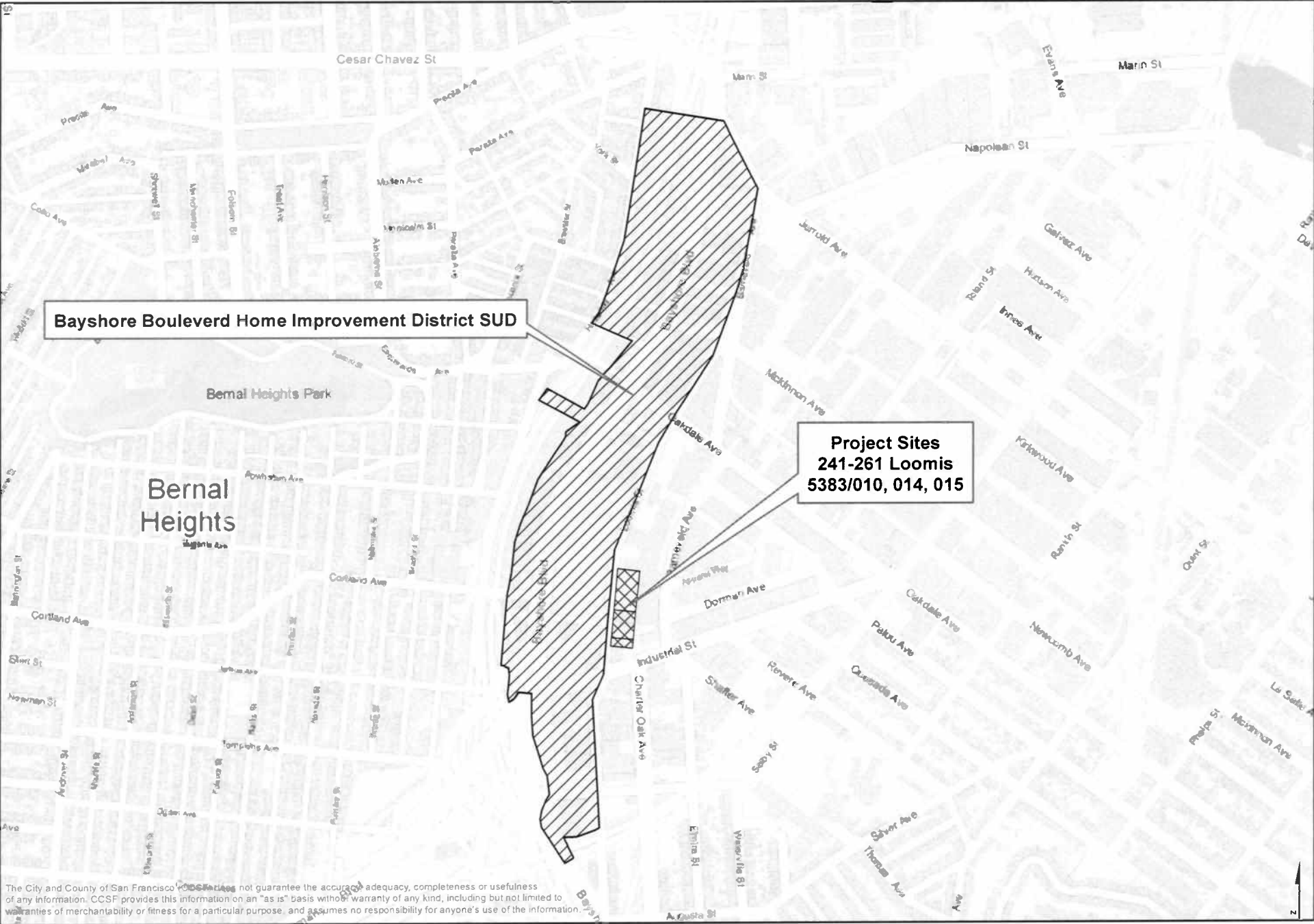
A Notification of a Project Receiving Environmental Review for the proposed project was mailed out to interested parties on July 14, 2014. No members of the public contacted the Planning Department in response to the Notice. Public support for or opposition to the proposed project is not relevant to the analysis of potential environmental effects, but may be considered during deliberation of project approval or disapproval.

EXEMPT STATUS:

The proposed rezoning and restrictions on several types of development, and additional authorization requirements for such developments, would have no direct physical consequences within the area as they would neither stimulate new development nor result in the removal, abatement, or demolition of existing

structures. Any proposal for new development, expansion of existing development, or demolition of existing development would require separate environmental review. The proposed rezoning would not be expected to stimulate new development nor result in the removal, abatement, or demolition of any existing structures. The proposed rezoning would not change existing site uses and would not encourage a substantial change in the intensity of development or substantial change in use. Further, the proposed rezoning would not result in substantial changes to the development potential of the sites that could result in foreseeable impacts. For the above reasons, it can be seen with certainty that the proposed ordinance could not have a significant effect on the environment and the proposed legislation is appropriately exempt from environmental review under the General Rule Exclusion.

