



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: SEPTEMBER 22, 2011

Date: September 15, 2011
Case No.: **2011.0382C**
Project Address: **1575 SOUTH VAN NESS AVENUE**
Zoning: Mission Street Neighborhood Commercial Transit District
65-X Height and Bulk District
Block/Lot: 6571/027
Project Sponsor: Paul Johnson
101 Second Street, Suite 2300
San Francisco, CA 94105
Staff Contact: Diego R Sánchez – (415) 575-9082
diego.sanchez@sfgov.org
Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The project proposes to establish a retail use (d.b.a. AutoZone) that is identified as a formula retail use within the Mission Street Neighborhood Commercial Transit District. Alterations to the existing building include an expansion of glazing at the south façade, a change in glazing at all storefronts to improve energy efficiency and a change in building signage.

AutoZone is an international chain of auto part stores with over 4,700 stores that offer a wide range of replacement parts for the maintenance of automobiles. All AutoZone stores are company owned as AutoZone does not offer franchise opportunities.

SITE DESCRIPTION AND PRESENT USE

The project is located on the northeast corner of South Van Ness Avenue and Cesar Chavez Street, Lot 027 in Assessor's Block 6571. The approximately 10,000 square foot lot is currently improved with a one-story building constructed in 1974, according to Planning Department records. The building, currently vacant, has an approximate floor area of 4,700 square feet. The remainder of the lot provides 6 off street parking spaces. The property is currently vacant and has been since approximately 2007.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

A range of residential and commercial land uses are in the immediate vicinity of the project. Among those uses include an automotive gas station, multiple automotive repair shops, dry-cleaning and rug cleaning establishments, single family residences and multifamily buildings. A retail sales and service use (domestic appliance parts vendor) and an automotive repair shop are immediately north and east of the proposed project, respectively. Across Cesar Chavez Street, to the south of the site, are two and three

story residential uses. The surrounding zoning is RH-2 (Residential, House Two Family), RH-3 (Residential, House Three Family), RM-1 (Residential, Mixed Low Density), RTO-M (Residential, Transit-Oriented – Mission Neighborhood) and Mission Street Neighborhood Commercial Transit District.

The site is well served by transit. The 12-Folsom, 14-Mission, 14-Mission Limited, 27-Bryant, 49 Van Ness-Mission and 67-Bernal Heights Muni Bus Lines operate either immediately in front of the site or within two blocks of the site. Four blocks from the site is the 24th Street/Mission Station of BART.

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 2, 2011	September 2, 2011	20 days
Posted Notice	20 days	September 2, 2011	September 2, 2011	22 days
Mailed Notice	20 days	September 2, 2011	September 2, 2011	22 days

The proposal requires a Section 312 neighborhood notification, which was conducted in conjunction with the Conditional Use authorization process.

PUBLIC COMMENT

- As of September 14, 2011, the Department has received one telephone call from the public with concern about the proposal centered on the potential that patrons of the proposal would begin to repair their automobiles in the surrounding streets.

PAST HISTORY AND ACTIONS

- In March 2008 the Planning Commission heard a request for Conditional Use authorization (Case 2007.1456C) to allow a formula retail use (dba ICI Paints) at the subject property. The Commission could not affirmatively vote to either approve or disapprove the application due to a 3-3 split on the Commission. In the absence of an affirmative action, the project was considered disapproved.
- In April 2008 the Board of Supervisors heard an appeal of the Planning Commission disapproval of the Conditional Use authorization. The Board of Supervisors subsequently overturned the Planning Commission disapproval.
- In October 2010 the project sponsor for the ICI Paints project officially withdrew the application under Case 2007.1456C.

ISSUES AND OTHER CONSIDERATIONS

- With respect to an application for a formula retail use as defined in Planning Code Section 703.3, the Planning Commission shall consider the following additional findings:
 - The existing concentration of formula retail uses within the NC District;
 - The availability of other similar retail uses within the NC District;
 - The compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the NC District;
 - The existing retail vacancy rate within the NC District; and
 - The existing mix of Citywide servicing retail uses and neighborhood servicing retail uses within the NC District.

On August 24, 2011 Planning Staff conducted a walking survey of the Mission Street Neighborhood Commercial Transit District in which the proposed project is situated. The survey indicated that on Mission Street between 14th and Cesar Chavez Streets there are a total of 21 existing formula retail uses and 35 lots with vacant storefronts of varying sizes. Independently owned establishments far outnumber formula retail uses within the Mission Street Neighborhood Commercial Transit District. There are no independently owned or Formula Retail automobile parts stores within the Mission Street Neighborhood Commercial Transit District. A Formula Retail automobile parts store (d.b.a. Kragen) is located approximately 1,100 feet from the site, but is within a different neighborhood commercial district. The project does not propose to expand the existing building envelope, does not propose major alterations to the South Van Ness Avenue façade and will not conflict with the light industrial / automotive repair shop uses in the area.

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 within the Mission Street Neighborhood Commercial Transit District, pursuant to Planning Code Section 703.4.

BASIS FOR RECOMMENDATION

- The proposed project utilizes a currently vacant building, avoiding the displacement of an existing retail tenant and resulting in private investment into the neighborhood.
- There are multiple vacant storefronts within the Mission Street Neighborhood Commercial Transit District that provide opportunities for independently owned businesses to locate within the area.
- The proposed project provides a source of employment for neighborhood residents of various skill levels.
- The project meets all applicable requirements of the Planning Code.
- The proposed project serves both the immediate neighborhood and a larger population, consistent with the intent of the Mission Street Neighborhood Commercial Transit District.
- The proposed project is located in an area where multiple automotive serving uses are found, thereby providing the potential for synergies among the existing establishments and the proposed project.
- The proposed project is desirable for, and compatible with the surrounding neighborhood.

RECOMMENDATION: Approval with Conditions
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Attachments:

