



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Zoning Map Amendment

HEARING DATE: MARCH 7, 2013
CONSENT CALENDAR

Project Name: **909 Tennessee Street**
Case Number: 2012.0724Z
Initiated by: John Kevlin, 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: Julian J. Bañales, Supervisor-Southeast Quadrant
julian.banales@sfgov.org, 415-558-6339
Recommendation: **Adoption of Recommendation of Approval**

1650 Mission St.
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San Francisco,
CA 94103-2479

Reception:
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415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The action before the Commission is an adoption of a recommendation approval of amendments to the Zoning Map for the property at 909 Tennessee Street from the P (Public) District to the UMU (Urban Mixed Use) District. On January 31, 2013, the Commission initiated the Zoning Map amendment for 909 Tennessee Street, as noted in Planning Commission Resolution No. 18791.

SITE DESCRIPTION AND PRESENT USE

909 Tennessee Street is located on the east side of Tennessee Street, between 20th and 22nd Street, on Block 4108, Lot 036. The subject property is located on a rectangular lot that measures 50-ft by 100-ft. 909 Tennessee Street is a contributing resource to the Dogpatch Historic District, which is designated in Article 10 of the San Francisco Planning Code. The subject property is currently located within the P (Public) Zoning District and a 40-X Height and Bulk District.

909 Tennessee Street is developed with a two-story brick masonry firehouse constructed in 1925. Formerly known as San Francisco Fire Department Fire Engine House No. 16, 909 Tennessee Street was designed by City Architect, John Reid, Jr., in an American Renaissance Revival architectural style. The subject property contains a small one-story entry wing marked by an arched terracotta surround. Other notable features of the subject property included the decorative terracotta ornamentation, hinged wood panel doors, decorative cornice, and decorative brickwork.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The surrounding area is mixed use in character with a mix of residential and light industrial properties. The subject property is located within close proximity to 3rd Street, and is within one block of the

commercial properties along 22nd Street. On the east side of Tennessee Street, nearby properties include a one-story light industrial property at the corner, a three-story industrial property and four-story multi-family residence. On the west side of Tennessee Street, nearby properties include a two-story industrial warehouse and several smaller two-story, single-family residences. The surrounding area consists of properties within the UMU (Urban Mixed Use) Zoning District and one property (former Potrero Police Station) within the P (Public Zoning District). Other nearby zoning districts include NCT-2 (Small-Scale Neighborhood Commercial Transit), RH-3 (Residential House, Three-Family), and PDR-1-G (Production, Distribution and Repair-General).

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 one phone call inquiring about the proposed zoning map amendment.

HEARING NOTIFICATION (FOR PLANNING COMMISSION ACTION)

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	February 15, 2013	February 15, 2013	20 days
Posted Notice	20 days	February 15, 2013	February 15, 2013	22 days
Mailed Notice	10 days	February 25, 2013	February 25, 2013	10 days
Intersection Notice	10 days	February 25, 2013	February 25, 2013	10 days

ISSUES AND OTHER CONSIDERATIONS

On January 31, 2013, the Commission initiated the Zoning Map amendment for 909 Tennessee Street, as noted in Planning Commission Resolution No. 18791.

The Department has no issues with the proposed Zoning Map amendment to rezone the subject property from P (Public) to UMU (Urban Mixed Use) Zoning District.

The Property Owner recently purchased the subject property from the City and County of San Francisco. The subject property is currently zoned for public use, and was formerly used as a firehouse. In order for the property owner to develop the subject property, a Zoning Map amendment is required to rezone the subject lot from P (Public) to UMU (Urban Mixed Use), as is consistent with the surrounding neighborhood.

REQUIRED COMMISSION ACTION

The Department recommends that the Commission recommend *approval* of amendment to the Zoning Map and adopt the attached Draft Resolution.

