



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: SEPTEMBER 26, 2013

Date: September 19, 2013
Case No.: 2013.0022 C
Project Address: 2630 BAYSHORE BOULEVARD
Zoning: NC-3 (Moderate-Scale, Neighborhood Commercial)
55-X Height and Bulk District
Visitacion Valley / Schlage Lock SUD
Block/Lot: 6309B/018
Project Sponsor: Abbye Atkinson
Gibson, Dunn & Crutcher LLP
555 Mission Street
San Francisco, CA 94105
Staff Contact: Erika S. Jackson – (415) 558-6363
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Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The Project is seeking a Conditional Use authorization to establish a formula retail grocery store (d.b.a. Grocery Outlet) in an existing 13,624 square foot building. The Project includes a 690 square foot building addition. The Project will also reconfigure the existing accessory parking lot to provide an additional 38 off-street parking spaces (resulting in a total of 53 off-street parking spaces), additional landscaping, the closure of one driveway along Sunnydale Avenue, and new bicycle parking. The changes to the parking area will also improve circulation conditions. Alterations to the façade are also proposed in an effort to upgrade the design and appearance of the existing building.

Grocery Outlet offers frozen, deli and refrigerated groceries, produce, fresh meat, and general merchandise, including seasonal products, housewares, toys, and gifts. The store proposes to open from 8:00am to 9:00pm Monday through Sunday. With respect to alcohol sales, Grocery Outlet proposes to sell only beer and wine. In addition, Grocery Outlet offers brand name products at up to 50% off conventional retail prices.

SITE DESCRIPTION AND PRESENT USE

The project is located on the northern side of Bayshore Boulevard and the western side of Sunnydale Avenue. Although the project is not directly on the corner of Bayshore Boulevard and Sunnydale Avenue, it has frontage along both streets. The property is located on Lot 018 of Assessor's Block 6309B. The property is located within the NC-3 (Moderate Scale, Neighborhood Commercial) District, a 55-X height and bulk district, and the Visitacion Valley / Schlage Lock Special Use District. The 25,445 square foot lot is developed with a 13,624 square foot retail building occupied by A. Silvestri Company, which

sells bulky stone garden statues and furniture. There is also an accessory surface parking lot that provides 15 off-street parking spaces and one off-street loading space. The rest of the property is occupied by outdoor display of bulky merchandise for sale. The subject property has approximately 250 feet of frontage on Bayshore Boulevard and approximately 100 feet of frontage on Sunnydale Avenue. There are 2 driveways along Sunnydale Avenue and 3 driveways along Bayshore Boulevard. Additionally, the lot is located within both the City and County of San Francisco, the City of Daly City, and the County of San Mateo. Although the property is located partially within 2 jurisdictions, the property is completely within the purview of the City and County of San Francisco because the address is assigned to San Francisco.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located at the intersection of Bayshore Boulevard and Sunnydale Avenue. The Project is situated on the northern side of Bayshore Boulevard and the western side of Sunnydale Avenue, and is in the Visitacion Valley Neighborhood. On the corner adjacent to the project site is a donut shop and a community center. To the north and west of the subject property are dwelling units. To the south of the subject property are industrial uses located within the City of Daly City. To the east of the subject lot is a car wash, retail, and a vacant site. The Project is located within a NC-3 Zoning District but is surrounded by RH-1 and M-1 Zoning Districts. The uses within this Neighborhood Commercial District include a range of non-residential ground floor uses such as restaurants, personal and professional services, a specialty-food grocery, auto repair shops, self-storage, a 7-11, and a bank. Additionally, this area is well-served by local and regional public transit. Connections to CalTrain and Muni streetcar and bus routes are within a quarter mile of the project site.

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	September 6, 2013	September 6, 2013	20 days
Posted Notice	20 days	September 6, 2013	September 6, 2013	20 days
Mailed Notice	10 days	September 16, 2013	September 6, 2013	21 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 received four emails and one phone call in support of the Project.

ISSUES AND OTHER CONSIDERATIONS

- With regard to a Conditional Use authorization for a formula retail use, the Planning Commission is required to consider the following additional criteria [Section 303(i)], in addition to the standard Conditional Use findings:
 1. The existing concentrations of formula retail uses within the district.
 2. The availability of other similar retail uses within the district.
 3. The compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the district.
 4. The existing retail vacancy rates within the district.
 5. The existing mix of Citywide-serving retail uses and neighborhood-serving retail uses within the district.
- The Project complies with relevant criteria as noted in the Draft Motion.
- The subject property has been occupied by general grocery store intermittently since 1960, first by Safeway, a formula retail use, then later by MacFrugals, also a formula retail use, which vacated in 2001. The establishment of a formula retail general grocery store is consistent with the site's history.
- A survey of formula retail uses within the NC-3 Neighborhood Commercial District along Bayshore Boulevard, revealed that there is only one formula retail use within the district and that independently owned establishments far outnumber formula retail uses.
- Changes to the façade will also assist in making the structure's design more compatible with adjacent properties.
- The Project will result in the creation of approximately 28 employment opportunities from the surrounding neighborhood.
- There is no large grocery store in the neighborhood. The closest large grocery store is 2 miles from the project site.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization to allow the establishment of a formula retail use, expansion of use size limits, and parking in excess of accessory amounts, within an NC-3 (Moderate Scale, Neighborhood Commercial) Zoning District, pursuant to Planning Code Sections 121.2, 157, 303, and 703.4(b).

BASIS FOR RECOMMENDATION

- The use is desirable as it will provide a vital service for the residents of the neighborhood.
- The Project is consistent with the General Plan.
- Historically, the Project site has been occupied by general grocery stores that could be considered formula retail uses under current Planning Code provisions.
- The Project provides a general grocery store use that is accessible to a moderately dense and growing population which has been without this service for over a decade.
- The proposed landscaping and circulation changes to the parking lot bring the site into greater conformity with the requirements of the Planning Code and intent of the General Plan.
- The proposed Project meets applicable requirements of the Planning Code and advances the Objectives and Policies of the General Plan.
- The Project is necessary, desirable, and compatible with the surrounding neighborhood.

- The surrounding community has expressed interest in a large neighborhood serving grocery store.

RECOMMENDATION: <i>Approval with Conditions</i>
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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 | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Wireless Telecommunications Materials |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Site Photos | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Neighbor Letters | <input type="checkbox"/> Community Meeting Notice |
| | <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

Planner's Initials

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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 121.2, 157, 303, AND 703.4(B) OF THE PLANNING CODE TO ESTABLISH A NEW FORMULA RETAIL USE (D.B.A. GROCERY OUTLET) IN A BUILDING THAT IS CURRENTLY OCCUPIED BY A RETAIL USE (D.B.A. A. SILVESTRI CO.), AN EXPANSION OF USE SIZE LIMITS, AND PARKING IN EXCESS OF ACCESSORY AMOUNTS WITHIN AN NC-3 (MODERATE-SCALE, NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT, A 55-X HEIGHT AND BULK DISTRICT, AND THE VISITACION VALLEY / SCHLAGE LOCK SPECIAL USE DISTRICT.

PREAMBLE

On January 24, 2013, Abbye Atkinson (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization pursuant to Sections 121.2, 157, 303, and 703.4(b) of the Planning Code to establish a new formula retail use (d.b.a. Grocery Outlet) building that is currently occupied by a retail use (d.b.a. A. Silvestri Co.), an expansion of use size limits, and parking in excess of accessory amounts within an NC-3 (Moderate-Scale, Neighborhood Commercial) Zoning District, a 55-X Height and Bulk District, and the Visitacion Valley / Schlage Lock Special Use District.

On September 26, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.0022C.

On January 8, 2013 the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project;

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. 2013.0022C, 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 northern side of Bayshore Boulevard and the western side of Sunnydale Avenue. Although the project is not directly on the corner of Bayshore Boulevard and Sunnydale Avenue, it has frontage along both streets. The property is located on Lot 018 of Assessor's Block 6309B. The property is located within the NC-3 (Moderate Scale, Neighborhood Commercial) District, a 55-X height and bulk district, and the Visitacion Valley / Schlage Lock Special Use District. The 25,445 square foot lot is developed with a 13,624 square foot retail building occupied by A. Silvestri Company, which sells bulky stone garden statues and furniture. There is also an accessory surface parking lot that provides 15 off-street parking spaces and one off-street loading space. The rest of the property is occupied by outdoor display of bulky merchandise for sale. The subject property has approximately 250 feet of frontage on Bayshore Boulevard and approximately 100 feet of frontage on Sunnydale Avenue. There are 2 driveways along Sunnydale Avenue and 3 driveways along Bayshore Boulevard. Additionally, the lot is located within the City and County of San Francisco, the City of Daly City, and the County of San Mateo. Although the property is located partially within 2 jurisdictions, the property is completely within the purview of the City and County of San Francisco because the address is assigned to San Francisco.
3. **Surrounding Properties and Neighborhood.** The project site is located at the intersection of Bayshore Boulevard and Sunnydale Avenue. The Project is situated on the northern side of Bayshore Boulevard and the western side of Sunnydale Avenue, and is in the Visitacion Valley Neighborhood. On the corner adjacent to the project site is a donut shop and a community center. To the north and west of the subject property are dwelling units. To the south of the subject

property are industrial uses located within the City of Daly City. To the east of the subject lot is a car wash, retail, and a vacant site. The Project is located within a NC-3 Zoning District but is surrounded by RH-1 and M-1 Zoning Districts. The uses within this Neighborhood Commercial District include a range of non-residential ground floor uses such as restaurants, personal and professional services, a specialty-food grocery, auto repair shops, self-storage, a 7-11, and a bank. Additionally, this area is well-served by local and regional public transit. Connections to CalTrain and Muni streetcar and bus routes within a quarter mile of the project site.

4. **Project Description.** The Project is seeking a Conditional Use authorization to establish a formula retail grocery store (d.b.a. Grocery Outlet) in an existing 13,624 square foot building. The Project includes a 690 square foot building addition. The Project will also reconfigure the existing accessory parking lot to provide an additional 38 off-street parking spaces (resulting in a total of 53 off-street parking spaces), additional landscaping, the closure of one driveway along Sunnydale Avenue, and new bicycle parking. The changes to the parking area will also improve circulation conditions. Alterations to the façade are also proposed in an effort to upgrade the design and appearance of the existing building.