Block Book Map
Sanborn Map
Aerial Image
Site Image
Context Images
Plans

Attachment Checklist

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

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

Planner's Initials

Parcel Map



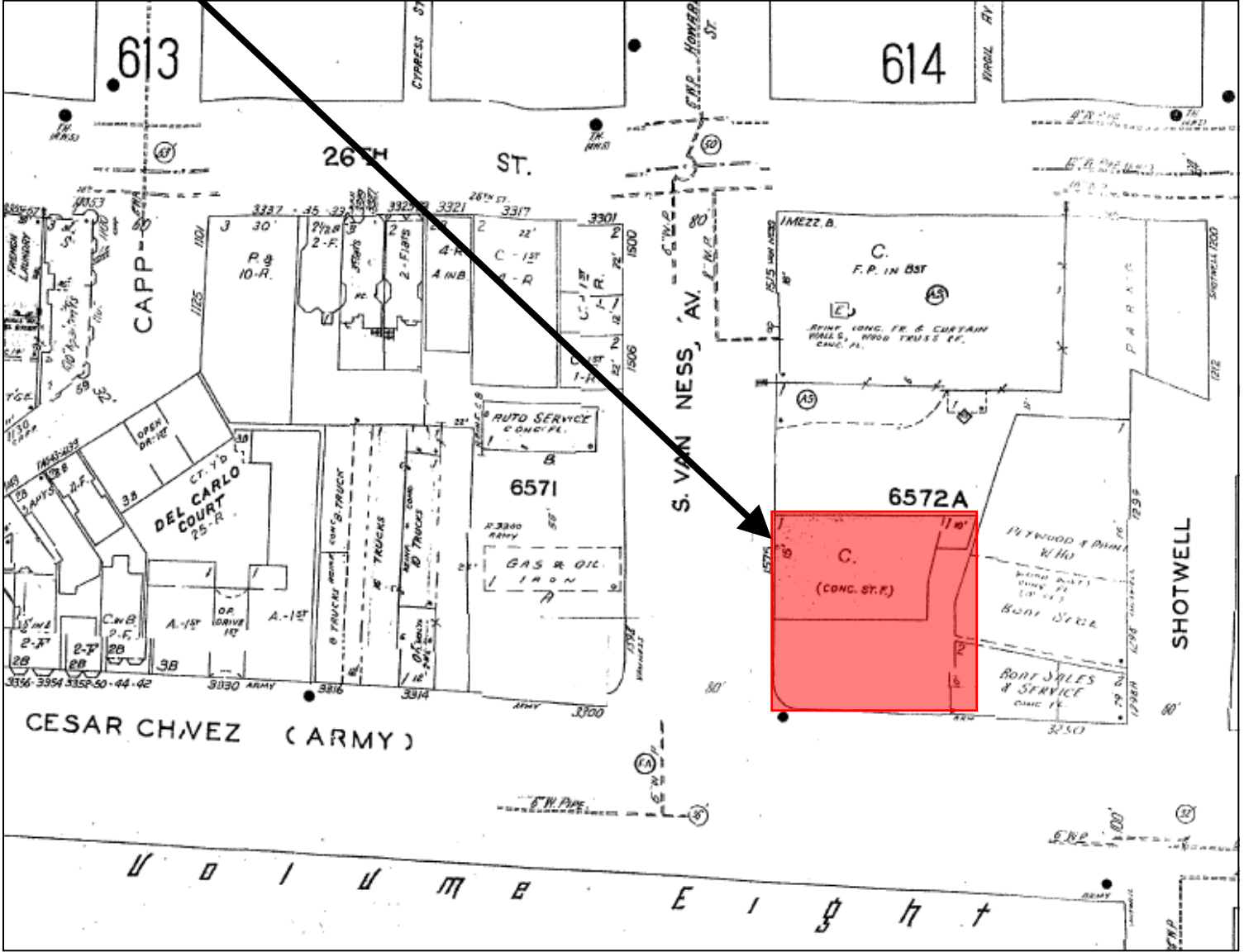
SUBJECT PROPERTY

Conditional Use authorization
 Case Number 2011.0382C
 Formula Retail - AutoZone
 1575 South Van Ness Avenue



Sanborn Map*

SUBJECT PROPERTY



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



Aerial Photo

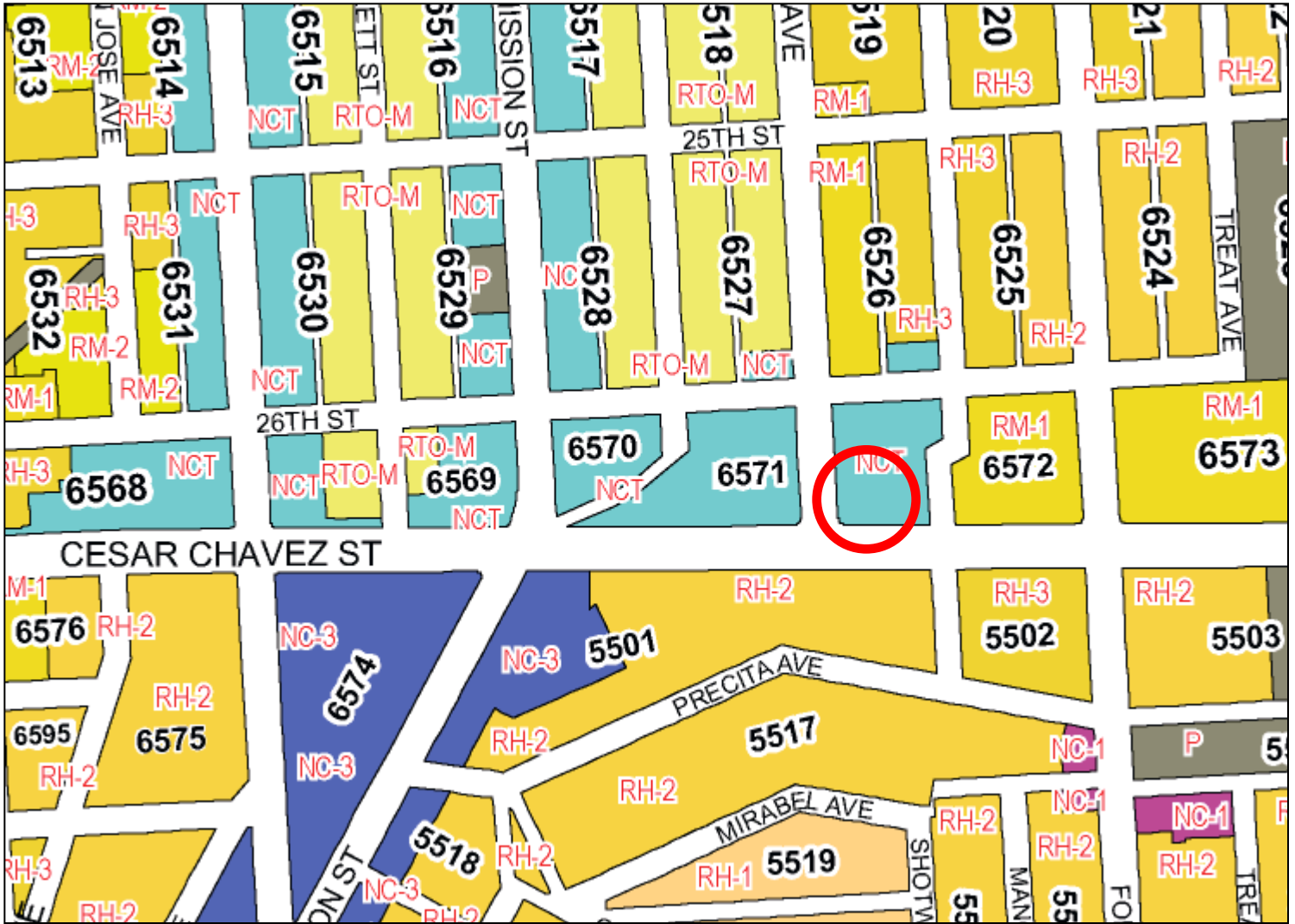


SUBJECT PROPERTY



Conditional Use authorization
Case Number 2011.0382C
Formula Retail - AutoZone
1575 South Van Ness Avenue