BASIS FOR RECOMMENDATION

- The subject property is surrounded by the UMU Zoning District to the north, west and south, and the integration of this lot into the surrounding UMU Zoning District will not have a negative effect on the mixed use character of the neighborhood, as it already contains a mix of residential, commercial, and light industrial uses; and
- The subject property is currently vacant, and there is no project proposed to date; and
- The proposed zoning map amendment will not impact the subject property's status as a contributor to the Dogpatch Historic District. On February 6, 2013, the proposed zoning map amendment was reviewed by the Historic Preservation Commission, who recommended approval as noted in Historic Preservation Commission Resolution No. 703.

RECOMMENDATION OF ZONING MAP AMENDMENT: Recommendation of Approval

Attachments:

Draft Commission Resolution
Draft Ordinance
Planning Commission Resolution No. 18791
Historic Preservation Commission Resolution No. 703
Block Book Map
Sanborn Map
Aerial Photograph
Zoning Map
Site Photo
Environmental Determination



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Resolution No. XXXX Zoning Map Amendment HEARING DATE: MARCH 7, 2013

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Project Name: 909 Tennessee Street
Case Number: 2012.0724Z
Initiated by: John Kevlin, 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: Julian J. Bañales, Supervisor-Southeast Quadrant
julian.banales@sfgov.org, 415-558-6339

Recommendation: **Adopt Recommendation of Approval of Zoning Map Amendment**

APPROVAL OF ZONING MAP AMENDMENT TO SAN FRANCISCO ZONING MAP SHEET NO. ZN08 TO REZONE BLOCK NO. 4108, LOT NO. 036 (909 TENNESSEE STREET) FROM P (PUBLIC) TO UMU (URBAN MIXED USE) ZONING DISTRICT.

PREAMBLE

WHEREAS, on June 7, 2013, John Kevlin of Rueben, Junius & Rose on behalf of Wayne De Geere III (Property Owner) filed an application with the San Francisco Planning Department for a Zoning Map Amendment, as detailed in Case Number 2012.0724Z; and

WHEREAS, the Zoning Map Amendment would amend San Francisco Zoning Map Sheet No. ZN08 to rezone Block 4108, Lot 036 from P (Public) to UMU (Urban Mixed Use) Zoning District; and

WHEREAS, the Planning Commission initiated the zoning map amendment and associated Ordinance on January 31, 2013, as noted in Planning Commission Resolution No. 18791; and

WHEREAS, the Historic Preservation Commission recommended approval of the zoning map amendment on February 6, 2013, as noted in Historic Preservation Commission Resolution No. 703; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing to consider the proposed Ordinance on March 7, 2013; 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 Approval to amend the zoning map.

AND BE IT FURTHER RESOLVED, That pursuant to Planning Code Section 306.3, the Planning Commission recommends approval of the above referenced Zoning Map Amendment contained in the Case No. 2012.0724Z, approved as to form by the City Attorney in **Exhibit A**.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on March 7, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES:

NOES:

ABSENT:

FILE NO.

ORDINANCE NO.

[Zoning Map – Rezoning of 909 Tennessee Street]

Ordinance amending the San Francisco Zoning Map Sheet No. ZN08 to: 1) rezone Block No. 4108, Lot No. 036 (909 Tennessee Street) from P to UMU; and 2) making environmental findings, tPlanning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Note: Additions are *single-underline italics Times New Roman*; deletions are ~~*strikethrough italics Times New Roman*~~. Board amendment additions are double underlined. Board amendment deletions are ~~strikethrough normal~~.

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.

(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 ZN08 of the Zoning Map of the City and County of San Francisco is
4 hereby amended, as follows:

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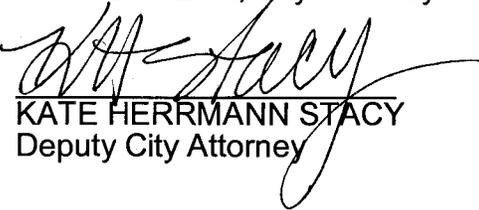
	<u>Use District</u>	<u>Use District</u>	
6			
7	<u>Description of Property</u>	<u>to be Superseded</u>	<u>Hereby Approved</u>
8	Block 4108, Lot 036	P	UMU