Figure 1. Project Location



The City and County of San Francisco does not guarantee the accuracy, adequacy, completeness or usefulness of any information. CCSF provides this information on an "as is" basis without warranty of any kind, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.

REUBEN, JUNIUS & ROSE, LLP

February 20, 2015

By Messenger

President Rodney Fong
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

**Re: 246-261 Loomis Street (Block 5583, Lots 010, 014, and 015)
Zoning Map Amendment for Special Use District
Our File No.: 6148.02**

Dear President Fong and Commissioners:

This office represents J2 Properties, Inc. (“J2” or “Project Sponsor”) the owner of three parcels located at 241-261 Loomis Street in the Bayview (Block 5583, Lots 010, 014 and 015; the “Property”). The Property’s principal zoning district is PDR-2 (Core Production, Distribution, and Repair), and it is located just outside the eastern boundary of the Bayshore Boulevard Home Improvement Special Use District (the “Bayshore Boulevard SUD”).

At a combined lot area of approximately 57,000 square feet, with only one permanent structure, the Property is underutilized and new construction cannot feasibly be financed. The Project Sponsor requests the Property be included within the Bayshore Boulevard SUD to give its potential use greater flexibility. One possibility is neighborhood-serving retail that will benefit the surrounding neighborhoods and provide job opportunities for local residents.

The site is an ideal location for retail development—one block west of Bayshore Boulevard at Industrial Street, near the 101 and 280 freeway interchanges. It is located adjacent to the Bayshore Boulevard SUD, the eastern boundary of which is formed by Loomis Street. (See map attached as Exhibit A.) Although zoned PDR-2, the Property is within walking distance of and easy car or bus distance from three residential neighborhoods: Bayview to the southeast, the Excelsior to the southwest, and Bernal Heights to the west and northwest.

The Property will remain zoned PDR-2, retaining the land use controls applicable to that principal zoning district, except a wider variety of retail options will be permitted at a size appropriate for the large site. The Bayshore Boulevard SUD “intends to create a mixed commercial district, which includes retail and production, distribution and repair businesses, to enable synergies between retail and other businesses dedicated to the physical

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin
Jay F. Drake | Lindsay M. Petrone | Sheryl Reuben¹ | Tuija I. Catalano | Thomas Tunny | David Silverman
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improvement of property and related home furnishings.” (Planning Code § 249.65.) Importantly, the SUD is also intended to “retain and promote locally grown businesses and to provide employment opportunities at a wide range of levels for local residents.” (Id.)

The Property is 56,986 square feet in size, but because of its PDR-2 zoning, only 2,500 square feet of retail is permitted on each of the three lots. If included in the SUD, retail sales and personal services would be permitted, subject to use size controls. Conditional use authorization from this Commission would be required for retailers over 50,000 gross square feet in size, and for all formula retailers over 10,000 gross square feet.

As this Commission is well-aware, it is impracticable if not impossible to build a new PDR-only building in San Francisco. The economics of new construction do not support ground-up PDR development on its own. Meanwhile, large vacant and substantially undeveloped parcels in PDR Districts such as the Property continue to be underutilized. Under the present zoning, retail use—a viable use for the location, consistent with the existing retail uses along Bayshore Boulevard, and necessary and desirable to serve surrounding residential neighborhoods—can only occupy a fraction of the permitted development on the Property.

The City has an interest in fostering economic development along and near Bayshore Boulevard, an interest shared by J2. The area remains deficient in a number of important retail categories, including grocery stores, full-service banks, pharmacies, and other neighborhood-serving retailers. The Property represents the kind of large site that can serve as a catalyst for the neighborhood, making an integrated, attractive, and coordinated development a real possibility. Additionally, the increased viability of retail use at the site will create numerous opportunities for local employment and business ownership.

Expanding the boundary of the Bayshore Boulevard SUD to include the Property will allow necessary and desirable development flexibility at the Property. The Property can be transformed from a mostly unimproved and underutilized site into a potential destination for retailers meeting the needs of three separate, traditionally underserved neighborhoods. We respectfully request you recommend approval of the rezoning.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP


Mark Loper

Enclosures

REUBEN, JUNIUS & ROSE, LLP

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Exhibit A –Bayshore Boulevard SUD and Property