Grocery Outlet offers frozen, deli and refrigerated groceries, produce, fresh meat, and general merchandise, including seasonal products, housewares, toys, and gifts. The store proposes to open from 8:00am to 9:00pm Monday through Sunday. With respect to alcohol sales, Grocery Outlet proposes to sell only beer and wine. In addition, Grocery Outlet offers brand name products at up to 50% off conventional retail prices.

5. **Public Comment.** The Department has received four emails and one phone call in support of the Project.
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. **Formula Retail Use.** Planning Code Section 703.3 states that a Conditional Use Authorization is required for retail uses within an NC-3 (Moderate Scale, Neighborhood Commercial) zoning district. The proposed tenant, Grocery Outlet, is a national chain establishment with more than eleven stores. Section 303(i) requires that, with respect to an application for Conditional Use Authorization for a formula retail use, the Planning Commission shall consider the following criteria:

- i. The existing concentrations of formula retail uses within the Neighborhood Commercial District.

The subject property was developed in 1960 with a single story grocery store, first occupied by Safeway, a formula retail use, then later by MacFrugals, another formula retail use, which vacated in late 2001. Since 2001, the building has been occupied by A. Silvestri Co., a retailer of bulky stone garden statues, furniture, and fountains. The subject property is located on the southern corner of an NC-3 Zoning District along Bayshore Boulevard that runs from the subject lot to

Arleta Avenue. Staff conducted a survey of both districts and found a total of one existing formula retail use within this district – a 7-11 on the corner of Arleta Avenue at the northern edge of the district. In this district, the number of independently owned establishments far outnumbers formula retail uses.

- ii. Availability of other similar retail uses within the Neighborhood Commercial District.

There are two other similar retail uses located within this NC-3 Zoning District – a 7-11 at the corner of Arleta Avenue and a small specialty food market on the corner of Leland Avenue. The nearest general grocery stores are a Foods Co. at Williams Avenue and Phelps Street (approximately 2.0 miles away), and a Safeway at Mission Street and France Avenue (approximately 2.6 miles away).

The Project site has been occupied by a grocery store since the construction of the existing commercial structure in 1960 until 2001. Its location is integral in serving a neighborhood whose residents must travel outside the community to buy groceries. Although smaller specialty grocery stores exist within a half-mile from the subject property, the scale of goods and services offered by such uses is inconsistent with the demand from residents within the immediate area. A grocery store at this location continues to be both necessary and desirable, especially given that surrounding zoning encourages walkable, bikeable, and transit-friendly communities.

- iii. Compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the Neighborhood Commercial District.

Developed in 1960, the structure and use pre-date the adoption of the applicable provisions of the San Francisco Planning Code. Although the proposal does not include any changes to diminish the volume of the building, changes to the façade will also assist in making the structure's design more compatible with adjacent properties. The addition of landscaping in the accessory parking lot and along the street frontages will improve the aesthetics of the site and walkability of Bayshore Boulevard.

- iv. Existing retail vacancy rates within the Neighborhood Commercial District.

A survey of the NC-3 Zoning District along Bayshore Boulevard revealed 5 vacant or inactive retail spaces. These vacancies represent a sizeable portion of the available retail space in the district. In addition, the existing retail vacancy rate in the greater Visitacion Valley neighborhood is high.

- v. Existing mix of Citywide-serving retail uses and neighborhood-serving retail uses within the Neighborhood Commercial District.

A limited variety of goods and services are found within the subject site's NC-3 zoning district. The district only has 2 similar retail uses. No general grocery store that is large enough to meet the demand of the existing and growing population is present.

- B. **Parking Screening and Greening.** Planning Code Section 142 requires all vehicle use areas that are greater than 25-feet and adjacent to the public right-of-way to provide a screening feature if a proposal increases the existing parking by 20% or by 4 spaces, whichever is greater. Such screening and landscaping features are acceptable if they include ornamental fencing or a solid wall that is four-feet in height. Also required is a five-foot deep permeable surface with landscaping along the portion of the lot's perimeter adjacent to a public right-of-way. Planning Code Section 159 requires 1 tree per 5 off-street parking spaces. Such landscaping must be compliant with the applicable water use requirements of Administrative Code Chapter 63.

The project site has a perimeter greater than 25-feet along the adjacent public rights-of-way. Additionally, the proposal includes the addition of 38 off-street parking spaces within previously paved area on the subject lot. Therefore, the Project includes screening and greening treatments to the site that comply with the requirements of Section 142 and 159. A five-foot deep permeable landscaping area buffers the edge of the parking perimeter that is adjacent to any public right-of-way, with the exception of areas devoted to ingress and egress. This is in addition to landscaping islands within the interior of the lot. The Project also includes decorative screen walls that are a minimum of four-feet tall along the portions of the parking lot's perimeter that are adjacent to public rights-of-way.

- C. **Parking.** Per Planning Code Section 151, the maximum number of parking spaces for a retail use is calculated at a ratio of 1 per 500 square feet of occupied floor area up to 20,000 where the occupied floor area exceeds 5,000 square feet. Based on our calculations, the maximum number of parking spaces permitted is 29 spaces for 14,314 square feet. Per Planning Code Section 204.5, accessory parking facilities shall include only those facilities which do not exceed 150 percent of the required number of spaces where three or more spaces are required by this Code, or in this case 44 parking spaces.

When the building was constructed in 1960, the original tenant had an occupied floor area of 13,624 square-feet and provided 66 off-street parking spaces where a maximum of 27 (1 per 500 square feet for retail) would be allowed under the current Code. The current tenant, which moved into the site in 2001, has an occupied floor area of 13,624 square feet and provides 15 off-street parking spaces when a maximum of 14 (1 per 1,000 square feet for bulky merchandise retail) would be allowed. It appears as if the all but 15 of the original 66 off-street parking spaces were removed sometime between the summer of 2002 and the summer of 2004, which were converted into outdoor retail space for storage of the bulky merchandise. Because the bulky merchandise retail use was only required to provide 14 off-street parking spaces, the non-conforming parking was abandoned in the early 2000's per Planning Code Section 183, which states that once a nonconforming use is abandoned or discontinued for more than 3 years, it cannot be reestablished without complying with the requirements of the current Code. The Project proposal increases the total occupied floor area to approximately 14,314 square feet. The maximum number of parking spaces permitted is 29 spaces for 14,314 square feet of retail space (1 per 500 square feet). Per Planning Code Section 204.5, accessory parking facilities shall include only those facilities which do not exceed 150 percent of the required number of spaces where three or more spaces are required by this Code, or in this case 44 parking spaces. Therefore, the addition of 38 off-street

parking spaces, bringing the total on site to 53 off-street parking spaces, requires a Conditional Use Authorization under Planning Code Section 157.

- D. **Loading.** For retail uses larger than 10,000 square-feet and less than 60,000 square-feet, Planning Code Section 152 requires one off-street freight loading space.

The site has one existing off-street freight loading space. The existing off-street loading dock will remain in its current configuration. The loading area will also be upgraded with a new concrete platform and metal canopy, as well as a new portable ramp.

- E. **Signage.** The Project Sponsor has submitted a sign program for the project. The proposed signage complies with the limitations of the Planning Code and individual signs are subject to the review and approval of the Planning Department.

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 Project is necessary and desirable because it will provide a readily accessible grocery store for Visitacion Valley residents that was lost upon closure of MacFrugals in 2001. Prior to conversion to MacFrugals, the site was occupied by Safeway, a formula retail use. The nearest alternative general grocery store, Foods Co., is approximately 2 miles from the subject site.

The Project will provide fresh groceries at a high turnover rate that will accommodate the moderate density of the immediate area. The Project will also provide an anchor for other retail uses along Bayshore Boulevard, as well as the nearby Neighborhood Commercial district on Leland Avenue. Grocery stores are known to serve as a retail anchor to commercial districts, attracting more customers to surrounding neighborhood-serving business such as bookstores, hardware shops, and professional services. Further, grocery stores generate new jobs and increase local property values. The proposed store will provide approximately 28 new employment opportunities.

The City of San Francisco adopted policies supportive of maintaining grocery store uses in the City. For example, a change in use or demolition of a general grocery store use that exceeds 5,000 square-feet requires Conditional Use authorization under the Planning Code. The Office of Economic and Workforce Development has specifically targeted and encouraged grocery stores to open in San Francisco through various economic incentive programs, such as Enterprise Zone (EZ) Tax Credits, EZ Payroll Tax Credits, EZ Loan Programs, and Expedited Planning Review for grocery stores that exceed 15,000 square-feet.

- 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 height and bulk of the existing building will remain the same, although alterations to the appearance of the built form will bring the structure into greater conformity with the overall character of the neighborhood.

- 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 subject site has been occupied by a general grocery store in the past. The continuation of a retail use will not result in any changes to existing traffic patterns. New landscaping is incorporated into the new parking arrangement.

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

The proposed use, by the nature of the business, should not produce noxious or offensive emissions such as noise, glare, dust, and odor. The proposed use is subject to the standard conditions of approval for a Formula Retail Use as outlined in Exhibit A.

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

The Project includes required landscape treatments that will increase the overall permeability of the site's surface and screen any vehicular areas. Furthermore, of the retained parking spaces, a total of four will be reserved as handicap/accessible spaces. All of these reserved spaces will be located in close proximity to the store's entrance. A total of 8 bicycle parking spaces will also be provided in an area specifically dedicated to bike racks near the front of the store.

- 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 the NC-3 (Moderate Scale, Neighborhood

Commercial) District in that the intended commercial use is located at the ground floor, and will provide a compatible convenience service for a population that includes, and extends beyond, the immediate neighborhood.

8. **Use Size.** Planning Code Section 121.2 requires a Conditional Use Authorization for a non-residential use that is larger than 6,000 square feet within an NC-3 Zoning District. The Proposed Project is approximately 14,314 square feet. Planning Code Section 121.2 sets forth additional criteria which the Commission shall consider in addition to those of Section 303 when reviewing an application for a non-residential use size in excess of that which is permitted as-of-right:

- a. The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area.