9

10 Section 3. Effective Date. This ordinance shall become effective 30 days from the
11 date of passage.

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13 APPROVED AS TO FORM:
14 DENNIS J. HERRERA, City Attorney

15 By: 
16 KATE HERRMANN STACY
17 Deputy City Attorney

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SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 18791 Initiation of Zoning Map Amendment HEARING DATE: JANUARY 31, 2013

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Project Name: 909 Tennessee Street
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Initiated by: John Kevlin, 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: Julian Banales, Supervisor-Southeast Quadrant
julian.banales@sfgov.org, 415-558-6339

Recommendation: **Initiate Zoning Map Amendment**

INITIATING ZONING MAP AMENDMENT TO SAN FRANCISCO ZONING MAP SHEET NO. ZN08 TO REZONE BLOCK NO. 4108, LOT NO. 036 (909 TENNESSEE STREET) FROM P (PUBLIC) TO UMU (URBAN MIXED USE) ZONING DISTRICT.

PREAMBLE

WHEREAS, on June 7, 2013, John Kevlin of Rueben, Junius & Rose on behalf of Wayne De Geere III (Property Owner) filed an application with the San Francisco Planning Department for a Zoning Map Amendment, as detailed in Case Number 2012.0724Z; and

WHEREAS, the Zoning Map Amendment would amend San Francisco Zoning Map Sheet No. ZN08 to rezone Block 4108, Lot 036 from P (Public) to UMU (Urban Mixed Use) Zoning District; and

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing to consider the initiation of the proposed Ordinance on January 31, 2013; 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. 2012.0724Z, approved as to form by the City Attorney in **Exhibit A**, to be considered at a publicly noticed hearing on or after February 21, 2013.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on January 31, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES: Antonini, Borden, Fong, Hillis, Moore, Sugaya and Wu

NOES:

ABSENT:



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Resolution No. 703

HEARING DATE: February 6, 2013

Date: February 6, 2013
Case No.: **2012.0724Z**
Project Address: **909 Tennessee Street**
Existing Zoning: P (Public) Zoning District
Dogpatch Historic District
40-X Height and Bulk District
Block/Lot: 4108/036
Project Sponsor: John Kevlin, Reuben, Junius & Rose
One Bush Street, Ste. 600
San Francisco, CA 94104
Staff Contact: Richard Sucre – (415) 575-9108
richard.sucre@sfgov.org
Reviewed By: Tim Frye, Preservation Coordinator
tim.frye@sfgov.org

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ADOPTING FINDINGS RELATED TO THE ZONING MAP AMENDMENT TO REZONE BLOCK 4108 LOT 036 (909 TENNESSEE STREET) FROM P (PUBLIC) ZONING DISTRICT TO UMU (URBAN MIXED USE) ZONING DISTRICT.

PREAMBLE

1. WHEREAS, on June 7, 2013, John Kevlin of Rueben, Junius & Rose on behalf of Wayne De Geere III (Property Owner) filed an application with the San Francisco Planning Department for a Zoning Map Amendment, as detailed in Case Number 2012.0724Z; and
2. WHEREAS, the Zoning Map Amendment would amend San Francisco Zoning Map Sheet No. ZN08 to rezone Block 4108, Lot 036 from P (Public) to UMU (Urban Mixed Use) Zoning District; and
3. WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing to initiate the proposed Ordinance on January 31, 2013; and
4. 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

THEREFORE BE IT RESOLVED that the Historic Preservation Commission has reviewed the Zoning Map Amendment and Ordinance for 909 Tennessee Street, on Lot 036 in Assessor's Block 4108, and this Commission finds the Zoning Map Amendment would not affect the Dogpatch Landmark District, which

is designated in Article 10 of the San Francisco Planning Code, or the contributing building at 909 Tennessee Street.

BE IT FURTHER RESOLVED that the Historic Preservation Commission hereby directs its Recording Secretary to transmit this Resolution, and other pertinent materials in the Case File No. 2012.0724Z to the Planning Commission and Board of Supervisors.

I hereby certify that the foregoing Resolution was **ADOPTED** by the Historic Preservation Commission at its regularly scheduled meeting on February 6, 2013.

