



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: OCTOBER 14, 2010
CONSENT CALENDAR

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: October 7, 2010
Case No.: **2010.0414C**
Project Address: **4850 GEARY BOULEVARD**
Zoning: NC-3 (Moderate-Scale) Neighborhood Commercial District
40-X Height and Bulk District
Block/Lot: 1444/023
Project Sponsors: Ahmad Ghaderi / Yasmin Tabatabayi / Alan Soffe (agents)
Platinum Energy
207 W. Alameda Avenue, Suite 203
Burbank, CA 91502
Platinum Energy – Chris Martin (property owner)
30343 Canwood Street, #200
Agoura Hills, CA 91301
Staff Contact: Sharon M. Young – (415) 558-6346
sharon.m.young@sfgov.org

PROJECT DESCRIPTION

The proposal is a request for Conditional Use authorization under Sections 712.57, 303, and 186.1 of the Planning Code to convert an existing automobile service station (dba Park Presidio 76) to an automobile gas station within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District. The proposal will involve interior and exterior tenant improvements to the existing automobile service station building including the elimination of the existing lube service bays and the expansion of the existing food mart from approximately 450 square feet of floor area to approximately 1,600 square feet of floor area. The expanded food mart will consist of a sales floor area (which includes a coffee bar, food service area, and walk-in cooler), cashier area, storage/utility area, office, and restrooms.

An automobile service station existed on the project site as a legal non-conforming use within an R-3 Zoning District prior to 1966. On January 6, 1966, the Planning Commission authorized Conditional Use to reconstruct the automobile service station under Resolution No. 5951 (Case No. CU66.3). The current proposal to convert the existing legal nonconforming automobile service station (dba Park Presidio 76) to an automobile gas station is considered an alteration of the existing legal nonconforming use and would require Conditional Use authorization.

SITE DESCRIPTION AND PRESENT USE

The Project Site at 4850 Geary Boulevard is on the northeast corner of Geary Boulevard and Funston Avenue; Assessor's Block 1444; Lot 023. It is located within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District. The subject lot is approximately 10,750

square-feet (107.50 feet wide by 100 feet deep) in size. An existing automobile service station (dba Park Presidio 76) on the subject lot consisting of four gasoline fueling stations with canopy above, an existing lube bay building (with an accessory 450 square-foot food mart), six off-street automobile parking spaces, and a storage container. The existing food mart establishment is an accessory retail grocery store use affiliated with the existing '76' service station and is not considered a formula retail use pursuant to Section 703.3 of the Planning Code.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The Project Site is located within the Inner Richmond Neighborhood. The majority of the surrounding development consists of two-to-four story residential over ground floor commercial buildings with a few one-story commercial building within this portion of the NC-3 Zoning District. Generally, the commercial establishments characterizing this portion of Geary Boulevard include a mixture of specialty stores, auto repair shops, restaurants, personal service establishments, and medical service establishments. Some of the existing commercial establishments on the subject and opposite blocks include Tani Sushi, B & B Discount, Toy Shop - The Toyota Specialist (San Francisco Toyota – service, new car deliveries and car wash car lot is located on the 4000 Block of Geary Boulevard), Cosmetic and Family Dentistry, Sleep Train Mattress Center, Bay Area Diabetes Supply Center, Pacifisia Realty Rental, and Tender Touch Stress Reduction. On Funston and 12th Avenues running north and south of the project site, there are primarily three-story residential buildings and Park Presidio Boulevard within the RM-1 (Residential, Mixed, Low-Density) Zoning District.

ENVIRONMENTAL REVIEW

The proposed project was determined by the San Francisco Planning Department to be categorically exempt from environmental review, under Class 1(a) of the State CEQA Guidelines, Section 15301, pursuant to Title 14 of the California Administrative Code.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	September 24, 2010	September 24, 2010	20 days
Posted Notice	20 days	September 24, 2010	September 24, 2010	20 days
Mailed Notice	20 days	September 24, 2010	September 23, 2010	21 days

PUBLIC COMMENT

- As of October 7, 2010, the Department has not received any letters or phone calls in opposition to the project. The Department had received one phone call and one email requesting additional information regarding plan drawings for the proposal.

ISSUES AND OTHER CONSIDERATIONS

- The existing and proposed food mart, which is affiliated with the existing '76' automobile service station, is not considered a formula retail use under Section 703.3 of the Planning Code.

- Within the Inner Richmond Neighborhood, some of the other existing automobile gas and service stations include California Auto Service Center (4135 California Street), T&R 76 (3898 California Street), Richmond Super Shell (4501 Geary Boulevard), and Am 76 Auto Service (3501 Geary Boulevard).
- The Project Sponsors have indicated that because the existing lube service bays are currently underutilized and less profitable for business, they are seeking to expand the existing food mart into the commercial space. The existing gasoline fueling stations will remain.

REQUIRED COMMISSION ACTION

This proposal requires **Conditional Use** authorization pursuant to Sections 712.42, 303, and 186.1 of the Planning Code, Conditional Use authorization is required to convert an existing automobile service station (dba Park Presidio 76) to an automobile gas station with expanded food mart within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District.

BASIS FOR RECOMMENDATION

- The proposed project to convert an existing automobile service station (dba Park Presidio 76) to an automobile gas station will not significantly impact the availability of automobile service stations within the Inner Richmond neighborhood. The proposed project will allow for the expansion of the existing food mart (retail convenience store) from approximately 450 square feet of floor area to approximately 1,600 square feet of floor area by eliminating the existing lube service bays which are currently underutilized. The proposed project meets all applicable requirements of the Planning Code.
- The Department believes that this project is necessary and/or desirable for the following reasons:
 - a) The proposed project will enhance the economic diversity of the neighborhood by helping to retain and enhance an existing business in the area.
 - b) The proposed project will be complimentary to the mix of existing neighborhood-serving uses within the neighborhood which residents can access by walking or taking public transit.
 - c) The proposed project would be consistent with the mixed commercial-residential character of this portion of the NC-3 Zoning District.

RECOMMENDATION: Approval with Conditions
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Attachments:

Zoning District Map
Parcel Map
Sanborn Map
Aerial Photographs
Site and Context Photographs
Reduced Plans

Attachment Checklist

- Executive Summary
- Draft Motion
- Environmental Determination
- Zoning District Map
- Height & Bulk Map
- Parcel Map
- Sanborn Map
- Aerial Photo
- Context Photos
- Site Photos

- Project sponsor submittal
- Drawings: Existing Conditions
- Check for legibility
- Drawings: Proposed Project
- Check for legibility
-
-
-
-
-

SMY

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

Planner's Initials

SMY: C:\4850 Geary Blvd summary-smy.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <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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ADOPTING FINDINGS RELATED TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION UNDER PLANNING CODE SECTIONS 712.57, 303, AND 186.1 TO CONVERT AN EXISTING AUTOMOBILE SERVICE STATION (DBA PARK PRESIDIO 76) TO AN AUTOMOBILE GAS STATION AT 4850 GEARY BOULEVARD WITHIN THE NC-3 (MODERATE-SCALE NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On June 1, 2010, Ahmad Ghaderi, Yasmin Tabatabayi, and Alan Soffe, acting agents on behalf of (hereinafter "Project Sponsors") made an application for Conditional Use authorization for the property at **4850 Geary Boulevard, Lot 023 in Assessor's Block 1444** (hereinafter "Subject Property"), to convert an existing automobile service station (dba Park Presidio 76) to an automobile gas station within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, in general conformity with plans dated August 18, 2010, and labeled "Exhibit B" (hereinafter "Project").