The NC-3 Zoning District along Bayshore Avenue suffers from a high retail vacancy rate. In relation to the general availability of commercial space in the district, the proposed non-residential expansion is comparatively minor. Other neighborhood serving uses would continue to locate in the NC-3 Zoning District; approval of the Proposed Project would not preclude this. The proposal supports the intention of the neighborhood commercial zoning districts in that it would promote the growth of an existing small business. Furthermore, historically this site has contained large retail uses. As mentioned previously, grocery stores are known to serve as a retail anchor to commercial districts, attracting more customers to surrounding neighborhood-serving business such as bookstores, hardware shops, and professional services.

- b. The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use requires a larger size in order to function.

Given that the proposed Grocery Outlet will be the primary general grocery option for the residents of Visitacion Valley, a larger use size is appropriate to accommodate demand. Furthermore, the closest large grocery store is located 2 miles from the subject site.

- c. The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district.

The Project does not include any significant changes to the existing building footprint or volume. The existing building is not out of scale with other development in the district.

9. **Parking Exceeding Accessory Amounts.** In considering any application for a conditional use for parking for a specific use or uses, where the amount of parking provided exceeds the amount classified as accessory parking in Section 204.5 of this Code, the Planning Commission shall apply the following criteria in addition to those stated in Section 303(c) and elsewhere in this Code:

- a. Demonstration that trips to the use or uses to be served, and the apparent demand for additional parking, cannot be satisfied by the amount of parking classified by this Code as accessory, by transit service which exists or is likely to be provided in the foreseeable future, by car pool arrangements, by more efficient use of existing on-street and off-street

parking available in the area, and by other means.

The U.S. Department of Agriculture has designated the Visitacion Valley area as a food desert. The closest large grocery store is located 2 miles from the subject site. The addition of Grocery Outlet is much needed in this area and is certain to draw patrons from all of the communities immediately surrounding the location. The additional 9 off-street parking spaces beyond the 44 off-street parking spaces permitted by the accessory parking limits of Planning Code Section 204.5 are vital to accommodate the probable influx of vehicles of patrons of the location. Moreover, because Grocery Outlet will provide for full service grocery needs, including fresh produce, fresh meats, boxed items, canned items, and breads, public transit may not be the easiest way to accommodate patrons who do a full week's worth of shopping requiring several heavy bags of groceries. The additional 9 off-street parking spaces will allow Grocery Outlet to accommodate these patrons in order to meet their weekly grocery needs.

- b. Demonstration that the apparent demand for additional parking cannot be satisfied by the provision by the applicant of one or more car-share parking spaces in addition to those that may already be required by Section 166 of this Code.

Planning Code Section 166 requires one car share space, however, given the likely demand for parking spaces at this location, the lack of other large grocery store options in the vicinity, and the feedback received from the neighborhood, it is unlikely that the car share space would be sufficient to meet the needs of the patrons.

- c. The absence of potential detrimental effects of the proposed parking upon the surrounding area, especially through unnecessary demolition of sound structures, contribution to traffic congestion, or disruption of or conflict with transit services.

The additional 9 off-street parking spaces will not cause detrimental effects to the surrounding area, either through the unnecessary demolition of sound structures, contribution of traffic congestion, or disruption of or conflict with transit services. There will be no demolition of sound structures to add the 9 off-street parking spaces. Additionally, the site has previously supported as many as 66 off-street parking spaces within the existing paved area on the site. The addition of the 9 off-street parking spaces will diminish the parking and traffic congestion in the immediate area, allowing for more parking spaces and circulation areas within the existing paved area on the site.

- d. In the case of uses other than housing, limitation of the proposed parking to short-term occupancy by visitors rather than long-term occupancy by employees.

The parking lot, as proposed with the additional 9 parking spaces, is for the benefit of patrons of Grocery Outlet while they shop. This is a short-term occupancy, and patrons will come and go in short intervals typical of any grocery use. Grocery Outlet will not encourage its employees to park in the lot. Instead, part of Grocery Outlet's employee policy is to support the use of alternative means of transportation such as carpooling and public transit.

- e. Availability of the proposed parking to the general public at times when such parking is not needed to serve the use or uses for which it is primarily intended.

For security reasons, Grocery Outlet does not expect to make the parking lot available to the public during non-business hours.

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1:

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1:

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

Policy 1.3:

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The proposed development will provide desirable goods and services to the neighborhood and will provide resident employment opportunities to those within the community. Additionally, the Project Site is an existing commercial space and is consistent with activities in the commercial land use plan.

OBJECTIVE 2:

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

The proposed formula retail use, Grocery Outlet, is a well-known name that strives to deliver fresh, wholesome food at affordable prices. The addition of this store will contribute to the overall diversity of general grocery store options within the City while enhancing the company's ability to distribute fresh foods throughout. Furthermore, by establishing a new commercial activity in a vacant space, the neighborhood retains a commercial use at this site and enables the project to enhance the economic base of the City and immediate area.

OBJECTIVE 3: PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.1:

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

Policy 3.2:

Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

The proposed project will provide approximately 28 employment opportunities. The retail grocery store will employ a high percentage of unskilled and semi-skilled employees. Local hiring is a priority for Grocery Outlet and the company intends and expects to fill those jobs with candidates from the surrounding neighborhood.

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.

Policy 6.4:

Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

The project proposes to replace an existing retail use with a new formula retail grocery store, thus retaining the existing level of commercial activity in that location. The project is necessary and desirable for the immediate area as it provides a use to residents that is not presently available.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 1:

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.3:

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

Policy 1.6:

Ensure choices among modes of travel and accommodate each mode when and where it is most appropriate.

Policy 1.7:

Assure expanded mobility for the disadvantaged.

The proposal enables patrons to make use of a variety of transit options when visiting the site which is readily accessible by CalTrain or Muni. Furthermore, activation of a general grocery store at this location also ensures immediate access to fresh food for those residents that cannot easily visit the nearest grocery store, 2 miles away, due to physical or economic constraints. Parking for automobiles is also available for those who prefer this mode of travel for mobility reasons.

OBJECTIVE 2:

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.2:

Reduce pollution, noise and energy consumption.

Policy 2.4:

Organize the transportation system to reinforce community identity, improve linkages among interrelated activities and provide focus for community activities.

The proposed site is centrally located to serve both patrons and employees through various means of transportation. The site is also located near crucial transport corridors (Bayshore Boulevard and U.S. Routes 101 and 280) that connect San Francisco to the broader region and enable a formula retail grocery store, such as Grocery Outlet, to provide sufficient distribution of goods and keep food affordable.

OBJECTIVE 29:

CITY GOVERNMENT SHOULD PLAY A LEADERSHIP ROLE IN INCREASING BICYCLE USE.

Policy 29.1:

Consider the needs of bicycling and the improvement of bicycle accommodations in all city decisions.

The Project includes 8 bicycle parking spaces. This component of the project will improve the overall bicycle infrastructure and encourage ridership amongst the residents in Visitacion Valley.

OBJECTIVE 35:

MEET SHORT-TERM PARKING NEEDS IN NEIGHBORHOOD SHOPPING DISTRICTS

CONSISTENT WITH PRESERVATION OF A DESIRABLE ENVIRONMENT FOR PEDESTRIANS AND RESIDENTS.

Policy 35.2:

Assure that new neighborhood shopping district parking facilities and other auto-oriented uses meet established guidelines.

While the proposed grocery store's location encourages use of public transportation, large grocery store trips can result in heavy loads not easily carried by customers. The parking spaces will provide ready access to such customers, while also maintaining a pedestrian-friendly environment with landscaping improvements.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND MEANS OF ORIENTATION.

Policy 1.6:

Make centers of activity more prominent through design of street features and by other means.

Policy 1.8:

Increase the visibility of major destination areas and other points for orientation.

The Project will serve as an anchor for the surrounding commercial districts and become an important destination for residents and visitors.

OBJECTIVE 3:

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1:

Promote harmony in the visual relationship and transitions between new and older buildings.

Policy 3.2:

Avoid extreme contrasts in color, shape and other characteristics which will cause new buildings to stand out in excess of their public importance.

The design changes included in the Project's scope of work serve to make the site a more attractive and inviting location. Contrast amongst the colors included in the design are complimentary and do not create extreme visual contrasts in tones that will detract from the details and integrity of the neighboring older structures.

OBJECTIVE 4:

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 4.4:

Design walkways and parking facilities to minimize danger to pedestrians.

Policy 4.13:

Improve pedestrian areas by providing human scale and interest.

New lighting and street trees as well as physical improvements to the site and parking areas will make for a more comfortable and visually engaging walk to and from the site.

11. **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.

Grocery stores are a primary business draw in neighborhood commercial districts and support other retail activities by serving as a retail anchor of neighborhood commercial districts. The project is located within an NC-3 (Moderate Scale, Neighborhood Commercial) Zoning District. Grocery Outlet will employ approximately 28 new employees from the surrounding neighborhood.

- 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 is a grocery store and the site has historically been occupied by a chain or formula retail grocery store. The proposal will have no direct effect on housing and will preserve the existing neighborhood character by occupying an existing building. No housing units exist on the property.

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

The project will have no effect on housing, as the project proposes a grocery store at the site of an existing retail store.

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

The Project area is well served by Muni and CalTrain, and proposes 53 off-street parking spaces.

- 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.

The proposed project will not include any commercial office development and will not displace any industrial establishments. The proposal replaces one retail establishment with another. The Project will generate approximately 28 new employment opportunities.

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

The proposed project will comply with the City Codes to achieve the proper preparedness in the event of an earthquake.

- G. That landmarks and historic buildings be preserved.

There are no designated landmarks or historic buildings on the Project site.

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

The proposed project will not have a negative effect on existing parks and open space.

