

SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: APRIL 5, 2012

Date:	March 29, 2012		
Case No.:	2011.0605C		
Project Address:	2199 MARKET STREET (a.k.a. 201 Sanchez Street)		
Zoning:	Upper Market NCT (Neighborhood Commercial Transit)		
	50-X Height and Bulk District		
Block/Lot:	3558/036		
Project Sponsor:	Michael Williams		
	P.O. Box 883		
	Pescadero, CA 94260		
Staff Contact:	Sharon Lai – (415) 575-9087		
	sharon.w.lai@sfgov.org		
Recommendation:	Approval with Conditions		

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

Reception: 415.558.6378

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Planning Information: 415.558.6377

PROJECT DESCRIPTION

The project sponsor is seeking Conditional Use authorization to establish a formula retail use (d.b.a. Verizon wireless Wireless Store/Premium Retailer) as defined by Section 703.3 and 703.4 of the Planning Code. The proposed retail establishment will occupy a vacant commercial store front of the subject building, occupying approximately 25 feet of commercial frontage along Market Street and 14 feet of frontage along Sanchez Street. The proposed use would offer retail sales of wireless phones, communication devices, and accessories. (The proposed Wireless Store will be a Verizon Premium Retailer.) The proposed retail store is considered a Formula Retail Use under Section 703.3 of the Planning Code. According to the project sponsor, there are currently 75 Wireless Store locations nationwide which have a standardized array of merchandize, facade, décor and color scheme, signage, and trademark or service mark, under the incorporated business of "Verizon Wireless Wireless Store/Premium Retailer," which is a separate entity from "Verizon Wireless." The proposed will involve minor interior improvements and no exterior façade modifications or expansions are proposed.

SITE DESCRIPTION AND PRESENT USE

The project is located at the southeast corner of Sanchez and Market Streets, Block 3558, Lot 036. The property is within the Upper Market NCT (Neighborhood Commercial Transit) District with 50-X height and bulk district. The subject three-story mixed-use building was constructed circa 1906. There are three ground floor commercial tenant spaces, one is occupied by a personal service and two that are vacant, including the subject property. The subject commercial space is currently vacant and the last known use was a retail store, (d.b.a. "Femina Potent Art Gallery"). This building is located on a corner lot, with approximately 90 feet of total frontage. The proposed commercial space occupies 25 feet of frontage along Market Street and 14 feet of frontage along Sanchez Street.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located in the Upper Market Street NCT (Neighborhood Commercial Transit) District, which runs along Market Street between Noe and Church Streets, has controls that are designed to encourage a diversified commercial environment with a wide variety of uses, including limited convenience goods to adjacent neighborhoods, as well as a shopping street for a broader trade area. The Upper Market Street NCT District is well served by transit and is anchored by the Market Street subway (with stations at Church and Castro Streets) and the F-Market streetcar line. All light-rail lines in the City traverse the district, including the F, J, K, L, M, and N, and additional key cross-town transit service crosses Market Street at Fillmore and Castro Streets. Additionally, Market Street is a primary bicycle corridor. The Upper Market Street NCT District controls are designed to promote moderate-scale development which contributes to the definition of Market Street's design and character. The controls are also intended to preserve the existing mix of commercial uses and maintain the livability of the district and its surrounding residential areas. To promote mixed-use buildings, most commercial uses are permitted with some limitations above the second story. In order to maintain continuous retail frontage and preserve a balanced mix of commercial uses, ground-story neighborhood-serving uses are encouraged, and eating and drinking, entertainment, and financial services uses are limited. Ground-floor commercial space is required along Market and Church Streets.

The subject block of Market Street is developed with a mix of one-to-three story buildings. Businesses found on the subject block include: San Francisco Pet Grooming, Tan Bella Salon, and M spa. A Chase bank is located across the subject block at the northwest corner of 15th and Sanchez Streets; and a 76 Gas Station is located across the subject block at the corner of Market and 15th Street. There are four existing formula retail uses within the Upper Market NCT neighborhood including Walgreens, Radio Shack, Cross Roads Trading Co., and Out of the Closet; one approved formula retail use d.b.a. "Good Feet"; and one pending formula retail application d.b.a. "Starbucks." The nearest Verizon retail store is located approximately 1 mile away at 2654 Mission Street, and the nearest retailers selling comparable wireless products is Gear Up Communications located approximately 0.2 miles away at 2103 Market Street, outside of the subject zoning district. Radio Shack, located approximately 0.1 miles away at 2288 Market Street is within the subject NCT also offers wireless products, however they are not a wireless products specialty store.

ENVIRONMENTAL REVIEW

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

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	March 16, 2012	March 14, 2012	22 days
Posted Notice	20 days	March 16, 2012	March 16, 2012	20 days
Mailed Notice	20 days	March 16, 2012	March 15, 2012	21 days

HEARING NOTIFICATION

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

PUBLIC COMMENT

• One letter of support from MUMC (Merchants of Upper Market and Castro) and one letter in opposition from the public has been submitted.