Jonas P. Ionin
Acting Commission Secretary

PRESENT: Damkroger, Hasz, Martinez, Matsuda and Wolfram

ABSENT: Johns

ADOPTED: February 6, 2013

Parcel Map

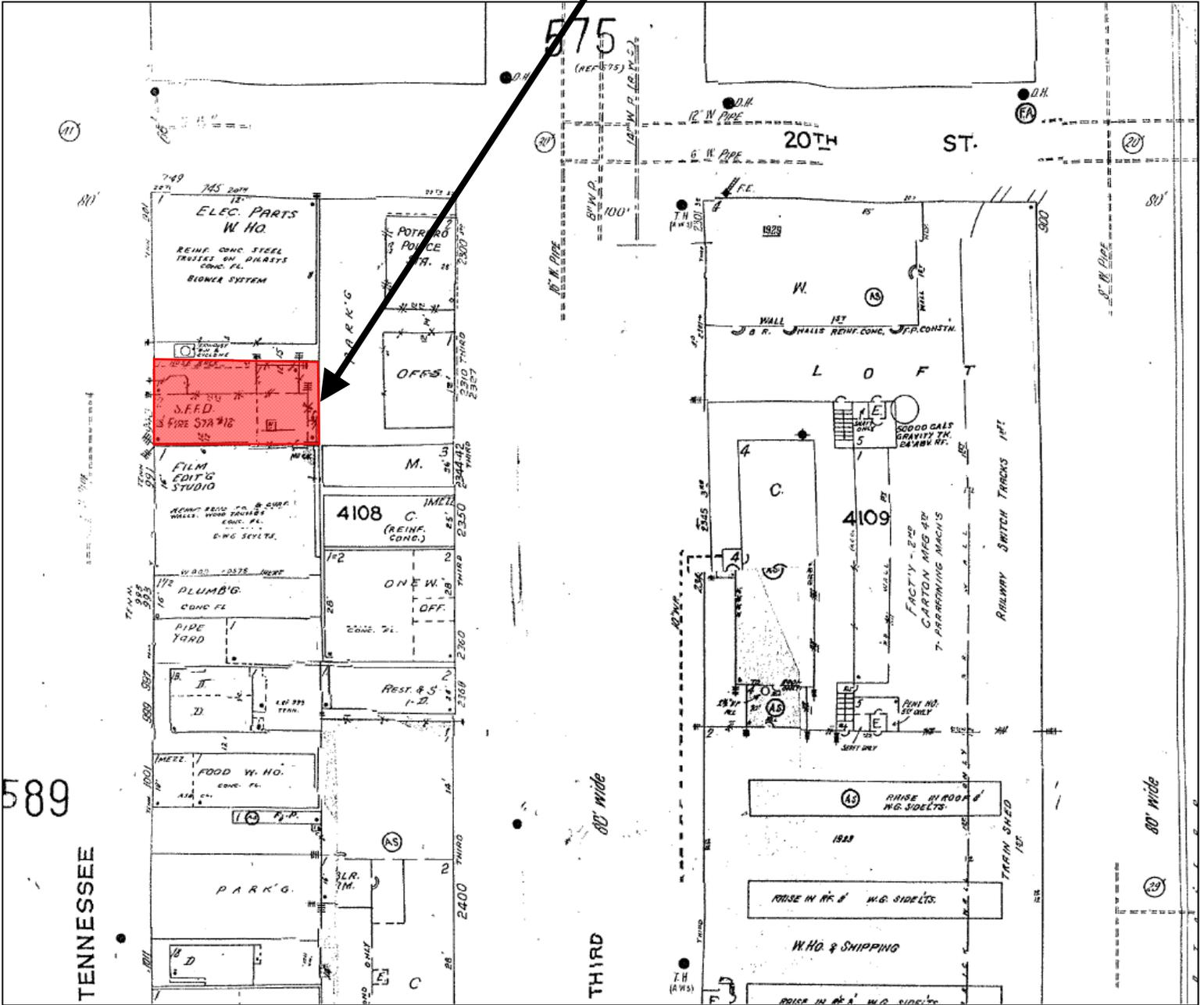
SUBJECT PROPERTY



Zoning Map Amendment
