



# SAN FRANCISCO PLANNING DEPARTMENT

---

## Executive Summary Conditional Use Authorization

HEARING DATE: JULY 7, 2016

*Date:* June 30, 2016  
*Case No.:* 2015-010423CUA  
*Project Address:* 1567 Sloat Blvd  
*Zoning:* NC-S (Neighborhood Commercial, Shopping Center District)  
26-40-X Height and Bulk District  
*Block/Lot:* 7255/003  
*Project Sponsor:* Thomas Tunny, Reuben, Junius & Rose LLP  
1 Bush Street, Suite 600  
San Francisco, CA 94104  
*Staff Contact:* Todd Kennedy – (415) 575-9125  
Todd.kennedy@sfgov.org

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The proposal is to establish a 1,981 square foot formula retail use (a wireless communications store d.b.a. AT&T Authorized Retailer) in an existing commercial space formerly occupied by another Formula Retail use (d.b.a. RadioShack). AT&T is a multinational telecommunications corporation headquartered in Dallas, Texas with approximately ten (10) San Francisco locations. The project includes minor tenant improvements and new signage.

The store offers products, accessories, services and support for AT&T mobility customers. The proposed hours of operation will be from 9 a.m. to 9 p.m. weekdays; 10 a.m. to 6 p.m. Saturday and 11 a.m. to 5 p.m. Sunday. The store will employ approximately six (6) full-time employees.

### SITE DESCRIPTION AND PRESENT USE

The project site is located within the Lakeshore Plaza Shopping Center on the west side and on the ground level. The Plaza is on the south side of Sloat Boulevard, Assessor's Block 7255, Lot 003. The subject property is located within the NC-S – Neighborhood Commercial Shopping Center District and the 26-40-X Height and Bulk District. The Plaza consists of four parcels in total and is approximately 421,012 square feet in area combined and is occupied by an auto-oriented, two-story, commercial shopping center, which includes a large surface parking lot. The Plaza is anchored by Lucky's Supermarkets and includes many other national retailers. The 1,981 square foot space intended for the project is currently vacant and was formerly occupied by a formula retail use (d.b.a. RadioShack), which has previously closed.

## SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located in the Lakeshore Neighborhood and is zoned NC-S. The NC-S District is intended to serve as small shopping centers or supermarket sites, which provide retail goods and services for primarily car-oriented shoppers. The Plaza is bounded by Sloat Boulevard to the north, Ocean Avenue to the south, Everglade Drive to the east, and Clearfield Drive to the west. Stonestown Galleria is the closest commercial area and that is a mile away.

The surrounding uses outside of the Plaza include residential uses that surround Lake Merced. The zoning districts consist of RH-1 (Residential-House, One Family) and RH-1(D) (Residential-House, One Family-Detached).

## ENVIRONMENTAL REVIEW

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

## HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	June 15, 2016	June 17, 2016	22 days
Posted Notice	30 days	June 7, 2016	June 7, 2016	30 days
Mailed Notice	30 days	June 7, 2016	June 7, 2016	30 days

The proposal requires a section 312 neighborhood notification, which was conducted in conjunction with the required hearing notification for the Conditional Use Authorization.

## PUBLIC COMMENT/COMMUNITY OUTREACH

- As of June 16, 2016 the Department has received one inquiry regarding this proposal. The inquiry was more about the property management than it was about the proposed project. A copy of this correspondence has been included in the Commissioner packets. The Department is not aware of any opposition to the project.
- The project sponsor held a pre-application community outreach meeting on July 28, 2015.

## ISSUES AND OTHER CONSIDERATIONS

- Conditional Use Authorization: The proposal requires Conditional Use Authorization from the Planning Commission, pursuant to Planning Code Sections 303, 303.1, 703.3 and 703.4 to establish a Formula Retail use at the ground floor of a commercial building located in the NC-S, Neighborhood Commercial, Shopping Center District and a 26-40-X Height and Bulk District.
- Formula Retail Use (AT&T): The proposed establishment (dba AT&T Authorized Retailer) is considered a Formula Retail use with 989 company-owned retail stores nationwide. There are approximately 24 existing Formula Retail establishments out of 33 commercial uses within this Plaza zoned NC-S, amounting to a total concentration of approximately 73%.

- Lake Shore Plaza: The Plaza historically has had a large concentration of retail uses including Formula Retail. The Plaza currently provides the neighborhood residents and existing commuters with shopping choices to meet their needs. This proposed use will further enhance that benefit by proving an additional choice for their AT&T mobility needs. Retail establishments comprise 32% of the frontage of this Plaza, while eating establishments (limited restaurants and restaurants combined) comprise 26% of the store frontage.

The Plaza currently provides the neighborhood residents and existing commuters with shopping choices to meet their needs. This proposed use will further enhance that benefit by proving an additional choice for their AT&T mobility needs.

**Table 1. NC-S Ground Floor Frontage Breakdown per Land Use<sup>1</sup>**

Land Use Type	NC-S (Lakeshore Plaza Commercial frontages) (Frontage Total in feet)	NC-S %	Formula Retail Frontage Total (feet)	Formula Retail Frontage %
Financial	248	7%	248	8%
Grocery	249	6%	249	8%
Limited-Restaurant	972	26%	578	19%
Public Use	87	2%	0	0%
Personal Service	535	14%	441	14%
Professional Service	330	9%	330	11%
Other Retail	1210	32%	1133	38%
Vacant	104	3%	0	0%
<b>Total</b>	<b>3735</b>	<b>100%</b>	<b>2979</b>	<b>100%</b>

## REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use authorization to allow the establishment of a 1,981 square foot formula retail use d.b.a AT&T Authorized Retailer within the NC-S District pursuant to Planning Code Sections 303, 303.1, 703.3 and 703.4.

## BASIS FOR RECOMMENDATION

- The project site is currently vacant and would not displace an existing tenant.
- The project is located in a shopping center better oriented to Formula Retail uses.
- The project would nominally increase the overall concentration of formula retail establishments within the NC-S District.
- The project would not be expected to affect existing traffic patterns.
- The project site is served by public transit lines. The subject site has a large auto-parking lot that serves the entire plaza. 599 parking spaces are provided.

<sup>1</sup> The NC-S Land Use table was developed using data collected by the project sponsor and reviewed by Planning Department Staff in 2016.

- The project meets the requirements of the Planning Commission's Performance-Based Design Guidelines.
- The Project meets all applicable requirements of the Planning Code.
- The Project is desirable for and compatible with the surrounding neighborhood.

<b>RECOMMENDATION:</b> <b>Approval with Conditions</b>
--

**Attachments:**

- Draft Motion
- Parcel Map
- Sanborn Map
- Zoning Map
- Aerial Photograph
- Site Photographs
- Map of AT&T Locations in San Francisco
- Neighborhood Group Inquiry
- Project Sponsor Submittal, including:
  - Project Sponsor Submittal Brief
  - Conditional Use Application
  - Formula Retail Map
  - Site Photographs
  - Reduced Plans
  - Public Transit Map
  - Letter of Authorization
  - Formula Retail Affidavit

Attachment Checklist

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary   | <input checked="" type="checkbox"/> Project sponsor submittal                              |
| <input checked="" type="checkbox"/> Draft Motion        | Drawings: <u>Existing Conditions</u>   |
| <input type="checkbox"/> Environmental Determination    | <input checked="" type="checkbox"/> Check for legibility                                   |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u>  |
| <input checked="" type="checkbox"/> Height & Bulk Map   | <input checked="" type="checkbox"/> Check for legibility                                   |
| <input checked="" type="checkbox"/> Parcel Map          | 3-D Renderings (new construction or significant addition)                                  |
| <input checked="" type="checkbox"/> Sanborn Map         | <input checked="" type="checkbox"/> Check for legibility                                   |
| <input checked="" type="checkbox"/> Aerial Photo        | <input type="checkbox"/> Wireless Telecommunications Materials                             |
| <input checked="" type="checkbox"/> Context Photos      | <input type="checkbox"/> Health Dept. review of RF levels                                  |
| <input checked="" type="checkbox"/> Site Photos         | <input type="checkbox"/> RF Report   |
|   | <input type="checkbox"/> Community Meeting Notice  |
|   | <input type="checkbox"/> Housing Documents   |
|   | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |

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

TK  
Planner's Initials

LA: G:\Cases\2015-010423CUA - 1567 Sloat\PC packet\Executive Summary.doc



# 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

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

## Planning Commission Draft Motion

HEARING DATE: JULY 7, 2016

Case No.: 2015-010423CUA  
 Project Address: 1567 Sloat Blvd  
 Zoning: NC-S (Neighborhood Commercial, Shopping Center District)  
 26-40-X Height and Bulk District  
 Block/Lot: 7255/003  
 Project Sponsor: Thomas Tunny, Reuben, Junius, and Rose, LLP  
 1 Bush Street, Suite 600  
 San Francisco, CA 94104  
 Staff Contact: Todd Kennedy – (415) 575-9125  
[Todd.kennedy@sfgov.org](mailto:Todd.kennedy@sfgov.org)

**ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 303.1, 703.3, 703.4 OF THE PLANNING CODE TO ESTABLISH A FORMULA RETAIL STORE (D.B.A. AT&T AUTHORIZED RETAILER), WITHIN THE NC-S (NEIGHBORHOOD COMMERCIAL, SHOPPING CENTER DISTRICT), AND A 26-40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

### PREAMBLE

On August 11, 2015, Reuben, Junius, & Rose, LLP on behalf of Spring Communications Holding, Inc. (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 303, 303.1, 703.3 and 703.4 to establish a Formula Retail use (a wireless retailer d.b.a. AT&T Authorized Retailer) in the existing 1,981 square-foot tenant space previously occupied by a Formula Retail use (d.b.a. RadioShack) located within the NC-S (Neighborhood Commercial, Shopping Center District) and a 26-40-X Height and Bulk District.

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

On July 7, 2016, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2015-010423CUA.

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. 2015-010423CUA, 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.** The project site is located within the Lakeshore Plaza Shopping Center on the west side and on the ground level. The Plaza is on the south side of Sloat Boulevard, Assessor's Block 7255, Lot 003. The subject property is located within the NC-S Neighborhood Commercial Shopping Center District and the 26-40-X Height and Bulk District. The Plaza consists of four parcels in total and is approximately 421,012 square feet in area combined and is occupied by an auto-oriented, two-story, commercial shopping center, which includes a large surface parking lot. The Plaza is anchored by Lucky's Supermarkets and includes many other national retailers. The 1,981 square foot space intended for the project is currently vacant and was formerly occupied by a formula retail use (d.b.a. RadioShack), which has previously closed.
3. **Surrounding Neighborhood.** The project site is located in the Lakeshore Neighborhood. The surrounding area is generally characterized by residential uses that surround Lake Merced. The Plaza is bounded by Sloat Boulevard to the north, Ocean Avenue to the south, Everglade Drive to the east, and Clearfield Drive to the west. The zoning surrounding the Plaza consists of single-family residential. Stonestown Galleria is the closest commercial area and that is one (1) mile away.

There are approximately thirty-three (33) storefronts within the Lakeshore Plaza, twenty-four (24) of which are formula retail, amounting to a concentration of approximately 73%. The Plaza historically has had a large concentration of retail uses including Formula Retail. The surrounding uses outside of the plaza include residential uses. The zoning districts consist of RH-1 (Residential-House, One Family) and RH-1(D) (Residential-House, One Family-Detached).

The Plaza provides the neighborhood residents and existing commuters with shopping choices to meet their needs. This proposed use will further enhance that benefit by providing an additional choice for their AT&T mobility needs. Retail establishments comprise 32% of the frontage of this

Plaza, while eating establishments (limited restaurants and restaurants combined) comprise 26% of the store frontage. These calculations do not include non-retail establishments, such as institutions, parking, or public services.

4. **Project Description.** The project sponsor proposes to establish a 1,981 square foot formula retail use (a wireless communications store d.b.a. AT&T Authorized Retailer) in an existing commercial space formerly occupied by another formula retail use (d.b.a. RadioShack). AT&T is a multinational telecommunications corporation headquartered in Dallas, Texas with approximately ten (10) authorized retailers in San Francisco. The plaza and the surrounding NC-S district is not currently served by any AT&T company stores or authorized retailers. The closest AT&T retailer is one mile away in the Stonestown Galleria. The project includes minor tenant improvements and new signage.

