



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: DECEMBER 13, 2012

Date: December 6, 2012
Case No.: 2012.0952 C
Project Address: 8 Valencia Street
Zoning: NCT-3 (Moderate Scale Neighborhood Commercial Transit)
85-X Height and Bulk District
Block/Lot: 3503/003
Project Sponsor: George Bazlamit
821 Hopkins Avenue
Redwood City, CA 94063
Staff Contact: Brittany Bendix – (415) 575-9114
brittany.bendix@sfgov.org
Recommendation: **Approval with Conditions**

1650 Mission St.
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CA 94103-2479

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Information:
415.558.6377

PROJECT DESCRIPTION

The applicant requests Conditional Use Authorization to establish two walk-up facilities, a to-go window for a new limited-restaurant and an Automated Teller Machine (ATM), both of which are located within three feet of the front property line. The proposal will convert 176 square-feet of the self-service laundry to a limited-restaurant which will feature Verve Coffee, but which will be owned and operated by Mission Bubbles Laundry. The accessory to-go window will accommodate the limited-restaurant and occupy four feet of linear frontage. The existing ATM, installed without benefit of a permit, also occupies four feet of linear frontage and is owned and operated by Mission Bubbles Laundry. The proposal would legalize this walk-up facility and revert the material encasing the ATM from plywood to a transparent glass panel.

SITE DESCRIPTION AND PRESENT USE

The project is located on the west side of Valencia Street, between Market and McCoppin Streets, Lot 003 in Assessor's Block 3503. The lot is bounded by Market Street, Valencia Street, McCoppin Street and the Central Freeway, and contains a four story mixed-use building with a commercial ground floor and 38 apartments on the upper stories. The subject commercial space is approximately 1,359 square feet and is occupied by a self-service laundry (d.b.a. Mission Bubbles Laundry) which occupies 18-feet of frontage on Valencia Street.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located at the center of the Market and Octavia Area Plan and within an NCT-3 (Moderate Scale Neighborhood Commercial Transit) Zoning District. The neighborhood is characterized by transit-oriented and medium-density mixed use development with active uses on the ground floor and

residential uses above. The immediately adjacent commercial uses within the subject building include a bar (d.b.a. Martuni's), an art gallery (under construction), a massage services establishment (d.b.a. Palm Tree Massage), a medical cannabis dispensary (d.b.a. Ketama Cooperative) and a corner grocery store (d.b.a. Valmar Supermarket). Directly across the street, on the east side of Valencia Street is a hotel (d.b.a. Travelodge) and a retail art supply store (d.b.a. Flax Art and Design).

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	November 23, 2012	November 21, 2012	22 days
Posted Notice	20 days	November 23, 2012	November 23, 2012	20 days
Mailed Notice	20 days	November 23, 2012	November 21, 2012	22 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

PUBLIC COMMENT

- To date, the Department has not received any public comment on this project.

ISSUES AND OTHER CONSIDERATIONS

- Although there are five existing ATMs within 500-feet of the proposed location, there is not an over-concentration of the use. The proposed ATM provides a unique and convenient service – availability to cash 24-hours per day, 7-days per week. Additionally, it is associated with an existing commercial activity in which cash transactions are prevalent.
- There are no other walk-up establishments associated with limited-restaurants within a 500-foot radius of the subject property.
- Collectively the activities on-site reflect a diversity of uses that will be able to integrate in one commercial space.
- Metered on-street parking is available on Valencia Street in front of the subject storefront; however, given the proliferation of public transit in the immediate area, pedestrians are expected to be the primary patrons of the walk-up facilities.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization to two walk-up facilities, a to-go window and an ATM, that are within 3-feet from the subject property line and within the NCT-3 (Moderate Scale Neighborhood Commercial Transit) Zoning District pursuant to Planning Code Section 145.2 and 731.26.

BASIS FOR RECOMMENDATION

- The proposed ATM will operate 24 hours per day, whereas, the other five ATMs in the area are limited in the hours they are available or not reasonably accessible.
- The combination of the ATM, limited-restaurant and self-service laundry uses contributes to the diversity of goods and services offered within the immediate neighborhood.
- The walk-up facilities will also provide support for tourism given the proximity to hotels.
- The proposed walk-up facilities will not result in adverse pedestrian, traffic or parking impacts.
- The proposed Project meets all applicable requirements of the Planning Code and is consistent with the General Plan.