Zoning Map



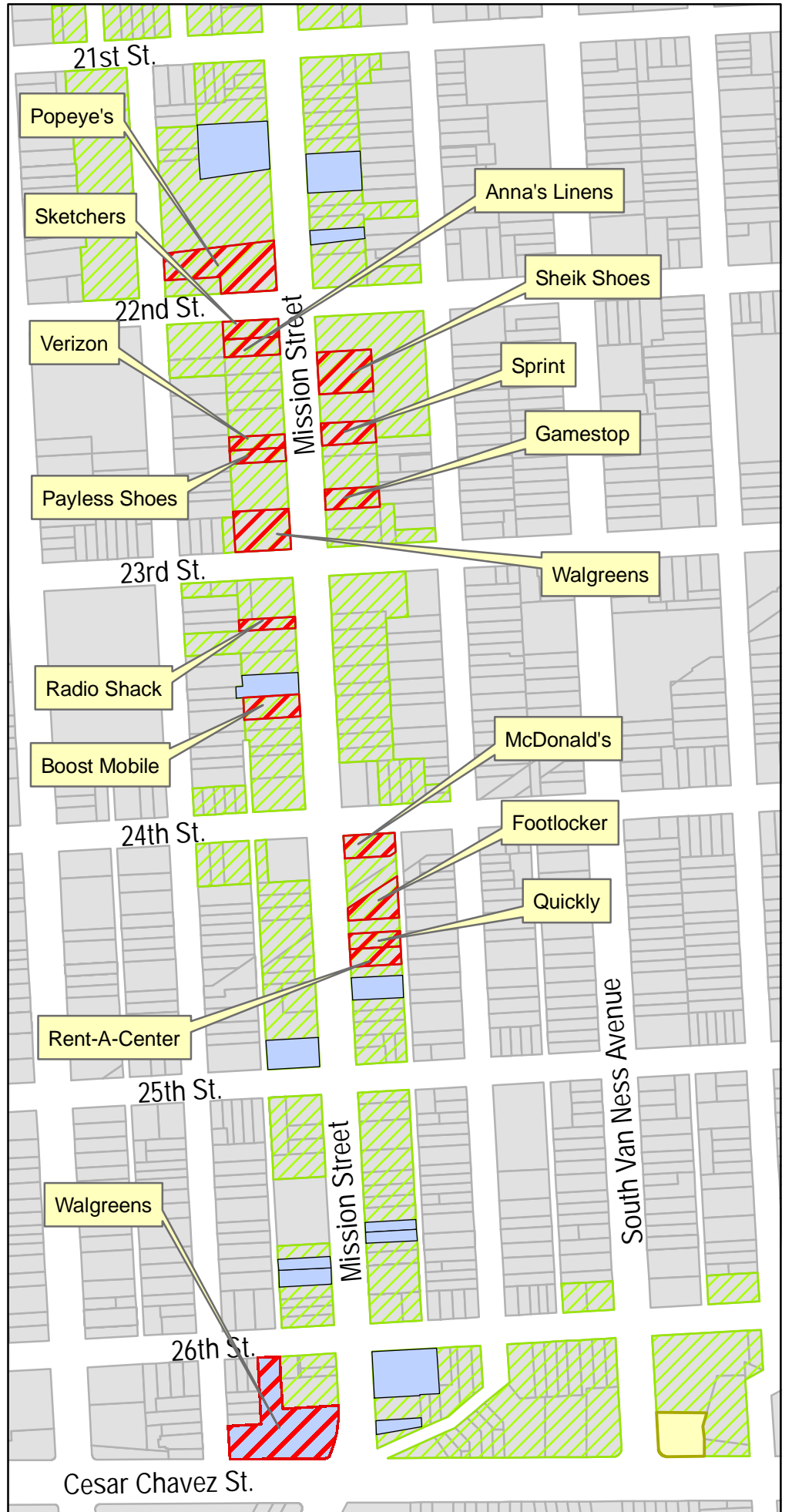
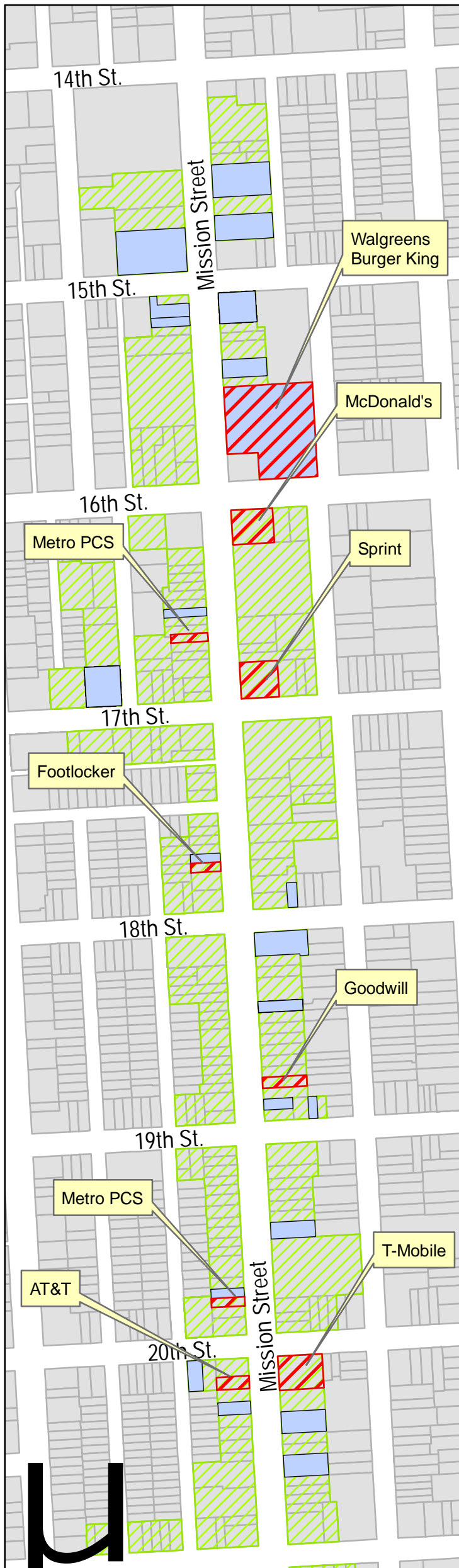
Conditional Use authorization
Case Number 2011.0382C
Formula Retail - AutoZone
1575 South Van Ness Avenue

Site Photo



Conditional Use authorization
Case Number 2011.0382C
Formula Retail - AutoZone
1575 South Van Ness Avenue

Case 2011.0382C: 1575 South Van Ness Avenue Formula Retail in the Mission Street NCT



	Formula Retail Use
	Subject Property
	Lots w/ Vacant Storefront
	Mission Street NCT

0 250 500 1,000

 Feet

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



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> 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 303 AND 703.4 OF THE PLANNING CODE TO ESTABLISH A RETAIL USE (D.B.A. AUTOZONE) IDENTIFIED AS A FORMULA RETAIL USE WITHIN THE MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT AND A 65-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 14, 2011 Paul Johnson (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 303 and 703.4 to establish a retail use (d.b.a. AutoZone) identified as a formula retail use within the Mission Street Neighborhood Commercial Transit District and a 65-X Height and Bulk District.

On September 22, 2011, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.0382C.

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

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2011.0382C, 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 northeast corner of South Van Ness Avenue and Cesar Chavez Street, Lot 027 in Assessor's Block 6571. The approximately 10,000 square foot lot is currently improved with a one-story building constructed in 1974, according to Planning Department records. The building, currently vacant, has an approximate floor area of 4,700 square feet. The remainder of the lot provides 6 off street parking spaces. The property is currently vacant and has been since approximately 2007.
3. **Surrounding Properties and Neighborhood.** A range of residential and commercial land uses are in the immediate vicinity of the project. Among those uses include an automotive gas station, multiple automotive repair shops, dry-cleaning and rug cleaning establishments, single family residences and multifamily buildings. A retail sales and service use (domestic appliance parts vendor) and an automotive repair shop are immediately north and east of the proposed project, respectively. Across Cesar Chavez Street, to the south of the site, are two and three story residential uses. The surrounding zoning is RH-2 (Residential, House Two Family), RH-3 (Residential, House Three Family), RM-1 (Residential, Mixed Low Density), RTO-M (Residential, Transit-Oriented – Mission Neighborhood) and Mission Street Neighborhood Commercial Transit District.

The site is well served by transit. The 12-Folsom, 14-Mission, 14-Mission Limited, 27-Bryant, 49 Van Ness-Mission and 67-Bernal Heights Muni Bus Lines operate either immediately in front of the site or within two blocks of the site. Four blocks from the site is the 24th Street/Mission Station of BART.

4. **Project Description.** The project proposes to establish a retail use (d.b.a. AutoZone) that is identified as a formula retail use within the Mission Street Neighborhood Commercial Transit District. Alterations to the existing building include an expansion of glazing at the south façade, a change in glazing at all storefronts to improve energy efficiency and a change in building signage.

AutoZone is an international chain of auto part stores with over 4,700 stores that offer a wide range of replacement parts for the maintenance of automobiles. All AutoZone stores are company owned as AutoZone does not offer franchise opportunities.

5. **Public Comment.** As of September 14, 2011, the Department has received one telephone call from the public with concern about the proposal centered on the potential that patrons of the proposal would begin to repair their automobiles in the surrounding streets.
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. **Off-Street Parking.** Planning Code Section 151.1 limits the number of off-street parking spaces to no more than 1 per 1,500 square feet of occupied floor area.