On **October 14, 2010**, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on **Conditional Use Application No.**

2010.0414C. Under Sections 712.42, 303, and 186.1 of the Planning Code, Conditional Use authorization is required to convert an existing automobile service station (dba Park Presidio 76) to an automobile gas station within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District.

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (hereinafter "CEQA"), the Planning Department of the City and County of San Francisco (hereinafter "Department") determined that the proposed Conditional Use Application was categorically exempt from the environmental review process under Class 1(a) of the State CEQA Guidelines, Section 15301, pursuant to Title 14 of the California Administrative Code. 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. 2010.0414C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the recitals 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 Site at 4850 Geary Boulevard is on the northeast corner of Geary Boulevard and Funston Avenue; Assessor's Block 1444; Lot 023. It is located within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District. The subject lot is approximately 10,750 square-feet (107.50 feet wide by 100 feet deep) in size. An existing automobile service station (dba Park Presidio 76) on the subject lot consisting of four gasoline fueling stations with canopy above, an existing lube bay building (with an accessory 450 square-foot food mart), six off-street automobile parking spaces, and a storage container. The existing food mart establishment is an accessory retail grocery store use affiliated with the existing '76' service station and is not considered a formula retail use pursuant to Section 703.3 of the Planning Code.
3. **Surrounding Properties and Neighborhood.** The Project Site is located within the Inner Richmond Neighborhood. The majority of the surrounding development consists of two-to-four story residential over ground floor commercial buildings with a few one-story commercial building within this portion of the NC-3 Zoning District. Generally, the commercial establishments characterizing this portion of Geary Boulevard include a mixture of specialty stores, auto repair shops, restaurants, personal service establishments, and medical service establishments. Some of the existing commercial establishments on the subject and opposite

blocks include Tani Sushi, B & B Discount, Toy Shop - The Toyota Specialist (San Francisco Toyota – service, new car deliveries and car wash car lot is located on the 4000 Block of Geary Boulevard), Cosmetic and Family Dentistry, Sleep Train Mattress Center, Bay Area Diabetes Supply Center, Pacifisia Realty Rental, and Tender Touch Stress Reduction. On Funston and 12th Avenues running north and south of the project site, there are primarily three-story residential buildings and Park Presidio Boulevard within the RM-1 (Residential, Mixed, Low-Density) Zoning District.

4. **Project Description.** The proposal is a request for Conditional Use authorization under Sections 712.57, 303, and 186.1 of the Planning Code to convert an existing automobile service station (dba Park Presidio 76) to an automobile gas station within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District. The proposal will involve interior and exterior tenant improvements to the existing automobile service station building including the elimination of the existing lube service bays and the expansion of the existing food mart from approximately 450 square feet of floor area to approximately 1,600 square feet of floor area. The expanded food mart will consist of a sales floor area (which includes a coffee bar, food service area, and walk-in cooler), cashier area, storage/utility area, office, and restrooms.

An automobile service station existed on the project site as a legal non-conforming use within an R-3 Zoning District prior to 1966. On January 6, 1966, the Planning Commission authorized Conditional Use to reconstruct the automobile service station under Resolution No. 5951 (Case No. CU66.3). The current proposal to convert the existing legal nonconforming automobile service station (dba Park Presidio 76) to an automobile gas station is considered an alteration of the existing legal nonconforming use and would require Conditional Use authorization.

5. **Issues and Other Considerations.**

- The existing and proposed food mart, which is affiliated with the existing '76' automobile service station, is not considered a formula retail use under Section 703.3 of the Planning Code.
- Within the Inner Richmond Neighborhood, some of the other existing automobile gas and service stations include California Auto Service Center (4135 California Street), T&R 76 (3898 California Street), Richmond Super Shell (4501 Geary Boulevard), and Am 76 Auto Service (3501 Geary Boulevard).
- The Project Sponsors have indicated that because the existing lube service bays are currently underutilized and less profitable for business, they are seeking to expand the existing food mart into the commercial space. The existing gasoline fueling stations will remain.

6. **Public Comment.** As of October 7, 2010, the Department has not received any letters or phone calls in opposition to the project. The Department had received one phone call and one email requesting additional information regarding plan drawings for the proposal.

7. **Use District.** The project site is within the NC-3 (Neighborhood, Moderate-Scale) District. The NC-3 District controls are intended to provide the opportunity for a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood, additionally providing convenience goods and services to the surrounding neighborhoods. NC-3 Districts are linear districts located along heavily trafficked thoroughfares which also serve as major transit routes.

NC-3 Districts include some of the longest linear commercial streets in the City, some of which have continuous retail development for many blocks. Large-scale lots and buildings and wide streets distinguish the districts from smaller-scaled commercial streets, although the districts may include small as well as moderately scaled lots. Buildings typically range in height from two to four stories with occasional taller structures. NC-3 building standards permit moderately large commercial uses and buildings. Rear yards are protected at residential levels. Housing development in new buildings is encouraged above the second story. Existing residential units are protected by limitations on demolitions and upper-story conversions.

A diversified commercial environment is encouraged for the NC-3 Neighborhood Commercial District, and a wide variety of uses are permitted with special emphasis on neighborhood-serving businesses. Eating and drinking, entertainment, financial service and certain auto uses generally are permitted with certain limitations at the first and second stories. Other retail businesses, personal services and offices are permitted at all stories of new buildings. Limited storage and administrative service activities are permitted with some restrictions.

8. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Conversion of an Automobile Service Station into an Automobile Gas Station.** Planning Code Section 712.57 states that a Conditional Use authorization is required to establish an automobile gasoline station on the 1st (ground) floor.

An automobile service station is defined under Planning Code Section 790.17 as:

A retail automotive service use which provides motor fuels and lubricating oils directly into motor vehicles and minor auto repairs (excluding engine repair, rebuilding, or installation of power train components, reconditioning of badly worn or damaged motor vehicles, collision service, or full body paint spraying) and services which remain incidental to the principal sale of motor fuel. Repairs shall be conducted within no more than three enclosed service bays in buildings having no openings, other than fixed windows or exits required by law, located within 40 feet of any R District. It may include other incidental services for automobiles including, but not limited to, accessory towing, if the number of towing vehicles does not exceed one, and all towed vehicles stored on the premises are limited to those vehicles which are to be repaired on the premises.

An automobile gasoline station is defined under Planning Code Section 790.14 as:

A retail automotive service use which provides motor fuels, lubricating oils, air, and water directly into motor vehicles and without providing automotive repair services, including self-service operations which sell motor fuel only.

The Project Sponsor intends to convert an existing automobile service station to an automobile gas station. The proposal will involve interior and exterior tenant improvements to the existing automobile service station building including the elimination of the existing lube service bays and the expansion of the existing food mart from approximately 450 square feet of floor area to approximately 1,600 square feet of floor area.