12. 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.
13. 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. 2013.0022C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 20, 2013, 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 September 26, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: September 26, 2013

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a Formula Retail (d.b.a. **Grocery Outlet**) located at 2630 Bayshore Boulevard, Lot 018, Block 6309B pursuant to Planning Code Section(s) **121.2, 157, 303, and 703.4(b)** within the **NC-3 Zoning** District and a **55-X** Height and Bulk District; in general conformance with plans, dated **May 20, 2013**, and stamped "EXHIBIT B" included in the docket for Case No. **2013.0022C** and subject to conditions of approval reviewed and approved by the Commission on **September 26, 2013** 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 **September 26, 2013** 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.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
3. **Diligent pursuit.** 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. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN – COMPLIANCE AT PLAN STAGE

6. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
7. **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 building permit plans. 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
8. **Street Trees.** Pursuant to Planning Code Section 138.1 (formerly 143), the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that street trees, at a ratio of one street tree of an approved species for every 20 feet of street frontage along public or private streets bounding the Project, with any remaining fraction of 10 feet or more of frontage requiring an extra tree, shall be provided. The street trees shall be evenly spaced along the street frontage except where proposed driveways or other street obstructions do not permit. The exact location, size and species of tree shall be as approved by the Department of Public Works (DPW). In any case in which DPW cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this Section 428 may be modified or waived by the Zoning Administrator to the extent necessary.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
9. **Landscaping, Screening of Parking and Vehicular Use Areas.** Pursuant to Planning Code Section 142, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating the screening of parking and vehicle use areas not within a building. The design and location of the screening and design of any fencing shall be as approved by the Planning Department. The size and species of plant materials shall be as approved by the Department of Public Works.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
10. **Landscaping, Permeability.** Pursuant to Planning Code Section 156, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating that 20% of the parking lot shall be surfaced with permeable materials and

further indicating that parking lot landscaping, at a ratio of one tree, of a size comparable to that required for a street tree and of an approved species, for every 5 parking stalls, shall be provided. Permeable surfaces shall be graded with less than a 5% slope. The size and specie of plant materials and the nature of the permeable surface shall be as approved by the Department of Public Works.

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

PARKING AND TRAFFIC

11. **Car Share.** Pursuant to Planning Code Section 166, no fewer than **one (1)** car share space shall be made available, at no cost, to a certified car share organization for the purposes of providing car share services for its service subscribers.

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

12. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1 and 155.4., the Project shall provide no fewer than **two (2)** Class 1 and **six (6)** Class 2 bicycle parking spaces.

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

13. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than **fifty three (53)** off-street parking spaces.

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

14. **Off-street Loading.** Pursuant to Planning Code Section 152, the Project will provide **one** off-street loading spaces.

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

MONITORING - AFTER ENTITLEMENT

15. **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

16. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning

Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

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

OPERATION

17. **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>

18. **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>

19. **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

20. **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

Parcel Map



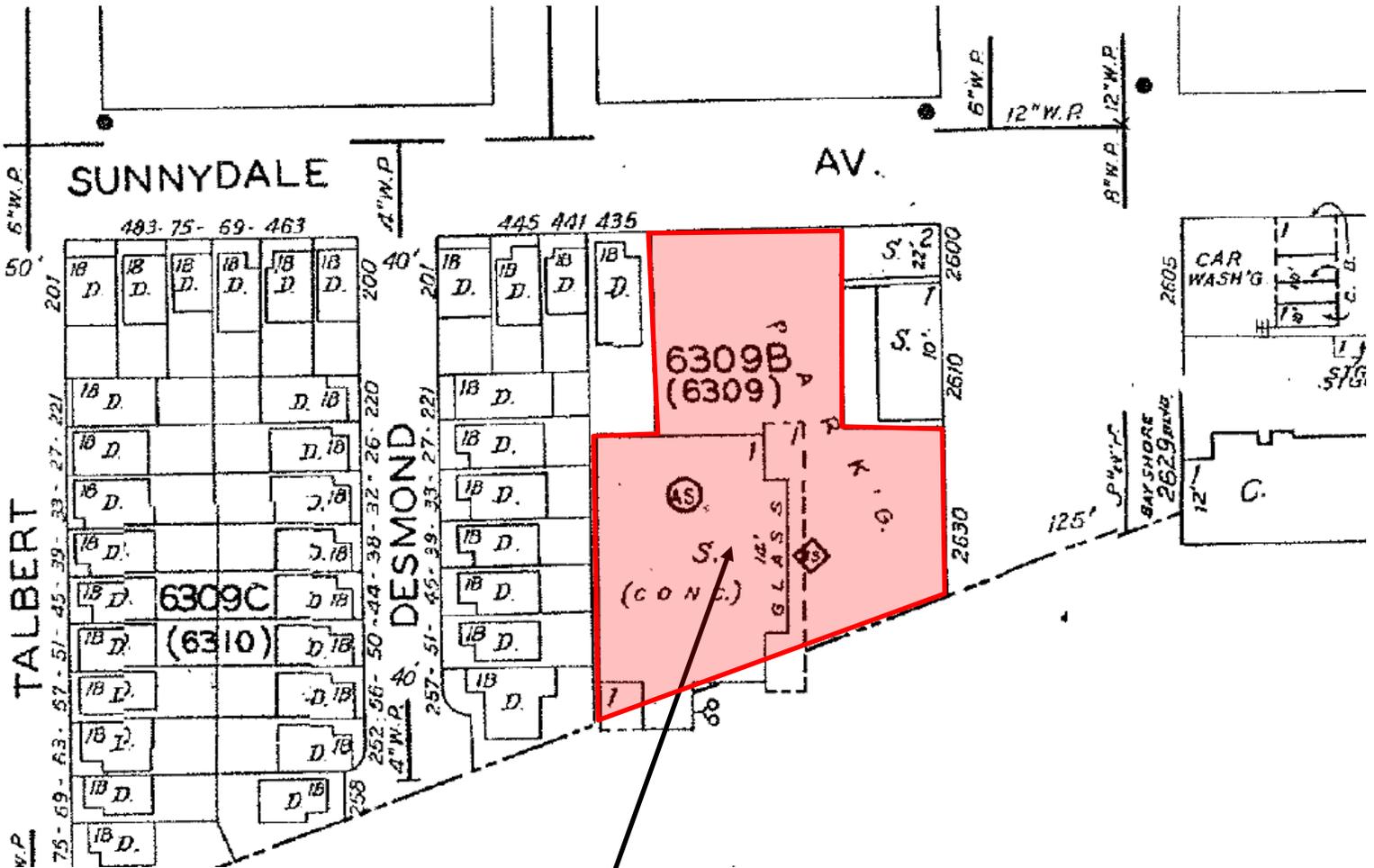
SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.0022C
2630 Bayshore Boulevard
6309B / 018

Sanborn Map*

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



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.0022C
2630 Bayshore Boulevard
6309B / 018

Zoning Map



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.0022C
2630 Bayshore Boulevard
6309B / 018

Height & Bulk Map



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.0022C
2630 Bayshore Boulevard
6309B / 018

Aerial Photograph

Looking South



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.0022C
2630 Bayshore Boulevard
6309B / 018

Aerial Photograph

Looking North



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2013.0022C
2630 Bayshore Boulevard
6309B / 018

Site Photograph

Along Sunnydale Avenue

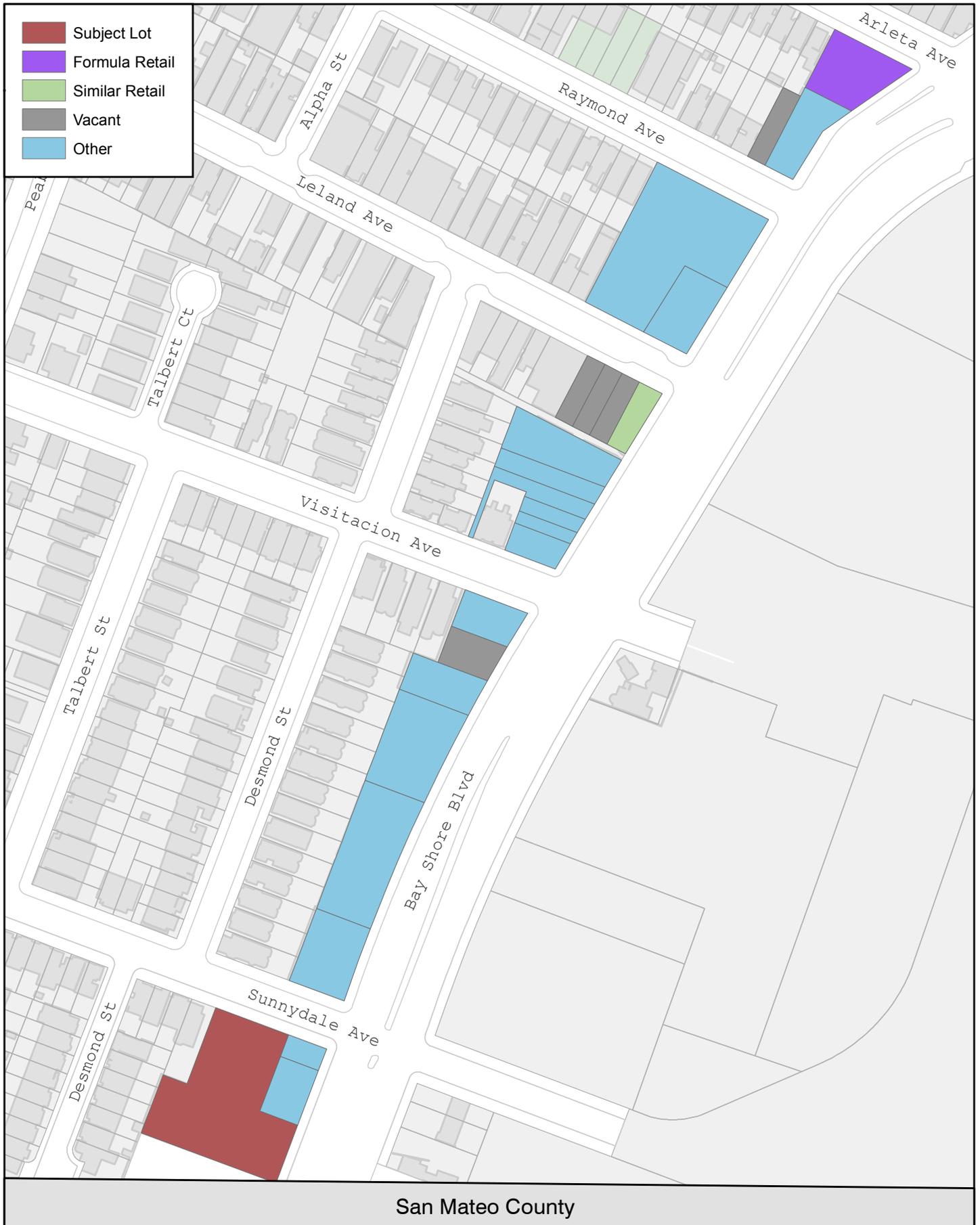


Site Photograph

Along Bayshore Boulevard



Uses in NC-3 District



Uses in Within 300ft of Parcel 6309B/018



Jackson, Erika

From: Heidi Gorenflo <heidigorenflo@att.net>
Sent: Thursday, September 12, 2013 3:51 PM
To: Jackson, Erika
Subject: Grocery Outlet

Dear Ms. Jackson;

I have been a resident of Visitacion Valley for over 60 years. It would be nice to have a discount grocery store in our neighborhood. There used to be a Safeway in that location but has long since gone. We have no grocery store close by.