Case Number 2012.0724Z
909 Tennessee Street

Sanborn Map*

PROJECT SITE

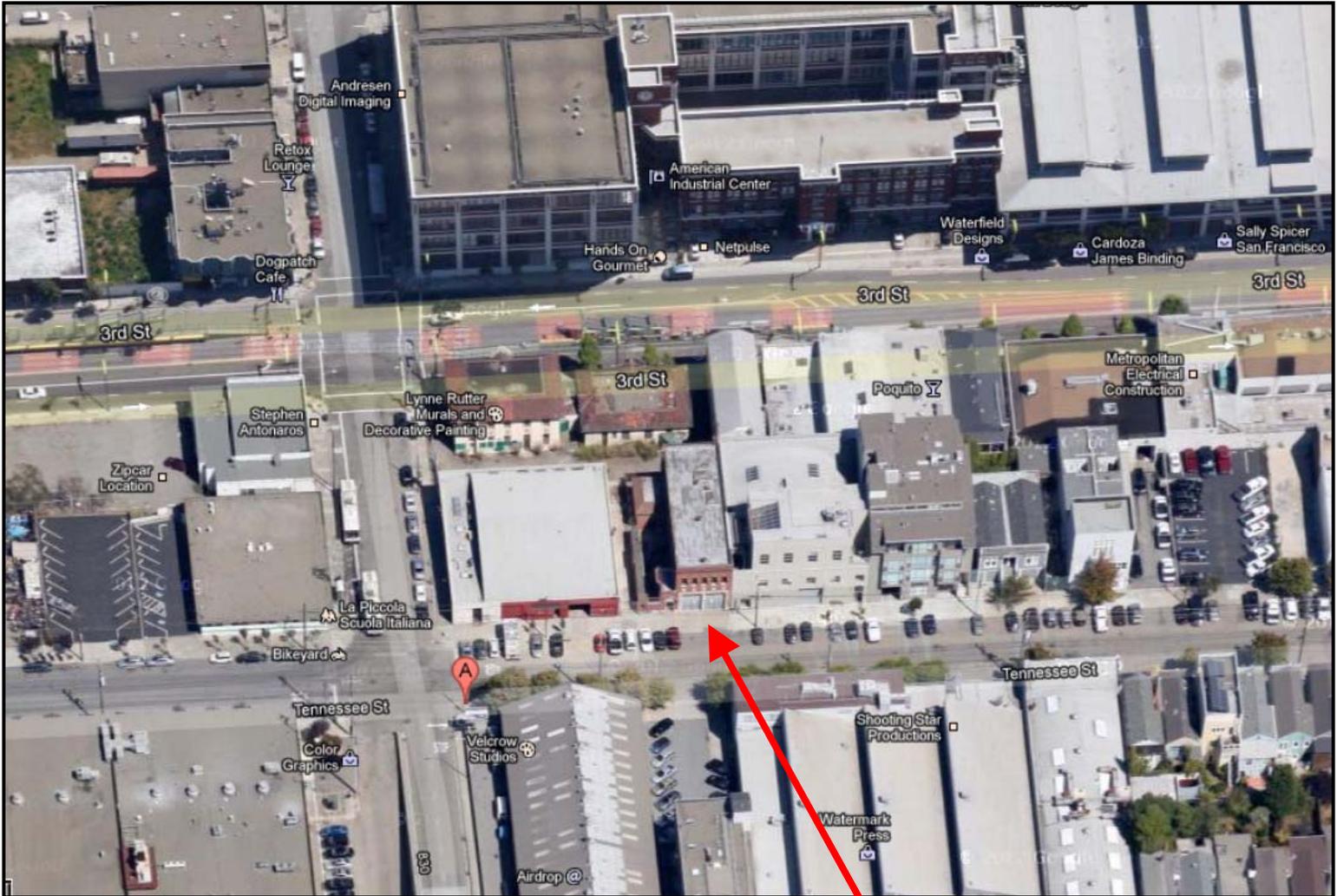


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Zoning Map Amendment
 Case Number 2012.0724Z
 909 Tennessee Street