- B. Hours of Operation.** Section 712.27 imposes no limits on the hours of operation.

The existing automobile service station is open 24 hours a day, seven days a week. The hours of operation of the gas station and expanded food mart are proposed to remain the same.

- C. Street Frontage in Neighborhood Commercial Districts.** Section 145.1 requires that NC Districts containing specific uses, including retail stores, have at least ½ the total width of the new or altered structure at the commercial street frontage devoted to entrances to commercially used space, windows or display space at the pedestrian eye-level. Such windows shall use clear, un-tinted glass, except for decorative or architectural accent. Any decorative railings or decorated grille work, other than wire mesh, which is placed in front or behind such windows, shall be at least 75 percent open to perpendicular view and no more than six feet in height above grade.

The subject commercial space (proposed expanded food mart) has approximately 19 feet of frontage on Funston Avenue and approximately 38 feet of frontage on Geary Boulevard with glass frontage and window openings devoted to either the entrance or window space. There are modifications proposed to the existing storefront to reconfigure the door and window openings.

- D. Off-Street Parking and Loading.** Section 151 requires off-street parking for every 500 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet. Section 152 requires one off-street loading space for retail stores between 10,001 and 60,000 gross square feet.

The subject commercial space (food mart), with approximately 1,600 square feet in floor area, does not require any off-street or loading parking spaces.

- E. Nonconforming Use.** Section 186.1(b) of the Planning Code requires that a non-conforming use may not be significantly altered, enlarged, or intensified, except upon approval of a conditional use application pursuant to the provisions of Article 3 of the Planning Code, provided that the use not have or result in a greater height, bulk or floor area ratio, less required rear yard or open space, or less required off-street parking space or loading space.

A "nonconforming use" is defined as a use that existed lawfully at the effective date of the Planning Code, but which failed to conform to one or more of the use limitations under Code provisions applicable for the neighborhood commercial district in which the property is located at the time of the application.

The current proposal to convert the existing legal nonconforming automobile service station (dba Park Presidio 76) to an automobile gas station is considered an alteration of the existing legal nonconforming use and would require Conditional Use authorization.

- F. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department and must comply with Article 6 of the Planning Code.
9. **Section 303(c)** 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:

- (1) 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 project will allow for the expansion of the existing food mart (retail convenience store) from approximately 450 square feet of floor area to approximately 1,600 square feet of floor area by eliminating the existing lube service bays which are currently underutilized. There will be interior and exterior tenant improvements made to the existing commercial tenant space with no expansion of the existing building envelope.

- (2) 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:

- (A) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The size and shape of the site and the size, and the arrangement of the structures on the site are adequate for the proposed project. There will be no physical expansion of the existing building.

- (B) 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;

Existing traffic patterns will not be significantly affected by the proposed project. Public transit is in close proximity to the Project Site. There are off-street parking spaces on the Project Site and on-street parking in front of the subject property and in the surrounding neighborhood.

- (C) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

No noxious or offensive emissions such as glare, dust, or odor are expected to be produced by the proposed project. Under Conditions of Approval #6, the project sponsor shall maintain appropriate odor control (ventilation) equipment to prevent any significant noxious or offensive odors from escaping the premises.

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

The proposal will involve interior and exterior alterations to the existing automobile service station building. There will be no addition of parking spaces, loading facilities, open space or service areas. All Project signage and projections will be consistent with the controls of the Planning Code.

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

The proposed 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.

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

The proposed project is consistent with the stated purpose of the NC-3 Zoning District in that the intended use is a neighborhood-serving business.

10. **General Plan Compliance.** The Project is consistent with the Objectives and Policies of the General Plan in that:

COMMERCE AND INDUSTRY ELEMENT

GENERAL/CITYWIDE

Objectives and Policies

OBJECTIVE 1:

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

Policy 1:

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

The proposed project would be compatible with and complementary to the types of uses characterizing this portion of the NC-3 Zoning District, which includes a mixture of specialty stores, auto repair shops, restaurants, personal service establishments, and medical service establishments.

OBJECTIVE 2:

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

Policy 1:

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

The proposed project would retain and expand an existing commercial activity use (food mart) and eliminate an underutilized automobile service repair use.

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.

No existing commercial tenant would be displaced and the proposed project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.

11. **Section 101.1(b)** establishes eight priority planning policies and requires the review of permits that authorize changes of use for consistency with said policies:

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

The proposed project will preserve and enhance existing neighborhood-serving retail uses by expanding an existing food mart (retail convenience store). The proposed expanded food mart will consist of a sales floor area (which includes a coffee bar, food service area, and walk-in cooler), cashier area, storage/utility area, office, and restrooms. The proposed project will help retain and expand an existing food mart which provides job opportunities to the City.

- (2) 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 will utilize an existing commercial structure for its operation and does not propose an expansion to the existing building envelope. Existing housing will not be significantly affected by the proposed project.

- (3) That the City's supply of affordable housing be preserved and enhanced.

The proposed project will not displace any affordable housing.

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

The proposed project would not significantly increase the automobile traffic congestion and parking problems in the neighborhood. The proposal is a neighborhood-serving use which residents can access by walking or taking public transit. There are also six existing off-street parking spaces on the project site.

- (5) 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 significantly displace existing industrial or service businesses in the area.

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

The proposed project will comply with all applicable earthquake safety standards and built to the current standards of the California Building Code.

- (7) That landmark and historic buildings be preserved.

The proposed project will not significantly affect any landmarks or historic buildings.

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

The proposed project will not affect any city-owned park or open space.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2010.0414C** subject to the following conditions attached hereto as "EXHIBIT A" 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. _____. 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 October 14, 2010.

Linda Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:

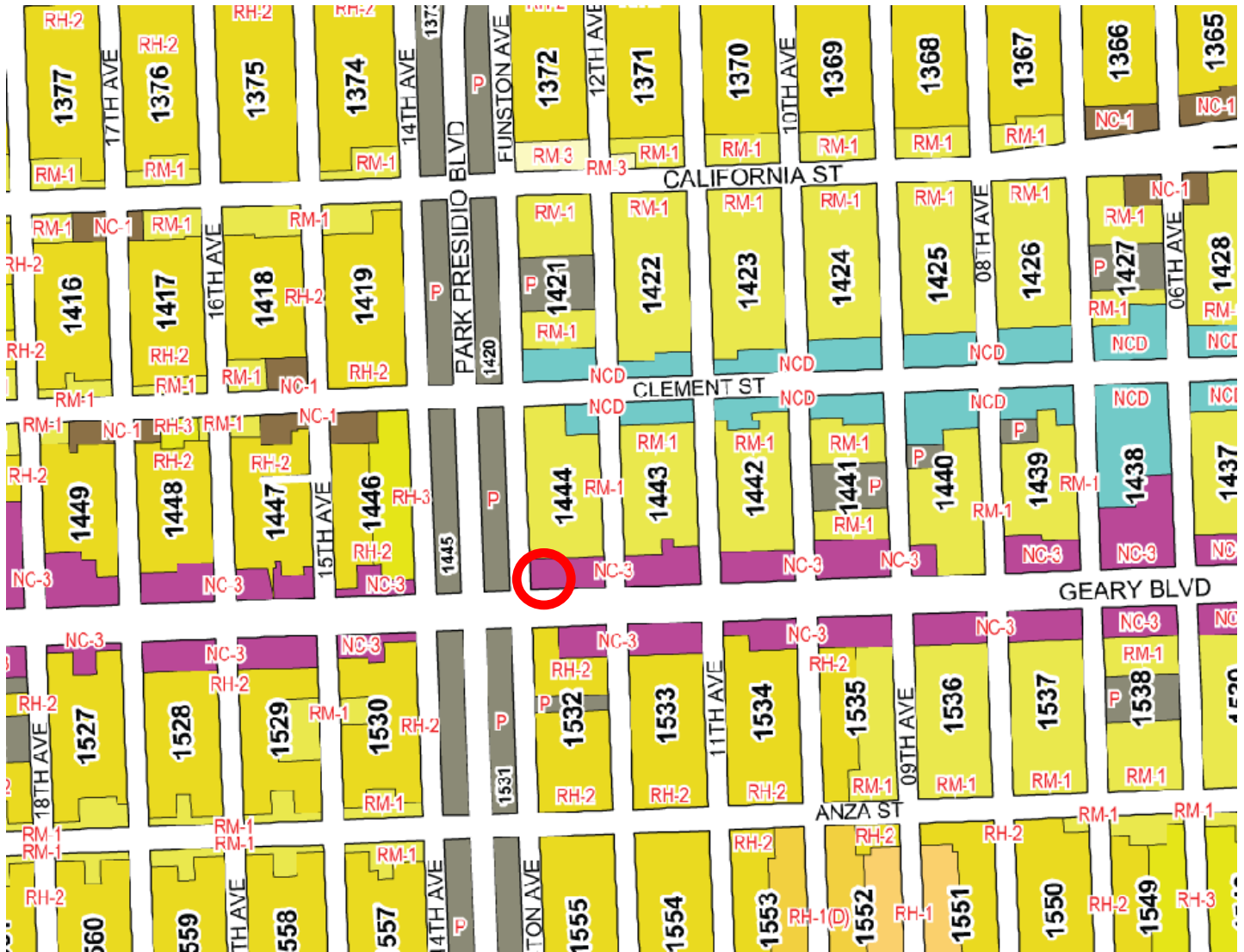
Exhibit A

Conditions of Approval

1. Pursuant to Planning Code Sections 712.57, 303, and 186.1, this Conditional Use approval is to allow the conversion of an existing automobile service station (dba Park Presidio 76) to an automobile gas station within the NC-3 (Moderate-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, in general conformity with Plans on file with the Department in the docket for Case No. 2010.0414C (labeled EXHIBIT B), reviewed and approved by the Commission on October 14, 2010 under Motion No. _____.
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 Block 1444, Lot 023), which notice shall state that the project is subject to the conditions of approval contained herein and as reviewed and approved by the Planning Commission on _____ under Motion No. _____.
3. 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.
4. 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).
5. The proposal will involve interior and exterior tenant improvements to the existing automobile service station building including the elimination of the existing lube service bays and the expansion of the existing food mart from approximately 450 square feet of floor area to approximately 1,600 square feet of floor area. The expanded food mart will consist of a sales floor area (which includes a coffee bar, food service area, and walk-in cooler), cashier area, storage/utility area, office, and restrooms.
6. The Project Sponsor 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. The Project Sponsor shall maintain appropriate odor control (ventilation) equipment to prevent any significant noxious or offensive odors from escaping the premises.
8. Refuse containers shall be provided both inside and outside the establishment for use by patrons of the proposed automobile gas station with expanded food mart. An enclosed garbage area shall be provided within the establishment. All garbage containers shall be kept within the building until pick-up by the disposal company.

9. Noise shall be adequately soundproofed and shall not be audible beyond the premises and comply with the San Francisco Noise Control Ordinance.
10. Signs and exterior lighting for the business shall be reviewed and approved by the Planning Department before they are installed.
11. The Project Sponsor shall maintain an attractive storefront providing visibility of the food mart interior through the storefront windows.
12. Violation of any of the conditions 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 and Section 176.1.
13. 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.
14. The Project Sponsor shall appoint a Community Liaison Officer to address issues of concern to neighbors related to the operation of this Project. The Project Sponsor shall report the name and telephone number of this Officer to the Zoning Administrator and the neighborhood for reference. The Applicant will keep the above parties apprised should a different staff liaison be designated.
15. 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.
16. The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. _____ 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.
17. 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.