The proposal requires a Conditional Use Authorization pursuant to Planning Code Sections 303, 303.1, 703.3, 703.4 to establish a formula retail use at the ground floor of a commercial building located in the NC-S (Neighborhood Commercial Shopping Center District) and a 26-40-X Height and Bulk District.

The store offers products, accessories, services and support for AT&T customers. The proposed hours of operation will be from 9 a.m. to 9 p.m. weekdays; 10 a.m. to 6 p.m. Saturday and 11 a.m. to 5 p.m. Sunday. The store will employ approximately six (6) full-time employees.

5. **Public Comment.** As of June 21, 2016, the Department has received one letter that relates to this project. The letter is from a neighborhood group, but discusses the *Plaza* and the property management. There was no statement or either approval or denial of the proposed project. A copy of this correspondence has been included in the Commissioner packets. The Department is not aware of any opposition to the project.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Street Frontage in Neighborhood Commercial Districts.** Planning Code Section 145.1 requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass



through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

*The revised plans attached show the transparent design on the front windows and entrance. There will be visibility from the storefront to inside of the proposed AT&T store.*

- B. Off-Street Parking and Loading.** Section 151 requires retail stores to provide one parking space for every 500 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.

*The project does not occupy more than 5,000 square feet of floor area, and therefore does not require the provision of off-street parking.*

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

*The project is less than 10,000 square feet in gross floor area and is therefore not required to provide off-street freight loading.*

- D. Hours of Operation.** Pursuant to Sections 713.27 of the Planning Code, this zoning district limits the hours of operation. It is permissible to operate between 6 a.m. to 2 a.m. A Conditional Use Authorization is required to operate between the hours of 2 a.m. and 6 a.m.

*The proposed hours of operation are 9 a.m. to 9 p.m., Mondays through Fridays, 10 a.m. to 6 p.m. Saturdays, and 11 a.m. to 5 p.m. on Sundays.*

- 7. Conditional Use Authorization.** Planning Code 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 use would continue the formula retail use at the site. The project is desirable because it provides a centrally located retail service center for a widely used cable and internet service provider. The use is compatible with the surrounding commercial and residential uses.*

- 2) Such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

- 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, shape and arrangement of the building will not be altered as part of this project. The proposed work will not affect the building envelope.*

- 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;

*The Project will not affect public transit or overburden the existing supply of parking in the neighborhood. The Project will attract residents and visitors from outside of the neighborhood; however, this area is well serviced by transit and is adjacent to a public parking lot.*

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

*The Project will not produce noxious or offensive emissions related to noise, glare and dust.*

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

*The project would not alter the site's landscaping, open spaces, parking and loading areas, service areas or lighting. New signage is required to comply with the requirements of the Planning Code and formula retail signage guidelines.*

- e) 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.*

- f) That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial, Shopping Center District.

*The proposed project is consistent with the stated purpose of the NC-S District in that the intended use will provide a compatible service use for the immediately surrounding neighborhoods during daytime and evening hours, and is compliant with the limitations on certain uses within the NC-S District.*

8. **Formula Retail.** Planning Code Section 303.1 provides additional criteria for the Planning Commission to consider when considering any discretionary review pursuant Section 703.3, Formula Retail Uses:

- a. The existing concentrations of formula retail uses within the district.

*There are twenty-four (24) existing formula retail establishments out of thirty-three (33) storefronts within the Lakeshore Plaza zoned NC-S, including seventeen (17) general retail locations and five (5) restaurants. The existing intensity of formula retail uses is approximately 80% of all businesses store frontage within the district. The proposed establishment would increase the concentration of formula retail establishments by approximately 1% and would nominally increase the formula retail commercial frontage in the district to 81%.*

*Based on an evaluation of the linear frontage of all retail locations located within a ¼ mile of the subject property, all retail uses are inside the Lakeshore Plaza. Outside of the Plaza, the land uses are predominately residential and there is no commercial within one mile of the Plaza.*

- b. The availability of other similar retail uses within the district.

*There are no existing AT&T company stores or authorized retailers located within the Plaza or in the NC-S District. GameStop, also located in the Plaza, sells a limited supply of AT&T mobility products and services as incidental items to complement their larger size. These AT&T mobility products and services are not a main draw to the stores, and none of the existing stores offer AT&T mobility products and services. The closest AT&T retailer is located approximately one mile away at Stonestown Galleria. The Plaza serves the growing, immediate residential neighborhood, as well as commuters and workers in the area. Currently, these residents, commuters and workers do not have nearby options for their AT&T mobility needs. This project will provide an additional choice of AT&T products in the Lakeshore Plaza.*

- c. The compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the district.

*The project will establish an AT&T Authorized Retailer store in an existing vacant formula retail space. The Project will not alter the building envelope. AT&T will install appropriate signage that has been reviewed and approved by Planning Department staff. Therefore, the project will be compatible with the existing architectural and aesthetic character of the NC-S district. The proposed signage will be limited to two signs. They will include one exterior illuminated wall sign above the storefront and one pedestrian scale hanging plaque.*

- d. The existing retail vacancy rates within the district.

*Of the 33 existing commercial spaces at the Plaza, two are currently vacant. The project will establish an AT&T Authorized Retailer store in an existing vacant formula retail space.*

- e. The existing mix of Citywide-serving retail uses and neighborhood-serving retail uses within the district.

*The Plaza is comprised of a mix of neighborhood-serving retail uses that include a grocery store, electronics, restaurants, dry cleaners, bank, clothing and apparel, offices, and a post office. This project will not alter the historic mix of these uses because the Plaza has always had formula retail uses onsite. This project will provide neighborhood residents, commuters, and workers in the area with additional choice for their AT&T mobility needs.*

- f. Additional data and analysis set forth in the Performance-Based Design Guidelines adopted by the Planning Commission.

*Of the thirty-three (33) commercial establishments within the NC-S zoned Plaza, there are twenty-four (24) formula retail establishments amounting to 73% formula retail. The subject project would add an additional formula retail establishment to the district, increasing the intensity to approximately 76%. There is a low concentration of wireless mobility retail stores in this area.*

**Table 1. NC-S Ground Floor Frontage Breakdown per Land Use<sup>1</sup>**

Land Use Type	NC-S (Lakeshore Plaza Commercial frontages) (Frontage Total in feet)	NC-S %	Formula Retail Frontage Total (feet)	Formula Retail Frontage %
Financial	248	7%	248	8%
Grocery	249	6%	249	8%
Limited-Restaurant	972	26%	578	19%
Public Use	87	2%	0	0%
Personal Service	535	14%	441	14%
Professional Service	330	9%	330	11%
Other Retail	1210	32%	1133	38%
Vacant	104	3%	0	0%
<b>Total</b>	<b>3735</b>	<b>100%</b>	<b>2979</b>	<b>100%</b>

*Retail establishments comprise 32% of the frontage of this Plaza, while eating establishments (limited restaurants and restaurants combined) comprise 26% of the store frontage. These calculations do not include non-retail establishments, such as institutions, parking, or public services.*

<sup>1</sup> The NC-S Land Use table was developed using data collected by the project sponsor and reviewed by Planning Department Staff in 2016.

- g. For formula retail uses of 20,000 square feet or more, except for General or Specialty Grocery stores as defined in Articles 2, 7, 8 of this Code, the contents of an economic impact study prepared pursuant to Section 303(i) of the Planning Code.

*As the subject retail use is less than 20,000 square feet, an economic impact study is not required for this project.*

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

## NEIGHBORHOOD COMMERCE

### Objectives and Policies

#### OBJECTIVE 1:

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

#### Policy 1.1:

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

#### Policy 1.3:

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

*The proposed development will provide desirable services to the neighborhood and will provide resident employment opportunities to those in the community. Further, the Project Site is located within a Neighborhood Commercial District that runs along a heavily trafficked thoroughfare and is thus consistent with activities in the commercial land use plan.*

#### OBJECTIVE 2:

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

#### Policy 2.1:

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

*The Project will occupy an existing vacancy with commercial activity similar to the one vacated from the subject project site in 2015 and will help maintain the diverse economic base of the City.*

**OBJECTIVE 6:**

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

**Policy 6.1:**

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

*No commercial tenant would be displaced and the project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood. The project will provide the neighborhood with a retail store for a popular cable and internet service provider.*

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.

*No neighborhood-serving retail uses will be displaced by the project. The proposal would retain the previous mix of neighborhood-serving retail uses by replacing a formula retail use with a new formula retail use. The proposal would enhance the district by providing a convenient retail outlet for a popular cable and internet provider in an area that contains no similar stores. The project will provide desirable goods and will provide employment opportunities to those in the community.*

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

*The Project would not affect the character or diversity of the neighborhood.*

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

*The Project would not have any effect on the City's supply of affordable housing.*

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

*The Project would not adversely affect public transit or place a burden on the existing supply of parking in the neighborhood. The project site is well-served by public transit.*

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 due to commercial office development. The Project does not include commercial office development. Ownership of industrial or service sector businesses will not be affected by this project. The Project will enhance the future opportunity for resident employment by providing a new business within a vacant commercial space.*

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

*This proposal will not affect the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*The existing building is not a City Landmark, and has not been studied as a historic building.*

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

*The project will have no negative effect on existing parks and open spaces.*

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2015-010423CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated January 21, 2016, 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. xxxx. 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.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on July 7, 2016.

Jonas Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: July 7, 2016



## **EXHIBIT A**

### **AUTHORIZATION**

This authorization is for a conditional use to allow a formula retail general merchandise store (d.b.a. AT&T Authorized Retailer) located at 1567 Sloat Boulevard, Block 7255, Lot 003 pursuant to Planning Code Sections 303(c), 303.1, 703.3 and 703.4 within the **NC-S Neighborhood Commercial, Shopping Center District** and a **26-40-X** Height and Bulk District; in general conformance with plans, dated February 11, 2016 and stamped "EXHIBIT B" included in the docket for Case No. **2015-010423CUA** and subject to conditions of approval reviewed and approved by the Commission on **July 7, 2016** under Motion No. **xxxxx**. 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 **July 7, 2016** under Motion No. **xxxxx**.

### **PRINTING OF CONDITIONS OF APPROVAL ON PLANS**

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

### **SEVERABILITY**

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

### **CHANGES AND MODIFICATIONS**

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

## Conditions of Approval, Compliance, Monitoring, and Reporting

### PERFORMANCE

- 1) **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

- 2) **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

- 3) **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

- 4) **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

- 5) **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## DESIGN

- 6) **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, [www.sf-planning.org](http://www.sf-planning.org).*

- 7) **Signage.** The applicant will obtain a separate sign permits for one wall sign over the entry and one projecting sign per plans submitted. No animated signs are permitted.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org).*

## OPERATION

- 8) **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the tenant space and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>*