RECOMMENDATION: Approval with Conditions
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Attachments:

Block Book Map
Sanborn Map
Aerial Photographs
Zoning Map
Site Photos
CEQA Categorical Exemption Determination
Reduced Plans

Attachment Checklist

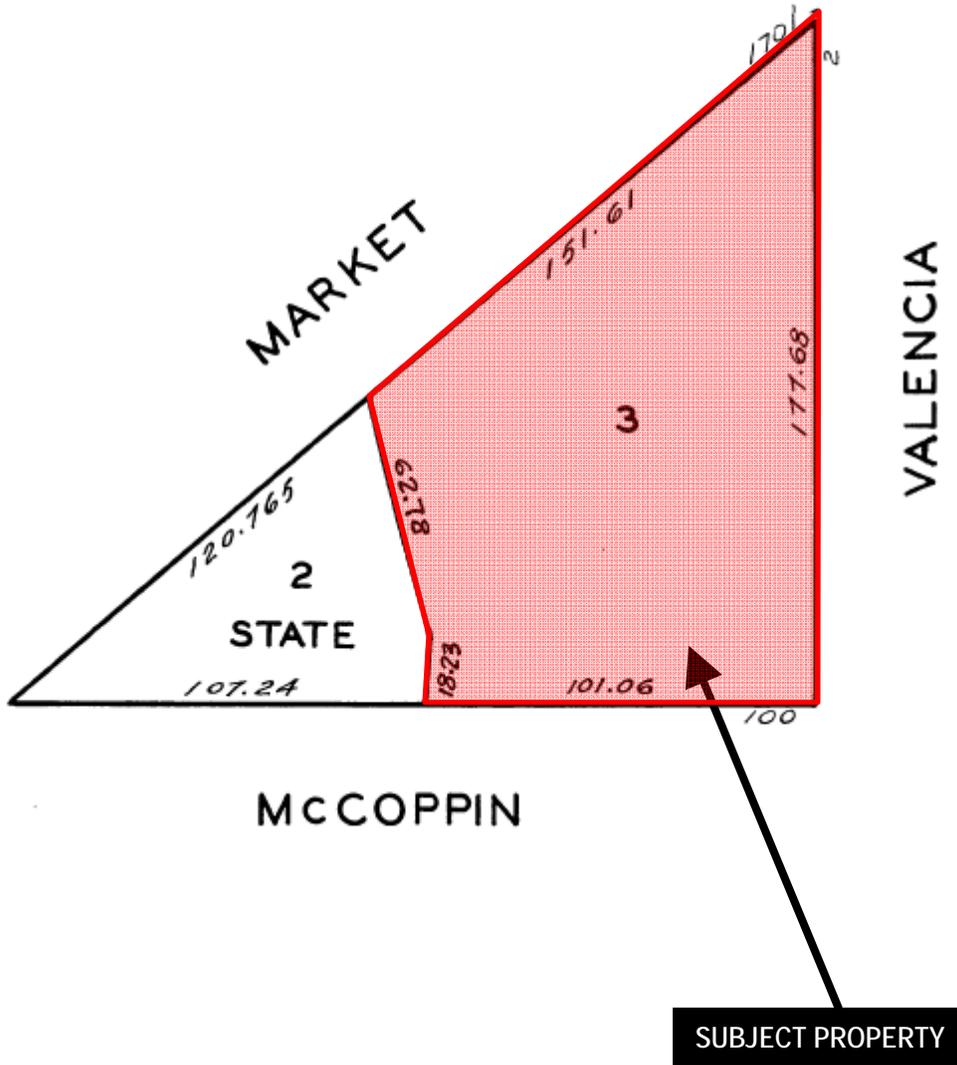
- | | |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input type="checkbox"/> Environmental Determination | <input checked="" 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 checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | <input type="checkbox"/> Wireless Telecommunications Materials |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Community Meeting Notice |
| <input checked="" type="checkbox"/> Site Photos | <input type="checkbox"/> Housing Documents |
| | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |
| | <input type="checkbox"/> Residential Pipeline |