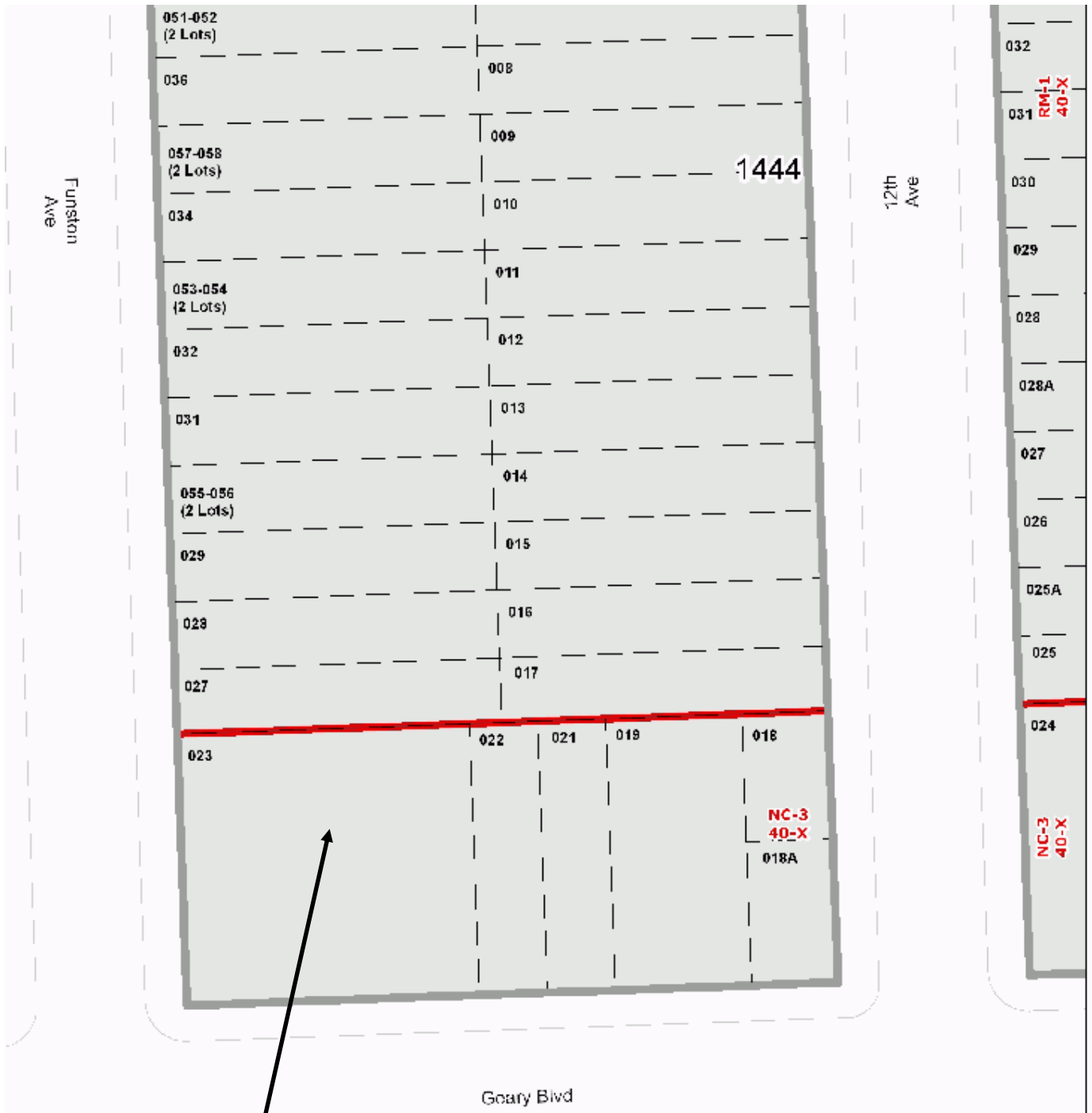
Zoning Map



Conditional Use Hearing
Case Number 2010.0414C
4850 Geary Boulevard



Parcel Map



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2010.0414C
4850 Geary Boulevard

Sanborn Map*

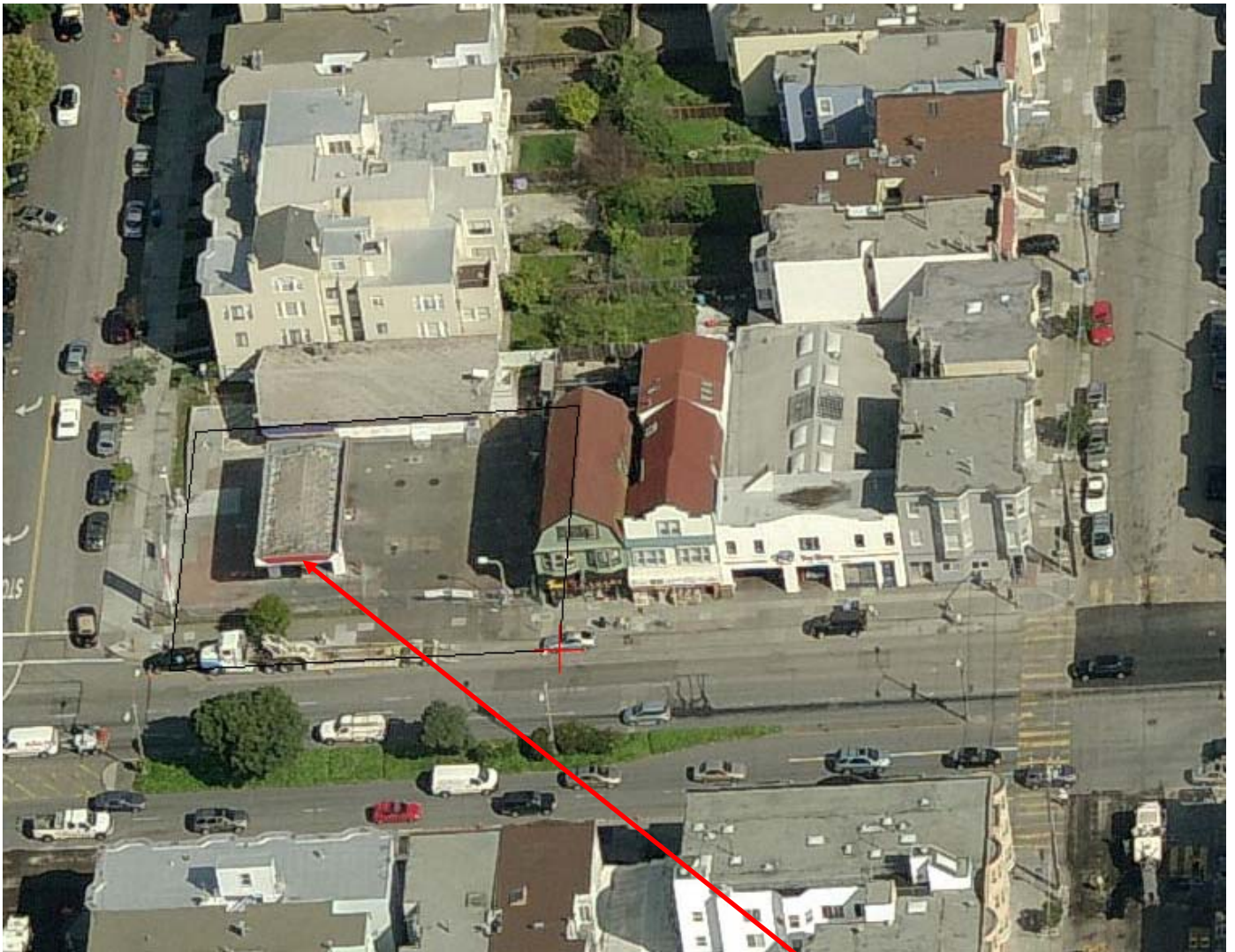


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Conditional Use Hearing
 Case Number 2010.0414C
 4850 Geary Boulevard