Aerial Photo

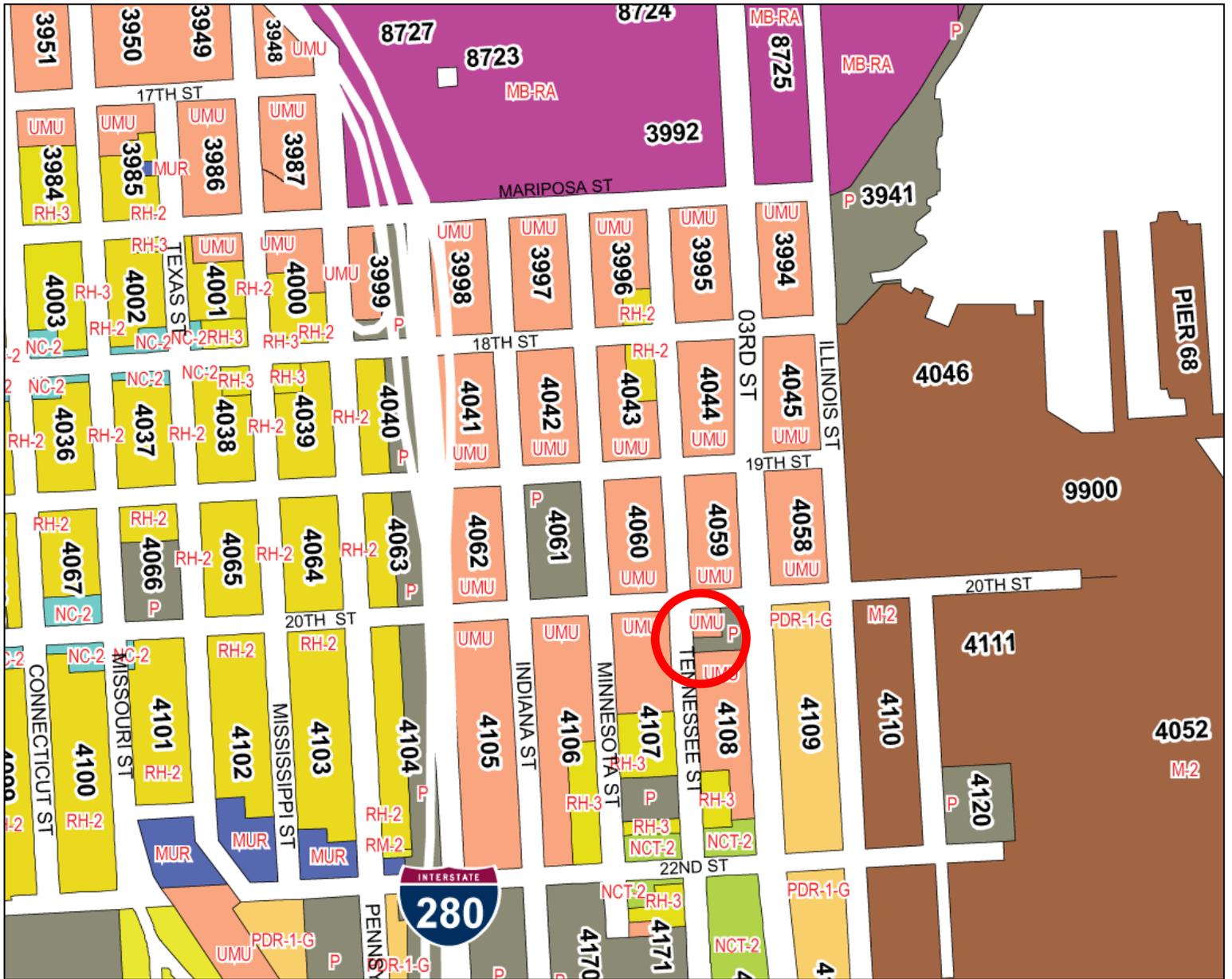


PROJECT SITE



Zoning Map Amendment
Case Number 2012.0724Z
909 Tennessee Street

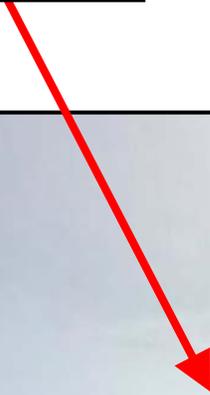
Zoning Map



Zoning Map Amendment
Case Number 2012.0724Z
909 Tennessee Street

Site Photo

PROJECT SITE



909 Tennessee Street

Zoning Map Amendment
Case Number 2012.0724Z
909 Tennessee Street



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination EXEMPTION FROM ENVIRONMENTAL REVIEW

Case No.: 2012.0724E
Project Address: 909 Tennessee
Block/Lot: 4108/036
Current Zoning: P (Public)
40-X Height and Bulk District
Proposed Zoning: UMU (Urban Mixed Use)
Project Sponsor: Reuben & Junius LLP
Staff Contact: Laura Lynch – (415) 575-9045
Laura.Lynch@sfgov.org

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PROJECT DESCRIPTION:

The project site is occupied by a firehouse, which is no longer in use and has been sold to a private entity. The project site is located within the Historic Dogpatch district in the Potrero Hill neighborhood, on the east side of Tennessee Street, between 20th and 22nd Street. The project site is zoned P (Public) in accordance with its former use. The Planning Department is proposing to apply the UMU (Urban Mixed Use) zoning district to the site because P zoning is intended only for property in public use. No new use is proposed for the project site at this time. Any future project on this site will be subject to the applicable application and review procedures as appropriate to the use and changes proposed.

EXEMPT STATUS:

General Rule Exclusion [State CEQA Guidelines Section 15061(b)(3)]

REMARKS:

Please 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: Reuben & Junius, Project Sponsor
Malia Cohen, Supervisor, District 10

Richard Sucre, SE Quadrant
Virna Byrd, M.D.F

REMARKS

The existing site is currently zoned P for general public use. The proposed zoning change would rezone the site to Urban Mixed Use (UMU). UMU zoning is intended for formerly industrial areas within Eastern Neighborhoods. The intention of UMU zoning is to "promote a vibrant mix of uses" including office, light manufacturing, retail, educational facilities; etc. Residential is also permitted with higher affordability requirements. UMU is also used as a "buffer" between residential and PDR zoned areas.