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

BB
Planner's Initials

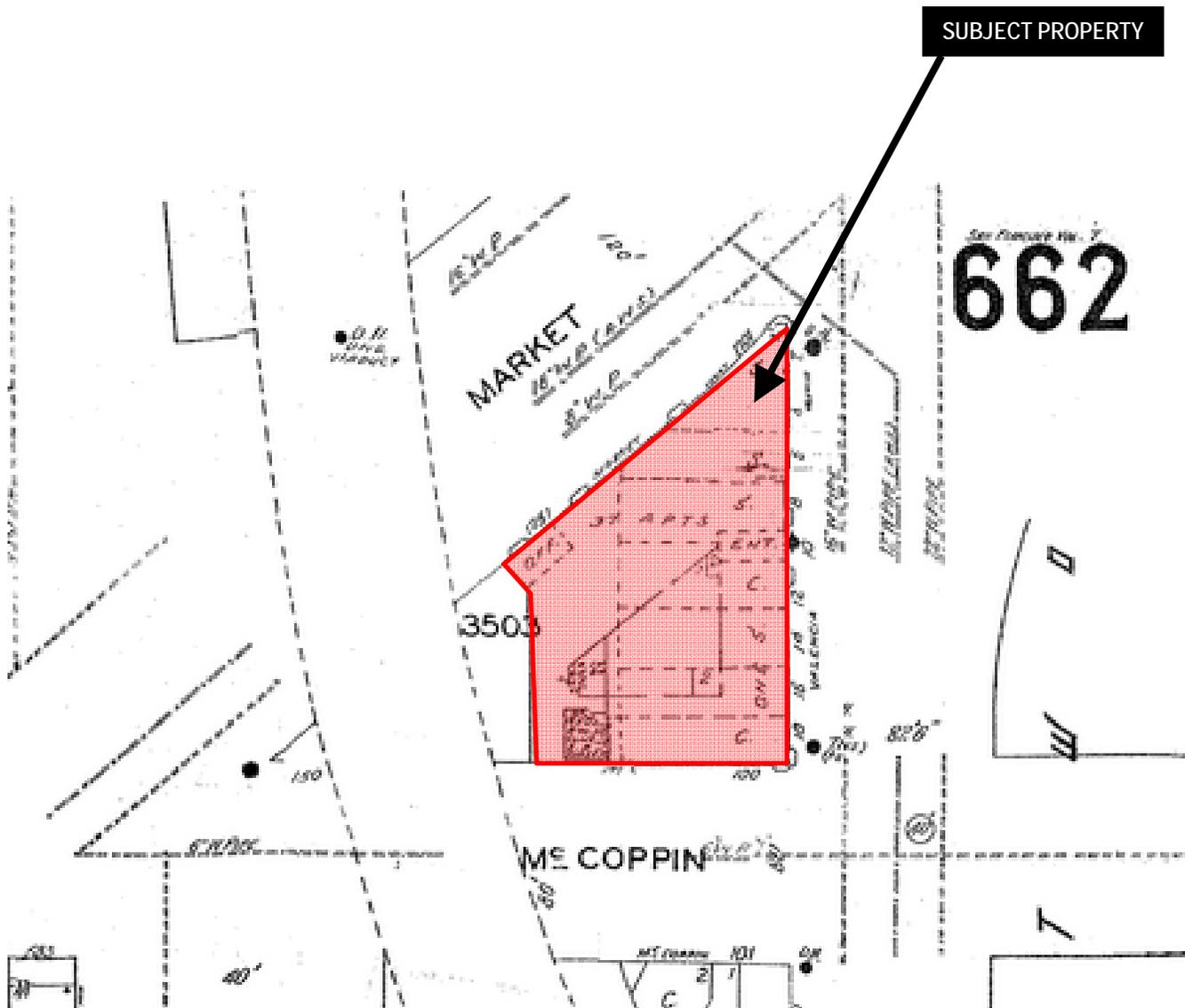
KG: G:\DOCUMENTS\Conditional Use\8 Valencia - Walk Up and ATM\ExecutiveSummary.doc