Aerial Photo*



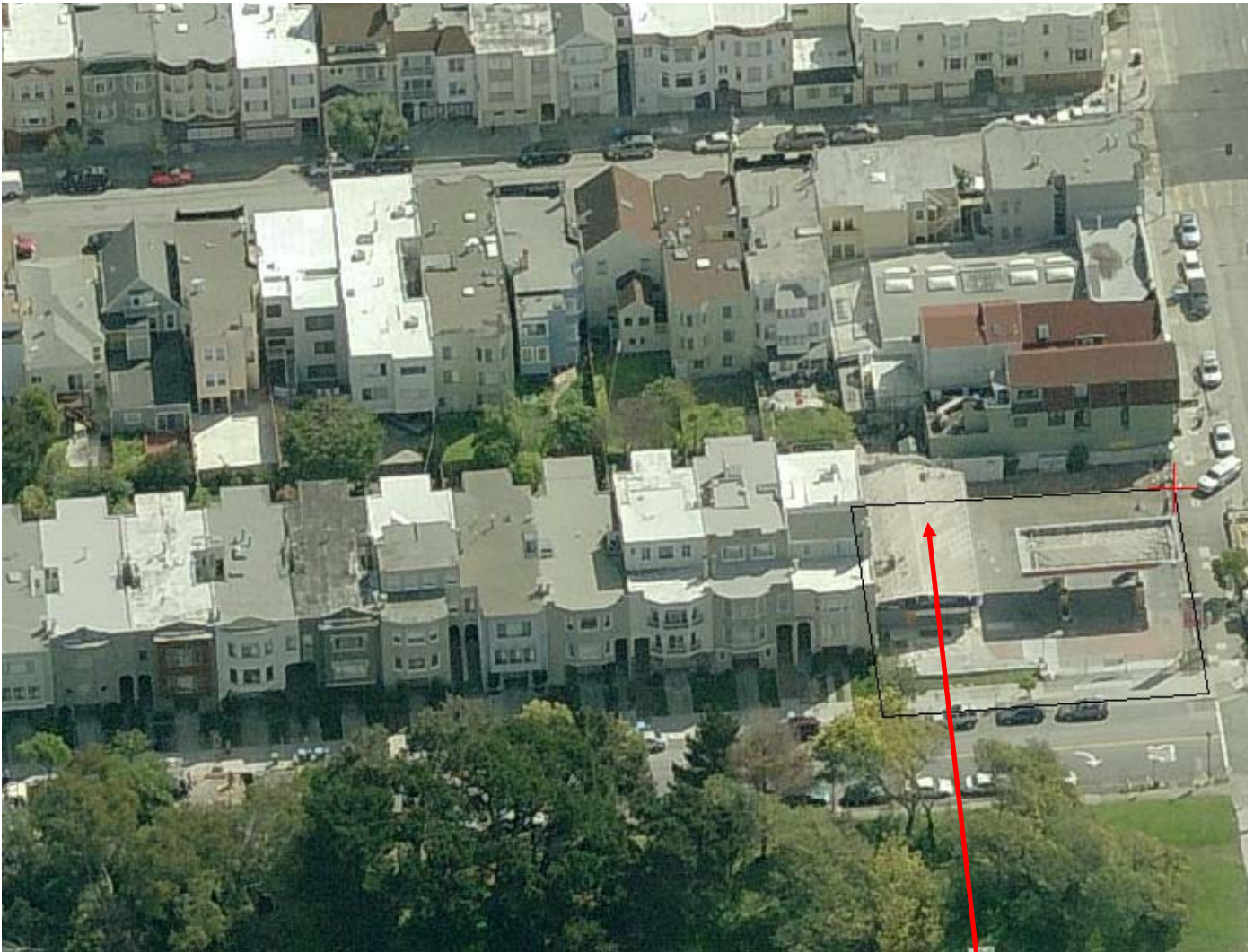
SUBJECT PROPERTY

**The Aerial Maps reflect existing conditions in March 2009.*



Conditional Use Hearing
Case Number 2010.0414C
4850 Geary Boulevard

Aerial Photo*

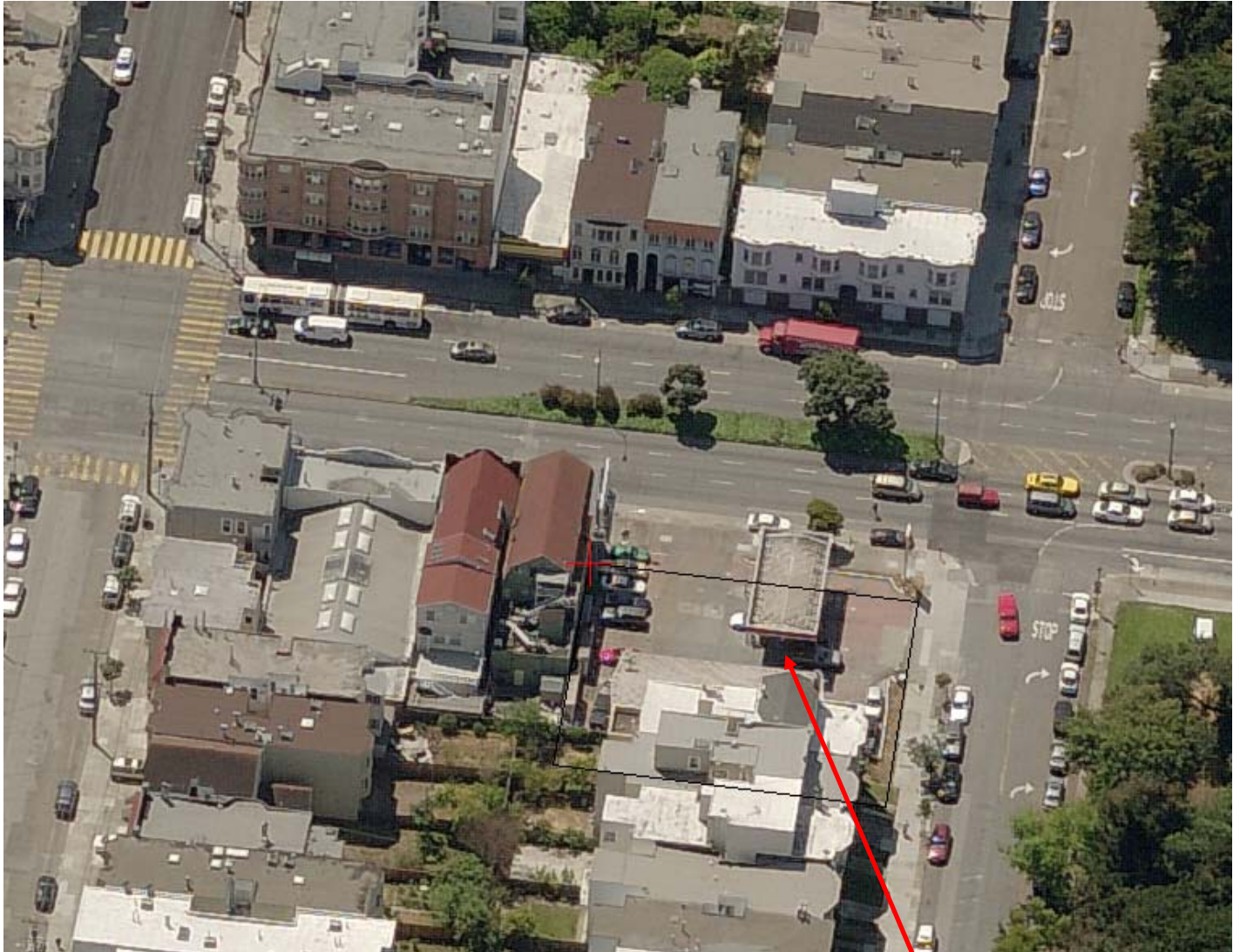


SUBJECT PROPERTY

**The Aerial Maps reflect existing conditions in March 2009.*



Aerial Photo*



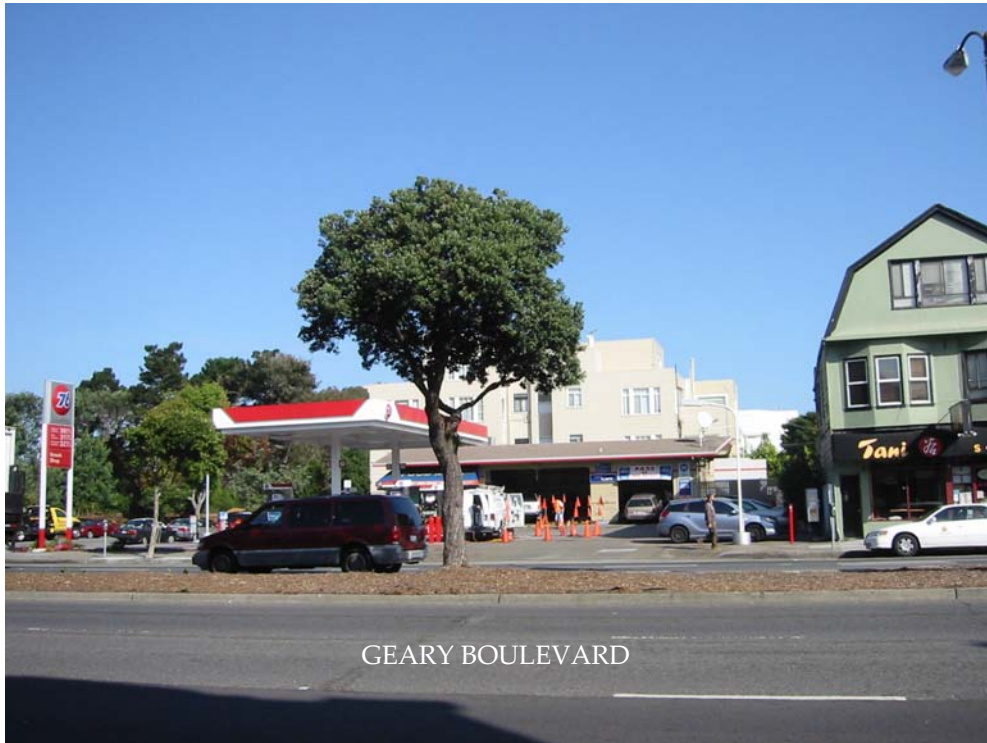
SUBJECT PROPERTY

**The Aerial Maps reflect existing conditions in March 2009.*



Site Photo

SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2010.0414C
4850 Geary Boulevard

Site Photo

SUBJECT PROPERTY ON THE NORTHEAST CORNER OF
GEARY BOULEVARD AND FUNSTON AVENUE



SUBJECT PROPERTY

Conditional Use Hearing
Case Number 2010.0414C
4850 Geary Boulevard

Site Photo

SUBJECT BLOCK ON GEARY BOULEVARD

Geary Blvd, San Francisco, CA 94118, USA (approx).



SUBJECT PROPERTY

Conditional Use Hearing
Case Number 2010.0414C
4850 Geary Boulevard

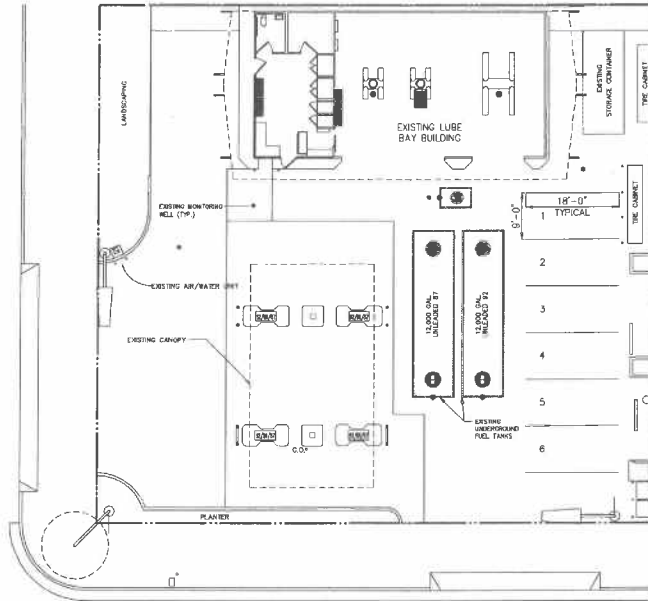