Abutting to the rear of the property is a vacant police station, zoned P. Aside from this parcel, the land immediately surrounding the site is zoned UMU. Within the greater neighborhood of the site, PDR, RH-3, and NCT-2 are found.

The Planning Department records show that the existing building was constructed in 1900. The year 1900 is a default year for the Planning Department and used when building records have been lost. The project sponsor believes the existing building was constructed in 1925. The property was classified within the Dogpatch Survey as a known historic resource by the Planning Department. The approximate building height to the top of the parapet of the existing 6,270 sqft building is 31 feet and five and one half inches. The building occupies approximately 3,123 sqft of the 5,007 sqft parcel. There is no proposed change to the existing height/bulk district of 40X. Future projects proposed on the site will require further environmental and historical review.

Public Notice and Comment:

A "Notification of Project Receiving Environmental Review" for the proposed rezoning at 909 Tennessee Street was mailed on November 8, 2012 to addresses within a 300-foot radius of the project site and to potentially interested parties. One response was received regarding concern for density, height and development on the property as well as the importance of the historic context. The existing height and bulk district (40X) of the property will remain as is. No physical project is proposed at this time and further environmental and historic review will be conducted once a project is proposed.

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. The proposed rezoning of 909 Tennessee Street from P to UMU would have no physical effects on the environment and based on the above information and analysis it can be seen with certainty that there would be no significant effects related to the environment. Therefore, the project is excluded from further environmental review under the "General Rule" found in CEQA Guidelines Section 15061(b)(3).

CONCLUSION

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.