Parcel Map



Conditional Use Authorization
Case Number 2012.0952C
8 Valencia Street

Sanborn Map*

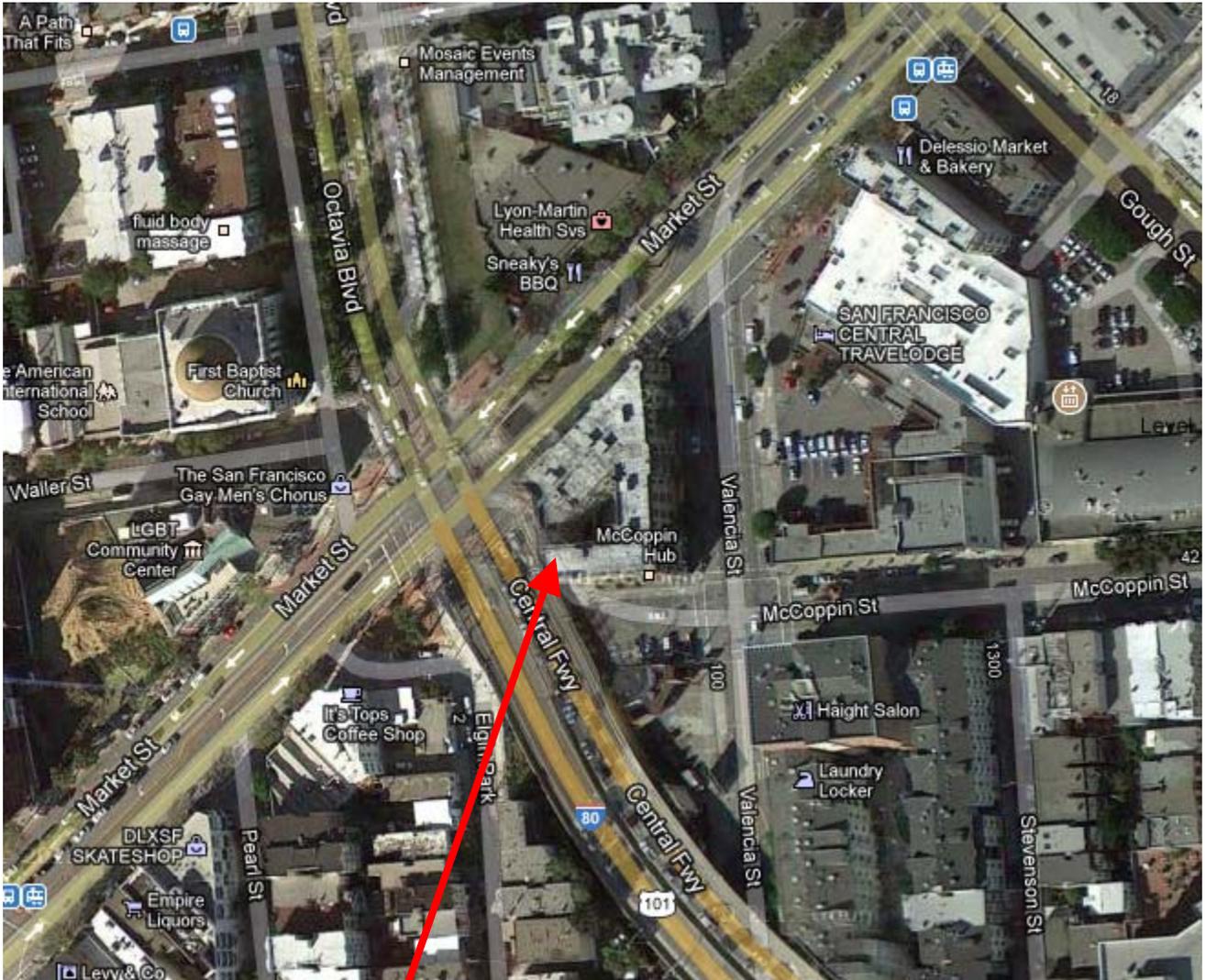


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization
Case Number 2012.0952C
8 Valencia Street

Aerial Photo



Source: <http://maps.google.com>

SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2012.0952C
8 Valencia Street

Zoning Map



Legend

- Subject Property
- City Lot Boundaries

Zoning Districts

Public

- P Public
- P-W Public (water)

Residential, House Character Districts

- RH-1(D) One Unit per Lot, Detached
- RH-1 One Unit per Lot
- RH-1(S) One Unit per Lot with Minor Secondary Unit
- RH-2 Two Units per Lot
- RH-3 Three Units per Lot

Residential, Mixed (Apartments & Homes) Districts

- RM-1 Low Density (1 Unit per 800 sf)
- RM-2 Moderate Density (1 Unit per 600 sf)
- RM-3 Medium Density (1 Unit per 400 sf)
- RM-4 High Density (1 Unit per 200 sf)

Residential-Commercial Combined Districts

- RC-3 Medium Density (1 Unit per 400 sf)
- RC-4 High Density (1 Unit per 200 sf)

Residential Transit Oriented Development

- RTO Residential Transit Oriented District
- RTO-M Residential Transit Oriented, Mission

Downtown Residential Districts

- RH-DTR Rincon Hill Downtown Residential
- SB-DTR South Beach
- TB-DTR Transbay

Neighborhood Commercial Districts

- NC-1 Cluster (1 Commercial Story)
- NC-2 Small-Scale (2 Commercial Stories)
- NC-3 Moderate-Scale (3+ Commercial Stories)
- NC-S Shopping Center (2 Commercial Stories)
- NCD Individual (Named, Controls Vary)

Neighborhood Commercial Transit Districts

- NCT-1 Cluster
- NCT-2 Small Scale
- NCT-3 Moderate Scale
- NCT Individual (Named, Controls Vary)

Chinatown Mixed Use Districts

- CRNC Residential / Neighborhood Commercial
- CVR Visitor Retail
- CCB Community Business

South of Market Mixed Use Districts

- SPD South Park
- RED Residential Enclave
- RSD Residential/Service
- SLR Service/Light Industrial/Residential
- SLI Service/Light Industrial
- SSO Service/Secondary Office

Eastern Neighborhoods Mixed Use Districts

- MUG Mixed Use General
- MUO Mixed Use Office
- MUR Mixed Use Residential
- UMU Urban Mixed Use

Commercial Districts

- C-2 Community Business
- C-3-S Downtown Support
- C-3-R Downtown Retail
- C-3-G Downtown General
- C-3-O Downtown Office
- C-3-O(SD) Downtown Office (Special Development)

Industrial Districts

- C-M Heavy Commercial
- M-1 Light Industrial
- M-2 Heavy Industrial

Production, Distribution & Repair Districts

- PDR-1-B Buffer
- PDR-1-D Design
- PDR-1-G General
- PDR-2 Core

Mission Bay Districts

- MB-OS Open Space
- MB-O Office

Redevelopment Agency Districts

- MB-RA See Mission Bay Redevelopment Plans
- HP-RA See Hunters Point Redevelopment Plan

Conditional Use Authorization
 Case Number 2012.0952C
 8 Valencia Street



Site Photo



SUBJECT PROPERTY

Conditional Use Authorization
Case Number 2012.0952C
8 Valencia Street

Context Photos (Looking West)



SUBJECT PROPERTY

Conditional Use Authorization
Case Number 2012.0952C
8 Valencia Street

Use Concentration Survey

500-foot Radius



Legend

- | | |
|---|--|
|  500-Foot Radius |  Subject ATM and Limited Restaurant |
|  Subject Property |  Existing ATMs |
|  City Lot Boundaries |  Existing Limited Restaurants |