Site Photo

OPPOSITE BLOCK ON GEARY BOULEVARD



Conditional Use Hearing
Case Number 2010.0414C
4850 Geary Boulevard

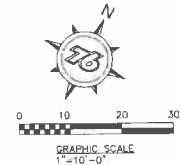
FUNSTON AVENUE



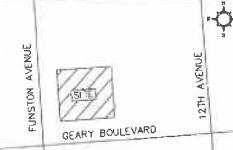
GEARY BOULEVARD

ADDRESS:
4850 GEARY BOULEVARD
SAN FRANCISCO, CA 94118

DIRECTIONAL ARROW/ GRAPHIC SCALE



VICINITY MAP



SCOPE OF WORK

EXISTING SITE PLAN.

SHEET NO.	DESCRIPTION
S1.1	EXISTING SITE PLAN
S1.2	PROPOSED SITE PLAN
A1.1	EXISTING & PROPOSED FLOOR PLAN
A2.1	EXISTING BUILDING ELEVATIONS
A2.2	PROPOSED BUILDING ELEVATIONS

ConocoPhillips

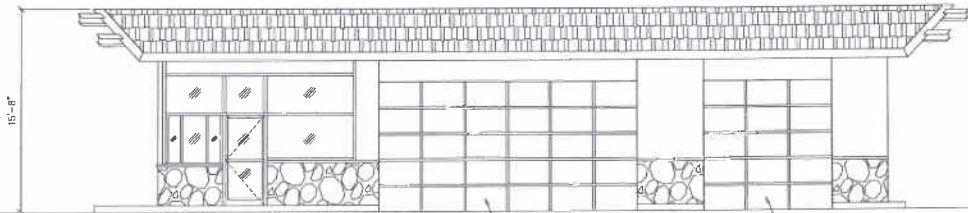
Approved by:
Date:



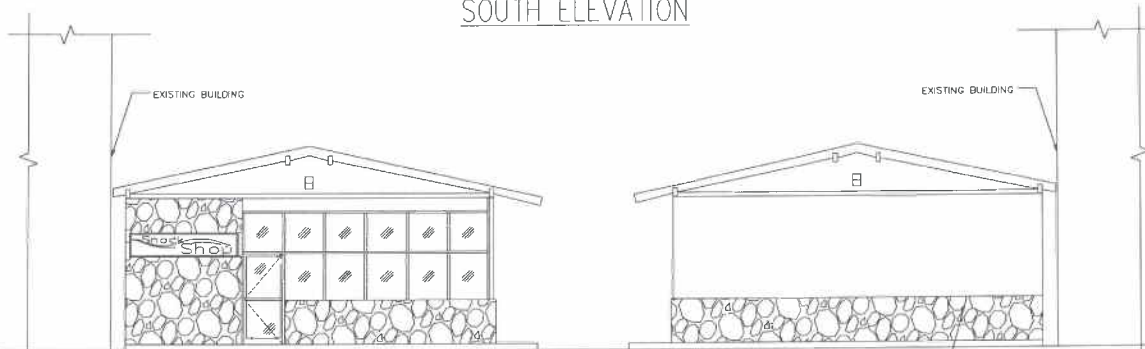
PLANS PREPARED BY:
A & S ENGINEERING
PLANNING ENGINEERING CONSTRUCTION MANAGEMENT
1000 CALIFORNIA STREET, SUITE 200
SAN FRANCISCO, CA 94109
TEL: 415-774-8442 FAX: 415-774-8444

Conoco Phillips COMPANY
3811 HARBOR BLVD # 200, SANTA ANA, CA
STORE # 1: 250054
ADDRESS: 4850 GEARY BOULEVARD & FUNSTON AVENUE
SAN FRANCISCO, CA 94118