- 9) **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING

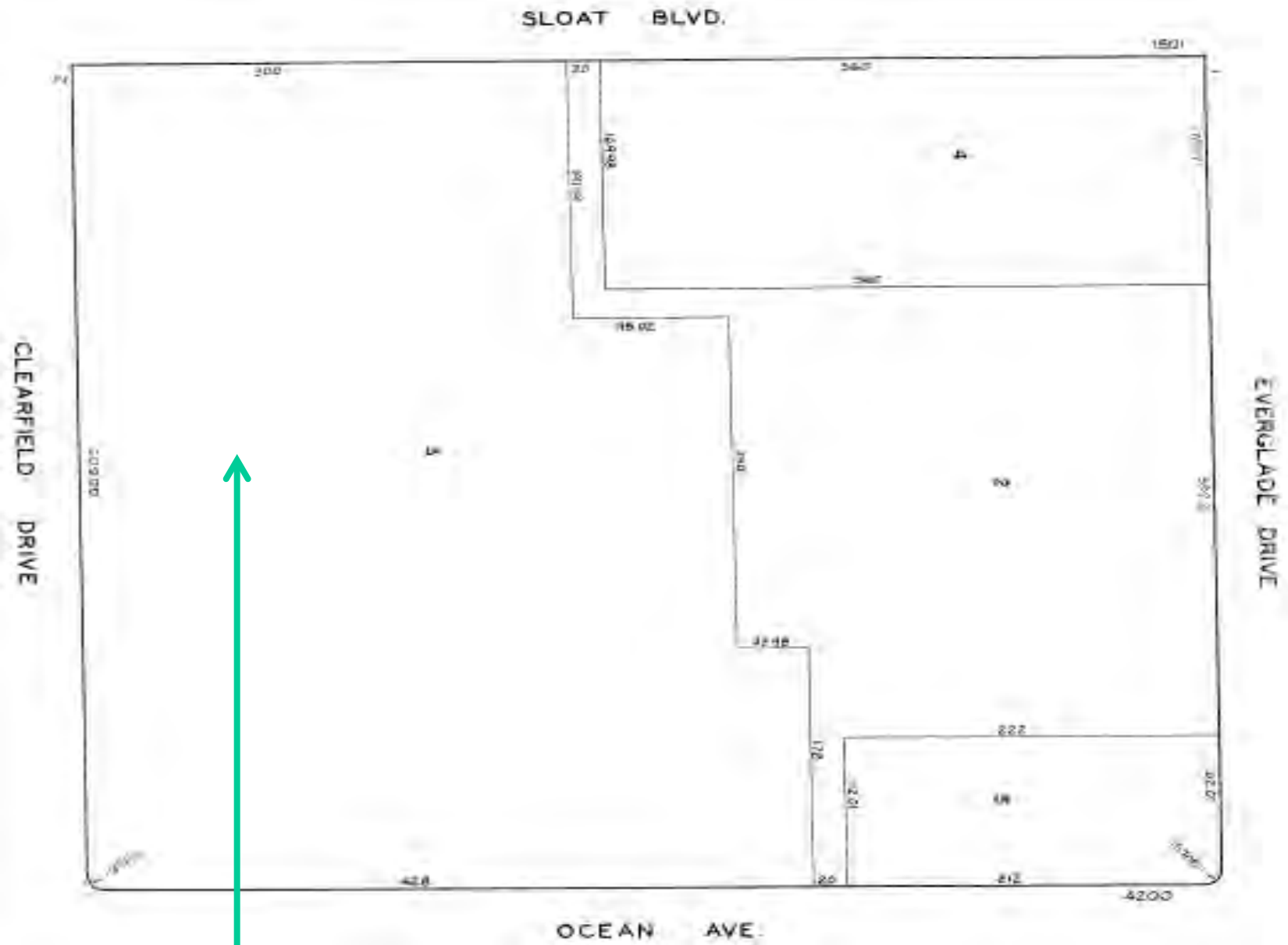
- 10) **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 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](http://www.sf-planning.org)*