ISSUES AND OTHER CONSIDERATIONS

- There are four existing formula retail establishments (d.b.a. "Cross Roads Trading Co.", "Walgreens", "Out of the Closet", and "Radio Shack") one approved formula retail use (d.b.a. "Good Feet") and one pending formula retail application (d.b.a. "Starbucks") within the subject Upper Market NCT. Please see attached map for locations.
- There is one other formula retailer within the subject NCT that offers wireless products, located at 2288 Market Street (d.b.a. "Radio Shack") which is located approximately 0.1 miles from the subject property. There is also one wireless products specialty store selling comparable products as the proposed establishment located at 2103 Market Street (d.b.a. "Gear Up Communications"), located approximately 0.2 miles away.
- Seven vacant commercial storefronts currently exist in the Upper Market NCT.
- The project sponsor has indicated that the proposed Wireless Store will not sell products that are Verizon Wireless branding. Accessory sales will be branded with the company name "Verizon Wireless Wireless Store/Premium Retailer", but sales volume of these products will not equate to more than 50% of total sales revenues. Other merchandise will be represented by multiple vendors such as Body Glove, Otter Box, Case Logic, Apple, Samsung, LG, etc. "Merchandising" or "Branding" will be limited to outdoor signage, interior signage, brochures, posters, and business cards only.

REQUIRED COMMISSION ACTION

Pursuant to Section 703.4 of the Planning Code, Conditional Use Authorization is required for a Formula Retail Use as defined by Section 703.3(b) of the Planning Code in the Ocean Avenue Neighborhood Commercial Transit District.

BASIS FOR RECOMMENDATION

- The project has been found to be desirable as the requested Conditional Use authorization requests would comply with the Priority Policies and Commerce and Industry Element of the General Plan and the stated purpose of the zoning controls for the Upper Market NCT and the provisions regarding formula retail uses in Section 703.3 of the Planning Code
- The proposed business would replace a vacant storefront and would provide employment opportunities for local residents. Additionally, because of the existing vacant retail availability in

the area, seven storefronts, the proposed business would not preclude a locally-owned, independent business from locating in the area.

- The proposed business would not be competing against local, independent retailers offering similar products in the area. The nearest competitor to the project is another formula retail use (d.b.a. "Radio Shack") that is inside of the subject NCT, but does not specialize in selling wireless products.
- The project sponsor has indicated that the proposed Wireless Store will be a family-owned business operated by four brothers and the intent is to hire 4 to 9 full-time and a number of part-time employees, with firm commitments to providing job opportunities to returning veterans seeking both residency and career opportunities within the City.
- The addition of a formula retail use would not detract from the character of the neighborhood primarily consisting of local, independent businesses. The addition of the subject business would be the fifth formula retail use in the area.
- The addition of a retail use in the subject area of the Upper Market NCT would add commercial diversity to an area that primarily features eating and drinking establishments.

RECOMMENDATION: Approval with Conditions

Attachments: Block Book Map Sanborn Map Aerial Photographs Zoning Map Formula Retail Map Site Photos Project Sponsor Submittal Attachment Checklist

\square	Executive Summary	\square	Project sponsor submittal
\square	Draft Motion		Drawings: Existing Conditions
	Environmental Determination		Check for legibility
\square	Zoning District Map		Drawings: Proposed Project
\square	Height & Bulk Map		Check for legibility
\square	Parcel Map		
\square	Sanborn Map		
\square	Aerial Photo		
\square	Formula Retail Map		
\square	Context Photos		
\square	Site Photos		

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

Planning Commission Draft Motion

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	sharon.w.lai@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303(i) AND 703.4 OF THE PLANNING CODE TO CONVERT A VACANT COMMERCIAL SPACE INTO A FORMULA RETAIL USE AT THE GROUND FLOOR, (D.B.A. VERIZON WIRELESS WIRELESS STORE/ PREMIUM RETAILER) WITHIN THE UPPER MARKET NCT (NEIGHBORHOOD COMMERCIAL TRANSIT) DISTRICT AND A 50-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On June 9, 2011, Michael Williams (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections303(i) and 703.4 to establish a formula retail use in a vacant commercial ground floor space (d.b.a. Verizon Wireless Wireless Store/ Premium Retailer), within the Upper Market NCT (Neighborhood Commercial Transit) District and a 50-X Height and Bulk District.

On April 5, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.0605C.

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

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

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Planning Information: 415.558.6377 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. 2011.0605C, 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 at the southeast corner of Sanchez and Market Streets, Block 3558, Lot 036. The property is within the Upper Market NCT (Neighborhood Commercial Transit) District with 50-X height and bulk district. The subject three-story mixed-use building was constructed circa 1906. There are three ground floor commercial tenant spaces, one is occupied by a personal service and two that are vacant, including the subject property. The subject commercial space is currently vacant and the last known use was a retail store, (d.b.a. "Femina Potent Art Gallery"). This building is located on a corner lot, with approximately 90 feet of total frontage. The proposed commercial space occupies 25 feet of frontage along Market Street and 14 feet of frontage along Sanchez Street.
- 3. Surrounding Properties and Neighborhood. The subject property is located in the Upper Market Street NCT (Neighborhood Commercial Transit) District, which runs along Market Street between Noe and Church Streets, has controls that are designed to encourage a diversified commercial environment with a wide variety of uses, including limited convenience goods to adjacent neighborhoods, as well as a shopping street for a broader trade area. The Upper Market Street NCT District is well served by transit and is anchored by the Market Street subway (with stations at Church and Castro Streets) and the F-Market streetcar line. All light-rail lines in the City traverse the district, including the F, J, K, L, M, and N, and additional key cross-town transit service crosses Market Street at Fillmore and Castro Streets. Additionally, Market Street is a primary bicycle corridor. The Upper Market Street NCT District controls are designed to promote moderate-scale development which contributes to the definition of Market Street's design and character. The controls are also intended to preserve the existing mix of commercial uses and maintain the livability of the district and its surrounding residential areas. To promote mixed-use buildings, most commercial uses are permitted with some limitations above the second story. In order to maintain continuous retail frontage and preserve a balanced mix of commercial uses, ground-story neighborhood-serving uses are encouraged, and eating and drinking, entertainment, and financial services uses are limited. Ground-floor commercial space is required along Market and Church Streets.