The proposal contains approximately 4,700 square feet of occupied floor area and would be permitted no more than 3 off-street parking spaces. The existing 6 off-street parking spaces are non-conforming and ill remain.

- B. **Formula Retail Uses in NC Districts.** Planning Code Section 703.4 states that Conditional Use Authorization is required for the establishment of a Formula Retail Use, as defined by Planning Code Section 703.3, in any Neighborhood Commercial District.

The Project Sponsor intends to establish a Formula Retail Use (AutoZone) in the Mission Street Neighborhood Commercial Transit District and is seeking Conditional Use authorization.

- C. **Street Frontage in Neighborhood Commercial Districts.** The purpose of Planning Code Section 145.1 is to preserve, enhance and promote attractive, clearly defined street frontages that are pedestrian-oriented, fine grained, and which are appropriate and compatible with the buildings and uses in Neighborhood Commercial Districts. Section 145.1 requires street frontages with active uses that are not residential or PDR be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow for visibility to the inside of the building.

The subject property has 50 linear feet of street frontage on South Van Ness Avenue and 44 linear feet is clear glazing, which meets the intent of Planning Code Section 145.1.

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 proposed use, a retail auto parts store, will complement the character of light industrial uses, and in particular the multiple automotive uses, that surround the site. The proposed use does not seek to expand or intensify development on the site and will operate within the existing building envelope. .

- 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 proposed project will operate within the existing building envelope. No exterior expansion is proposed.

- 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;

While the proposed project is not required to provide off-street parking, it provides a total of 6 off street parking spaces for customer use, one of which is a van accessible space. In addition there are approximately 35 linear feet of curb space for on-street parking immediately at the property line on South Van Ness Avenue. The site provides existing curb cuts on Cesar Chavez Street and South Van Ness Avenue, both streets that can accommodate the trips to be generated by the proposed use.

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

Given the retail nature of the proposed project, the Planning Department does not expect the emission of offensive noise, glare, dust and odors.

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

The proposal will maintain the existing parking lot and will seek the appropriate permits for all changes in signage.

- 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 Mission Street Neighborhood Commercial Transit District in that the intended use is a neighborhood serving commercial use located at the ground floor.

8. **Sections 303(i) and 703.4** require Conditional Use authorization for the establishment of a formula retail use in Neighborhood Commercial Districts. The Planning Commission shall consider the following criteria set forth in Section 303(i) in addition to the criteria set forth in Section 303(c):

- a. The existing concentrations of formula retail uses within the Neighborhood Commercial Districts;

On August 24, 2011 Planning Staff conducted a walking survey of the Mission Street Neighborhood Commercial Transit District in which the proposed project is situated. The survey indicated that on Mission Street between 14th and Cesar Chavez Streets there are a total of 26 existing formula retail uses. The Formula Retail uses include Anna's Linens, AT&T, Boost Mobile, Burger King, Footlocker, GameStop, Goodwill, Metro PCS, McDonald's, Payless Shoes, Popeye's, Quickly, Radio Shack, Rent-A-Center, Sketchers, Sheik Shoes, Sprint, T-Mobile, Verizon and Walgreens. Independently owned establishments far outnumber formula retail uses within the Mission Street Neighborhood Commercial Transit District. There are no Formula Retail automobile parts stores within the Mission Street Neighborhood Commercial Transit District. A Formula Retail automobile parts store (d.b.a. Kragen) is located approximately 1,100 feet from the site, but is within a different neighborhood commercial district.

- b. The availability of other similar retail uses within the Neighborhood Commercial District;

There are no other retail automobile parts stores within the Mission Street Neighborhood Commercial Transit District.

- c. The compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the Neighborhood Commercial District;

The project does not propose to expand the existing building envelope. There are no major alterations to the South Van Ness Avenue façade. The project will not conflict with the light industrial / automotive repair shop uses in the area.

- d. The existing retail vacancy rates within the Neighborhood Commercial District;

The walking survey of the Mission Street Neighborhood Commercial Transit District indicated 35 lots with vacant storefronts of varying sizes.

- e. The existing mix of Citywide-serving retail uses and neighborhood-serving retail uses within the Neighborhood Commercial District.

The Mission Street Neighborhood Commercial Transit District as a whole contains a wide array and a great number of neighborhood serving retail uses. To a lesser extent there also exists a variety of citywide serving retail uses as well. The majority of these are not formula retail. The proposed project would not adversely affect this mix of uses.

- 9. **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 1.2:

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

Policy 1.3:

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

The proposed project will provide desirable goods, automotive replacement parts, to residents of the neighborhood and of a greater area. Being located within the Mission Street Neighborhood Commercial Transit District, the proposed project 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 project will fill a currently vacant building with a beneficial commercial use for the area's residents who own automobiles and seek to maintain and repair the automobiles themselves.

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.

The proposed project will provide employment opportunities for unskilled and semi-skilled workers in the retail sector.

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 6.3:

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of existing affordable housing and needed expansion of commercial activity.

The project proposes to provide neighborhood serving goods in the form of automotive replacement parts. The project, located at the corner of South Van Ness Avenue and Cesar Chavez Street, is surrounded by an array of land uses including single and multi-family buildings, automotive oriented uses and retail sales and services uses. No affordable housing will be lost as the project proposes to retain commercial activity in an existing building that was formerly utilized as a video store.

MISSION AREA PLAN

Objectives and Policies

OBJECTIVE 1.8:

MAINTAIN AND STRENGTHEN THE MISSION'S NEIGHBORHOOD COMMERCIAL AREAS.

Policy 1.8.2:

Ensure that the Mission's neighborhood commercial districts continue to serve the needs of residents, including immigrant and low-income households.

The proposed project will provide goods, automotive replacement parts, to residents of the neighborhood and of a greater area and will include immigrants and low-income households who own automobiles and seek to maintain and repair their automobiles themselves.

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

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

The project proposes to fill a currently vacant building with a retail use that serves the neighborhood and that may serve as a source of employment for neighborhood residents.

- 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 proposes to utilize a currently vacant building for its operation and does not propose any expansion or significant alteration to either the building envelope or building façade.

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

No housing is removed for this Project.

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

The proposed project site provides 6 off-street parking spaces for customers.

- 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 service or industry establishments.

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

The structure will meet applicable seismic codes.

- G. That landmarks and historic buildings be preserved.

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

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

The proposed project will not have a negative impact on existing parks and open spaces.

11. 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.
12. 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. 2011.0382C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 29, 2011, 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 22, 2011.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: September 22, 2011

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a retail sales use (d.b.a. **AutoZone**) located at 1575 South Van Ness Avenue, Lot027 in Assessor's Block 6571 pursuant to Planning Code Sections **703.4 and 303** within the **Mission Street Neighborhood Commercial Transit District** and a **65-X** Height and Bulk District; in general conformance with plans, dated **August 29, 2011** and stamped "EXHIBIT B" included in the docket for Case No. **2011.0382C** and subject to conditions of approval reviewed and approved by the Commission on **September 22, 2011** 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 22, 2011** under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

DESIGN – COMPLIANCE AT PLAN STAGE

3. **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.

MONITORING

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

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

5. **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

6. **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>

7. **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/>*

8. **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

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Paul R. Johnson
Counsel
pjohnson@kslaw.com

September 1, 2011

San Francisco Planning Commission
Hon. Christina Olague, Commission President
1650 Mission Street, Suite 400
San Francisco, CA 94103

**Re: 2011:0389C
1575 South Van Ness Avenue
Request for Conditional Use Authorization (formula retail) for AutoZone**

Dear Members of the Commission:

AutoZone seeks to open a retail auto parts store at the northeast corner of South Van Ness Avenue and Cesar Chavez Streets. This former Hollywood Video store location has been vacant for years. At the pre-application neighborhood meeting, AutoZone received universal expressions of support and welcome to the neighborhood.