This store is greatly needed. Please see to it that Grocery Outlet is included in the plans for Visitacion Valley. Thank you for your help.

Thank you,

Heidi Gorenflo
1815 Geneva Ave
San Francisco, CA 94134

Jackson, Erika

From: Barbara Gersh <barbg@aol.com>
Sent: Thursday, September 12, 2013 3:08 PM
To: Jackson, Erika
Cc: rmorine@aol.com
Subject: Grocery Outlet in Vis Valley (Case No. 2013.0022C)

Hello,

While I am not generally in favor of formula retail stores in our neighborhoods, there is a real need for a grocery supermarket in Visitacion Valley. I live in the nearby Portola neighborhood, and while I understand that our Fresh & Easy store will remain open, I would also shop at the Grocery Outlet for certain items.

Please grant the conditional use permit for Grocery Outlet so that we can have another grocery store in the southeast part of the city, which is a food desert compared to other areas.

Thank you,

Barbara Gersh
Brussels Street

Jackson, Erika

From: Barry Barbour <bigbluepeach@yahoo.com>
Sent: Thursday, September 12, 2013 10:04 AM
To: Jackson, Erika
Subject: Grocery Outlet

Ms Jackson

I am a resident of the Visitacion Valley neighborhood and I want a Grocery Outlet opened in my neighborhood. There is a shortage of full service supermarkets in my neighborhood and actually Grocery Outlet is one of my favorites. I would be overjoyed to have one nearby.

Please help to make this happen if you can.

Barry Barbour
1359 Brussels St.

Jackson, Erika

From: Blancett reynolds <blancettreynolds@gmail.com>
Sent: Wednesday, September 11, 2013 6:22 AM
To: Jackson, Erika
Subject: Support for Grocery Outlet in Visitation Valley

I fully support having a Grocery Outlet move in to Vis Valley!

Thank you,

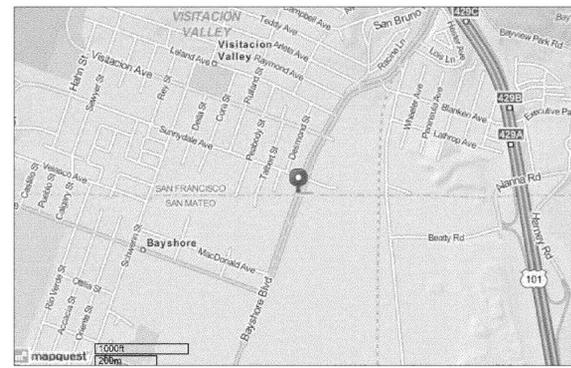
Sincerely,

Blancett Reynolds
327 Wheeler Ave SF CA 94134

- TRELLIS TO RUN THE LENGTH OF THE FENCE. COVER FENCE WITHOUT WOODY BUILDUP BENEATH NEW GROWTH, PROVIDE TEXTURE AND COLOR AND ATTRACT POLLINATORS.
 - LEAVE EXISTING TREES AND PLANTINGS. REMOVE DEAD PLANTS AND REPLACE WITH THE PLANTS LISTED BELOW, PROVIDE MULCH. ADD PLANTING IN BARE AREAS-SEE NOTE #4.
 - PLANT LARGER TREES, IN BOXES, RATHER THAN 15 GALLON POTS.
- NOTE: PLANTS THAT SHALL BE ADDED THROUGH-OUT THE SITE:
- ACHILLEA MILLEFOLIUM (YARRO-PASTEL COLORS)
 - CISTUS HYBRIDUS
 - C. LADANIFER
 - ERIGERON KARVINSKIANUS (MEXICAN DAISY)
 - LUPINUS NANUS SKY BLUE LUPINE
 - MIMULUS HYBRIDUS (MONKEY FLOWER)
 - PENSTEMON HETEROPHYLLUS PURDYI
 - ROSMARINUS PROSTRATUS OTHER UPRIGHT VARIETIES THAT HAVE BRILLIANT BLUE FLOWERS
 - SALVIA CLEVELANDII
 - S. ELEGANS, PINEAPPLE SAGE
 - S. LEUCANTHA, MEXICAN BUSH SAGE
 - OTHER COLORFUL SALVIAS INCLUDING LIPSTICK AND BLUE SALVIA

- (A) (E) TRELLIS EXISTING AND VINES, EXTEND TRELLIS AND VINES TO THE LENGTH OF WALL. (USE MORE THAN ONE TYPE FOR VARIETY ALONG THE TRELLIS)
- DISTICTIS BUCCINATORIA (TRUMPET VINE)
 - LONICERA HILDEBRANDIANA (GIAN BURMESE HONEYSUCKLE)
 - TRACHELOSPERMUM JASMINOIDES, STAR JASMINE
 - SENECIO CONFUSUS, MEXICAN FLAME VINE
- (B) (E) FIG TREE & ROSE BUSH TO REMAIN
- (C) PARKING LOT TREES:
- OLEA EUROPAEA (OLIVE, NON-FRUITING) OR
 - QUERCUS AGRIFOLIA (COAST LIVE OAK)
- (D) LAVENDER (MATCH EXISTING LAVENDER)
- (E) FREMONTODENDRON OR CEANOTHUS.
- (F) TREES (ALONGSIDE SUNNYDALE AT FENCE LINE):
- OLEA EUROPAEA (OLIVE TREES, MULTI-TRUNKED AS AT FRONT SIDE) OR,
 - FREMONTODENDRON CALIFORNICUM, LARGE SHRUB OR,
 - STANDARD CEANOTHUS 'RAY HARTMAN'.

- (G) BOTTLE BRUSH TREE
- (H) FICUS PUMILA
- (J) ITALIAN CYPRESS OR COLUMNAR TREES, IN GROUND.
- (K) FILL-IN LANDSCAPE AREAS-SEE LANDSCAPE NOTE #4
- (L) NEW LANDSCAPE CUT-OUT FOR VINES @9'-0" O.C.



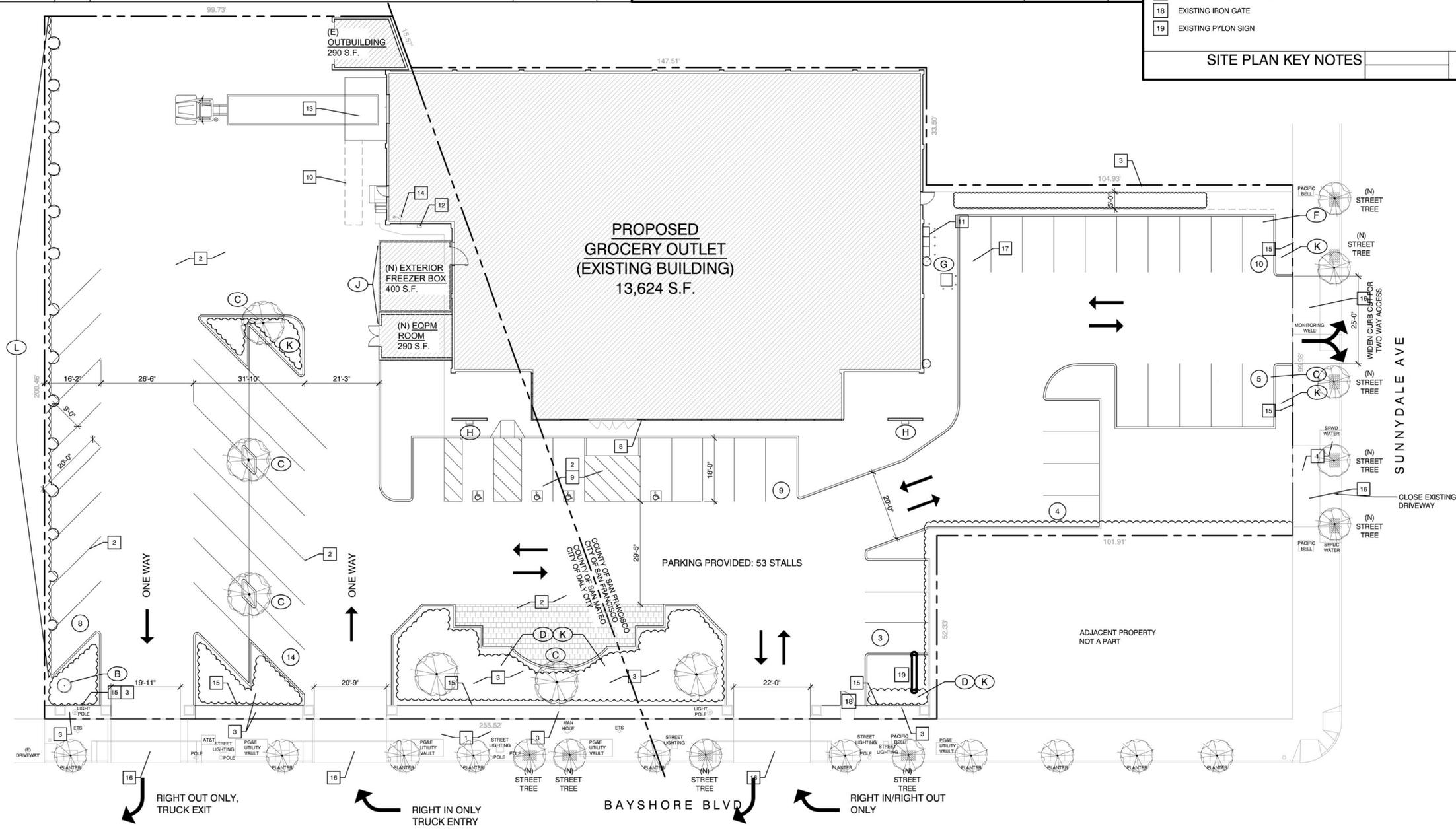
- EXISTING PUBLIC SIDEWALK TO REMAIN
- EXISTING AC PAVING TO REMAIN. PATCH & REPAIR AS REQUIRED AND PROVIDE NEW SLURRY COAT THROUGHOUT. (E) STRIPING DO NOT TELEGRAPH THROUGH.
- EXISTING LANDSCAPED AREA AND PLANTERS TO REMAIN-SEE LANDSCAPE NOTE #2
- CART CORRALS (BY TENANT): NATIONAL CART CO. #CC-900-14, 7'-6"W x 14'-0"L
- NEW PARKING LOT STRIPING
- EXISTING ACCESSIBLE PATH OF TRAVEL TO PUBLIC WAY.
- NEW ACCESSIBLE SIGNS
- NEW PRIMARY STORE ENTRANCE ADA SIGN - PER DTL 10/A002
- G.C. TO VERIFY EXISTING SLOPES/GRADES IN ENTRY AREA/ACCESSIBLE PARKING ARE IN COMPLIANCE - SEE 1/A-0.02 FOR ADDITIONAL INFORMATION
- PORTABLE METAL RAMP FOR DELIVERY PURPOSES (PROVIDED BY TENANT)
- NEW ELECTRICAL SWITCHBOARD WITH BOLLARDS PER UTILITY COMPANY REQUIREMENTS
- EXISTING GAS SERVICE
- NEW CONCRETE PLATFORM AND METAL CANOPY ABOVE FOR RECEIVING - TOP OF PLATFORM TO BE FLUSH WITH HEIGHT OF INTERIOR SLAB
- EXISTING FIRE SPRINKLER RISER
- EXISTING WROUGHT IRON FENCING AND GATES TO REMAIN, TYP.
- EXISTING APPROACH TO REMAIN
- NEW PAD MOUNTED UTILITY TRANSFORMER WITH BOLLARDS PER UTILITY COMPANY REQUIREMENTS
- EXISTING IRON GATE
- EXISTING PYLON SIGN