The subject block of Market Street is developed with a mix of one-to-three story buildings. Businesses found on the subject block include: San Francisco Pet Grooming, Tan Bella Salon, and M spa. A Chase bank is located across the subject block at the northwest corner of 15th and Sanchez Streets; and a 76 Gas Station is located across the subject block at the corner of Market and 15th Street. There are four existing formula retail uses within the Upper Market NCT neighborhood including Walgreens, Radio Shack, Cross Roads Trading Co., and Out of the Closet; one approved formula retail use d.b.a. "Good Feet"; and one pending formula retail application d.b.a. "Starbucks." The nearest Verizon retail store is located approximately 1 mile away at 2654 Mission Street, and the nearest retailers selling comparable wireless products is Gear Up Communications located approximately 0.2 miles away at 2103 Market Street, outside of the subject zoning district. Radio Shack, located approximately 0.1 miles away at 2288 Market Street is within the subject NCT also offers wireless products, however they are not a wireless products specialty store.

- 4. Project Description. The project sponsor is seeking Conditional Use authorization to establish a formula retail use (d.b.a. Verizon wireless Wireless Store/Premium Retailer) as defined by Section 703.3 and 703.4 of the Planning Code. The proposed retail establishment will occupy a vacant commercial store front of the subject building, occupying approximately 25 feet of commercial frontage along Market Street and 14 feet of frontage along Sanchez Street. The proposed use would offer retail sales of wireless phones, communication devices, and accessories. (The proposed Wireless Store will be a Verizon Premium Retailer.) The proposed retail store is considered a Formula Retail Use under Section 703.3 of the Planning Code. According to the project sponsor, there are currently 75 Wireless Store locations nationwide which have a standardized array of merchandize, facade, décor and color scheme, signage, and trademark or service mark, under the incorporated business of "Verizon Wireless Wireless Store/Premium Retailer," which is a separate entity from "Verizon Wireless." The proposal will involve minor interior improvements and no exterior façade modifications or expansions are proposed.
- 5. **Public Comment**. One letter of support from MUMC (Merchants of Upper Market and Castro) and one letter in opposition from the public has been submitted.
- **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. **Floor Area Ratio.** Section 124 establishes basic floor area ratios (FAR) for all zoning districts. FAR is the ratio of the gross floor area of all the buildings on a lot to the total area of the lot. Under Section 124, the FAR for the Upper Market NCT is 3 to 1.

With a lot area of 2,512 square feet, 7,536 nonresidential gross square feet can be developed on the Project Site. Since the Project will not include the physical expansion of the commercial space, there will be no increase in nonresidential gross floor area.

B. **Parking Requirement.** Section 733.22 does not require any off-street parking to be provided, and one space per 1,500 feet of occupied floor area is permitted.

No off-street parking is required for the approximately 900 square foot establishment.

C. **Loading.** Section 152 requires off-street freight loading for uses above a certain size. Retail stores up to 10,000 square feet in gross floor area are not required to provide off-street freight loading.

With a gross floor area of under 10,000 square feet, the Project is not required to provide off-street loading. Existing metered parking along Market and Sanchez Streets can be used for loading purposes.

D. **Formula Retail.** Sections 703.3 and 703.4 places notification requirements and other restrictions on formula retail uses.

The Project is considered to be a formula retail use as defined by Section 703.3(b) of the Planning Code. Conditional Use authorization must be authorized for a formula retail use at the subject site as per Section 703.4.

E. **Hours of Operation.** Section 733.27 allows hours of operation from 6:00AM until 2:00AM as of right and requires conditional use authorization to operate between the hours of 2:00AM and 6:00AM.

The Project Sponsor is not requesting Conditional Use authorization to operate between the hours of 2:00AM and 6:00AM. The proposed hours are 9AM to 7PM on Monday through Saturday and 10AM to 5PM on Sunday.

- F. **Signage**. Any proposed signage will be 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 size of the proposed use is in keeping with other storefronts on the block face. The proposed retail use will not impact traffic or parking in the District because it is not a destination retailer. This will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood by removing a vacant storefront.

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 and will not alter the existing appearance or character of the project vicinity. The proposed work will not affect the building envelope.

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 Planning Code does not require parking or loading for a 900 square-foot retail use. The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The subject transit corridor provides many public transportation options and both patrons and staff are expected to rely on the existing available infrastructure.

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

The proposed retail use is not expected to generate noxious or offensive emissions.

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

The proposed retail use does not require any exterior improvements and the Department shall review all lighting and signs proposed for the new business under future building permit applications.

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 purposed of NCT Districts in that the intended use is located at the ground floor, will provide a compatible convenience service for the immediately surrounding neighborhoods during daytime hours.

8. **Planning Code 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 District.

A survey of the Upper Market NCT revealed that four formula retail uses are currently found in the district. These businesses include cross Roads Trading Co., Walgreens, Out of the Closet, and Radio Shack.

B. The availability of other similar retail uses within the Neighborhood Commercial District.

Within the subject Upper Market NCT, one existing retailer, d.b.a. "Radio Shack" offers wireless products. It is located approximately 0.1miles away at 2288 Market Street.

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

No physical expansions of the subject building would be necessary to accommodate the proposed use. Any exterior façade modifications would be reviewed by the Department under future permits.

D. The existing retail vacancy rates within the Neighborhood Commercial District.

There are approximately seven vacant commercial storefronts currently within the Upper Market NCT, including the subject property.

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

The subject district contains eating and drinking establishments, retail, services and institutions that serve not only the immediate neighborhood, but also the City as a whole. These aforementioned uses are primarily locally-owned, independent uses. Formula retail uses can be found scattered across the district. The proposed use is intended to be primarily neighborhood-serving.