- 11) **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

# Parcel Map

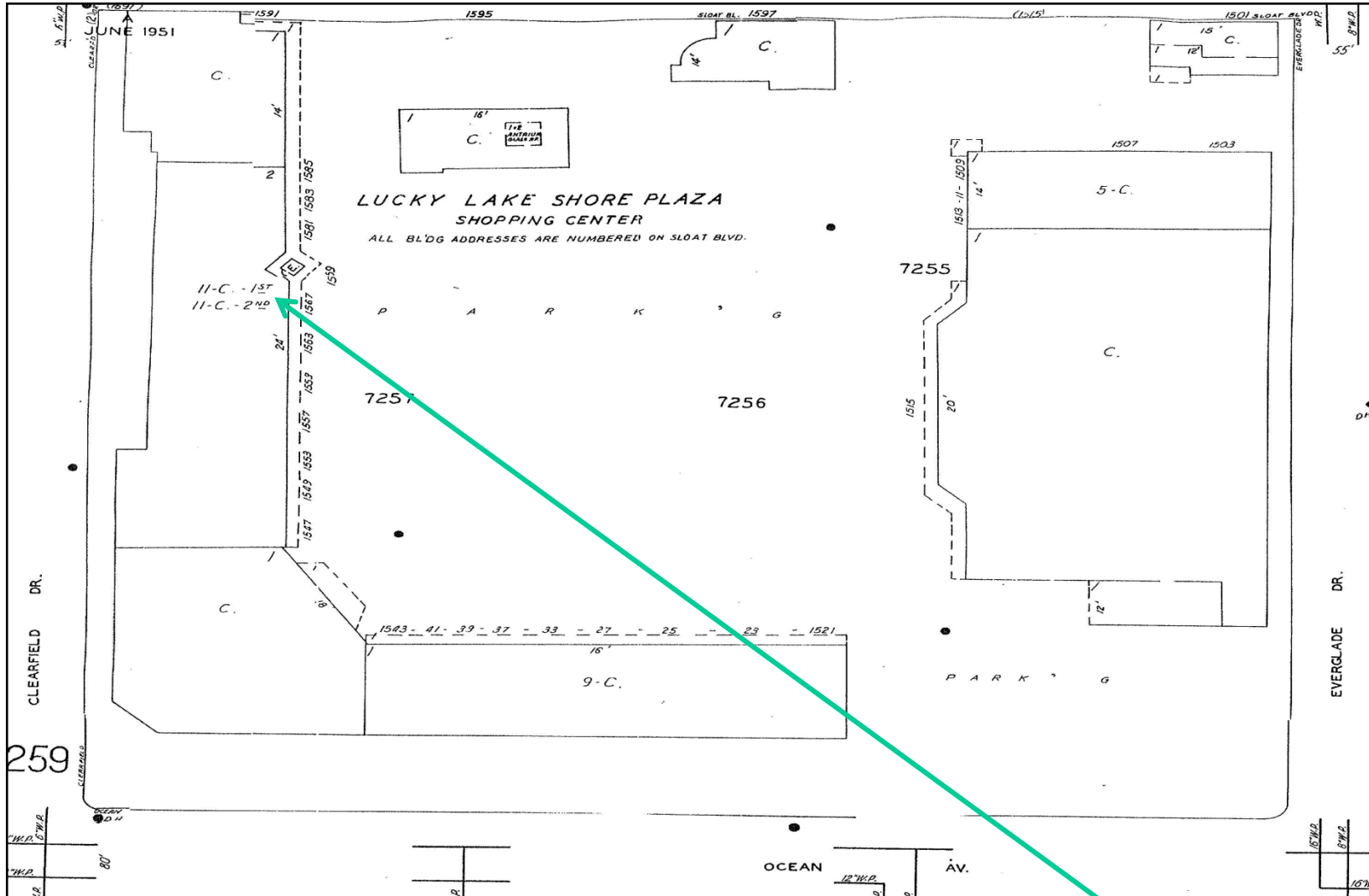


**SUBJECT PARCEL**



Conditional Use Hearing  
Case Number 2015-010423CUA  
1567 Sloat Boulevard

# Sanborn Map\*

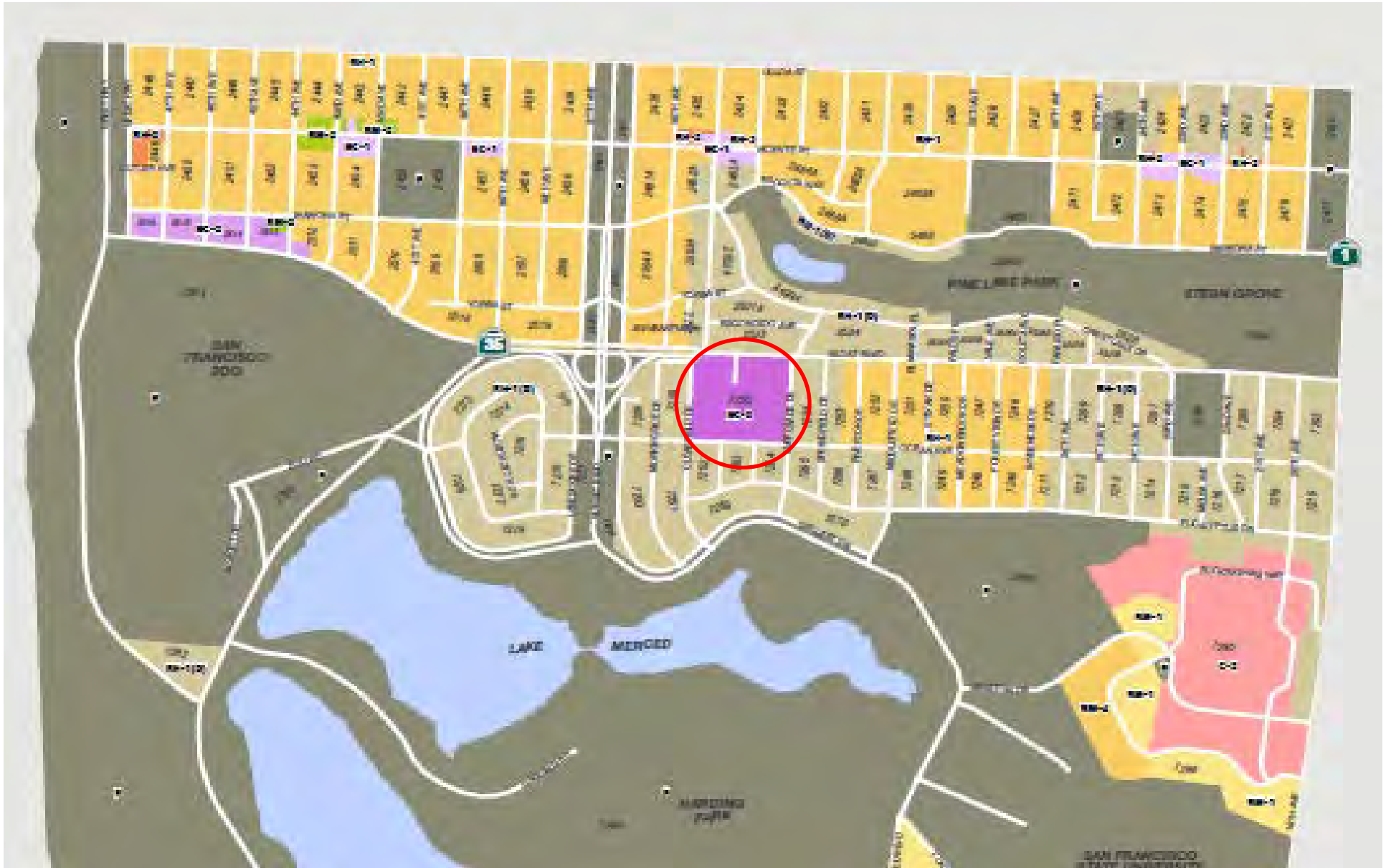


**SUBJECT PROPERTY**

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



# Zoning Map



Conditional Use Hearing  
Case Number 2015-010423CUA  
1567 Sloat Boulevard

# Aerial Photo

SUBJECT LOCATION



SUBJECT SITE



Conditional Use Hearing  
Case Number 2015-010423CUA  
1567 Sloat Boulevard



# Site Photo/Subject Site



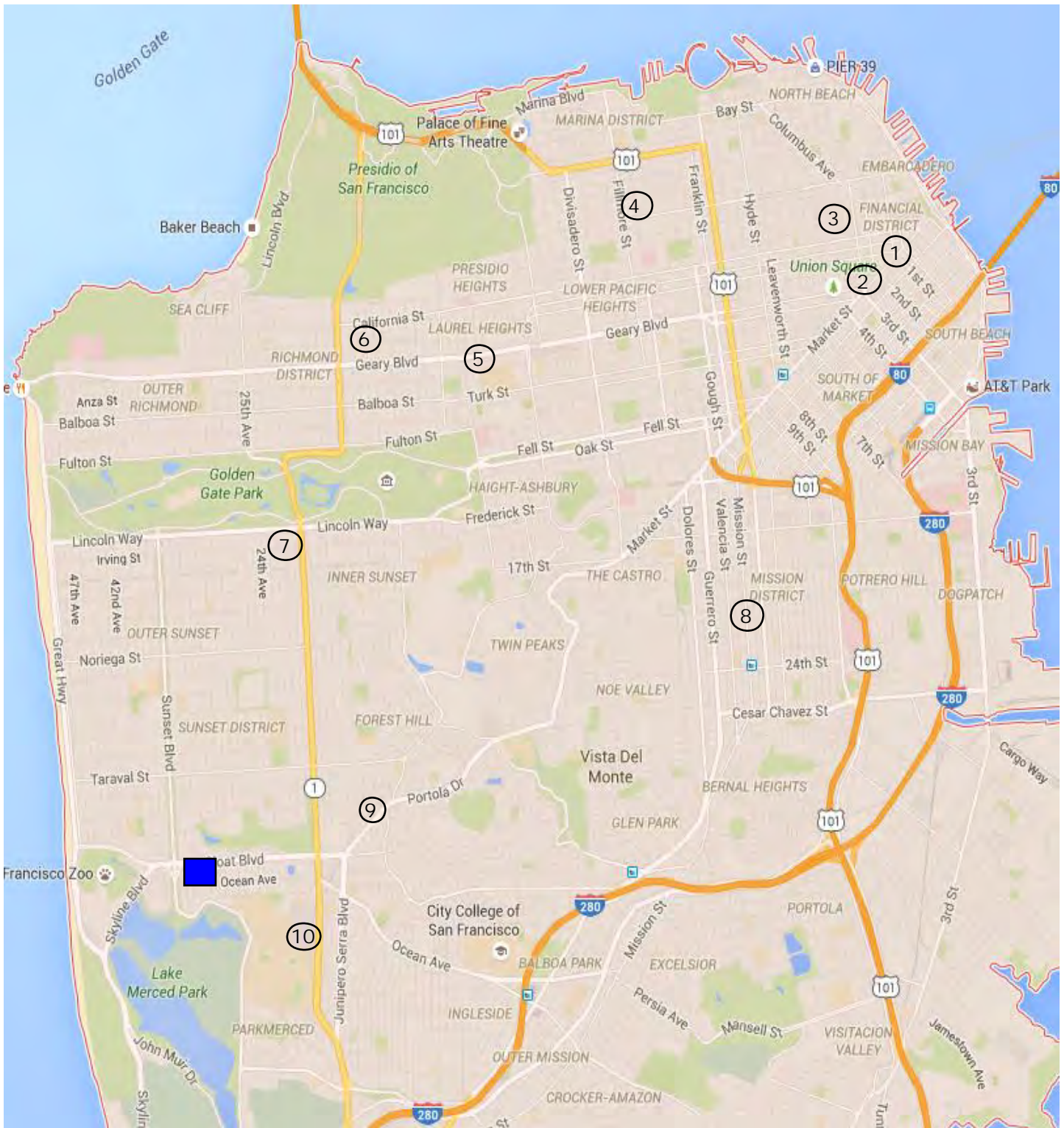
Conditional Use Hearing  
Case Number 2014.0254C  
1567 Sloat Boulevard

# Site Photo/Subject Building



Conditional Use Hearing  
Case Number 2015-010423CUA  
1567 Sloat Boulevard

# AT&T Retail Stores and AT&T Authorized Retailers in San Francisco



## KEY

- 1 - 425 Market Street
- 2 - 701 Market Street
- 3 - 851 Clay Street
- 4 - 2135 Union Street
- 5 - 3555 Geary Boulevard
- 6 - 918B Clement Street
- 7 - 2025 Irving Street
- 8 - 2410 Mission Street
- 9 - 244 W Portal Avenue
- 10 - 3521 20th Avenue (Stonestown Mall)



1567 Sloat Boulevard (Project Site)

CROSSPOINT

April 4, 2014

Supervisor Norman Yee  
1 Dr. Carlton B. Goodlet Place  
Room 244  
San Francisco, CA 94102

Via Overnight Mail & Email: [Norman.Yee@sfgov.org](mailto:Norman.Yee@sfgov.org)

Re: Letter regarding Lakeshore Plaza Maintenance & Neighborhood Concerns  
Lakeshore Plaza Shopping Center

Dear Mr. Yee:

This letter is a follow up to a neighborhood outreach formula chain pre-application meeting hosted by Subway that occurred at Lakeshore Plaza on Wednesday, March 28, 2014 at 6pm. Our company, Crosspoint Realty Services, represents the ownership of Lakeshore Plaza as their property management and leasing firm. Representatives from our office were in attendance, as were the Subway franchisee (and staff), and their permit expeditor, Jeremy Paul. Two long-time neighbors of Lakeshore Plaza, Barbara and Bill Chionsini (who indicated that they represent Lakeshore Acres) were also in attendance and we were joined by Matthias Mormino from your office.

The purpose of our letter is to express frustration with neighbor relations, an ongoing issue over the course of our client's involvement with the project. Throughout the meeting, Mr. and Mrs. Chionsini stacked complaint over complaint relative to Lakeshore Plaza's maintenance, tenants, operation, management and ownership, many of which were exaggerations of the truth, unfounded accusations, or issues that occurred and were addressed many years ago. Further, it was unfortunate that Mr. Mormino was not in attendance for the beginning portion of the meeting as he would have witnessed that these neighbors did not primarily attend this meeting relative to concerns about Subway, but rather they attended as an opportunity to attack ownership and the Center's management.

It is discouraging to be battered by these particular neighbors who regularly discredit the operation of Lakeshore Plaza. We strive to keep open communication channels with the neighborhood and promptly address any concerns that our brought to our attention. In fact, we maintain a detailed neighborhood log that documents all neighborhood communication, our response and action. Additionally, we host regular meetings on-site where all Lakeshore Plaza tenants, as well as the neighborhood and neighborhood associations are invited to attend through a postcard mailing that is mailed to 1,000 addresses. The feedback that we receive from these meetings is typically positive and the majority of the neighbors simply attend to hear the latest news regarding our tenants.

As mentioned above, our office has a long history with Mr. and Mrs. Chionsini in our many years of operating Lakeshore Plaza. As with all neighbors, we have always been available to discuss questions and concerns. However, after many years of working with these particular individuals, it reached a point in 2006 where the tone of their communications and accusations at times became unprofessional, personal, and unnecessarily abusive. As a result, we requested that all communication between them and our office be conducted in written form, by e-mail or letter as to ease tension and accurately document concerns and responses. It

appears that the interpretation of this matter is that Lakeshore Plaza is not willing to have an open line of communication with Mr. and Mrs. Chionsini; however, that is simply not the case.

Included below is a list of Mr. and Mrs. Chionsini's complaints that were expressed during last week's meeting noted in **bold font**. Also included below is our response to their concerns, which we also attempted to express during the meeting. We have included the below list in order to illustrate a fuller picture of the day-to-day operations of the Center, that likely extends past what is shared with your office. We would like to ensure that all parties fully understand that Lakeshore Plaza is thoughtfully cared for and maintained in an exceptional manner. Further details are listed below:

- **Complaint: The path of travel between Lakeshore Plaza and Lowell High School is not being cleaned as required by the Conditional Use Permit. Additionally, the pine needles on the perimeter streets are not being cleaned by maintenance and in general, the Plaza is not well maintained with feces and syringes found regularly surrounding the Plaza.**

Response: Lakeshore's maintenance provider, MBM Services, provides the general maintenance of the Center and the neighborhood streets directly surrounding Lakeshore Plaza. There is day porter coverage on-site 14 hours per day on weekdays and 12.5 hours per day on the weekends. Numerous times per day (at 11:00 a.m., 1:00 p.m. and 4:00 p.m.), the day porter monitors the neighborhood streets directly surrounding Lakeshore Plaza to ensure that all areas are cleanly maintained and free of debris. This task includes picking up all litter from landscaping, sidewalks, curbs and streets on both sides of all perimeter streets of the property (Everglade Drive, Sloat Boulevard, Clearfield Drive and Ocean Avenue). Any found trash is bagged and disposed of in the common area trash bins of the Shopping Center. Additionally, in the late mornings daily and on an as-needed basis, MBM Services provides street sweeping services on the perimeter streets to remove pine needle build up. Further, the path of travel to and from Lowell High School and Lakeshore Plaza is cleaned by maintenance at 12:00 (noon) and 3:00 p.m. every weekday. Finally, we take pictures of these streets, as well as the interior of the Shopping Center numerous times per day. Should there be any specific concerns about any specific dates that are brought to your attention in the future, we are more than happy to provide you with photographic documentation of the cleanliness of the area. Please be assured that Lakeshore Plaza is well maintained. In fact, over \$500,000 is budgeted and spent annually as Lakeshore Plaza's general maintenance and repair budget to ensure that Lakeshore Plaza and surrounding neighborhood streets are always clean and free of debris and in a first class condition.

- **Complaint: The landscaping along the neighborhood streets is not well maintained. Additionally, nothing is upgraded along Everglade, Ocean or Clearfield.**

Response: Lakeshore's landscaping company, Ambius LLC (who maintains approximately 70 large landscaping accounts throughout the San Francisco Bay Area), makes certain that the landscaping within and surrounding Lakeshore Plaza is well maintained and in clean condition. In addition to the dayporter maintenance listed above, Ambius crews of 3 landscapers are on-site every Thursday to address regular landscaping maintenance, including plant care and plant and tree trimming within the

Plaza and the landscaped areas surrounding the Plaza along the neighboring streets. All landscaping debris is bagged and disposed of in off-site composting bins that are serviced by WasteManagement through Ambius' operations. Ambius also makes certain that all pine needles and debris are specifically removed from the surrounding streets of the Center.

Over \$65,000 is spent annually for general landscaping maintenance, not including special upgrades. It should be noted that an additional \$35,000 was spent in 2013 on landscaping upgrades throughout and surrounding the Center. Additionally, over the years, landscaping enhancements have been completed along the perimeter of the Center, although the soil and lighting conditions are not the most optimum in every area to allow for all plants to thrive. Finally, as a result of the Public Works department's request at the end of 2012, Lakeshore Plaza purchased, installed and maintains landscaping planters located on City property on Everglade Drive. While this is not a requirement of Lakeshore Plaza's CUP, we treat requests such as these as an opportunity to reinforce positive relations with the City and our neighbors.

- **Complaint: The exterior perimeter trees along Everglade, Ocean and Clearfield are dangerous and not maintained. According to Mrs. Chionsini, the City will grant permits to remove any of the trees, regardless of whether they are living or not.**

Response: Lakeshore Plaza's arborist, Arborwell, prunes the large pine trees surrounding the Center on an as-needed basis, but no less frequently than annually. In addition, Arborwell fertilizes and sprays any trees throughout the Center that require additional care. We are consistently reviewing the health of all the plants at Lakeshore Plaza and have been regularly going through a process of removing pine trees along the exterior perimeter of the Center as these trees die. As a result, Arborwell (with City approval) coordinates for the removal and replacement of any trees that have died and require removal on an as-needed basis. According to our arborist, not all of the pine trees are currently in a condition that allows for removal as they do not meet the requirements necessary to obtain the appropriate removal permits.

- **Complaint: The hallway door at the GameStop building is propped open. Additionally, the homeless have keys to the hallway, live in the hallway and syringes have been found inside.**

Response: This door was re-keyed many years ago with a restricted access key (labeled with Do Not Duplicate verbiage) in an effort to limit access to this corridor and bathroom to tenant employees (Ono Hawaiian BBQ, the former Quiznos and GameStop) and their customers. Additionally, the door has an automatic closing mechanism. Nevertheless, in response to the above complaint and in an effort to ensure that access is limited to this area, we promptly re-keyed and re-issued a single key to each tenant of the building during the week of March 31st to ensure that no homeless have keys or access to this area. It should also be noted that this corridor and door are closely monitored by both on-site security and maintenance. Neither security nor maintenance has ever encountered syringes in this corridor or the restrooms.

- **Complaint: There is a general lack of security.**  
Response: Lakeshore Plaza's security provider, Forbes Security, is on-site 7 days a week from 5am to midnight. Their responsibilities include patrolling the exterior perimeter of the Center, patrolling the interior of the Center as well as customer, neighborhood and tenant assistance. Additionally, they are responsible for closing the gates at Everglade Drive and Ocean Avenue at night and re-opening in the morning. Management receives daily maintenance, activity and incident reports documenting any occurrences at the Center. It should also be noted that all guards are required to document their patrols via an electronic detex system. Detex markers are located in strategic areas throughout the Shopping Center and the guard electronically verifies their patrol location by tapping their device on each detex. Daily detex reports indicate if any guard has not complied with their required shift patrol. Finally, on-site security, as well as Lakeshore Plaza's security supervisor are available at all times via an on-site security cell phone.
- **Complaint: Teenagers loiter in the Shopping Center.**  
Response: Given Lakeshore's close proximity to Lowell High School, the customer base does include teenagers, specifically around lunch time and right after school hours. As noted above, security is on-site throughout these hours to assist with any reported issues; however, our experience with these teenagers is that they are simply frequenting the restaurants and businesses as legitimate customers.
- **Complaint: There is black mold and fungi on the pedestrian pathway and entrance on Everglade.**  
Response: In 2013, we received an email from Lucky's corporate office that Mrs. Chionsini reported black mold and fungi near the pedestrian entrance to the Center. Upon receipt of this complaint, MBM Services confirmed that there were dirt spots present and a small amount of moss on the noted pathway. This area was promptly pressure washed to remove the dirt and moss and since, is continually washed as part of our scheduled pressure washing service.
- **Complaint: There is a major pest control/rat issue at the Center.**  
Response: Crane Pest Control provides bi-weekly pest control for Lakeshore Plaza and additional services on an as-needed basis. In addition, the individual tenants coordinate for their own pest control services on top of those provided by the Center. We are unsure of what Mrs. Chionsini is referring to as our service provider has indicated that there is not a pest control problem at Lakeshore Plaza.
- **Complaint: Management does not attend the Lakeshore Acres neighborhood association meetings.**  
Response: As noted above, Lakeshore Plaza hosts regular meetings on-site where all Lakeshore Plaza tenants, as well as the neighborhood and neighborhood associations are invited to attend through a postcard mailing that is mailed to 1,000 addresses. This is a direct invitation for anybody to come and discuss questions or concerns regarding the Center with us directly.