The AutoZone store will serve neighborhood needs at this location. AutoZone focuses on serving consumers. About 75% of its sales are to consumers, with about 25% commercial sales. AutoZone selected this site based on its retail experience and research, determining that there is high consumer demand for this store in this neighborhood. Besides an initial store manager with AutoZone experience, AutoZone intends to employ people who live locally and speak the languages spoken in the neighborhood.

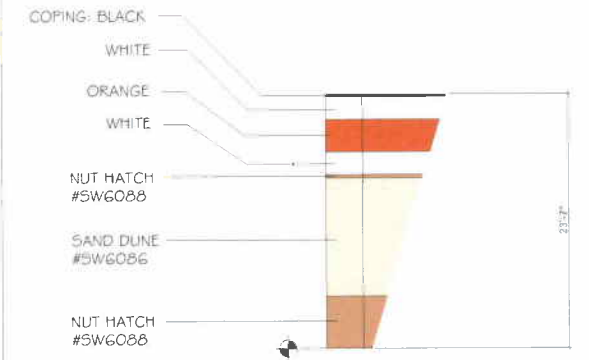
Commercial sales, too, are focused on serving the neighborhood. The site is surrounded by a number of auto repair shops—Production Distribution and Repair (PDR) businesses. The proposed use will complement the uses that surround the site and will operate within the existing building envelope.

Thank you for your consideration. Please do not hesitate to contact me if you have any questions about this project.

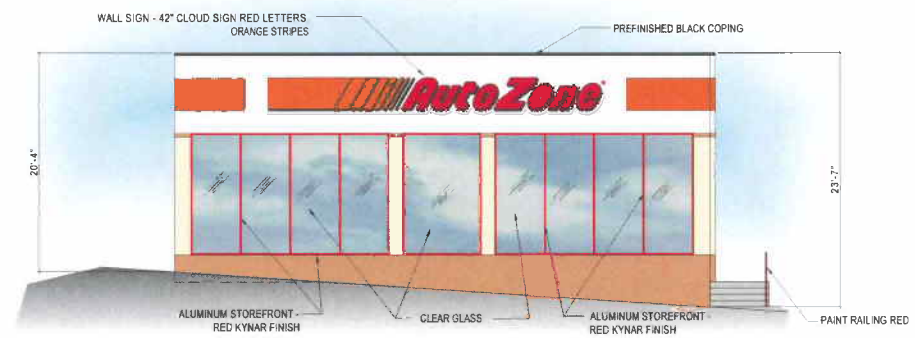
Very truly yours,



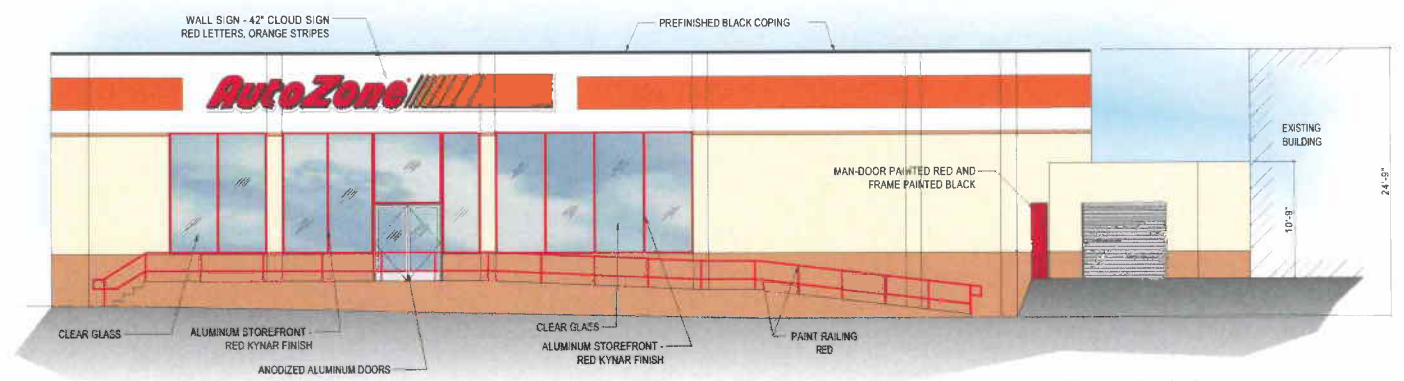
Paul R. Johnson
Counsel for AutoZone Development Corporation