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

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 6:

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

Policy 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.

The Project would be a neighborhood-serving use and would further enhance the neighborhood by filling a storefront that has been vacant. Additionally, the Project would add commercial diversity to the subject area of the Upper Market NCT which contains a high concentration of personal services and eating and drinking establishments.

Policy 6:

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to the economic and technological innovation in the marketplace and society.

The subject business would be an individually owned franchise by a San Francisco resident.

Policy 9:

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

The Project will not adversely impact public transit or place a burden on the existing supply of parking in the neighborhood. Many of the patrons will be able to walk from their residences or places of employment, and the Project Site is well-served by public transportation. Those who drive will be able to utilize nearby parking lots located within in the immediate Project area.

- 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 proposal would enhance the district by providing a neighborhood serving use in an area where a specialized wireless product retailer is currently unavailable. Radio Shack does provide a limited array of wireless products, however, the retailer does not specialize in wireless products alone. The business will create 4 new employment opportunities for the community. The proposed alterations are within the existing building footprint.

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

The existing units in the surrounding neighborhood would not be adversely affected.

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 site is located on Market and Sanchez Streets and is well served by transit. It is presumable that the employees would commute by transit thereby mitigating possible effects on street parking. The subject location is served by six Muni rail lines (KT, F, J, L, M, S) and five Muni bus lines (N-Owl, K-Owl, L-Owl, 22 and 37) within a ¼ mile radius.

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 Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.

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

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

G. That landmarks and historic buildings be preserved.

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

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

The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on 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. 2011.0605C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated June 9, 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 April 5, 2012.

Linda D. Avery Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 5, 2012

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to establish a formula retail use (d.b.a. Verizon Wireless Wireless Store/Premium Retailer) located at 2199 Market Street (a.k.a. 201 Sanchez Street), Block 3558, and Lot 036 pursuant to Planning Code Sections 303, 703.3 and 703.4 within the Upper Market NCT District and a 50-X Height and Bulk District; in general conformance with plans, dated June 9, 2011, and stamped "EXHIBIT B" included in the docket for Case No. 2011.0605C and subject to conditions of approval reviewed and approved by the Commission on April 5, 2012 under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **April 5, 2012** under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

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

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

DESIGN

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

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

MONITORING

- 3. 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*
- 4. **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.

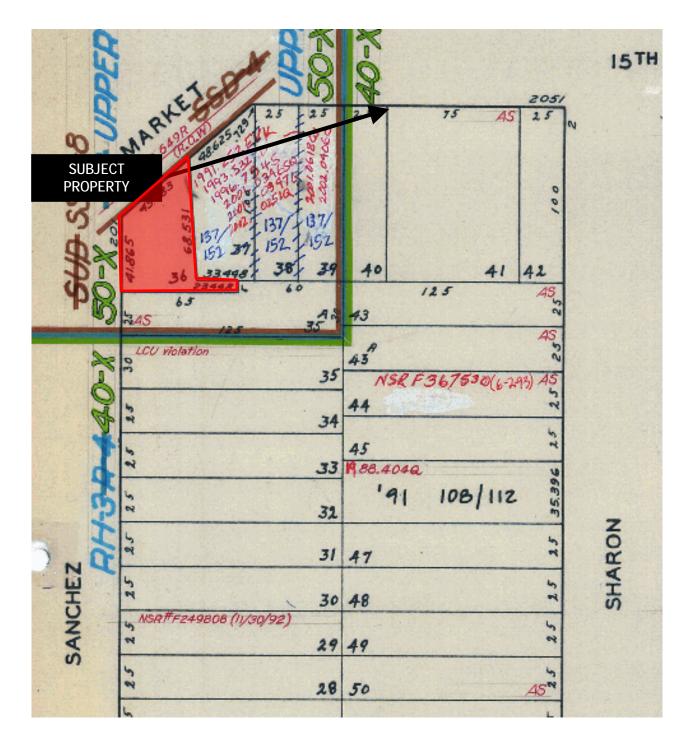
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

OPERATION

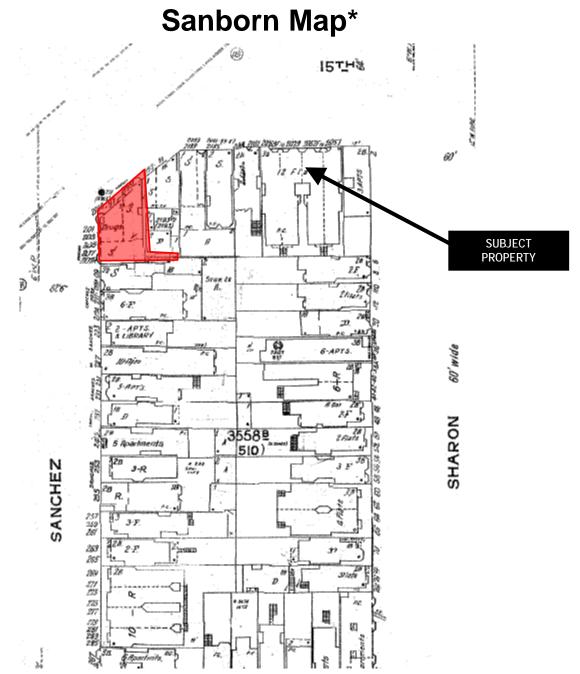
5. Sidewalk Maintenance. The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017,.<u>http://sfdpw.org/</u>