DRAWN	
ER	
CHECKED	
DATE	06/16/2010
BY	SEE EXISTING SITE PLAN
JOB NO.	
SHEET	S1.1

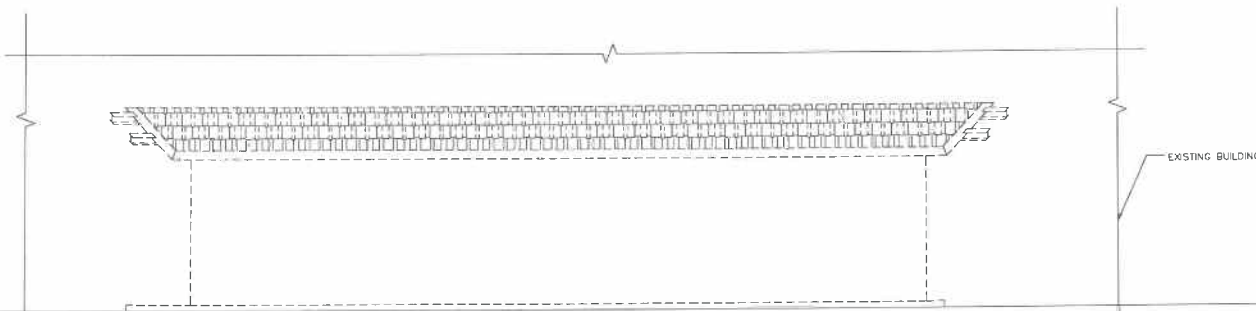


SOUTH ELEVATION



WEST ELEVATION

EAST ELEVATION



NORTH ELEVATION

▲	
▲	
▲	
▲	
▲	



PLANS PREPARED BY:
A & S ENGINEERING
 PLANNING ENGINEERING CONSTRUCTION MANAGEMENT
 1000 MARIN BLVD. #200 SAN FRANCISCO, CA 94116
 PHONE: 415-774-2644 FAX: 415-774-3700

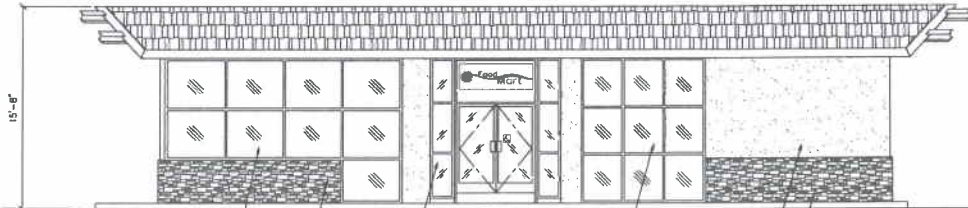
Conoco Phillips COMPANY
 3811 HARBOR BLVD # 200, SANTA ANA, CA
 STORE # 250004 4850 GEARY BOULEVARD & FUNSTON AVENUE
 ADDRESS: SAN FRANCISCO, CA 94116

DRAWN
BY
CHECKED
DATE
BY TITLE
EXISTING BUILDING ELEVATIONS
750 NO
1
SHEET

ConocoPhillips
 Approved by: _____
 Date: _____

A2.1

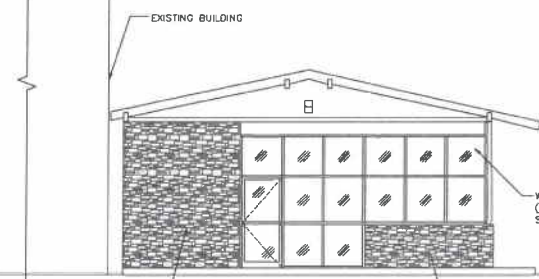
4/1/2010



- 05.01 STONE VENEER BY CULTURED STONE, 60-40 BLEND
60% CHARDONNAY SOUTHERN LEDGESTONE
40% CHARDONNAY DRESSED FIELDSTONE
- 07.02 SMOOTH SAND FINISH STUCCO SYSTEM WITH
ACRYLIC FINISH
- 08.01 STOREFRONT SYSTEM, DARK BRONZE BY KAMNEER

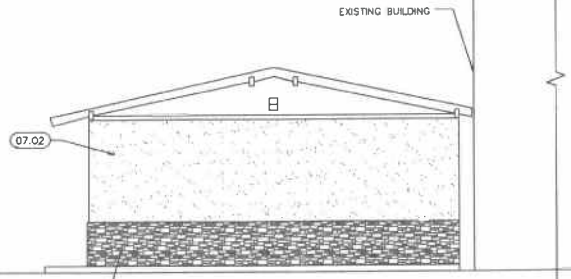
WINDOW (WITH SEAMLESS SAFETY GLASS - TYP.) 05.01 08.01 WINDOW (WITH SEAMLESS SAFETY GLASS - TYP.) 07.02 05.01

SOUTH ELEVATION



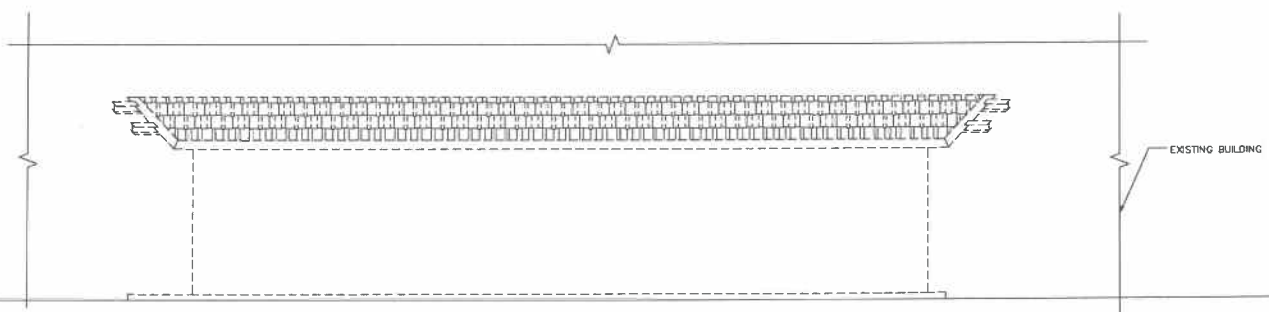
05.01 05.01 WINDOW (WITH SEAMLESS SAFETY GLASS - TYP.)

WEST ELEVATION



07.02 05.01

EAST ELEVATION



NORTH ELEVATION

NOTE:
EXISTING NORTH ELEVATION TO REMAIN THE SAME.

ConocoPhillips
Approved by: _____
Date: _____

▲	
▲	
▲	
▲	
▲	
▲	
▲	
▲	



PLANS PREPARED BY:
A & S ENGINEERING
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ConocoPhillips COMPANY
3811 HUNTERS BLVD # 200, SANTA ANA, CA
STORE # : 250054
ADDRESS: 4850 GEARY BOULEVARD & FUNSTON AVENUE
SAN FRANCISCO, CA 94118

DRAWN	BY
CHECKED	BY
DATE	08/18/2010
SHEET TITLE	PROPOSED BUILDING ELEVATIONS
JOB NO.	
SHEET	A2.2

11/11/2009

