



# SAN FRANCISCO PLANNING DEPARTMENT

*Subject to: (Select only if applicable)*

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|--|--|
| <input type="checkbox"/> Inclusionary Housing (Sec. 315)         | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 313) | <input type="checkbox"/> Child Care Requirement (Sec. 314) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 139)            | <input type="checkbox"/> Other                             |

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## Planning Commission Motion No. 18112

HEARING DATE: JUNE 24, 2010

*Date:* June 17, 2010  
*Case No.:* **2010.0313 C**  
*Project Address:* **2295 HARRISON STREET  
(aka 612-614 ALABAMA STREET)**  
*Zoning:* UMU (Urban Mixed Use) District  
68-X Height and Bulk District  
*Block/Lot:* 4020 / 002  
*Project Sponsor:* Mark Melvin, Touchstone Climbing  
32 Heather Way  
Larkspur, CA 94939  
*Staff Contact:* Edgar Oropeza – (415) 558-6381  
[edgar.oropeza@sfgov.org](mailto:edgar.oropeza@sfgov.org)

**ADOPTING FINDINGS RELATING TO CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 843.51, AND 803.29(i) OF THE PLANNING CODE TO EXPAND AN EXISTING GYM USE GREATER THAN 4,000 SQUARE FEET DBA MISSION CLIFFS, WITHIN THE UMU (URBAN MIXED USE) DISTRICT, AND A 68-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On April 29, 2010 Mark Melvin (Project Sponsor) filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Section 303, 843.51, and 803.29(i) to expand an existing gym use, dba Mission Cliffs, into an adjacent commercial space within the UMU (Urban Mixed Use) District, and a 68-X Height and Bulk District.

On June 24, 2010, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.0313C.

The Project was determined by the Department to be Categorically Exempt from the California Environmental Quality Act ("CEQA") as a Class 1a exemption under CEQA Guidelines as described in the determination contained in the Planning Department files for this project. The Commission has reviewed and concurs with said determination.

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. 2010.0313C, 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 subject lot measures approximately 43,500 square feet and is improved with 3 commercial buildings which front Alabama, 19<sup>th</sup> and Harrison Streets. The subject building fronts 19<sup>th</sup> and Alabama Street and is a 1-story tall with mezzanine space of approximately 18,000 square feet. The building houses one commercial tenant, a 15,000 square foot gym dba Mission Cliffs. Mission Cliffs was founded as a San Francisco business, in its current location at 19<sup>th</sup> and Harrison Streets in 1995.
3. **Surrounding Properties and Neighborhood.** The subject property is located in the Mission neighborhood and falls within an area of Urban Mixed Use (UMU) zoning that acts as a buffer between the PDR districts to the north and the residential districts to the south and east. The area contains mostly buildings of an industrial style ranging in scale from one to four stories. Surrounding uses include photography studio, veterinary clinic, auto repair, housing, and various light industrial uses. A recently completed affordable and senior housing project with ground floor PDR space is located one block to the east.
4. **Project Description.** The project proposes to expand the existing gym use into the adjacent commercial space located immediately to the north. The project would expand the square footage by approximately 7,900 square feet for a total use size of approximately 23,000 square feet. The gym use is independent and locally owned, which has been encouraged throughout San Francisco. The proposed use is not a Formula Retail use.

Mission Cliffs was founded as a San Francisco business, in its current location at 19<sup>th</sup> and Harrison Streets in 1995. Mission Cliffs is a multi-activity fitness club and is an icon of indoor climbing through out the world. Touchstone Climbing is dedicated to creating innovative and exciting indoor rock climbing centers. Their gyms offer the opportunity for climbers of all abilities to challenge and enjoy themselves in a fun and safe environment.

5. **Public Comment.** The Department has received approximately 700 mailed comments (post cards) in support of the proposal. The department has received 15 letters in support of the proposal (attached with project sponsor's submittal).

No opposition of any type was received.

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. **Retail Controls in the MUG, MUO, and UMU Districts.** In the UMU District, up to 25,000 gross square feet of retail use (as defined in Section 890.114 of this Code) are permitted per lot. Above 25,000 gross square feet, three gross square feet of other uses permitted in that District are required for every one gross square foot of retail. In the UMU District, gyms, as defined in Sec. 218(d), are exempt from this requirement.