2199 Market St (a.k.a. 201 Sanchez St)

Parcel Map

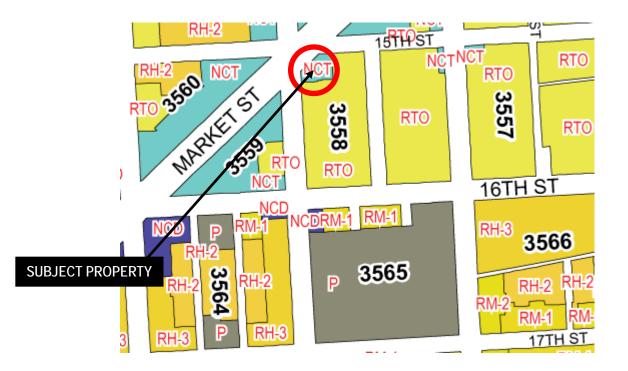






*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Zoning Map



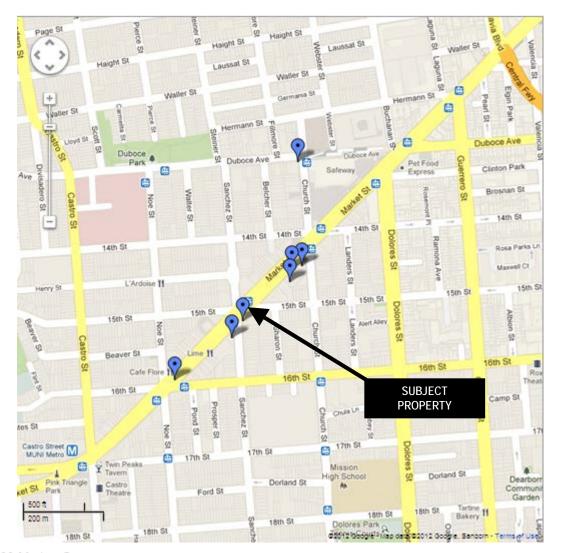
ZONING USE DISTRICTS

RESIDENTIAL, HOUSE DISTRICTS					
RH-1(D)	RH-1	RH-1(S)	RH-2	RH-3	
RESIDENT	IAL, MIXED	(APARTM	ENTS & HO	USES) DIS	TRICTS
RM-1	RM-2	RM-3	RM-4		
NEIGHBOR	RHOOD CO	MMERCIAL	DISTRICT	<u>s</u>	
NC-1	NC-2	NC-3	NCD	NC-S	
SOUTH OF	MARKET	MIXED USE	DISTRICT	3	
SPD	RED	RSD	SLR	SLI	SSO
COMMERCIAL DISTRICTS					
C-2	C-3-S	C-3-G	C-3-R	C-3-O	C-3-O(SD)
INDUSTRIAL DISTRICTS					
C-M	M-1	M-2			

CHINATOWN MIXED USE DISTRICTS						
CRNC	CVR	CCB				
RESIDENT	IAL-COMM	ERCIAL DISTRICTS				
RC-3	RC-4					
REDEVELO	OPMENT AC	GENCY DISTRICTS				
MB-RA	HP-RA					
DOWNTOW	DOWNTOWN RESIDENTIAL DISTRICTS					
RH DTR	TB DTR					
MISSION BAY DISTRICTS						
MB-OS	MB-O					
PUBLIC DI	PUBLIC DISTRICT					
Р						



Existing and Proposed Formula Retail Map



2199 Market St San Francisco, CA 94114





Radio Shack

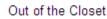
Walgreens Store San Francisco



 \odot

 \odot

Crossroads Trading Co.