Conditional Use Authorization
Case Number 2012.0952C
8 Valencia Street



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

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Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 145.2, 303 AND 731.26 OF THE PLANNING CODE TO ESTABLISH TWO WALK-UP FACILITIES, A TO-GO WINDOW FOR A NEW LIMITED-RESTAURANT AND AN ATM, THAT ARE WITHIN 3-FEET FROM THE SUBJECT PROPERTY LINE WITHIN AN NCT-3 (MODERATE SCALE NEIGHBORHOOD COMMERCIAL TRANSIT) ZONING DISTRICT AND AN 85-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On July 26, 2012, George Bazlamit (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Section(s) 145.2 and 731.26 to establish two walk-up facilities, a to-go window for a new limited-restaurant and an ATM, that are within 3-feet from the subject property line within an NCT-3 (Moderate Scale Neighborhood Commercial Transit) Zoning District and an 85-X Height and Bulk District.

On December 13, 2012, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2012.0952C.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

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 the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2012.0952C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the west side of Valencia Street, between Market and McCoppin Streets, Lot 003 in Assessor's Block 3503. The lot is bounded by Market Street, Valencia Street, McCoppin Street and the Central Freeway, and contains a four story mixed-use building with a commercial ground floor and 38 apartments on the upper stories. The subject commercial space is approximately 1,359 square feet and is occupied by a self-service laundry (d.b.a. Mission Bubbles Laundry) which occupies 18-feet of frontage on Valencia Street.
3. **Surrounding Properties and Neighborhood.** The project site is located at the center of the Market and Octavia Area Plan and within an NCT-3 (Moderate Scale Neighborhood Commercial Transit) Zoning District. The neighborhood is characterized by transit-oriented and medium-density mixed use development with active uses on the ground floor and residential uses above. The immediately adjacent commercial uses within the subject building include a bar (d.b.a. Martuni's), an art gallery (under construction), a massage services establishment (d.b.a. Palm Tree Massage), a medical cannabis dispensary (d.b.a. Ketama Cooperative) and a corner grocery store (d.b.a. Valmar Supermarket). Directly across the street, on the east side of Valencia Street is a hotel (d.b.a. Travelodge) and a retail art supply store (d.b.a. Flax Art and Design).
4. **Project Description.** The applicant requests Conditional Use Authorization to establish two walk-up facilities, a to-go window for a new limited-restaurant and an Automated Teller Machine (ATM), both of which are located within three feet of the front property line. The proposal will convert 176 square-feet of the self-service laundry to a limited-restaurant which will feature Verve Coffee, but which will be owned and operated by Mission Bubbles Laundry. The accessory to-go window will accommodate the limited-restaurant and occupy four feet of linear frontage. The existing ATM, installed without benefit of a permit, also occupies four feet of linear frontage and is owned and operated by Mission Bubbles Laundry. The proposal would

legalize this walk-up facility and revert the material encasing the ATM from plywood to a transparent glass panel.

5. **Public Comment.** The Department has not received any public comment.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Limited-Restaurant.** Planning Code Section 731.43 principally permits limited-restaurants on the ground floor of buildings within the NCT-3 Zoning District. A limited-restaurant is defined as a retail eating and/or drinking use which serves ready-to-eat foods and/or drinks to customers for consumption on or off the premises and may or may not have seating. It may also operate as a take-out food use and does not provide on-site beer and/or wine sales for consumption on the premise.

The Project will convert 176 square-feet of the existing self-service laundry to a limited-restaurant which is a principally permitted use on the ground floor. Planning Code Section 312 requires public notification to add this use classification to the existing site. This notice was given in conjunction with the notification for the Conditional Use Authorization hearing.

- B. **Walk-Up Facilities.** Planning Code Sections 145.2 and 731.26 state that a Conditional Use Authorization is required for a walk-up facility that is not recessed at least three-feet from the property line.

The Project will add two walk-up facilities to the existing storefront's property line windows and therefore, requires Conditional Use Authorization. The Valencia Street sidewalk in front of the storefront has a width of 10-feet. This width leaves adequate area for both the to-go window and ATM without inhibiting pedestrian traffic flow. Furthermore, the walk-up facilities will promote engagement between pedestrians and the building's commercial uses.

- C. **Hours of Operation.** Planning Code Section 731.48 requires no limitation on hours of operation for uses within the NCT-3 Zoning District.