- **Complaint: The Center has too many fast food users per the CUP.**  
Response: The number of food users and types of food uses currently at the Plaza are in compliance with the Conditional Use Permit that the shopping center operates under.
  
- **Complaint: Lakeshore Plaza needs a full-time on-site manager.**  
Response: A property management team including an Assistant Property Manager, a Property Manager and a Principal oversee the day-to-day operations of Lakeshore Plaza. Part of that oversight includes frequent, and no fewer than once per week, property inspections. Further, two out of the three individuals reside in the City of San Francisco and frequent the Center as customers throughout the week. It is worth noting that management used to hold office hours on-site every Wednesday from 1pm – 5pm; however, these hours were not utilized by the tenants or neighborhood and, as a result, were combined with an on-site property tour instead.

We trust that the above reinforces that Lakeshore Plaza is proactively managed in a first class condition. Further, we would like to reiterate that the opinions of the neighborhood are important and we strive to have a cooperative relationship with all of our tenants, neighbors, neighborhood associations and the City. Finally, we would greatly appreciate the opportunity to meet with you to further discuss Lakeshore Plaza.

Should you have any questions regarding the above, we invite you to contact us directly.

Thank you for your time.

Sincerely,

CROSSPOINT REALTY SERVICES, INC., for  
Lakeshore Plaza Shopping Center

Emily Ehrhardt  
Property Manager

cc: Hope Keaney – Crosspoint Realty Services  
Courtney Jones – Crosspoint Realty Services  
Carter Hemming – Crosspoint Realty Services  
Michelle Montz – Alecta Real Estate USA, LLC  
Andrew Junius – Reuben, Junius & Rose, LLP  
Matthias Mormino – via email: [Matthias.Mormino@sfgov.org](mailto:Matthias.Mormino@sfgov.org)



# REUBEN, JUNIUS & ROSE, LLP

June 22, 2016

Rodney Fong, President  
San Francisco Planning Commission  
1650 Mission Street, 4th Floor  
San Francisco, California 94103

**Re: 1567 Sloat Boulevard (Lakeshore Plaza) – AT&T Authorized Retailer  
Planning Department Case No. 2015-010423CUA  
Hearing Date: July 7, 2016  
Our File No.: 8901.02**

Dear President Fong and Commissioners:

On behalf of Spring Communications Holding, Inc., a Delaware limited liability company dba AT&T Authorized Retailer (“**Spring Communications**”), this office is the project sponsor of a proposed formula retail AT&T Authorized Retailer use (the “**Project**”) located in an existing vacant formula retail space at 1567 Sloat Boulevard (the “**Property**”) inside the Lakeshore Plaza Shopping Center (the “**Plaza**”).

The Property is an appropriate location for formula retail, and particularly for this AT&T Authorized Retailer, which does not have an adequate presence in this area for its customers. The Project seeks a conditional use authorization pursuant to Planning Code Section 703.4(b).

## **A. Lakeshore Plaza Shopping Center**

The Plaza is a two-story, car-oriented commercial shopping center that provides a variety of products and services to the Lakeshore Acres, Crestlake, and Merced Manor neighborhoods. The Plaza, which has successfully operated at this location for over 20 years, is anchored by a “Lucky” supermarket and includes a range of national retailers, including Payless ShoeSource, Massage Luxe, Big 5 Sporting Goods, Noah’s Bagels, Ross Dress for Less, Sherwin Williams, and others. However, the Plaza contains no other store which offers AT&T mobility products and services similar to those offered by Spring Communications.

## **B. Project Description**

Spring Communications is the leading wireless solutions retailer for AT&T mobility products and services operating approximately 900 stores nationwide. Spring Communications

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin  
Tuija I. Catalano | Jay F. Drake | Lindsay M. Petrone | Sheryl Reuben<sup>1</sup> | Thomas Tunny  
David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight | Stephanie L. Haughey  
Chloe V. Angelis | Louis J. Sarmiento | Jared Eigerman<sup>2,3</sup> | John McInerney III<sup>2</sup>

1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

One Bush Street, Suite 600  
San Francisco, CA 94104

tel: 415-567-9000  
fax: 415-399-9480

[www.reubenlaw.com](http://www.reubenlaw.com)

will provide a full range of mobile products and services at the Property, including mobility devices, service plans and accessories.

Spring Communications proposes to occupy a vacant, approximately 1,981-square-foot retail space within the Plaza that was most recently occupied by a RadioShack store. The Property has been vacant since March 2015. The Project will involve interior tenant improvements, but will not expand the size of the existing unit or involve any exterior improvements aside from the installation of new signage that is consistent with other uses in the Plaza. A floor plan, elevations and signage for the Project are attached as **Exhibit A**.

The Project, along with related Conditional Use Applications filed by Spring Communications for 5644 Geary Boulevard and 2490 San Bruno Avenue, will result in 13 stores in San Francisco that provide AT&T mobility products and services. A map showing the locations of the existing 10 AT&T stores in San Francisco and the location of the Project is attached as **Exhibit B**.

Spring Communications has conducted significant community outreach for the Project since July 2015. It held a community meeting for the Project on July 28, 2015.

**C. Benefits of the Project**

The benefits of the Project will include:

- Renovating and re-activating an existing retail space that has been vacant for more than one year;
- Contributing to the viability of the Plaza by offering a variety of AT&T mobility products and services not otherwise available in the area;
- Creating new construction jobs during unit remodeling;
- Creating at least six new jobs in the City; and
- Generating new economic activity and production of business tax revenue to the City.

**D. Compliance with Conditional Use Criteria for a Formula Retail Use.**

The Project meets and exceeds the requirements necessary to grant a conditional use authorization for a formula retail use at the Property.

The Plaza is a successful shopping center intended to provide a broad range of products and services to residents of the surrounding neighborhoods, and currently contains approximately 23 formula retail tenants. Spring Communications will not displace any existing retail uses, as it will occupy one of the Plaza's four currently vacant retail spaces. The unit that Spring Communications proposes to occupy is comparable in size and aesthetic character to other spaces in the Plaza, and was most recently occupied by a RadioShack store.

An AT&T Authorized Retailer at the Property will not result in a net increase in formula retail, and will provide a use that is appropriate for the Plaza and compatible with the presence of other national retailers. The Project will not involve any exterior renovations and will not expand the existing commercial space. It will have no effect on the Plaza's existing mix of Citywide and neighborhood-serving and retail uses.

In addition, Spring Communications will contribute to the overall viability of the Plaza by offering AT&T mobility products and services that are not otherwise available in the area. There are currently no other retailers in the Plaza offering AT&T mobility products and services comparable to those provided by Spring Communications.

#### **E. Conclusion**

The Project requires conditional use authorization to operate a formula retail AT&T Authorized Retailer store in a vacant retail unit within the Lakeshore Plaza Shopping Center. An AT&T Authorized Retailer is a desirable new retail presence within the Plaza and will provide residents of the surrounding neighborhoods with access to a wide variety of AT&T mobility products and services not otherwise available. The Project will also create approximately six new jobs, most of which are anticipated to be filled by San Francisco residents. For all of these reasons and those described in the conditional use application, we respectfully request that this Commission grant this conditional use authorization.

We look forward to presenting the Project to you on July 7, 2016.

Very truly yours,

**REUBEN, JUNIUS & ROSE, LLP**



**Stephanie L. Haughey**

Enclosures

One Bush Street, Suite 600  
San Francisco, CA 94104

tel: 415-567-9000  
fax: 415-399-9480

**REUBEN, JUNIUS & ROSE, LLP**

[www.reubenlaw.com](http://www.reubenlaw.com)

Planning Commission

June 22, 2016

Page 4

cc: Vice President Dennis Richards  
Commissioner Michael J. Antonini  
Commissioner Rich Hillis  
Commissioner Christine D. Johnson  
Commissioner Kathrin Moore  
Commissioner Cindy Wu  
John Rahaim – Planning Director  
Scott Sanchez – Zoning Administrator  
Jonas P. Ionin – Commission Secretary  
Todd Kennedy – Planning Department

One Bush Street, Suite 600  
San Francisco, CA 94104

tel: 415-567-9000  
fax: 415-399-9480

**REUBEN, JUNIUS & ROSE, LLP**

[www.reubenlaw.com](http://www.reubenlaw.com)

**APPLICATION FOR  
CONDITIONAL USE AUTHORIZATION  
FOR FORMULA RETAIL USE**

**(Planning Code Sections 303, 303.1 and 703.4)**

**for**

**Property located at:  
1567 Sloat Boulevard  
Block 7255, Lot 003**

**Project Sponsor: Stephanie L. Haughey  
Reuben, Junius & Rose, LLP**

**Planning Department Case No. \_\_\_\_\_**

**Application Filed: August 11, 2015**

**REUBEN, JUNIUS & ROSE, LLP**

**SECTION 303 APPLICATION – CONDITIONAL USE**

**TABLE OF CONTENTS**

A. INTRODUCTION AND BACKGROUND.....2

B. OWNER/PROJECT SPONSOR INFORMATION.....2

C. SITE INFORMATION.....2

D. EXISTING SITE AND SURROUNDING AREA CONDITIONS.....3

E. PROJECT SUMMARY.....3

F. DESCRIPTION OF THE PROPOSED PROJECT.....4

G. PRE-APPLICATION MEETING.....5

H. ENVIRONMENTAL REVIEW.....5

I. COMPLIANCE WITH CONDITIONAL USE CRITERIA (SECTION 303).....5

J. COMPLIANCE WITH FORMULA RETAIL USE CRITERIA (SECTION 303.1).....9

K. PRIORITY MASTER PLAN POLICIES FINDINGS.....11

L. ESTIMATED CONSTRUCTION COSTS.....13

M. APPLICANT’S AFFIDAVIT.....13

LIST OF EXHIBITS.....14

**A. INTRODUCTION AND BACKGROUND**

Reuben, Junius & Rose, LLP (“**Project Sponsor**”), on behalf of Spring Communications Holding, Inc., a Delaware limited liability company dba AT&T Authorized Retailer (“**AT&T**”) proposes to establish a 1,981-square-foot formula retail AT&T Authorized Retailer use (the “**Project**”) located in an existing vacant formula retail space at 1567 Sloat Boulevard (Block 7255, Lot 003) in San Francisco (the “**Property**”) inside the Lakeshore Plaza Shopping Center (the “**Plaza**”). AT&T is a wireless solutions retailer which sells mobility products. AT&T will provide a full range of mobile products and services at the Property, including mobility devices, service plans and accessories. AT&T will make interior tenant improvements but will not expand the existing building envelope. The Project is easily accessible for automobile drivers and is located within walking distance to several Muni bus lines. The Property was most recently occupied by a formula retail RadioShack store. Spring Communications Holding, Inc., a subsidiary of GameStop Corporation, acquired the Property from RadioShack through bankruptcy proceedings.