2109 Market St Approved "Good Feet"



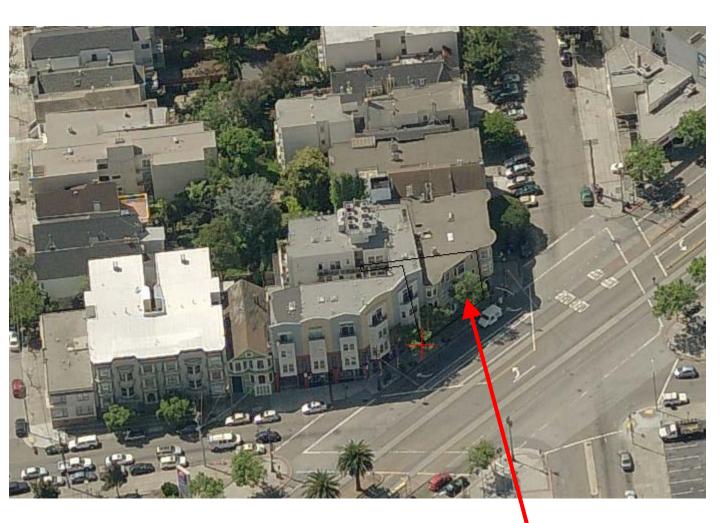
Aerial Photo View from West



SUBJECT PROPERTY

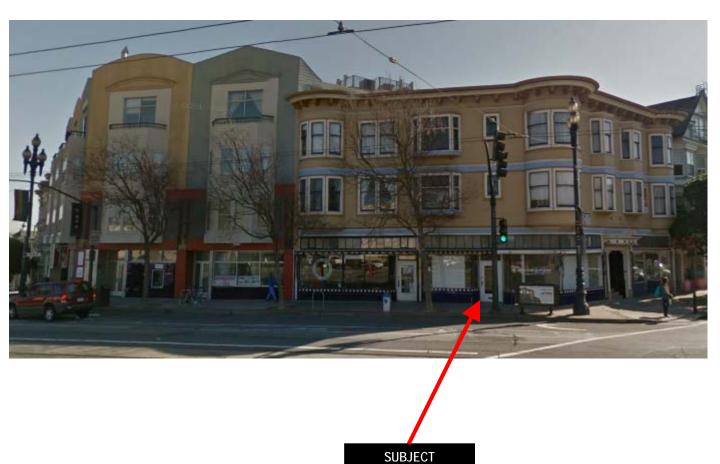


Aerial Photo View from North





Site Photo



PROPERTY

Site Photo



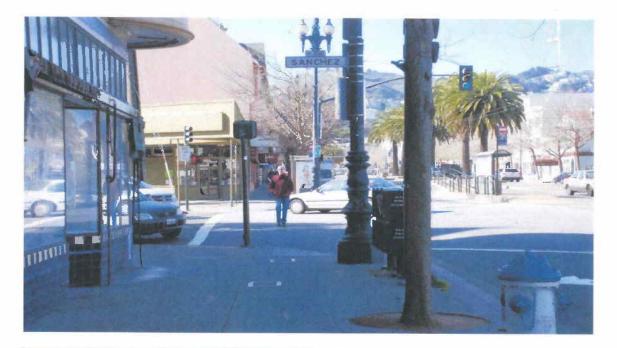
SUBJECT PROPERTY





(UPPER) SUBJECT LOCATION CORNER RETAIL/SANCHEZ/& MARKET (LOWER) VIEW FROM DIRECDFTLY ACROSS MARKET





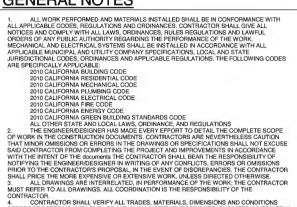


(UPPER)LOOKING WEST TOWARDS CASTRO & SUTRO TOWER(LOWER):FROM FRONT DOOR LOOKING DIRECTLY ACROSS MARKET

PROJECT: 2199 MARKET_WIRELESS-STORES, INC.

GENERAL NOTES

VICINITY MAP



ALL DRAWINGS ARE INTERRELATED, IN PERFORMANCE OF THE WORK: THE CONTRACTOR MUST REFER TO ALL DRAWINGS. ALL COORDINATION IS THE RESPONSIBILITY OF THE CONTRACTOR SHALL VERIFY ALL TRADES, MATERIALS, DIMENSIONS AND CONDITIONS BEFORE PROCEEDING WITH THE JOB AND SHALL NOTIFY THE DESIGNER/ ENAINEER IMMEDIATELY IN THE EVENT OF DISCREPANCIES BETWEEN ACTUAL CONDITIONS AND DRAWINGS.
 DETAILS INCLUDED HEREIN ARE INTENDED TO SHOW THE END DRESULT OF DESIGN, MINOR MODIFICATIONS MAY BE REOVIRED TO SUIT JOB CONDITIONS ON DRAWINGS.
 DETAILS INCLUDED HEREIN ARE INTENDED TO SHOW THE END RESULT OF DESIGN, MINOR MODIFICATIONS MAY BE REOVIRED TO SUIT JOB CONDITIONS OR SITUATIONS AND SUCH MODIFICATIONS MAY BE REOVIRED TO SUIT JOB CONDITIONS OR SITUATIONS AND SUCH MODIFICATIONS MAY BE REOVIRED TO SUIT JOB CONDITIONS OR SITUATIONS AND SUCH MODIFICATIONS MAY BE REOVIRED TO THE SCOEP OF WORK.
 THE CONTRACTOR SHALL NOT THE THE JOB SITE AND FAMILIARIZE HIMSELF WITH ALL CONDITIONS AFFECTING THE PROPOSED PROJECT, WITH THE CONSTRUCTION AND CONTRACTOR SHALL AND CONSTRUCTION, ANY ERRORS, OMISSIONS ON DISCREPANCIES ARE TO BE BROUGHT TO THE ATTENTION OF THE CONSTRUCTION AND CONTRACTOR SHALL VERITY VORK. NO EXTRA CHARGE OR COMPENSIONS INDICATED ON THE CONSTRUCTION SAMPLES SUBMIT ANY DISCREPANCIES OR COMPENSIONS INDICATED ON THE CONSTRUCTION DRAWINGS, SUBMIT ANY DISCREPANCIES INDIGNET OTHE CONSTRUCTION MARTENIALS SUBMIT ANY DISCREPANCY IN DIMENSIONS INDICATED ON THE WORK TO BE PERPORMED IN THE EXECUTION OF THE WORK WILL BE ACCOMPLEXE OCONTROCTION DRAWINGS, SUBMIT ANY DISCREPANCY IN DIMENSIONS INDICATED ON THE WORK TO BE PERPORMED IN THE EXECUTION OF THE WORK WILL BE ACCOPTED AS AN EXCUSE FOR FAILURE OR OMISCID OF THE WORK TO THE CONSTRUCTION TRACTOR TO THE DISFIDUTIES OR ONDITIONS THAT MAY BE ENCOUNTED FOR ANY OTHER ALTORACTION TO PROCEED MITH CONSTRUCTION DRAWINGS HALL AND THE MORK.
 THE CONTRACTOR SHALL SUPERVER AND THE CONTRACTION TO PROCEED MITH CONSTRUCTION DRION THE FAR OF THE CONTRAC