*The project proposes the expansion of the existing gym use dba, Mission Cliffs by approximately 8,000 square feet for a total of 23,000 gross square feet. Pursuant to Planning Code Section 803.9(i) the project to expand the existing gym use will not trigger additional square footage of uses that are not retail in nature at the site.*

- B. **Use Size.** Within the UMU District, a gym use greater than 4,000 square feet in size requires Conditional Use Authorization

*The project proposes the expansion of the existing gym use dba, Mission Cliffs by approximately 8,000 square feet for a total of 23,000 gross square feet. The project applicant is seeking a Conditional Use Authorization for the proposed expansion.*

- C. **Parking.** Planning Section 843.10 of the Planning Code does not require off-street parking for any commercial use located within the UMU District.

*The Subject Property is located within the UMU District and does not propose new off-street parking of any type.*

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.

*Much of the Mission is mixed-use in character. The subject area is home to a unique mixture of activities which includes many important PDR businesses, as well as offices, housing, retail and other uses. The proposed project is desirable because it would occupy a former office use located within an industrial district and would allow an appropriate expansion of the use that has proven desirable and appropriate for the neighborhood. Furthermore, public support for the expansion has been demonstrated.*

*The expansion is compatible with the immediate neighborhood, an area that acts as a buffer between the PDR districts to the north and the residential districts to the south and east. The area contains mostly buildings of an industrial style with uses including photography studios, veterinary clinic, auto repair, some housing, and various light industrial uses.*

*The scale of the project is relatively modest in terms of full fitness facilities. While 15,000 square feet is larger than boutique fitness centers, the proposed square footage of 23,000 square feet is about average for clubs that support more than a fringe group of users in U.S. cities. Furthermore, the building plan does not propose an expansion to the existing building shell; rather it proposes to improve accessibility (ADA compliance) to the subject site by providing a new storefront that is in character with renovations done in the immediate neighborhood.*

- 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 and is in keeping with the existing size and scale of uses located in the immediate industrial area.*

- 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 new off-street parking (automobiles) for commercial uses within the UMU District. The immediate area is primarily industrial in nature and provides unmetered on-street parking throughout the day. The Eastern Neighborhoods Mixed Use Districts have eliminated minimum off-street parking requirements in new commercial developments, while continuing to permit reasonable amounts of parking if desired.*

*Mission Cliffs is located immediately adjacent to a city wide bike lane located on Harrison Street and has a large percentage of users that bike to the site. The bicycle is a desirable alternative to the automobile as a means of urban transportation in San Francisco. It can successfully be used for most transportation needs, including commuting, shopping, errands, and recreation. Active encouragement of bicycle use as an alternative to automobile use, whenever possible, is essential in light of the continually increasing traffic congestion caused by motorized vehicles which aggravates air pollution, increases noise levels and consumes valuable urban space. The bicycle is a practical and economical transportation alternative which produces no emissions or noise. In addition, each bicycle user enjoys health benefits through increased physical activity.*

*Additionally, Mission Cliffs continues to come up with high capacity bike storage systems and locates those systems within their confines.*

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

*The gym operation is not expected to generate noxious or offensive emissions such as noise, glare dust and odor. The gym is located within an industrial area, and operates within enclosed building walls and closes no later than 11:00 P.M.*

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

*The building plan does not propose an expansion to the existing building shell; rather it proposes to improve accessibility (ADA compliance) to the subject site by providing a new storefront that is in character with renovations done in the immediate neighborhood.*

- 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.*

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

## **COMMERCE 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 development will provide a necessary and desirable service to both the immediate and greater neighborhoods. Further, the proposed project is consistent with the stated purposed of UMU (Urban Mixed Use) district in that the intended use maintains all characteristics of the existing building and preserves the commercial and industrial nature of the area.*

*The Project will provide net benefits by converting 3000 square feet of existing office space for a personal service use. The use is expected to generate traffic patterns suitable for the area and will not create undesirable impacts to traffic and parking in the area.*

**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 Project will reuse and retain the existing commercial building and use, thereby enhancing the diverse economic base of the City.*