**B. OWNER/PROJECT SPONSOR INFORMATION**

Project Sponsor: Reuben, Junius & Rose, LLP  
One Bush Street, Suite 600  
San Francisco, California 94104  
Attn.: Stephanie L. Haughey  
Tel: (415) 567-9000  
Email: shaughey@reubenlaw.com

Owner: Alecta Real Estate USA, LLC  
c/o Crosspoint Realty Services, Inc.  
260 California Street, 4th Floor  
San Francisco, California 94111

**C. SITE INFORMATION**

Street Address: 1567 Sloat Boulevard  
Cross Street: Clearfield Drive  
Assessor’s Block/Lot: Block 7255, Lot 003  
Zoning District: NC-S  
Special Use District: Lakeshore Plaza NC SUD  
Special Sign District: Scenic Streets SSD

Height/Bulk District: 26-40-X

Preservation Status: None

Conservation District: None

**D. EXISTING SITE AND SURROUNDING AREA CONDITIONS**

The Plaza is located in the Lakeshore neighborhood. The area is generally characterized by residential uses that surround Lake Merced. The Plaza houses an array of retail stores, and is the primary shopping destination in the neighborhood, as the surroundings consist mostly of single family homes. The Plaza is bounded by Sloat Boulevard, Ocean Avenue, Clearfield Drive, and Everglade Drive which is occupied by an approximately 220,000-square-foot, auto oriented, two-story, commercial shopping center which includes a large surface parking lot. The Plaza provides a variety of goods and services to the Lakeshore and Parkside neighborhoods. The Plaza is anchored by Lucky’s supermarket and includes many other national retailers. The Property, which is located between Massage Luxe and Payless ShoeSource, is located at the northwest side of the shopping center and is currently vacant.

A formula retail map is attached as **Exhibit A**. Photographs of the subject and adjacent buildings are attached as **Exhibit B**.

**E. PROJECT SUMMARY**

<b>CHANGE OF USE</b>	No	<b>PRESENT OR PREVIOUS USE:</b>
<b>CHANGE OF HOURS</b>	No	Retail (Vacant) - (Previous Tenant – RadioShack)
<b>NEW CONSTRUCTION</b>	No	
<b>ALTERATIONS</b>	Yes	<b>PROPOSED USE:</b>
<b>DEMOLITION</b>	No	Formula Retail Store (AT&T Authorized Retailer)
<b>ADDITIONS TO BUILDING</b>	No	
▪ <b>REAR</b>	No	<b>BUILDING PERMIT APPLICATION NUMBER</b>
▪ <b>FRONT</b>	No	N/A
▪ <b>HEIGHT</b>	No	<b>DATE FILED</b>
▪ <b>SIDE YARD</b>	No	N/A

	EXISTING USES	EXISTING USES RETAINED	NET NEW CONSTRUCTION	PROJECT TOTALS
<b>PROJECT FEATURES</b>				
<b>DWELLING UNITS</b>	0	0	0	0



<b>HOTEL ROOMS</b>	0	0	0	0
<b>PARKING SPACES</b>	599	599	n/a	599
<b>LOADING SPACES</b>	0	0	0	0
<b>NUMBER OF BUILDINGS</b>	5	5	0	5
<b>HEIGHT OF BUILDINGS</b>	n/a	n/a	n/a	n/a
<b>NUMBER OF STORIES</b>	2	2	0	2
<b>BICYCLE SPACES</b>	0	0	0	0

	<b>EXISTING USES</b>	<b>EXISTING USES RETAINED</b>	<b>NET NEW CONSTRUCTION</b>	<b>PROJECT TOTALS</b>
<b>GROSS SQUARE FOOTAGE</b>				
<b>RESIDENTIAL</b>	0	0	0	0
<b>RETAIL</b>	1,981 sf	0	1,981 sf	1,981 sf
<b>OFFICE</b>	0	0	0	0
<b>INDUSTRIAL/PDR</b>	0	0	0	0
<b>PARKING</b>	0	0	0	0
<b>OTHER</b>	0	0	0	0
<b>TOTAL GSF (RETAIL UNIT)</b>	1,981 sf	0	1,981 sf	1,981 sf

**F. DESCRIPTION OF THE PROPOSED PROJECT**

The Project will establish an approximately 1,981-square-foot formula retail AT&T Authorized Retailer use in an existing formula retail space. Interior tenant improvements will be conducted but there will be no expansion of the existing building envelope. The Project will include new signage consistent with the proposed use and as allowed by the Planning Code. The Project will not include new parking. The Project will provide a full range of AT&T mobility products and services, including mobility devices, service plans and accessories in one location. Reduced site plans for the Project are attached as Exhibit C.

## G. PRE-APPLICATION MEETING

On July 14, 2015, invitations to a pre-application meeting were mailed to immediate neighbors and all community groups on the Planning Department's roster for the Excelsior neighborhood. The pre-application meeting was held on July 28, 2015 at the Property. **Exhibit D** contains (a) the mailing list of invitees; (b) copies of the invitation and proof of timely mailing; (c) sign-in sheet; (d) summary of public comments and responses; and (e) the pre-application meeting affidavit.

## H. ENVIRONMENTAL REVIEW

Projects involving "minor alteration of existing public or private structures involving negligible or no expansion of use" are categorically exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines. The Project entails the reuse of a building that has been in retail use for nearly 50 years. AT&T proposes to reuse an existing retail space with only minor interior alterations to accommodate the use. There will be no expansion of the total amount of space dedicated to retail use at the storefront. The Project is therefore exempt from environmental review.

## I. COMPLIANCE WITH CONDITIONAL USE CRITERIA (SECTION 303 FINDINGS)

Under Planning Code Section 303(c), the Planning Commission shall approve the application and authorize a conditional use if the facts presented are such to establish the following:

### 1. Desirability and Compatibility of Project

Planning Code Section 303(c)(1) requires that facts be established which demonstrate the following:

**That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.**

*The Project is necessary and desirable because it will provide an AT&T Authorized Retailer store in a location where retailers have provided retail goods to San Franciscans since the 1980's and where there is a high demand for AT&T mobility devices and services. Furthermore, the Project will fill an existing vacant formula retail space. The surrounding area is characterized by residential neighborhoods with the Plaza serving as a primary retail shopping center. Establishing an AT&T Authorized Retailer store will provide neighborhood residents and with an option for AT&T mobility devices and services and will help activate the Plaza by filling an existing vacant formula retail space. The Project will also be a driver of traffic to other nearby retailers.*

2. Effect of Project on Health, Safety, Convenience or General Welfare

Planning Code Section 303(c)(2) requires that facts be established that demonstrate the following:

**That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injuries to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:**

- (a) **The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of the structure.**

*The Project will establish an AT&T Authorized Retailer store in an existing vacant formula retail space. The Property, its shape and form, as well as the size, shape and arrangement of the structure will remain the same as in its existing condition. The Project will not alter the building envelope. AT&T will renovate and occupy an existing vacant formula retail space previously occupied by a formula retail RadioShack store and, consequently, the existing and proposed uses are consistent with neighborhood uses, and the proposed design is compatible with the immediate vicinity. For these reasons, the Project will not be detrimental to the health, safety, convenience or general welfare.*

- (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.**

*The Project will create a new formula retail store at a location which is intended to serve car-oriented shopping centers, and in a space intended for and previously occupied by formula retail uses. It is anticipated that the Project will generate traffic volumes and patterns comparable with those of prior uses, and with those anticipated when the Plaza was built. The Plaza is primarily a car-oriented shopping center. However, the Plaza is also located within walking distance of many Lakeshore and Parkside neighborhood residents, and can be easily accessed by the 23, 18 29, 28/28R MUNI bus lines, as well as the M and K Metro Muni lines. See the Public Transportation Map attached as **Exhibit E**. The Project is intended to serve the residential neighborhood, local workers and existing commuters, and is not expected to generate a significant amount of additional traffic. As a result, the Project will not be detrimental to the neighborhood due to its effect on accessibility and traffic patterns.*

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

*The Project entails minor interior alterations to allow a new formula retail tenant to occupy an existing vacant formula retail space. It will not produce, or include, any uses that would emit noxious or offensive emissions, such as noise, glare, dust or odor.*

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

*AT&T will simply replace the existing vacant formula retail space at the Property, and therefore no new landscaping, screening, open space, parking or loading spaces, service areas or lighting is proposed. AT&T will install appropriate signage that will be reviewed and approved by Planning Department staff.*

3. Compliance with the General Plan.

Planning Code Section 303(c)(3) requires that facts be established that demonstrate the following:

**That such use or feature as proposed will comply with the applicable provisions of this code and will not adversely affect the Master Plan.**

*The Project will affirmatively promote, is consistent with, and will not adversely affect the General Plan, and specifically the **Transportation, and Commerce Elements of the General Plan**, as follows:*

**Transportation Element**

OBJECTIVE 35 MEET THE SHORT-TERM PARKING NEEDS IN NEIGHBORHOOD SHOPPING DISTRICTS CONSISTENT WITH PRESERVATION OF A DESIRABLE ENVIRONMENT FOR PEDESTRIANS AND RESIDENTS.

*The Project affirmatively supports this objective by maintaining all existing off-street parking spaces located at the Plaza. The existing parking lot will meet short-term parking needs without compromising the pedestrian environment.*

Policy 36.1 Support urban goods movement networks in San Francisco, especially in the areas reserved for industrial development and in neighborhood commercial districts.

*The Project supports this Policy by providing retail goods in an established neighborhood commercial district, and specifically in that it will contribute to and strengthen a shopping center that will provide needed AT&T mobility goods and services in an area intended for such uses by the General Plan and the Planning Code.*

### **Commerce Element**

Policy 1.1 Encourage development which provides substantial net benefits and minimizes undesirable consequences.

*The Project will affirmatively support this Policy by creating new jobs, increasing foot traffic in this neighborhood, increasing the City's sales tax base and contributing to and maintaining a variety of services in the neighborhood. The Project will provide much-needed AT&T mobility options and services to the growing residential neighborhood.*

Policy 1.3 Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

Policy 2.1 Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

*The Project proposes to establish an AT&T Authorized Retailer store at the Property, thus increasing the level of commercial activity in that location, which is also in accordance with the general land use controls and policies of the City.*

Policy 3.1 Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

*The Project promotes this Policy, as it will attract new jobs to this neighborhood. Management and sales associate positions will be created by the Project. AT&T will hire locally and work with local job fairs and groups to find employees from the neighborhood.*

#### 4. Compliance with the Neighborhood Commercial District.

Planning Code Section 303(c)(4) requires that facts be established that demonstrate the following:

That such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Neighborhood Commercial District, as set forth in zoning control category 713 [which states]:

**NC-S Districts are intended to serve as small shopping centers or supermarket sites which provide retail goods and services for primarily car-oriented shoppers. They commonly contain at least one anchor store or supermarket, and some districts also have small medical office buildings. The range of services offered at their retail outlets usually is intended to serve the immediate and nearby neighborhoods. These districts encompass some of the most recent (post-1945) retail development in San Francisco's neighborhoods and serve as an alternative to the linear shopping street.**

**Shopping centers and supermarket sites contain mostly one-story buildings which are removed from the street edge and set in a parking lot. Outdoor pedestrian activity consists primarily of trips between the parking lot and the stores on-site. Ground and second stories are devoted to retail sales and some personal services and offices.**

**The NC-S standards and use provisions allow for medium-size commercial uses in low-scale buildings. Rear yards are not required for new development. Most neighborhood-serving retail businesses are permitted at the first and second stories, but limitations apply to fast-food restaurants and take-out food uses. Some auto uses are permitted at the first story. Limited storage and administrative service activities are permitted with some restrictions.**

**Housing development in new buildings is permitted. Existing residential units are protected by limitations on demolitions and prohibitions of upper-story conversions.**

*The Project will be located in the Plaza, which is a car-oriented shopping center that provides a wide variety of retail goods and services for residents of the Lakeshore and Parkside neighborhoods. This retail use conforms to the stated purpose of the NC-S district. AT&T will exclusively offer a comprehensive selection of AT&T mobility products and services that will contribute to the array of retail products available in the Plaza and surrounding neighborhood. The Project will affirmatively promote the intent of the NC-S district to provide retail goods and services to the immediate and nearby neighborhoods. The Plaza is located in a NC-S district which is the ideal location to provide such goods and services given its historic use, its location on a major traffic artery, and its car-oriented design.*

**J. COMPLIANCE WITH SECTION 303.1 – FORMULA RETAIL USE**

Planning Code Section 303.1 requires projects that include formula retail uses in certain zoning districts to obtain Conditional Use authorization from the Planning Commission. A formula retail use is defined as a type of retail sales activity or retail sales establishment that has

11 or more other retail sales establishments in operation, or with local land use or permit entitlements already approved, located anywhere in the world that maintain two or more of the following standardized features: array of merchandise, façade, décor, color scheme, uniform apparel, signage, trademark or service mark. The Project proposes an AT&T Authorized Retail store, which qualifies as a formula retail use. The Formula Retail Affidavit is attached as **Exhibit G**.