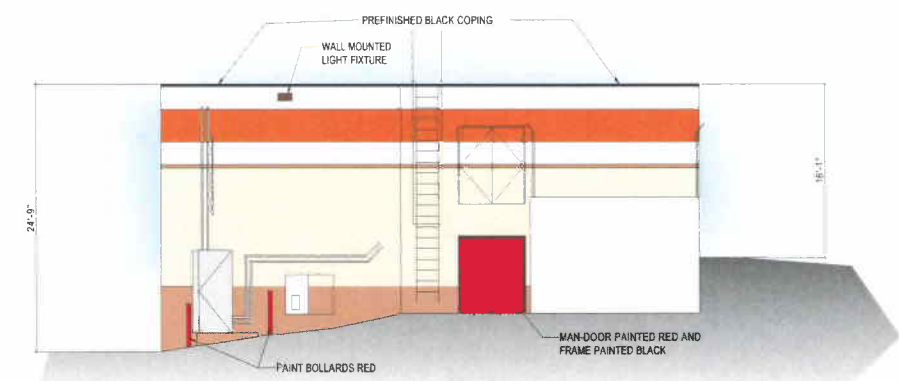
1 BUILDING PAINT SCHEME



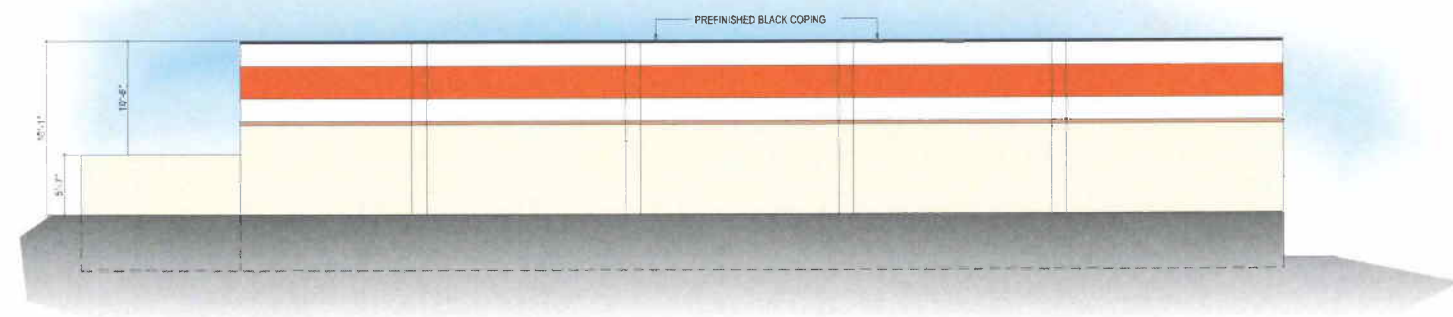
WEST ELEVATION



SOUTH ELEVATION



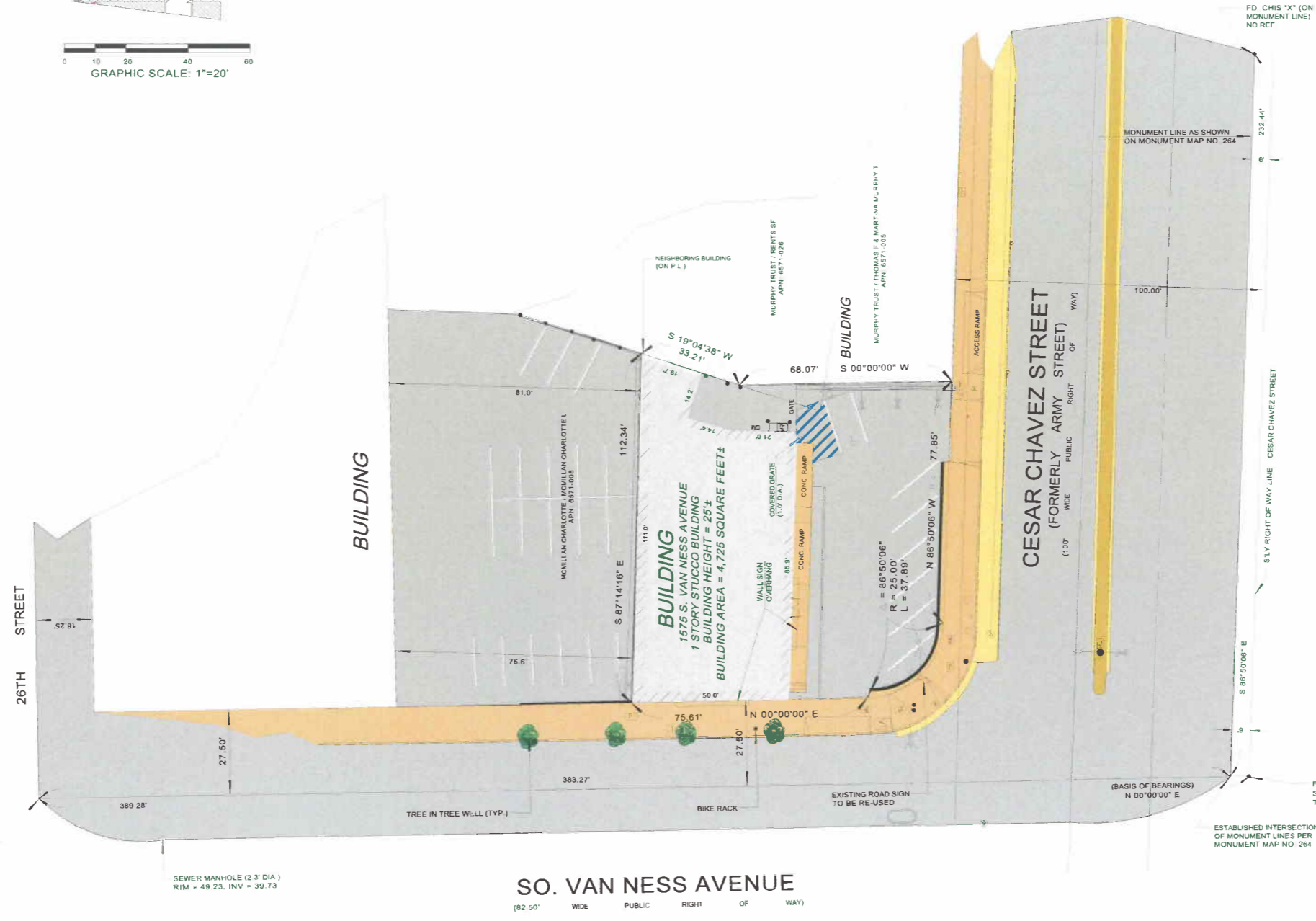
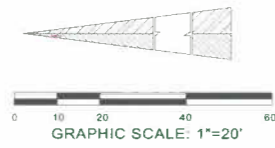
EAST ELEVATION