THE CONTRACTOR SHALL RECEIVE WRITTEN AUTHORIZATION TO PROCEED WITH CONSTRUCTION PRIOR TO STARTING WORK ON ANY ITEM THAT IS NOT CLEARLY DEFINED BY THE CONSTRUCTION PRIOR TO STARTING WORK ON ANY ITEM THAT IS NOT CLEARLY DEFINED BY THE CONSTRUCTION ADDUCTION STARTING WIDERVISE AND DIRECT THE PROJECT DESCRIBED HEREIN. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS TECHNOLES, SEQUENCES AND PROCEDURES, SUBJECT TO APPHOLA OF THE CONSTRUCTION MANAGER AND FOR COORDINATION ALL PORTIONS OF THE WORK UNDER THE CONTRACTOR MANAGER AND FOR COORDINATION ALL PORTIONS OF THE WORK UNDER THE CONTRACT. MATCHILS COORDING TO THE MANUFACTURER'S SECTIONATION UNLLAST LECHNOLES NOTED OTHER WHERE LOCAL CODES AND ORIGINATION AT THE PROJECT SITE A FULL SET OF CONSTRUCTION AND THE MANUFACTURER'S SECTIONATION AND ADDENDUM OR CLARRICATION AND THE BUILDING PERMIT FOR USE BY ALL PERSONNEL INVOLVED WITH THE PROJECT.
 THE CONTRACTOR SHALL FROM EXTINUES WOTED OTHER AULS ST OF CONSTRUCTION AND THE BUILDING PERMIT FOR USE BY ALL PERSONNEL INVOLVED WITH THE PROJECT.
 THE EXISTING STRUCTURAL COMPONENTS OF THE PROJECT SITE ARE DURING CONSTRUCTION AND THE BUILDING PERMIT FOR USE BY ALL PERSONNEL INVOLVED WITH THE PROJECT.
 THE CONTRACTOR SHALL RECEITINGUES NOTED OTHERWISE.
 CONTRUCTION AND THE BUILDING COMPONENTS OF THE PROJECT SITE ARE NOT TO BE ALTERED BY THIS CONSTRUCTION, CURBING, ETC. DURING CONSTRUCTION. UPON COMPRUCTION OF WORK, CONTRACTOR SHALL REPAR ANY DAMAGE THAT WAY HAS OCCURRED DUE TO CONTRACTOR SHALL MAKE NECESSARY PHOVISIONS TO PROTECT EXISTING SHOUND OF MORK, CONTRACTOR SHALL REPARE AND FUEND CONSTRUCTION. UPON COMPRECIENTS, SALURE, CURBING, AFTA CLEAN AND HAZARD PREE DURING CONSTRUCTION AND DISPOSE OF ALL DIRT, DEBRIS AND BUE DATA THAT WAY HAS COURTRACTOR SHALL MEEPERT ENDER AND RUBBISH AND REMOVE EQUIPMENT NOT SPECIFED AS EMAINING ON THE PROTECT SHALL BUE LETT IN A CLEAN CONDITION AND FREE FROM DUST, PAINT SPOTS OR SMUDGES OF ANY NATURE.

1



INSTALL ADA SALES COUNTER REF. A-201, C1 INSTALL 2X2 SHAW CARPET TILE FLOORING PAINT WALLS GLIDDEN WOODSMOKE EGGSHELL SATIN

MECHANICAL NOTES: ALL MECHANICAL AND HVAC TO REMAIN THE SAME

ELECTRICAL NOTES: ALL ELECTRICAL TO REMAIN THE SAME

FIRE SPRINKLER NOTES: ALL FIRE SAFETY TO REMAIN THE SAME

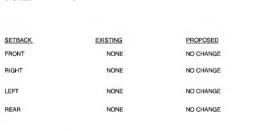


PROJECT DIRECTORY

OWNER JACK P. MURRAY 677 Portola Dr. San Francisco, CA 94127 Phone: 415-664-0800

PROJECT DATA

ADDRESS: BLOCK: 201-207 SANCHEZ 355 ZONING: NCT-UPPER MARK CONSTRUCTION TYPE: FRAME OCCUPANCY: M - MERCANTILE NCT-UPPER MARKET NEIGHBORHOOD COMMERCIAL TRANSIT LOT SIZE: BUILDING AREA: 2,512 SF 6,495 SF UNIT: STORIES: SETBACK EXISTING PROPOSED FRONT NONE NO CHANGE RIGHT NONE NO CHANGE LEFT NONE NO CHANGE