Planning Code Section 303.1 requires that, with respect to an application for Conditional Use authorization for a formula retail use, the Planning Commission shall consider the following:

**(1) The existing concentrations of formula retail uses within the district;**

*The Project will be located in a NC-S zoning district. NC-S districts are specifically intended to house car-oriented neighborhood-serving shopping centers. The Plaza currently houses approximately 28 formula retail uses. There are no other formula retail uses, or commercial uses at all, within approximately one mile of Lakeshore Plaza. Furthermore, no AT&T Authorized Retailers serve the Lakeshore or Parkside neighborhoods. As a result, the Project will not affect the existing formula retail character of the NC-S zoning district.*

**(2) The availability of other similar retail uses within the district;**

*There are no existing AT&T Authorized Retailers located within the Plaza or in the NC-S district. GameStop, also located in the Plaza, sells a limited supply of AT&T mobility products and services as incidental items to complement their larger retail use. These AT&T mobility products and services are not a main draw to the stores, and none of the existing stores offer AT&T mobility products and services. The closest AT&T Authorized Retailer is located approximately one-mile away from the Plaza at Stonestown Galleria. The Plaza and NC-S district serves the growing, immediate residential neighborhood, as well as commuters and workers in the area. Currently, these residents, commuters and workers do not have nearby options for their AT&T mobility needs. The Project will provide an additional choice of AT&T mobility goods in the Lakeshore neighborhood.*

**(3) The compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the district;**

*The Project will establish an AT&T Authorized Retailer store in an existing vacant formula retail space. The Project will not alter the building envelope. AT&T will install appropriate signage that will be reviewed and approved by Planning Department staff. Therefore, the Project will be compatible with the existing architectural and aesthetic character of the NC-S district.*

**(4) The existing retail vacancy rates within the district; and**

*Of the 39 existing commercial spaces at the Plaza, two are currently vacant. The Project will establish an AT&T Authorized Retailer store in an existing vacant formula retail space. Because there are no other retail uses surrounding the Property, the Project will have no impact on vacancy rates outside the Plaza.*

**(5) The existing mix of Citywide-serving retail uses and neighborhood-serving retail uses within the district.**

*The Plaza is comprised of a mix of neighborhood-serving retail uses, including a grocery store, electronics store, quick-service restaurants, beauty shops, dry cleaners, shipping and print shops, pet supply stores, clothing and shoe stores, health and diet supply stores, banks, insurance providers, optometrist and medical offices, and a post office. The Project will not alter the historic mix of neighborhood-serving to citywide-serving uses, as the Plaza has always housed a variety of formula retail stores that provided for both neighborhood and citywide needs. The Project will provide neighborhood residents, as well as existing commuters and workers in the area, with an additional choice for their mobility needs.*

**K. PRIORITY MASTER PLAN POLICIES FINDINGS**

Planning Code Section 101.1 establishes the following eight priority planning policies and requires review of permits for consistency with said policies. The Project and this Section 303 Application are consistent with each of these policies as follows:

**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 Project will provide approximately 1,908 square feet of a neighborhood serving retail use, which will occupy an existing vacant formula retail space at the Property. The Project will provide new employment opportunities for neighborhood residents. The Project will also attract pedestrian traffic that will patronize other existing retailers in the Plaza.*

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

*The Project proposes an AT&T Authorized Retail store and will occupy an existing vacant formula retail space. The Project will have no effect on housing.*



**3. That the City's supply of affordable housing be preserved and enhanced.**

*The Project will have no effect on affordable housing, as it is a proposed AT&T Authorized Retailer in an existing vacant formula retail space.*

**4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking.**

*The Project is a small retail store, and not a major generator of commuter traffic. Traffic generated by the Project will be comparable to that anticipated when the Plaza was constructed and similar to that associated with prior tenancies at the Plaza, and will not overburden streets or impede MUNI transit service. It is anticipated that many shoppers from the immediate neighborhood will walk or ride bicycles to access the Plaza, and the Project will retain the existing off-street parking spaces, which are sufficient to accommodate parking demand when the Plaza is fully occupied.*

**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 Project proposes to occupy an existing vacant formula retail space with an AT&T Authorized Retailer store. The Project will enhance the City's service sector by creating a new retail mobility device and service store, creating jobs and strengthening other retail in the area.*

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

*The Project will conform to the requirements of the San Francisco Building Code, and thus will meet this Policy.*

**7. That landmarks and historic buildings be preserved.**

*The Project is not located in or near any Conservation District or Historic District. AT&T will occupy an existing commercial building. The Project will have no effect on any historic resource.*

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

*The Project is not located near any public parks or open space and will therefore have no effect on such resources.*

**L. ESTIMATED CONSTRUCTION COSTS**

<b>TYPE OF APPLICATION:</b>	Conditional Use
<b>OCCUPANCY CLASSIFICATION:</b>	M
<b>BUILDING TYPE:</b>	
<b>ESTIMATED CONSTRUCTION COST:</b>	\$65,000
<b>ESTIMATE PREPARED BY:</b>	Jeff Howard, Cummings Construction
<b>FEE ESTABLISHED:</b>	\$1,878


**M. APPLICANT'S AFFIDAVIT**

Under penalty of perjury the following declarations are made (a) the undersigned is the owner or authorized agent of the owner of this property; (b) the information presented is true and correct to the best of my knowledge; (c) the other information or applications may be required.

Respectfully submitted,

REUBEN, JUNIUS & ROSE, LLP

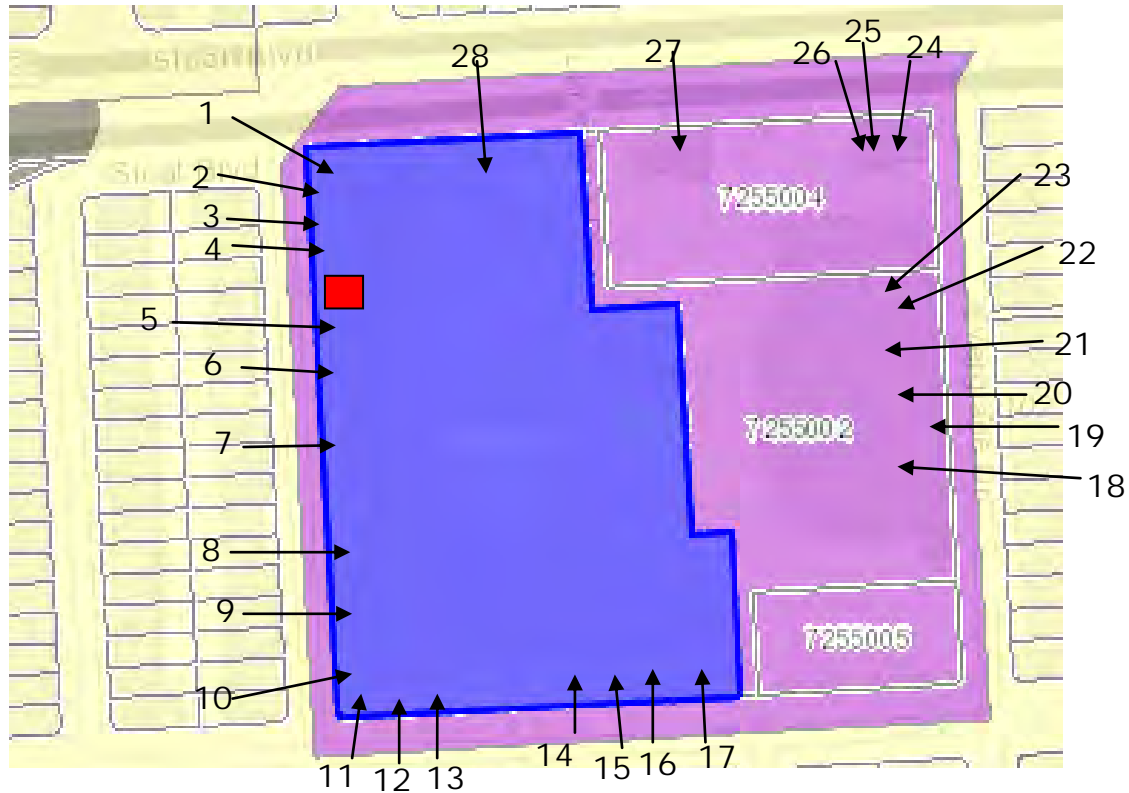
Dated: 8-11-2015

By:   
Stephanie L. Haughey  
Project Sponsor

**LIST OF EXHIBITS**

- Exhibit A - Formula Retail Map
- Exhibit B - Site Photos
- Exhibit C - Reduced Site Plans
- Exhibit D - Pre-Application Meeting Documents
- Exhibit E - Public Transportation Options near the Property
- Exhibit F - Letter of Authorization
- Exhibit G - Formula Retail Affidavit

**1567 Sloat Blvd – Formula Retail Map**



**KEY**

■ - Project Site (1567 Sloat Blvd.)

- 1 – Petco
- 2 – Century 21 Realty
- 3 – AAA Insurance
- 4 – Massage Luxe
- 5 – Payless Shoes
- 6 – UPS Store
- 7 – Jenny Craig
- 8 – Armed Forces Career Center
- 9 – GNC
- 10 – Ross Dress for Less

- 11 – United States Postal Service
- 12 – Green Citizen
- 13 – Big 5 Sporting Goods
- 14 – Super Cuts Plus
- 15 – Sally Beauty Supply
- 16 – Chipotle
- 17 – Noah’s Bagels
- 18 – Lucky Grocery
- 19 – Bank of America
- 20 – Verizon Wireless

- 21 – Pete’s Coffee and Tea
- 22 – Gymboree Play & Music
- 23 – Sherwin Williams
- 24 – Ono Hawaiian BBQ
- 25 – GameStop
- 26 – Subway
- 27 – Fed-Ex
- 28 – Wells Fargo



1567 Sloat Boulevard - Proposed Site  
AT&T Authorized Retailer

Project Site (1567 Sloat Boulevard)





# at&t

Authorized Retailer



**City/State:** San Francisco CA  
**Address:** 1567 Sloat Blvd  
**Creation Date:** 3-27-2015  
**Revised:** 5-12-2015, 1-21-2016

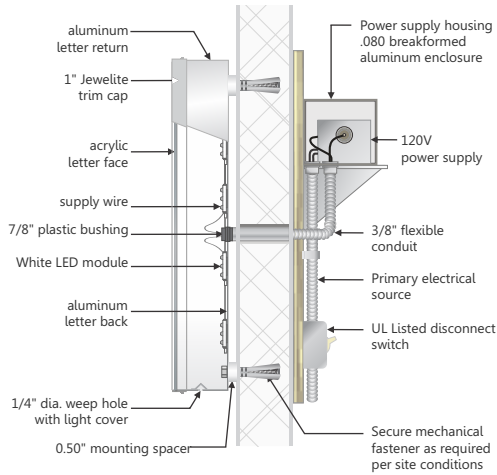
**C44533**

S1

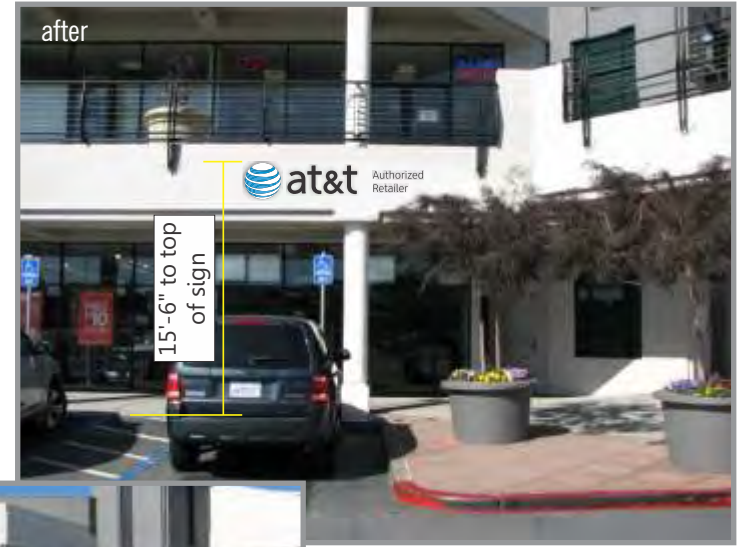
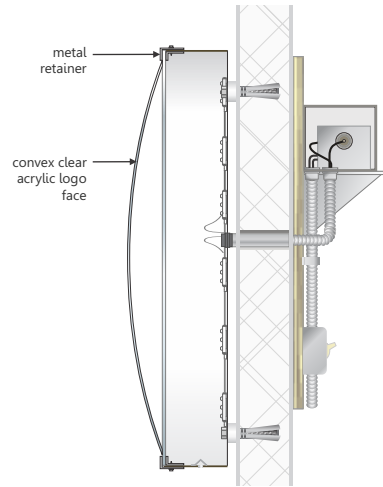
### Custom Remote Illuminated Letterset - Black Faces

Remove existing letterset from elevation. Patch and paint facade as required. AT&T globe and AT&T copy are remote wired illuminated letters. "Authorized Retailer" to be non-illuminated plate letters, stud mounted flush to fascia.