The ATM will operate 24-hours a day. The to-go window will operate relative the hours of the laundry and café. At present the laundry is open from 7AM to 9PM daily.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The proposal to establish the ATM and to-go window is both necessary and desirable as it provides an added convenience and service to those residing, shopping or working in the immediate vicinity, while promoting a more active pedestrian environment. Furthermore, both uses directly accommodate the existing laundry business which is an independent and locally owned small business. The laundry also operates on a cash basis, which the ATM would support.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The walk-up facilities will occupy 8-feet of the storefront's 18-feet of frontage. Both facilities will be installed within the existing fenestration and have been positioned to retain the maximum amount of transparency between the interior commercial space and pedestrian realm.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The proposed location of the walk-up facilities will make them available to use by the multiple public transit patrons, cyclists and pedestrians within, and traveling through, the immediate area. The site is within a ¼-mile of the Van Ness Muni Station, the F-line, and stops for the 6 Parnassus, 14 Mission, 16X Noriega Express, 49 Van Ness-Mission and 71 Haight Noriega bus routes. Additionally, metered on-street parking is available along the subject lot's entire Valencia Street block face. The addition of the proposed facilities will not result in a frequent interruption of traffic flow on Valencia Street.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

Installation of the proposed facilities will not contribute to any existing noxious or offensive emissions. The lighting for the ATM is fixed directly above the machine and will direct downwards, away from immediate residences and hotel. Noise generated from the operation of both the ATM and to-go window will be limited as well, as the ATM is accessed for repair and stocking from the interior space and the self-service laundry will provide a waiting area for patrons of the limited-restaurant. Additionally, pursuant to Condition of Approval, the property owner will maintain the area of sidewalk in front of the storefront.

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The proposed signage is consistent with the requirements of Article 6; however, the Department shall review any additional lighting and signs proposed for the activities in accordance with the Conditions of Approval.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed project is consistent with the stated purpose of NCT-3 Districts in that the intended uses are located at the ground floor and will provide a compatible and convenient service for the immediately surrounding neighborhoods.

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 6:

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

To encourage a diversity of goods and services within neighborhoods this policy also establishes guidelines for specific uses. These guidelines state that in some districts, the balance of commercial activities has been upset by the proliferation of certain uses, which reduces the opportunities for other needed uses. The following guidelines are relevant to this proposal:

Financial Services

The guidelines provide that financial services should not be located near other financial service uses or add to an over-concentration within a single district. In most districts, it is preferable if financial services are at least 500-feet apart. Proximity to financial services should be considered in evaluating the need for and impacts of a new financial service. However, clustering may be appropriate when it avails greater choice and more convenient services to nearby merchants. New limited financial services, such as an ATM, should also be carefully evaluated as to the

potential for double parking or illegal parking. If the proposed use includes ATMs, this evaluation is especially critical in determining the appropriateness of the use and its location. These uses should also be recessed from the sidewalk, when possible, or incorporated inside an associated facility with adequate waiting space for patrons.

There are five other ATMs within a 500-foot radius of the subject site. The first two ATMs are located on the subject property. The first ATM is within the bar (d.b.a. Martuni's) and accessible primarily to patron's during the bar's evening business hours – 4PM to 2AM. The second ATM is within the corner grocery store (d.b.a. "Valmar Supermarket") and is accessible from 8AM to 12AM. The third ATM is located approximately 500-feet south of the subject site at 178 Valencia Street. This ATM is within a limited-restaurant (d.b.a. Pizza Zone) and is accessible from 12PM to 2:30AM on weekdays and 12PM to 3:30PM on weekends. The fourth ATM is located at the southeast corner of Guerrero and Market Streets within a grocery store, d.b.a. "Empire Grocery" and is accessible daily from 9AM to 11PM. This ATM is approximately 500-feet west of the subject site. The fifth ATM is located within the ground floor storefront of 1829 Market Street. This ATM is accessible 24-hours, 7-day of the week, and was approved by the Planning Commission on October 16, 2008. This ATM falls within the 500-foot radius; however the direct pedestrian path of travel from the subject site to this location is greater than 500 feet.

Although there are five existing ATM's within 500-feet of the proposed location, there is not an over-concentration of the use. Furthermore, all of these ATMs are considered "Limited Financial Services" by the Planning Code and are not part of larger commercial banking sites. The proposed ATM also provides a unique and convenient service – availability to cash 24-hours per day, 7-days per week. Additionally, it is associated with an existing commercial activity in which cash transactions are prevalent and directly across the street from a tourist hotel.

Finally, the intent of the ATM is to serve pedestrian and public transit patrons. The proposed ATM will not result in an increase in vehicular traffic congestion or decrease available parking as metered on-street parking is also available directly in front of the ATM on Valencia Street and within the immediate neighborhood.

Quick-Stop Establishments

Quick-stop establishments include a variety of uses which primarily provide convenience goods and services and generate a high volume of customer trips. Those uses which are also eating and drinking establishments should not add to an overconcentration of restaurants with high-turnovers within a single district and should be evenly distributed, generally at least 500 feet from each other. Potential strains on transportation systems should also be considered and waiting space should be provided as to not constrict pedestrian traffic flow. Finally, the site should be equipped with sufficient outdoor trash receptacles to avoid litter problems in the surrounding neighborhood.