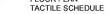


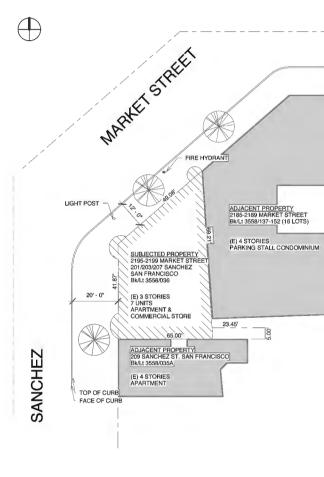
2

SHEET INDEX

C1 COVER SHEET

A1 A2 FLOOR PLAN

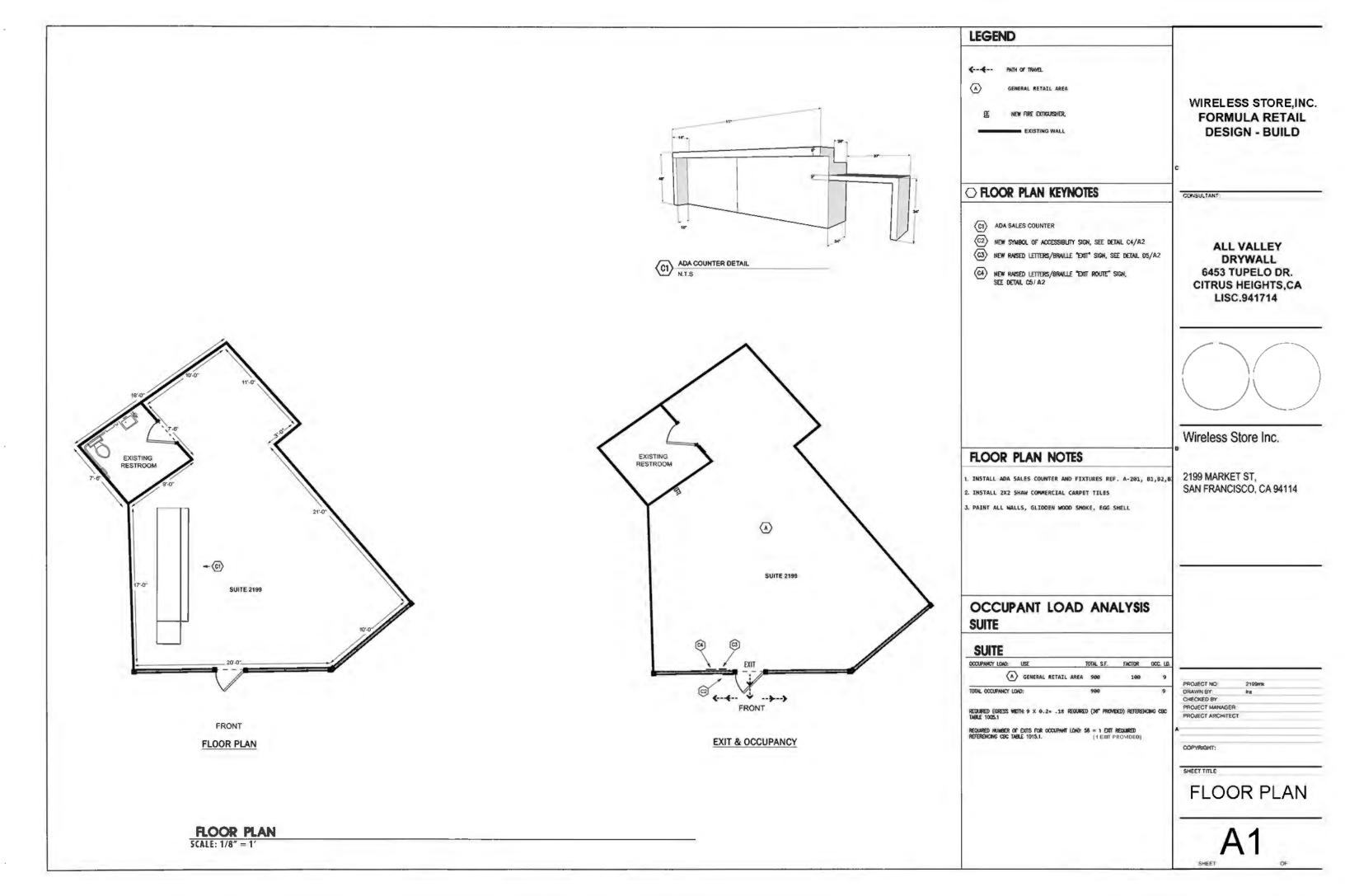




1 Site 1" = 20'-0"

3

	WIRELESS STORE, INC FORMULA RETAIL DESIGN - BUILD
5TH STREET	ALL VALLEY DRYWALL 6453 TUPELO DR. CITRUS HEIGHTS,CA LISC.941714
	Wireless Store Inc.
	2199 MARKET ST, SAN FRANCISCO, CA 94114
	PROJECT NO: 2199mk DRAWN BY: Ina CHECKED BY: PROJECT MANAGER: PROJECT ARCHITECT:
	C1 SHEET OF



	1	2	3	4	5
A					
В			A RAISED FLOOR NUMBER WITH BRAILE SYMBOLS FOR SIGN DESCRIPTION SEE CSADS/A-BOIL MONTING LOCATION ALLOWS A PERSON WITHIN 3' OF THE SIGNAGE WITHOUT BOOMTING LOCATION ALLOWS A PERSON WITHIN 3' OF THE SIGNAGE WITHOUT BOOMTING LOCATION ALLOWS A PERSON WITHIN 3' OF THE SIGNAGE WITHIN THE SWING OF A STATEMENT AND ALLOWS A PERSON WITHIN 3' OF THE SIGNAGE WITHIN WITHIN 3' OF THE SIGNAGE SIGNAL WITHIN 3' OF THE SIGNAGE SIGNAL BALE WITHIN 3' OF THE SIGNAGE SIGNAGE SIGNAL BALE WITHIN 3' OF THE SIGNAGE SIGNAGE SIGNAL BALE WITHIN 3' OF THE SIGNAGE SIGNAGE SIGNAL BALE WITHIN 3' OF THE SIGNAGE		
C			SOLE MIS.	6" MN. WHE FIGURE ON LIGHT GREY BACKGROUND. STMBOL SHALL BE ADDESME THE STOREFRONT GLAZING THE INTERIOR FACE OF THE STOREFRONT GLAZING NOTE INSTALL ON THE GLAZING ADJACENT TO THE STRIKE SDE OF THE DOOR, AT DOUBLE LEAF DOORS OR WHEN THERE IS NO GLAZING SPACE AT THE STRIKE SDE, STRNS SHALL BE PLACED ON THE MERKEST ADJACENT TO THE STRIKE SDE OF THE DOOR, AT DOUBLE LEAF DOORS OR WHEN THERE IS NO GLAZING SPACE AT THE STRIKE SDE, STRNS SHALL BE PLACED ON THE MERKEST ADJACENT WILL, PREFERABLY ON THE RIGHT SIDE. INTEL ACCEESSIBILITY SYMBOL SCALE: 6" = 1'-0"	
D					