LANDSCAPE NOTES SCALE NTS 1E

LANDSCAPE KEY NOTES SCALE NTS 1D

VICINITY MAP 1C

SITE PLAN KEY NOTES 1B



m c g architecture

415.974.6002 415.974.1556

250 Sutter Street, Suite 500, San Francisco, CA 94108

Seal: LICENSED ARCHITECT YOUNG M. WONG No. C-22118 Exp. 10/31/13 STATE OF CALIFORNIA

A Project for:

GROCERY OUTLET
pergain market
 TENANT IMPROVEMENT
 2630 BAYSHORE BLVD
 SAN FRANCISCO, CA

Client:
GROCERY OUTLET, Inc.
 2000 FIFTH STREET
 BERKELEY, CA 94710
 Phone (510) 704-6579
 Fax (510) 644-0152

Revisions:
 MAY 20, 2013

No.	Description	Date
Project No.:		12.531.01
Drawn By:		DA/PAS
Reviewed By:		YW
Scale:		AS NOTED
Date:		
Filename:		12531_A001.dwg
Sheet Title:		

ARCHITECTURAL
 LANDSCAPE &
 SITE PLAN

Sheet #:

A-0.02

LANDSCAPE/SITE PLAN SCALE 1/16" = 1' - 0" 1



SUNNYDALE AVE.

VIEW A LOOKING WEST ALONG BAYSHORE BLVD.



VIEW B LOOKING WEST ALONG BAYSHORE BLVD.



VIEW C LOOKING NORTHWEST ALONG BAYSHORE BLVD.

GROCERYOUTLET

Bargain Market

2630 BAYSHORE BLVD
SAN FRANCISCO, CA



BAYSHORE BLVD.



VIEW D LOOKING SOUTH ALONG SUNNYDALE AVE.



VIEW E LOOKING SOUTH ALONG SUNNYDALE AVE.



VIEW F LOOKING WEST AT INTERSECTION OF SUNNYDALE AVE. AND BAYSHORE BLVD.

GROCERYOUTLET

bargain market

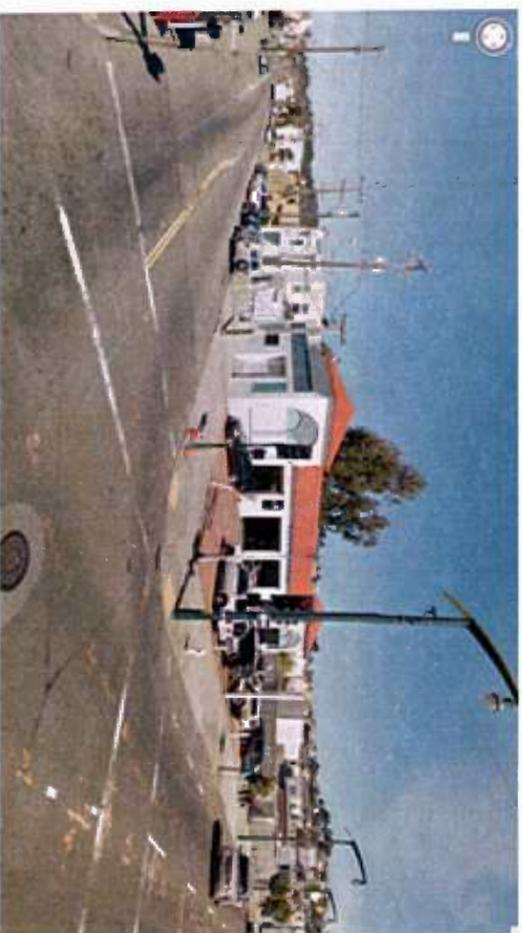
2630 BAYSHORE BLVD
SAN FRANCISCO, CA



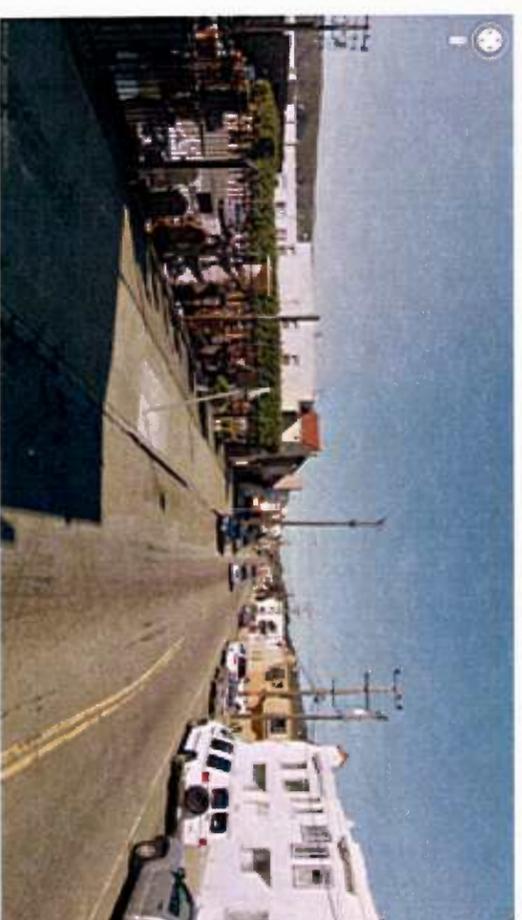
VIEW G LOOKING NORTHEAST AT INTERSECTION OF SUNNYDALE AVE. AND BAYSHORE BLVD.



VIEW H LOOKING SOUTHEAST ALONG BAYSHORE BLVD.



VIEW I LOOKING NORTH AT INTERSECTION OF SUNNYDALE AVE. AND BAYSHORE BLVD.



VIEW J LOOKING WEST ALONG SUNNYDALE AVE.

GROCERYOUTLET

bargain market

2630 BAYSHORE BLVD
SAN FRANCISCO, CA



VISITACION VALLEY PLANNING ALLIANCE

Working for a Better Community
1999-2013

August 12, 2013

To Whom It May Concern,

On behalf of the Visitation Valley Planning Alliance I am writing in support of the proposed Grocery Outlet store on Bayshore Boulevard and Sunnydale Avenues. Our neighborhood is a food desert and such an outlet would greatly benefit our lower income community. The Grocery Outlet team has done presentations to our group, which meets monthly to discuss transportation and land use issues in Visitation Valley. Those community members who attended were enthusiastic about the project.

We look forward to working with Grocery Outlet in the future.

Thank you.

Fran Martin

Fran Martin

Chairperson
Visitation Valley Planning Alliance



The San Francisco Brown Bombers

Youth Football & Spirit

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President / CEO

Sid Johnson
VP / Athletic Director

Jennifer Vance
Secretary

Shawndalina Crawford
Treasurer

Valarie Bell
Scholastic Director

Regina Wells-Ross
Board Member

September 6, 2013

To whom it may concern,

The Southeast Section of San Francisco (Visitation Valley & BVHP) has always been the home to thousands of families and has contributed to the vitality of San Francisco for years. Families everywhere deserve to have full and complete access to stable, full service grocery options, and this is true for one of the cities most storied and economically challenged communities like Visitation Valley and Bayview Hunter's Point. Working class families that make up these communities have had a critical need for a REAL Grocery store option for a long time and now Grocery Outlet a family owned entity will fill a critical need for working class families that has long been overdue. As the President of a Community Based Organization that works with children, youth and their families I know first hand the lasting impact Grocery Outlet will have on my constituents and I am both excited and fully supportive of their efforts to bring Grocery Outlet to our community.

Best,

Ranon E. Ross, Sr.