There are multiple eating and drinking establishments within the neighborhood; yet, many of those establishments are bars or restaurants which serve alcohol and generally cater to patrons dining on-site. Within a 500-foot radius of the subject site there are only two other limited-restaurants – Pizza Zone at 178 Valencia and It's Tops Coffee Shop at 1801 Market Street. Limited-restaurants are defined in the

Planning Code as a retail eating and/or drinking use which serves ready-to-eat foods and/or drinks to customers for consumption on or off the premises and may or may not have seating. It may also operate as a take-out food use and does not provide on-site beer and/or wine sales for consumption on the premise. Pizza Zone is approximately 500-feet from the subject site and is therefore sufficiently distanced. The second limited-restaurant, It's Tops Coffee Shop, is closer in proximity but differs in function; It's Tops Coffee Shop includes seating and a full-service menu offering items prepared to-order; whereas, Mission Bubbles Laundry will be serving coffee and a limited amount of pre-prepared food items. Furthermore, neither of these two establishments incorporates a walk-up window, making this feature unique to the subject site, as is the overlay of a self-service laundry use.

Given the integration of the activities on site, the commercial unit has existing space available for a waiting area and will not result in the congestion of pedestrian traffic flow on the Valencia Street sidewalk. Also, the standard Conditions of Approval require the subject property owner maintain the area in front of the walk-up facilities and all sidewalks abutting the subject property in a clean condition. Given the existing site conditions for this particular project, the required maintenance would extend to the entire block.

In its entirety the Project would provide greater commerce opportunities to residents, patrons and business owners in the immediate vicinity. The ATM would make cash readily available to users both during and beyond normal business operation hours. Additionally, the to-go window would accommodate a new limited-restaurant that will expand the services offered at the existing self-service laundry facility. Collectively the activities on-site reflect a diversity of uses that will be able to integrate in one commercial space.

Policy 6.9:

Regulate uses so that traffic impacts and parking problems are minimized.

Metered on-street parking is available on Valencia Street in front of the subject storefront; however, given the availability of public transit options in the immediate area, pedestrians are expected to be the primary patrons of the walk-up facilities.

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The proposed walk-up facilities are designed to enhance the neighborhood serving retail by providing a combination of mutually benefiting services. Additionally the ATM will be available after normal business hours and accessible to the neighborhood's residents and commercial patrons.

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

The Project does not negatively impact the existing housing supply or neighborhood character of the immediate vicinity.

- C. That the City's supply of affordable housing be preserved and enhanced,

No work will be done that affects affordable housing units.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The proposed walk-up facilities will not generate traffic that will interfere with MUNI transit services. Well served by public transit, the uses will cater primarily to pedestrians.

- E. 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.

There is no commercial office development associated with the Project. No industrial or service sector uses will be displaced.

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

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site.

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

The project will have no negative impact on existing parks and open spaces.

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
11. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2012.0952C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated February 11, 2012, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on December 13, 2012.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: December 13, 2012

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to establish two walk-up facilities, a to-go window for a limited restaurant and an ATM located at 8 Valencia Street, Lot 003 or Assessor's Block 3503, pursuant to Planning Code Section(s) 145.2 and 731.26 within the NCT-3 (Moderate Scale Neighborhood Commercial Transit Zoning District and an 85-X Height and Bulk District; in general conformance with plans, dated **February 11, 2012**, and stamped "EXHIBIT B" included in the docket for Case No. 2012.0952C and subject to conditions of approval reviewed and approved by the Commission on December 13, 2012, under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on December 13, 2012, under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **XXXXXX** shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. Once a site or building permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

DESIGN

3. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.

MONITORING

4. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

5. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>
6. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>
7. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
8. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org



CEQA Categorical Exemption Determination

SAN FRANCISCO
PLANNING
DEPARTMENT

Property Information/Project Description

PROJECT ADDRESS <i>8 Valencia Street</i>	BLOCK/LOT(S) <i>3503/003</i>
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CASE NO. <i>2013.0953C</i>	PERMIT NO. <i>2012.02.24.4781</i>	PLANS DATED <i>2/11/13</i>
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- Addition/ Alteration (detailed below) Demolition (requires HRER if over 50 years old) New Construction

STEP 1 EXEMPTION CLASS

- Class 1: Existing Facilities**
Interior and exterior alterations; additions under 10,000 sq.ft.; change of use if principally permitted or with a CU.
- Class 3: New Construction**
Up to three (3) single family residences; six (6) dwelling units in one building; commercial/office structures under 10,000 sq.ft.; accessory structures; utility extensions.

NOTE:
If neither class applies, an *Environmental Evaluation Application* is required.

STEP 2 CEQA IMPACTS (To be completed by Project Planner)

If ANY box is initialed below an *Environmental Evaluation Application* is required.

_____ **Transportation:** Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?

_____ **Air Quality:** Would the project add new sensitive receptors (specifically, schools, colleges, universities, day care facilities, hospitals, residential dwellings [subject to Article 38 of the Health Code], and senior-care facilities)?