**TRANSPORTATION ELEMENT**

**Objectives and Policies**

**OBJECTIVE 1:**

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

**Policy 1.3**

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

*Mission Cliffs is located immediately adjacent to a city wide bike lane located on Harrison Street and has a large percentage of users that bike to the site. The bicycle is a desirable alternative to the automobile as a means of urban transportation in San Francisco. It can successfully be used for most transportation needs, including commuting, shopping, errands, and recreation. Active encouragement of bicycle use as an alternative to automobile use, whenever possible, is essential in light of the continually increasing traffic congestion caused by motorized vehicles which aggravates air pollution, increases noise levels and consumes valuable urban space. The bicycle is a practical and economical transportation alternative which produces no emissions or noise. In addition, each bicycle user enjoys health benefits through increased physical activity.*

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

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

*The project site has historically housed non-retail uses (office). Therefore, the project will not displace a neighborhood serving retail use.*

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

*The proposed project is consistent with the stated purpose of the UMU (Urban Mixed Use) district in that the intended use maintains and preserves all characteristics of the existing building. Moreover the subject zoning district is located in an area serving as a buffer between residential districts and PDR districts in the Eastern Neighborhoods.*

- 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 Planning Code does not require parking for any use within the Eastern Neighborhoods Mixed Use Districts.*

- 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 site has not housed an industrial or service sector uses since 1995 and therefore no industrial related jobs are lost per this application.*

- 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.*

- 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 impact on existing parks and open spaces.*

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



**DECISION**

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2010.0313C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans filed with the Application as received on April 29, 2010 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. 18112. 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 June 24, 2010.

Linda D. Avery  
Commission Secretary

AYES: Commissioners Antonini, Borden, Lee, Miguel, Moore, Olague and Sugaya

NAYS: None

ABSENT: None

ADOPTED: June 24, 2010

## Exhibit A

# Conditions of Approval

1. This authorization is for a Conditional Use Authorization under Planning Code Section 303, 843.51, and 803.29(i) of the Planning Code to allow an expansion of the existing gym (Mission Cliffs) at 2295 Harrison Street (aka 612-614 Alabama Street) within the UMU (Urban Mixed Use) District and a 68-X Height and Bulk District, in general conformance with plans filed with the Application as received on April 29, 2010 and stamped "EXHIBIT B" included in the docket for **Case No. 2010.0313C**, reviewed and approved by the Commission on June 24, 2010.
2. Prior to the issuance of the Building Permit 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 premises (Assessor's 4020, Lot 002), which notice shall state that construction has been authorized by and is subject to the conditions of this Motion. From time to time after the recordation of such notice, at the request of the Project Sponsor, the Zoning Administrator shall affirm in writing the extent to which the conditions of this Motion have been satisfied.
3. Pursuant to Planning Code Section 143 new street trees are required for the subject property. The street trees installed shall be a minimum of one 24-inch box tree for each 20 feet of frontage of the property along each street or alley. Within the Eastern Neighborhoods Mixed Use Districts, street trees shall be installed along all street frontages in the public right of way.
4. Violation of the conditions contained in this Motion or of any other provisions of the Planning Code may be subject to abatement procedures and fines up to \$250 a day in accordance with Planning Code Section 176.
5. Should monitoring of the Conditions of Approval contained in Exhibit A of this Motion be required, the Project Sponsor or successors shall pay fees as established in Planning Code Section 351(e)(1).
6. The property owner shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean condition. Such maintenance shall include, at a minimum, daily litter pickup and disposal, and washing or steam cleaning of the main entrance and abutting sidewalks at least once each week.
7. Signs and exterior lighting for the business shall be reviewed and approved by the Planning Department before they are installed.
8. The Project shall appoint a Community Liaison Officer to address issues of concern to neighbors related to the operation of this Project.

9. The authorization and right vested by virtue of this action shall be deemed void and canceled if, within 3 years of the date of this Motion, a site permit or building permit for the Project has not been secured by Project Sponsor. This authorization may be extended at the discretion of the Zoning Administrator only if the failure to issue a permit by the Department of Building Inspection is delayed by a city, state, or federal agency or by appeal of the issuance of such permit.