President, SE Brown Bombers

PH: (415) 820-1516 / F: (415) 695-2893
509 Mendel Street / San Francisco / CA 94124
www.sfbrownbombers.org

o m e g a b o y s c l u b



STREET SOLDIERS

April 17, 2013

To: San Francisco Planning Commission

From: Dr. Joseph Marshall
 Executive Director—Omega Boys Club

Re: Proposed Grocery Outlet market in Visitation Valley

Dear Commission members:

I am writing you in support of the planned Grocery Outlet food market in the Southeast sector of the City and asking that the Planning Commission approve the project. I can't emphasize enough that it's absolutely vital to have neighborhood access to quality food outlets in all areas of San Francisco. All citizens of the City deserve as much and the often neglected Visitation Valley/Sunnydale area especially so. As a service provider who works with many youth and families in that part of the city, I know full well the many challenges they face. The presence of a Grocery Outlet food market in the area alleviates one of those challenges. I'm hoping you'll agree. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Joe Marshall". The signature is written in a cursive, flowing style.

Joseph E. Marshall, Jr. PhD
Ashoka Fellow/Social Entrepreneur
MacArthur Fellow
Executive Director



To: San Francisco Planning Commission
Fr: Visitacion Valley History Project
Re: 2013.0022C Grocery Outlet (2630 BAYSHORE BOULEVARD)

Planning Commissioners

September 13, 2013

The Visitacion Valley History Project (authors of the Images of America: Visitacion Valley book) supports the proposal to open a Grocery Outlet in our neighborhood. Although the mission of the Visitacion Valley History Project is to preserve the past for future generations, we as residents are just as concerned about the daily needs of our community. We believe that Grocery Outlet addresses our community's desire for more neighborhood based shopping options.

From attending meetings with Grocery Outlet management we've learned about Grocery Outlet's origin in San Francisco and that the company is still family and locally owned. When residents expressed a desire for neighborhood based hiring, we were assured by the management that it is their policy to hire from within the community. When questioned about merchandise selection, operating hours, traffic flow, and parking the management provided honest answers and noted additional concerns.

As a group of residents focused upon the historical aspects of our community, members of the VVHP specifically asked about the preservation of the "Marina" style architecture of the existing building. We were delighted to hear that Grocery Outlet will be preserving the iconic façade. We urge you to support Grocery Outlet's Conditional Use application.

Thank you

Visitacion Valley History Project

Cynthia Cox
Edie Epps
Betty Parshall
Russel Morine

A-H-E Insurance Agency

PO Box 34187
San Francisco, CA 94134
Phone: 415-467-0236 Fax: [Your Fax]
E-Mail: edieaheins@gmail.com
Web: [Web Address]

9/16/13

San Francisco Planning Commission

Re: Grocery Outlet 2630 Bayshore Blvd, SF

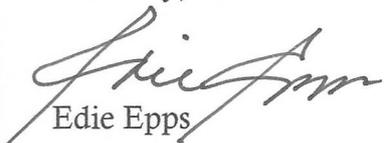
I'm writing this letter in support of the proposed Grocery Outlet for my neighborhood, Visitacion Valley. Neighbors have been attending meetings for many years in our community and many have expressed the need for more grocery choices. Grocery Outlet is a full service market which is needed in our working class community

I have attended neighborhood outreach meetings and met the owners and found out Grocery Outlet is a locally family owned store and was founded in San Francisco. They have also stated that they will hire locally from our neighborhood which is important that our community has a stake in Grocery Outlet as an employer. They have also stated that they will support community events within our neighborhood which is also an important step to show they are invested in us as well.

I'm a lifelong resident and business owner here in Visitacion Valley. My household ranges in age 60 to 1 years old and Grocery Outlet will meet the needs of all of us.

I hope you will move this project forward as it will be an asset to Visitacion Valley and I feel bring shoppers from other parts of San Francisco to our neighborhood.

Sincerely,


Edie Epps



Grocery Outlet Signs Leases for Neighborhood Grocery Stores in Visitacion Valley, Richmond Districts

Extreme-Value Grocer to Hire up to 70 Employees

October 17, 2012 11:13 AM Eastern Daylight Time

SAN FRANCISCO--(BUSINESS WIRE)--Grocery Outlet, the nation's leading deep-discount retailer, has executed two lease agreements to open grocery stores in San Francisco's Visitacion Valley and Richmond neighborhoods.

“This is what my constituents want to see – new businesses and new vitality moving into the district”

The new markets will be located at 2630 Bayshore Boulevard and 6333 Geary Boulevard. They will total 13,662-square-feet and 12,360-square-feet, respectively.

“Grocery Outlet started in San Francisco 65 years ago and we are delighted to be coming back home,” said Co-CEO MacGregor Read. “Our customers have come to expect quality, variety and value at our stores and we will be offering the same to San Francisco shoppers.”

“The Visitacion Valley community has been working for years to attract and sustain a grocery store,” said District 10 Supervisor Malia Cohen. “The neighborhoods at the southernmost end of our city have been sustained by small businesses for decades, but will benefit greatly from an anchor grocery store that can provide fresh healthy food and compliment our small neighborhood markets. I look forward to continuing to work to revive and strengthen the Bayshore corridor.”

“We welcome Grocery Outlet to the neighborhood,” said Luigi Silvestri, owner of the Bayshore location. “It will be wonderful to have a grocery store here.”

In the Richmond District, Grocery Outlet will move into a space formerly occupied by Cala Foods that had been dormant since 2010. “This is what my constituents want to see – new businesses and new vitality moving into the district,” said District 1 Supervisor Eric Mar. “Grocery Outlet offers San Franciscans the healthy and affordable food choices I have been advocating for.”

“We are pleased and honored that a first-class supermarket will once again be open for business to serve the varied shopping needs of the diverse population of the Richmond District,” said Arthur S. Becker, the owner of the Geary Street location. “There has been a market at this location for over fifty years, and we are confident that Grocery Outlet will continue that tradition of service to the community. As a resident of the Richmond District for over 85 years, I say, ‘Welcome to the neighborhood.’”

Grocery Outlet has been a tradition for bargain-seeking customers since 1946. The company’s reputation as a deep-discount store began when the late Jim Read began purchasing military surplus back in the 1940s and sold it at huge discounts.

Today, Grocery Outlet is a third-generation family run business, and a leading extreme-value retailer. Headquartered in Berkeley, California, Grocery Outlet currently encompasses 185 independently operated stores in six Western States and Pennsylvania.

Grocery Outlets are located in cities large and small and serve all kinds of neighborhoods. Most stores are independently operated by locally-based families. We are truly a family business.

For more information, visit

<http://cts.businesswire.com/ct/CT?id=smartlink&url=http%3A%2F%2Fwww.groceryoutlet.com&esheet=50444608&lan=en-US&anchor=www.groceryoutlet.com&index=1&md5=06605d3729747027c01f964bab2eae6f>.

From the San Francisco Business Times

:<http://www.bizjournals.com/sanfrancisco/blog/2013/09/supe-blasts-fresh-easy-for-closing.html>

Sep 10, 2013, 5:45pm PDT

S.F. supervisor blasts Fresh & Easy for closing Bayview market



J.K. Dineen

Reporter- *San Francisco Business Times*

[Email](#) | [Twitter](#) | [Google+](#)

San Francisco's under-served Bayview District is losing one of its only full-service grocery stores, the Fresh & Easy that was the retail anchor of the much-celebrated transit-oriented condo development at 5800 Third St.

Tuesday, YFE Holdings Inc., an affiliate of billionaire Ronald Burkle's Los Angeles-based investment firm Yucaipa Companies LLC, said it had bought more than 150 Fresh & Easy stores across the West Coast as well as the grocery chain's distribution center in Riverside.

British grocery chain Tesco, Fresh & Easy's previous owner, said in April that it would be pulling out of the five-year-old chain in the United States, which has about 200 stores across Arizona, Nevada and California. The company has been looking for a buyer for months, leaving the fate of the Bay Area's 19 stores in question.

But the deal does not include the most high-profile Fresh & Easy in San Francisco — 5800 Third St. — which served not only the condos next door but the greater Bayview neighborhood. The Third Street store will start closing over the next few weeks.

District 10 Supervisor Malia Cohen, who represents the Bayview, said that Fresh & Easy did little to support its Third Street store, and was unresponsive to efforts to work with the community.

"I am deeply disappointed that Fresh and Easy did not include the Bayview community in this process. As a city we have made consistent efforts to be a part of the discussion to ensure that the Bayview community was not harmed by the failures of Fresh and Easy to capitalize on the economic opportunities in San Francisco," she said in a statement. "Fresh & Easy may point to the low-performance of the existing Bayview store as the primary reason for why it was not included in the acquisition agreement. However, this statement

does not take into account that Fresh & Easy made little effort to support the day to day operations of the store."

She said city officials "made countless offers to meet with the general manager of the store to discuss neighborhood marketing campaigns in order to ensure it would remain successful."

Supervisor Cohen said that the decision would force many Bayview residents to buy their groceries in other neighborhoods. She said she is working with Mayor Ed Lee to schedule a meeting with Yucaipa Companies to discuss the potential of including the Bayview store in their sale agreement. Additionally, Cohen has already begun conversations with local grocers about potentially acquiring the site if Yucaipa does not reconsider purchasing the Bayview location.

"I am committed to working with the community to determine the future of this important asset, continue our economic revitalization efforts on the Third Street corridor and ensure that the Bayview community continues to have access to health and affordable food options," she said.

J.K. Dineen covers real estate for the San Francisco Business Times.


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July 2, 2013

Focusing San Francisco's Food Access Efforts

BY ELI ZIGAS, FOOD SYSTEMS AND URBAN AGRICULTURE PROGRAM MANAGER



While many parts of San Francisco are full of fresh food retailers, other neighborhoods lack greengrocers of any size. According to the SF Health Department, some areas of the city — including Treasure Island, the Tenderloin, Hunters Point and Visitacion Valley, among others — have limited to no fresh food retail options. On June 18, Supervisor Eric Mar introduced an amended version of his Healthy Food Retailer Ordinance to focus the city's attention on addressing this gap.