NORTH ELEVATION

Color Site Plan
 AutoZone Store #4084
 San Francisco, CA

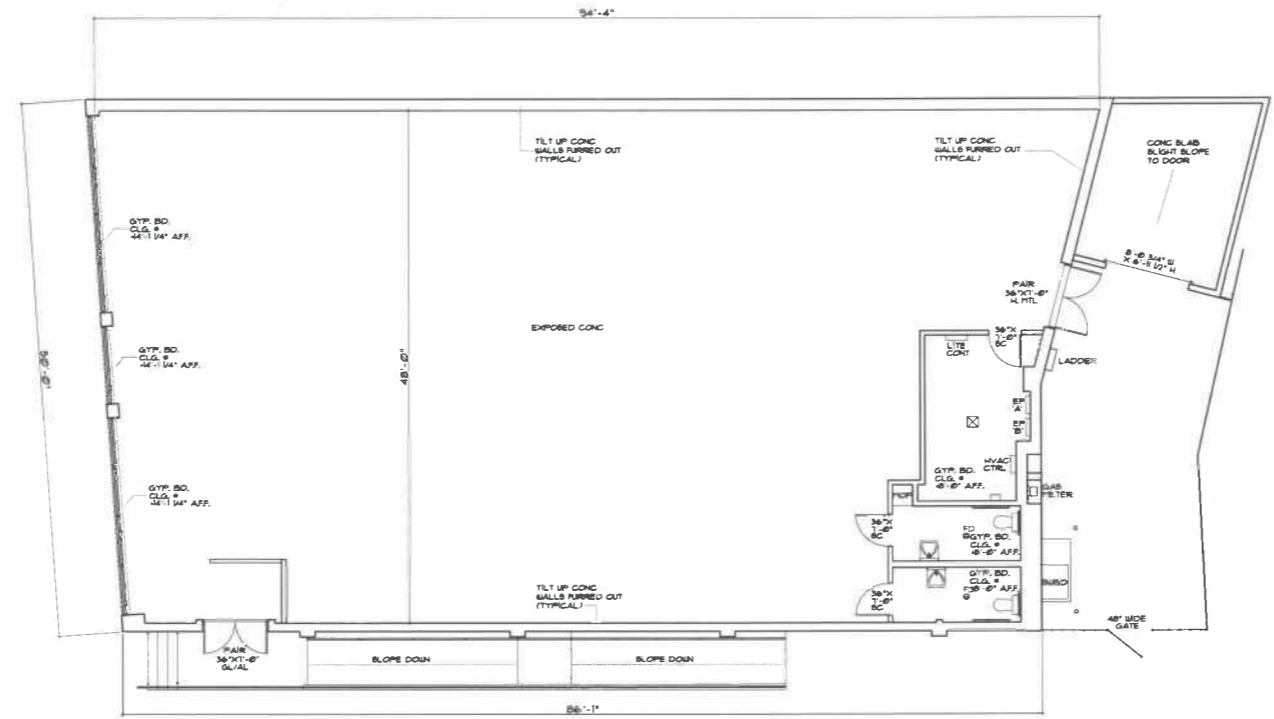




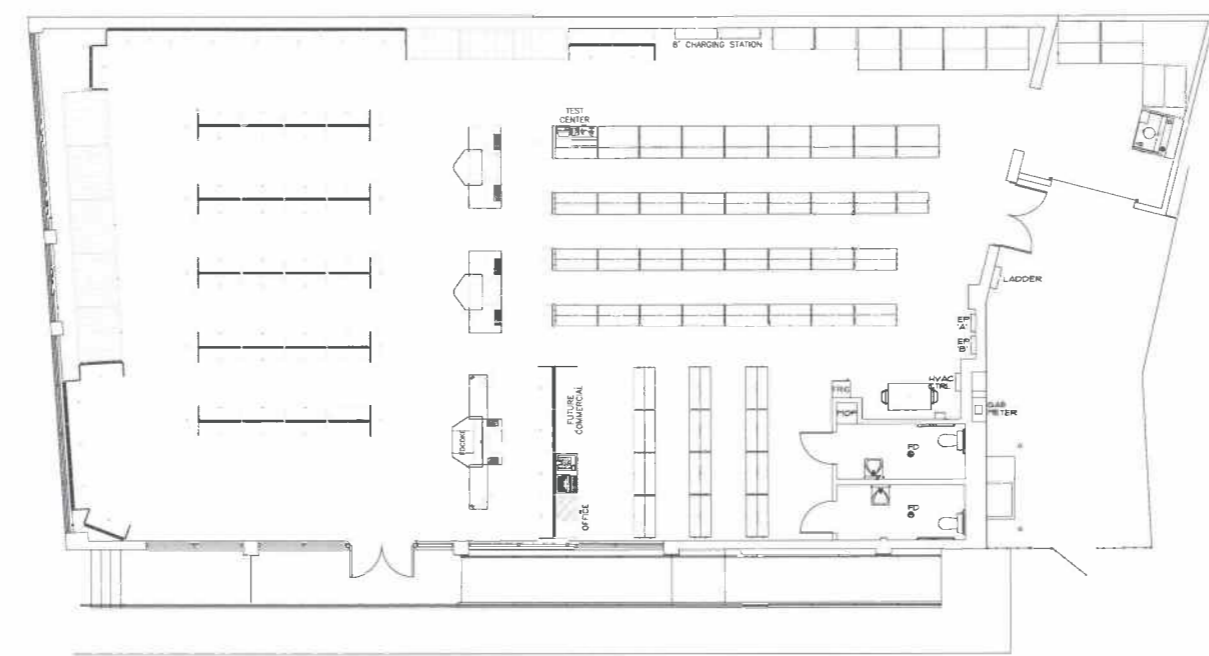
EXISTING PYLON SIGN w/ OVERLAY

Color Site Plan
 AutoZone Store #4084
 San Francisco, CA



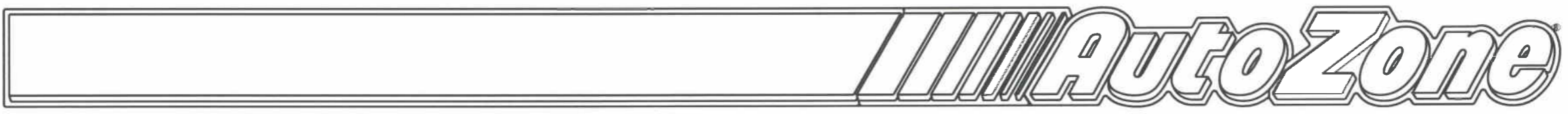


EXISTING FLOOR PLAN - VACANT



PROPOSED FLOOR PLAN - W/ FIXTURES

Floor Plan
AutoZone Store #4084
San Francisco, CA



Case No. 2011.0382C: AutoZone conditional use at 1575 South Van Ness Avenue

Views looking south across Cesar Chavez St., between Shotwell St. and South Van Ness Ave.



Looking south across Cesar Chavez St. from the corner of Shotwell St. on the left



“T” intersection of South Van Ness Ave. at Cesar Chavez St. at the Golden State 4 hour Cleaners pictured on the right

Case No. 2011.0382C: AutoZone conditional use at 1575 South Van Ness Avenue

Auto repair related businesses on the same block as AutoZone store site



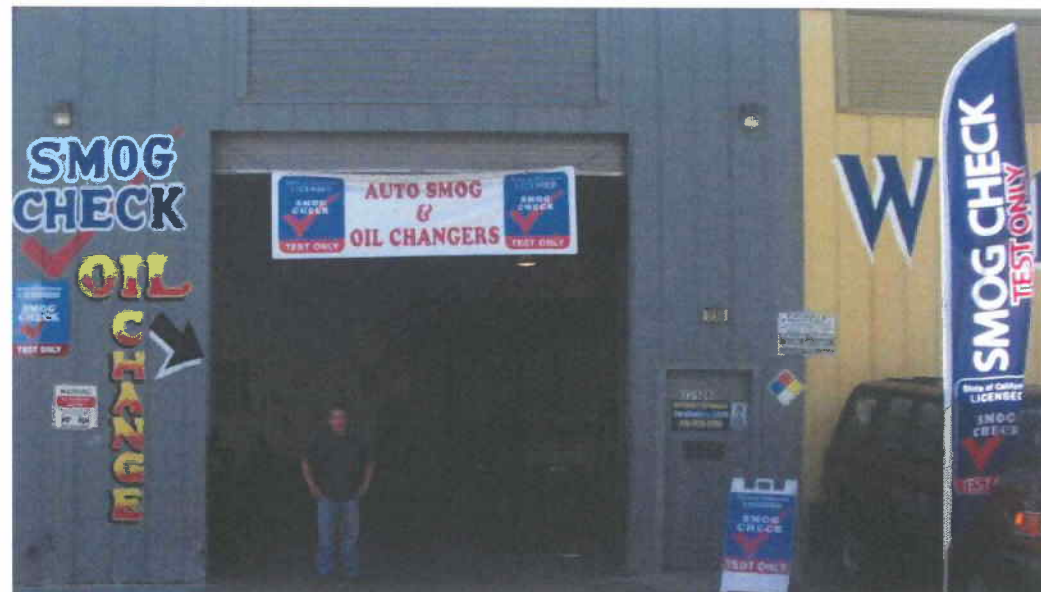
John Arts's *John's Jaguar Auto Service*



Mark Mindham's *Mindham Fleet Auto and Maintenance*



Ron Malia's *Excellent Automotive Repairs & Service*



Howard Ruy's *Auto Smog & Oil Changers*



Wilman Recino's *Wells SF Auto Body*, car repair business

These 5 auto repair businesses are in the same block

Case No. 2011.0382C: AutoZone conditional use at 1575 South Van Ness Avenue

Auto repair related businesses across the street from the same block as AutoZone store site



Willie Tabios' *Cesar Chavez Auto Services* / Paul Santiago's *Santiago's Smog Test Only*



Pepe Gonzales' *Pepe's Foreign & Domestic Auto Repair*



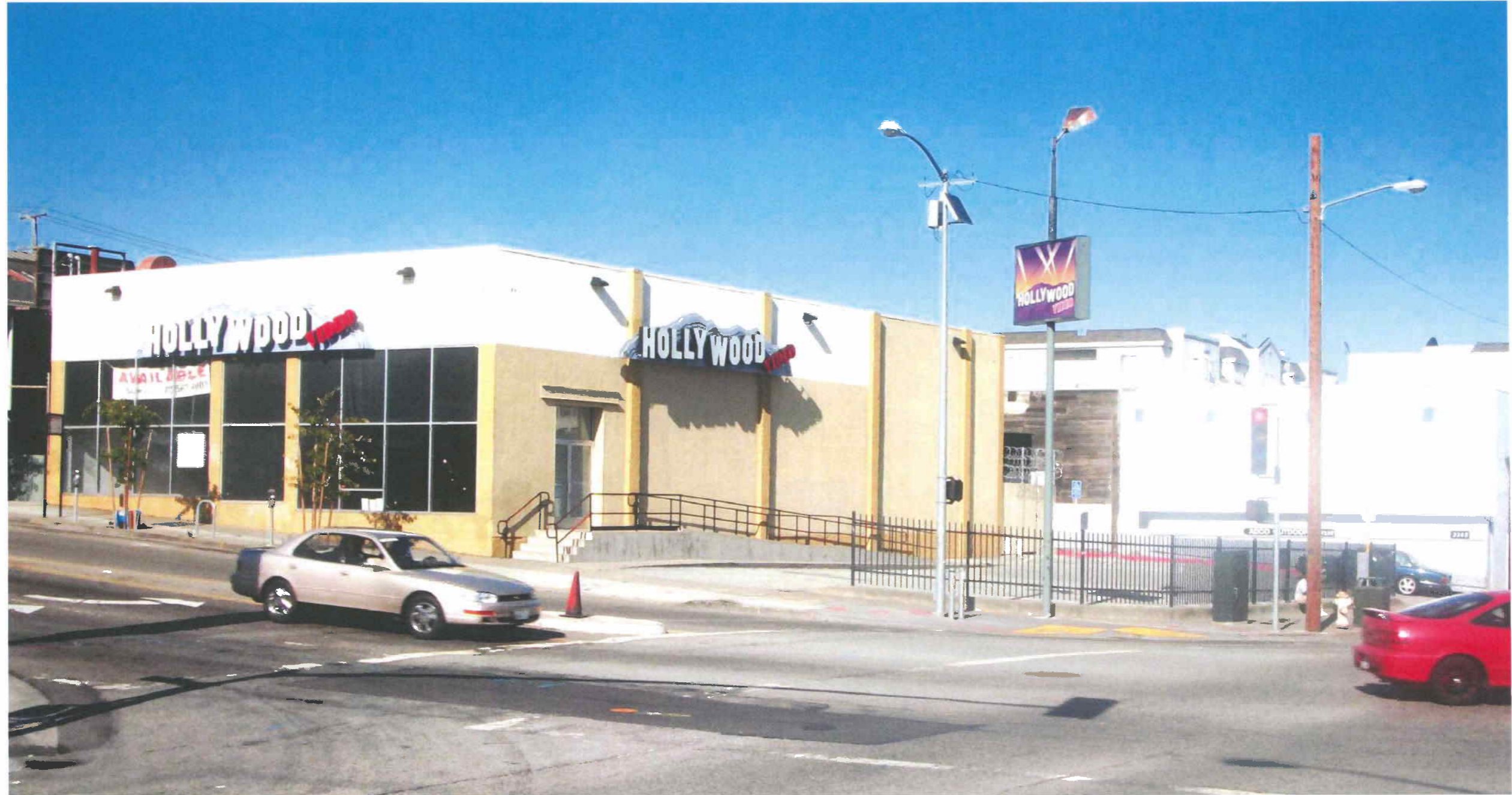
Bill Mufarreh's *B&W Service Center* auto repair