_____ **Hazardous Materials:** Would the project involve 1) change of use (including tenant improvements) and/or 2) soil disturbance; on a site with a former gas station, auto repair, dry cleaners, or heavy manufacturing use, or on a site with underground storage tanks?
Phase 1 Environmental Site Assessment required for CEQA clearance (E.P. initials required)

_____ **Soil Disturbance/Modification:** Would the project result in the soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in non-archeological sensitive areas?
Refer to: EP ArcMap > CEQA CatEx Determination Layers > Archeological Sensitive Areas

_____ **Noise:** Does the project include new noise-sensitive receptors (schools, colleges, universities, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area?
Refer to: EP ArcMap > CEQA CatEx Determination Layers > Noise Mitigation Area

_____ **Subdivision/Lot-Line Adjustment:** Does the project site involve a subdivision or lot-line adjustment on a lot with a slope of 20% or more?
Refer to: EP ArcMap > CEQA CatEx Determination Layers > Topography

NOTE:
Project Planner must initial box below before proceeding to Step 3.

Project Can Proceed With Categorical Exemption Review.

The project does not trigger any of the CEQA Impacts and can proceed with categorical exemption review.

GO TO STEP 3

PJB

STEP 3 PROPERTY STATUS - HISTORICAL RESOURCE

Property is one of the following: (Refer to: San Francisco Property Information Map)

- Category A: Known Historical Resource **GO TO STEP 5**
- Category B: Potential Historical Resource (over 50 years of age) **GO TO STEP 4**
- Category C: Not a Historical Resource or Not Age Eligible (under 50 years of age) **GO TO STEP 6**

STEP 4 PROPOSED WORK CHECKLIST (To be completed by Project Planner)

If condition applies, please initial.

- _____ 1. **Change of Use and New Construction** (tenant improvements not included).
- _____ 2. **Interior alterations/interior tenant improvements.** Note: Publicly-accessible spaces (i.e. lobby, auditorium, or sanctuary) require preservation planner review.
- _____ 3. **Regular maintenance and repair** to correct or repair deterioration, decay, or damage to the building.
- _____ 4. **Window replacement** that meets the Department's *Window Replacement Standards* (does not include storefront window alterations).
- _____ 5. **Garage work**, specifically, a new opening that meets the *Guidelines for Adding Garages and Curb Cuts*, and/or replacement of garage door in an existing opening.
- _____ 6. **Deck, terrace construction, or fences** that are not visible from any immediately adjacent public right-of-way.
- _____ 7. **Mechanical equipment installation** not visible from any immediately adjacent public right-of-way.
- _____ 8. **Dormer installation** that meets the requirements for exemption from public notification under *Zoning Administrator Bulletin: Dormer Windows*.
- _____ 9. **Additions** that are not visible from any immediately adjacent public right-of-way for 150' in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.

NOTE:
Project Planner must check box below before proceeding.

- Project is not listed: **GO TO STEP 5**
- Project does not conform to the scopes of work: **GO TO STEP 5**
- Project involves 4 or more work descriptions: **GO TO STEP 5**
- Project involves less than 4 work descriptions: **GO TO STEP 6**

STEP 5 CEQA IMPACTS - ADVANCED HISTORICAL REVIEW (To be completed by Preservation Planner)

If condition applies, please initial.

- _____ 1. Project involves a **Known Historical Resource (CEQA Category A)** as determined by Step 3 and conforms entirely to Scope of Work Descriptions listed in Step 4. (Please initial scopes of work in STEP 4 that apply.)
- _____ 2. **Interior alterations to publicly-accessible spaces.**

- 3. **Window replacement** of original/historic windows that are not "in-kind" but are is consistent with existing historic character.
- 4. **Façade/storefront alterations** that do not remove, alter, or obscure character-defining features.
- 5. **Raising the building** in a manner that does not remove, alter, or obscure character-defining features.
- 6. **Restoration** based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
- 7. **Addition(s)**, including mechanical equipment that are minimally visible from a public right of way and meets the *Secretary of the Interior's Standards for Rehabilitation*.
- 8. **Other work consistent** with the *Secretary of the Interior Standards for the Treatment of Historic Properties*

Specify:

* 9. **Reclassification of property status** to Category C

a. Per Environmental Evaluation Evaluation, dated:

* Attach Historic Resource Evaluation Report

b. Other, please specify:

* Requires initial by Senior Preservation Planner / Preservation Coordinator

NOTE:

If ANY box is initialed in STEP 5, Preservation Planner MUST review & initial below.

Further Environmental Review Required.

Based on the information provided, the project requires an *Environmental Evaluation Application* to be submitted.

GO TO STEP 6

Preservation Planner Initials

Project Can Proceed With Categorical Exemption Review.

The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review.

GO TO STEP 6

Preservation Planner Initials

STEP 6 CATEGORICAL EXEMPTION DETERMINATION

(To be completed by Project Planner)

Further Environmental Review Required.

Proposed Project does not meet scopes of work in either:

(check all that apply)

Step 2 (CEQA Impacts) or

Step 5 (Advanced Historical Review)

STOP!

Must file *Environmental Evaluation Application*.

No Further Environmental Review Required. Project is categorically exempt under CEQA.

Brittany Bendix

Planner's Signature

Brittany Bendix

Print Name

11/30/12

Date

Once signed and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.