The legislation creates a Healthy Food Retailer Incentives Program within the Office of Economic and Workforce Development (OEWD). The program's goal is to increase access to healthy food; reduce the prevalence of junk food, alcohol and tobacco; and stimulate economic development through new or revitalized retail. To reach this goal, the legislation specifically directs the new program to coordinate existing efforts spread across multiple city agencies — such as OEWD's Invest in Neighborhoods Program and the Southeast Food Access Working Group's partnership with the Department of Public Health to convert corner stores in the Bayview. These programs offer store owners technical assistance, retail assessment, help with permitting, and small loans and grants. Going forward these initiatives, and any others like them in the future, will be coordinated under one roof.

While broad in its aims, the legislation is more specific in detailing which retailers should receive the program's extra attention. To qualify as a "healthy food retailer" the store must devote at least 35 percent of its floor and shelf area to "fresh produce, whole grains, lean proteins and low-fat dairy products" and also have no more than 20 percent of its space dedicated to tobacco and alcohol products. Supermarkets, restaurants, chain stores defined by the formula retail law and stores that already meet the above criteria are also explicitly excluded from the program's scope of focus. In other words, the legislation aims to address food access by improving the offerings of small grocery stores, corner stores and convenience stores rather than attracting large supermarkets or prepared food options.

For the coming fiscal year, the new program will not require any new staff positions, relying instead on a shift of job responsibilities for staff in the OEWD and the Department of Public Health. However, \$60,000 for specialized technical assistance for store redesigns is included in OEWD's budget for the 2013-2014 fiscal year.

As highlighted in SPUR's recent report *Locally Nourished*, addressing food access is a complex issue. While the legislation calls on the new program to identify obstacles to food access and find solutions, it does not lay out clear metrics of success. For some, addressing food access is about lowering rates of obesity, diabetes and other diet-related disease, while for others, food access is an issue of equity and quality of life. The new program will be required to submit annual progress reports, but it is not yet clear whether progress will be measured by number of store conversions, increased sales of healthy food, reduced sales of junk food, improved health within a neighborhood or other indicators. Clearly articulating what success looks like and what tools will be used to measure the impact of the city's various initiatives will be a crucial first task for the new program, should the legislation pass.

Supervisor Mar's legislation builds upon the city's existing initiatives and aims to strengthen them through coordination and evaluation of pilot projects. Though more work needs to be done to determine how progress will be measured, the bill is another step forward by the city to ensure that San Franciscans can find and afford fresh, healthy food no matter their neighborhood.

Download:

- [Full text of the proposed Healthy Food Retailer Ordinance as amended June 18, 2013](#)

Fresh & Easy sold; some Bay Area stores to close

By Heather Somerville hsomerville@bayareanewsgroup.com San Jose Mercury News

Posted:

MercuryNews.com

Fresh & Easy, the neighborhood-style grocery chain with about 15 stores in the Bay Area, announced Tuesday it had been sold and that some stores will close.

The sale could leave up to 50 stores in the three states where Fresh & Easy operates -- California, Arizona and Nevada -- ownerless, forcing them to close. At least two of those closures will be in the Bay Area.

On Tuesday, Fresh & Easy declined to say which stores would close or how many employees would lose their jobs.

"We are still communicating with our employees and do not have a list of stores at this time, though the vast majority in the area will remain open," spokesman Brendan Wonnacott said in an email,

Most managers and employees at the 15 Bay Area stores contacted by this newspaper expressed relief that they had been spared in the sale and their stores would remain open. But the Fresh & Easy at Third Street and Carroll Avenue in San Francisco and one in San Jose will close, according to interviews with employees at those locations.

On the Fresh & Easy website, the company wrote that the sale to "Yucaipa preserves more than 4,000 jobs and a vast majority of the business. Unfortunately, as a result of this agreement some stores will be closing." Yucaipa is run by billionaire Ron Burkle, who has snatched up floundering grocery stores across the country.

The closures are likely to happen within three months, which is the expected time frame to complete the sale to Yucaipa.

Philip Clarke, chief executive of Tesco, the British supermarket conglomerate selling the chain, said in a statement the sale "represents the best outcome for Tesco shareholders and Fresh & Easy's stakeholders," while protecting jobs.

Fresh & Easy marks Tesco's second failed international venture after it paid a huge sum to exit Japan last year. The company has 200 shops and hasn't made a profit since it was founded in 2007. Analysts say the company chose cheap real estate -- most stores were smaller than American shoppers are used to -- in unappealing retail locations. Tesco also never fully understood the American consumer, they say, and instead brought its British style of sterile stores and plastic-wrapped produce to U.S. shores, where it couldn't compete with the popular farmers market-style Whole Foods and Sprouts.

"It was typical British -- there was no emotion," said Phil Lempert, industry analyst and editor of SupermarketGuru.com. "Each individual fruit was wrapped. There was no aroma. Things were a little bit too packaged."

But Lempert said Fresh & Easy has a bright future under Burkle, who is also credited with turning around the floundering A&P neighborhood-style grocery. Analysts speculate Burkle will relaunch the Wild Oats brand -- the natural grocery store chain that Whole Foods bought -- in concert with Fresh & Easy.

"This might be the start of a national chain of neighborhood stores," he said.

Contact Heather Somerville at 510-208-6413. Follow her at [Twitter.com/heathersomervil](https://twitter.com/heathersomervil).

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July 2013

Fresh & Easy—Short and Sweet

Yael Chanoff

Two years ago, a Fresh & Easy grocery store opened in Bayview. Mayor Ed Lee and District 10 Supervisor Malia Cohen heralded the retailer's arrival in the neighborhood. "They are making an investment in health by providing access to fresh, high-quality food to a neighborhood that has historically lacked access to better options for generations," Cohen said at the time.

Now, Fresh & Easy has announced that it is shutting its doors, after rapid expansion of the chain tanked the profits of its owner, British grocery giant Tesco. The grocery store's late-2007 American launch was ill-timed, occurring just before the recession took hold. Fresh & Easy's 200 stores—three of which are in San Francisco, on Third Street, Silver Avenue, and 32nd Avenue—have been consistently unprofitable. Tesco invested \$1.6 billion in Fresh & Easy before deciding to make their exit; the company's profits dropped 96 percent last year.

Tesco announced that they'd be selling Fresh and Easy last spring. In a hopeful press release, the company stated that "even though our parent company plans to leave the U.S., we're pleased to confirm there are no plans to close any portion of Fresh & Easy." Instead, the goal is to sell the brand to another grocery retailer, who will keep them open as similar businesses.

Although a buyer has yet to be found for the chain, according to Tesco "it has already received interest from a number of parties including groups looking to purchase Fresh & Easy as an operating business." According to Bloomberg News, billionaire Ron Burkle is in talks to buy the brand, and would use the chain's infrastructure to re-launch the Wild Oats grocery store brand. Jim Keyes, former chief executive officer of 7-11 and Blockbuster, would serve as the revived Wild Oats' CEO.

"We're still fighting the good fight!" wrote Fresh & Easy, in their April 17 statement, a reference to the chain's history of locating stores in neighborhoods with limited access to fresh produce, also known as "food deserts". According to the U.S. Department of Agriculture, much of Bayview is a food desert. Specifically, the area bordered by Yosemite Avenue, Jamestown Avenue, Third Street and the Bay consists of "low-income census tracts where a substantial number or share of people are far from supermarkets," USDA's definition of a food desert. A 2010 PolicyLink study found that African-Americans are nearly four times as likely as European-Americans to live in a food desert.

Bayview features a number of large markets, including Foods Co, at 345 Williams Avenue, Super Save Market, at 4517 Third Street, and Aguila de Oro at 5201 Third Street. **But some residents say that Fresh & Easy was a welcome addition, and one of the few places to buy fresh and organic produce. "I think it's going to be a huge inconvenience," said Danielle Jackson, who lives near Fresh & Easy. Jackson said that without Fresh & Easy she'd most likely leave the neighborhood to shop for groceries.**

"I would probably go to Costco or Safeway," Jackson said. "But I have a car. I know a lot of people in this neighborhood might not have access to a car. They're taking public transportation."

Bayview resident TaLea Monet said Foods Co isn't a good option for her. "I've been there, and they carry hardly nothing organic. Just a bunch of crap food," Monet said. Monet's husband, Debray Carpenter, said Fresh & Easy wasn't immediately welcomed by the community. "We protested it when it opened," he said, mostly because the store was co-located with market-rate housing; when Fresh & Easy opened, so did condominiums upstairs. The building resembles the Potrero Hill Whole Foods and other upscale grocery stores that are built on the ground floor of high-end housing. The 5800 Third Street complex also includes Limón Rotisserie and the Corner Café. When Fresh & Easy opened in 2011 the San Francisco Chronicle reported that "more than a dozen" protesters were outside "denouncing what they said was a lack of real affordable housing in the surrounding development."

Bayview resident Jameel Patterson said he doesn't shop at Fresh & Easy, but he can understand why others might like the store. "It makes you feel good about your neighborhood," Patterson said. "You can park in the downstairs parking lot and go right in." However, according to Patterson, Fresh & Easy was never a real solution to improve health in Bayview. "They're just in it for the money," he said.

Patterson has more faith in groups like United Playaz, an anti-violence youth organization with chapters in San Francisco and the Bronx. According to the group's executive director, Rudy Corpuz, access to healthy food is a part of anti-violence work. "There are a lot of young people dying, and it's not just violence. It's cancer, it's diabetes," Corpuz said. **"We're not used to having a lot of healthy food in our neighborhood."**

That reality is slow to change. **Fresh & Easy was the only new grocery store to open in Bayview in the past two decades,** though alternative approaches to improving food access have been underway for much of that period. Community garden projects, like the Quesada Gardens Initiative, bring opportunities to grow fresh food to the neighborhood. And earlier this year Lee's Food Market, at 1397 Revere, had a "grand re-opening," launching a new selection of products, including fresh fruits and vegetables. Ford's Grocery has made similar changes at its 1496 Oakdale location. These efforts were supported by Southeast Food Access (SEFA), which describes itself as "a collaborative of residents, community based organizations, City agencies, and others working on food access and food systems."

Besides their corner store initiative, SEFA has continued with long-term efforts to change food offerings at Super Save and Foods Co.—originally launched by nonprofits Literacy for Environmental Justice and San Francisco Community Power—and played a part in bringing Fresh & Easy to the neighborhood. "The people of this neighborhood deserve a natural food grocery store," said Jackson.

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