These 4 auto repair businesses are across the street (South Van Ness Ave. and 26th St.) from the site block

Case No. 2011.0382C: AutoZone conditional use at 1575 South Van Ness Avenue

View looking northeast at project site across corner of South Van Ness Ave. and Cesar Chavez St. ←↕

(previously Hollywood Video)



Case No. 2011.0382C: AutoZone conditional use at 1575 South Van Ness Avenue

Views looking east across South Van Ness Ave. ↔ at block containing project site



North side of block has McMillan Electric building at corner of South Van Ness Ave. and 26th St.



View of the middle of the block: remainder of McMillan Electric building with entrance to Mindham Fleet Auto Service & Maintenance and parking deck



Subject property is on the south end of the block at the corner of South Van Ness Ave. and Cesar Chavez St.

Case No. 2011.0382C: AutoZone conditional use at 1575 South Van Ness Avenue

Views looking west across South Van Ness Ave. ↔ from block containing project site



View looking west from project site across South Van Ness Ave. at Flyers gas station (recent name changed from Olympian gas station), with Cesar Chavez St. on left



“Auto Services” has 2 shops—mechanical & electrical repairs and smog testing—located between Flyers gas station and Pepe’s Foreign & Domestic Auto Repair shop



The corner café is located between Pepe’s Auto Repair and 26th St. corner

Case No. 2011.0382C: AutoZone conditional use at 1575 South Van Ness Avenue

Panoramic view looking west from project site across South Van Ness Ave.



Olympian gas station (recently renamed Flyers) with auto repair businesses up the block to the north

Cesar Chavez St. ↕

(North →)

26th St. ↕

Case No. 2011.0382C: AutoZone conditional use at 1575 South Van Ness Avenue

View looking north up South Van Ness Ave. ↑ (taken across the street from project site)



Auto Services has 2 auto repair shops: Smog Testing and mechanical & electrical repairs

(North ↑)

Case No. 2011.0382C: AutoZone conditional use at 1575 South Van Ness Avenue

Views looking north across 26th St between So Van Ness Ave & Shotwell St.

(taken from north side of block containing project site)



The left side has residential units between the corner of 26th St and South Van Ness Ave. and an alley at the middle of the block



B & W Auto Service Center is located on the north side of 26th St from the alley to the corner of Shotwell St.

(North ↑)

Case No. 2011.0382C: AutoZone conditional use at 1575 South Van Ness Avenue

Views looking south across 26th Street ↔ at north side of block containing project site



View looking south at Shotwell St. corner—
Appliance Parts business is downstairs.



Back side of McMillan Electric building along 26th St. Door in middle of photo is
entrance to Mindham Auto Fleet Repair shop



McMillan Electric shop entrance for contractor's vehicles and supplies. The right corner of the building contains offices for the contracting/engineering staff.

Case No. 2011.0382C: AutoZone conditional use at 1575 South Van Ness Avenue

Views looking west across Shotwell St. at ↔ at east side of block containing project site



John's Jaguar (auto) Service at the left—corner of Cesar Chavez St. and Shotwell St.; Excellent Automotive Service & Repair next door on Shotwell St.



Auto Smog & Oil Changers is the third automotive business on Shotwell St.



Wells SF Auto Body is the fourth automotive repair shop on Shotwell St.



Appliance Parts is another maintenance-oriented business on Shotwell St.

Case No. 2011.0382C: AutoZone conditional use at 1575 South Van Ness Avenue

Views looking north across Cesar Chavez St. between South Van Ness Ave. and Shotwell St.



Looking north at the project site across Cesar Chavez St. at the corner of South Van Ness Ave.



John's Jaguar Service, automotive repair shop—immediately east of project site on Cesar Chavez St. at Shotwell St.

Case No. 2011.0382C: AutoZone conditional use at 1575 South Van Ness Avenue

Views looking south across Cesar Chavez St., between Shotwell St. and South Van Ness Ave.



Looking south across Cesar Chavez St. from the corner of Shotwell St. on the left



“T” intersection of South Van Ness Ave. at Cesar Chavez St. at the Golden State 4 hour Cleaners pictured on the right

Case No. 2011.0382C: AutoZone conditional use at 1575 South Van Ness Avenue

Auto repair related businesses on the same block as AutoZone store site



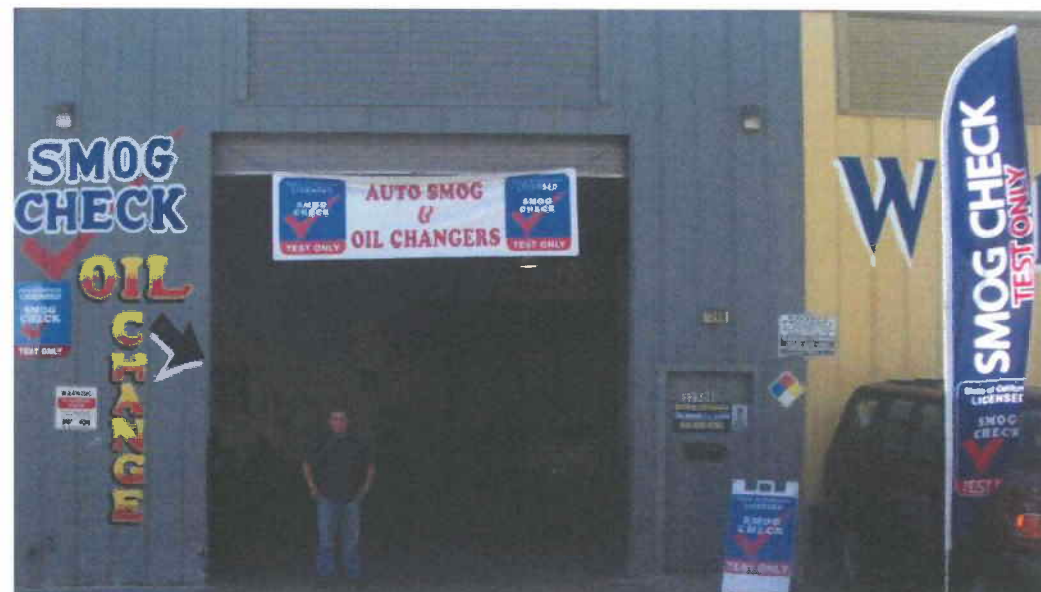
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