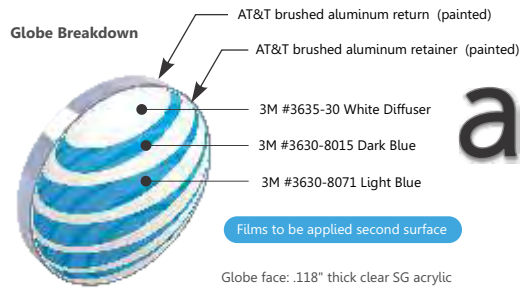
"at&T" Letter Section Detail (typ.)



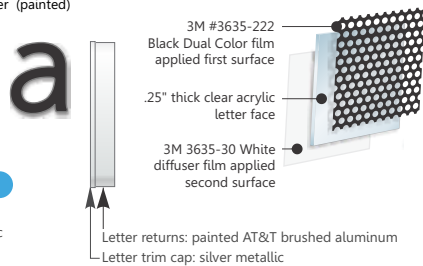
Globe Section Detail (typ.)



Note: Width of sidewalk = 6'-0"

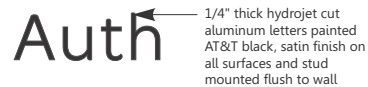


"at&T" Face Decoration Detail



Interior surfaces to be sprayed with Spray-Lat White Light enhancement paint.

Note: If brushed aluminum returns are denied and the city does not indicate the exact color required, the default replacement is to have the returns match the letter faces.



Sq. Ft.  
19.16

Sign Type	A	B	C	D	E	F	G	H	I	J	R	Z	Z2	Return Thk	Symbol Return Thk	Symbol Back Thk	Letter Back Thk
LIF-AR-BLK-18-H	1'-6"	9'-7"	1'-11 1/4"	3'-8 11/16"	2'-8 1/4"	1'-1 5/8"	5 1/16"	3 1/2"	10"	2'-0"	1/2"	5"	1 5/8"	.050"	.063"	.125"	.125"

Code Allows: 2 sq ft per street frontage = 42 sq ft allowed



Revisions:	
Revised to custom letterset / TD / 5.12.15	X
Added notes / TD / 12.16	X
	X

File Location:  
ArtDept\CoreColors\AT&T

Date: 03-27-2015

City/State: San Francisco CA

Drawing # C44533-S1

Designer: TD PM: TK

Address: 1567 Sloat Blvd

Site Name -



S2

### Custom D/F Hanging Plaque - Qty: 1

Install new D/F 1 1/2" deep sandblasted White Cedar plaque. Background to be recessed and painted PMS Orange 1505C. Border and copy is full height and painted White. Globe is digitally printed. Reuse existing hanging system. **Landlord to verify all requirements.**

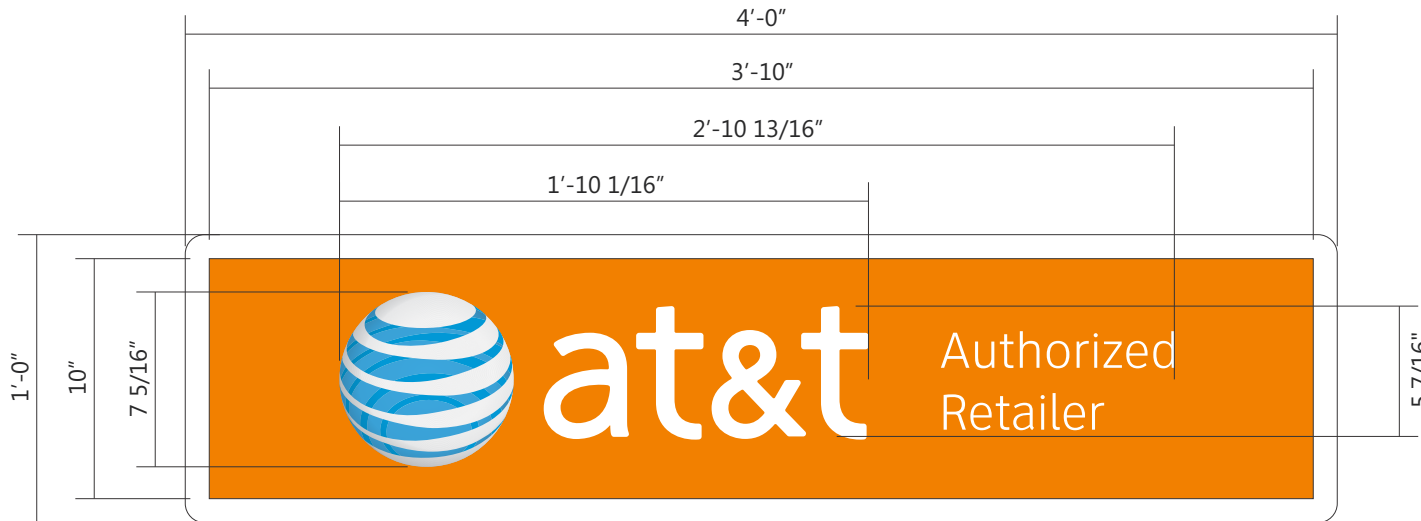
#### Color Specifications



The globe should be digitally printed at 600 DPI on a white vinyl carrier (3M #IJ-180-10). Artwork must include the full color globe and gradation displayed here. Standard 3M films and translucent inks are to be utilized to meet the required MCS warranty. The globe graphic should be covered with 3M #8519 clear overlamine.



#### Spacing Requirements



Sq. Ft.

4.0

Scale: 1"=1'



Revisions:	X
Added notes and sq / TD / 12/16	X
X	X
X	X

File Location:  
ArtDept\CorelColors\AT&T

Date: 03-27-2015

Designer: TD PM: TK

City/State: San Francisco CA

Address: 1567 Sloat Blvd

Drawing #

C44533-S2

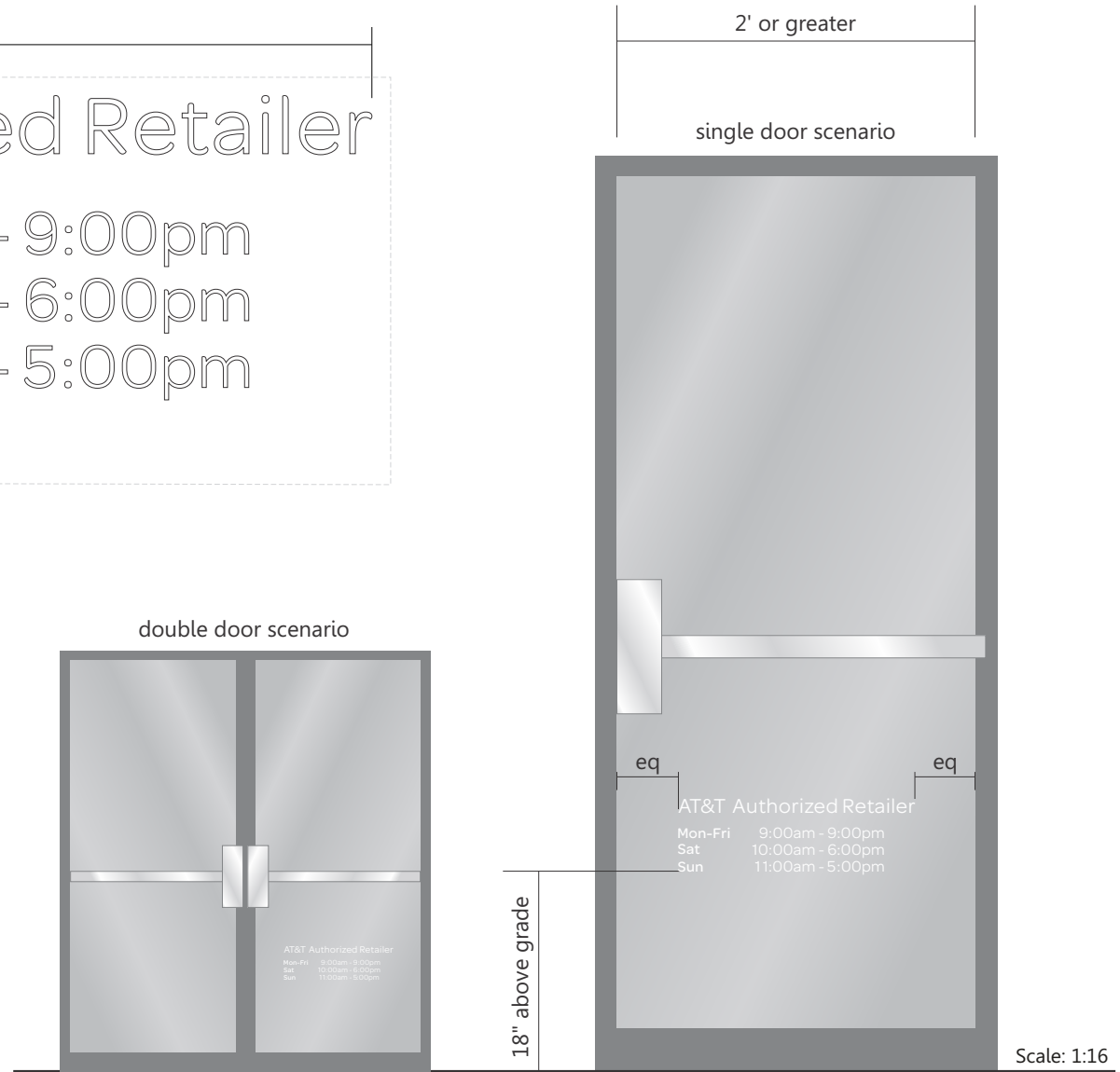
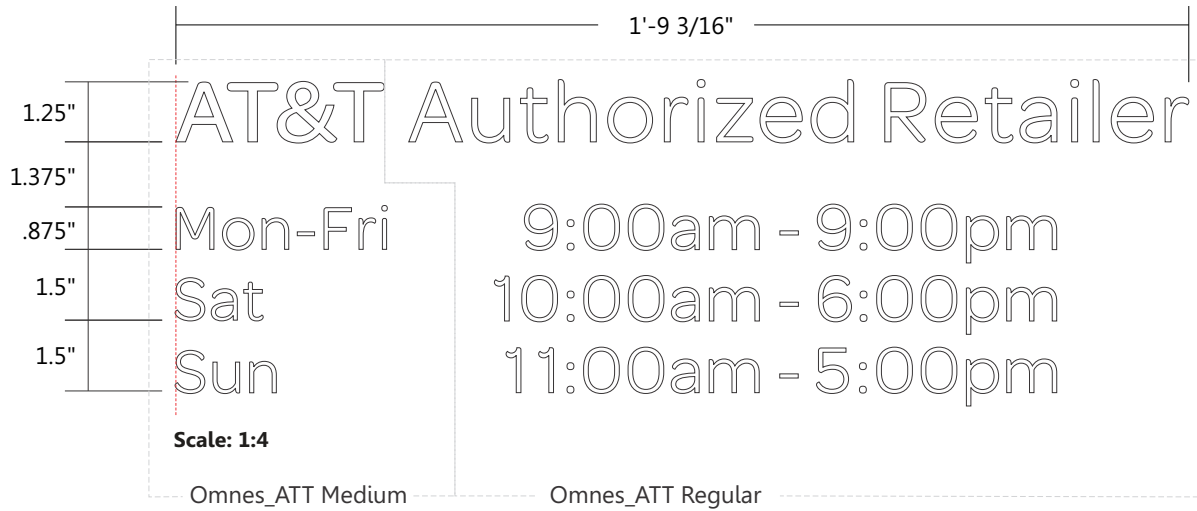
Site Name

-

**S3**

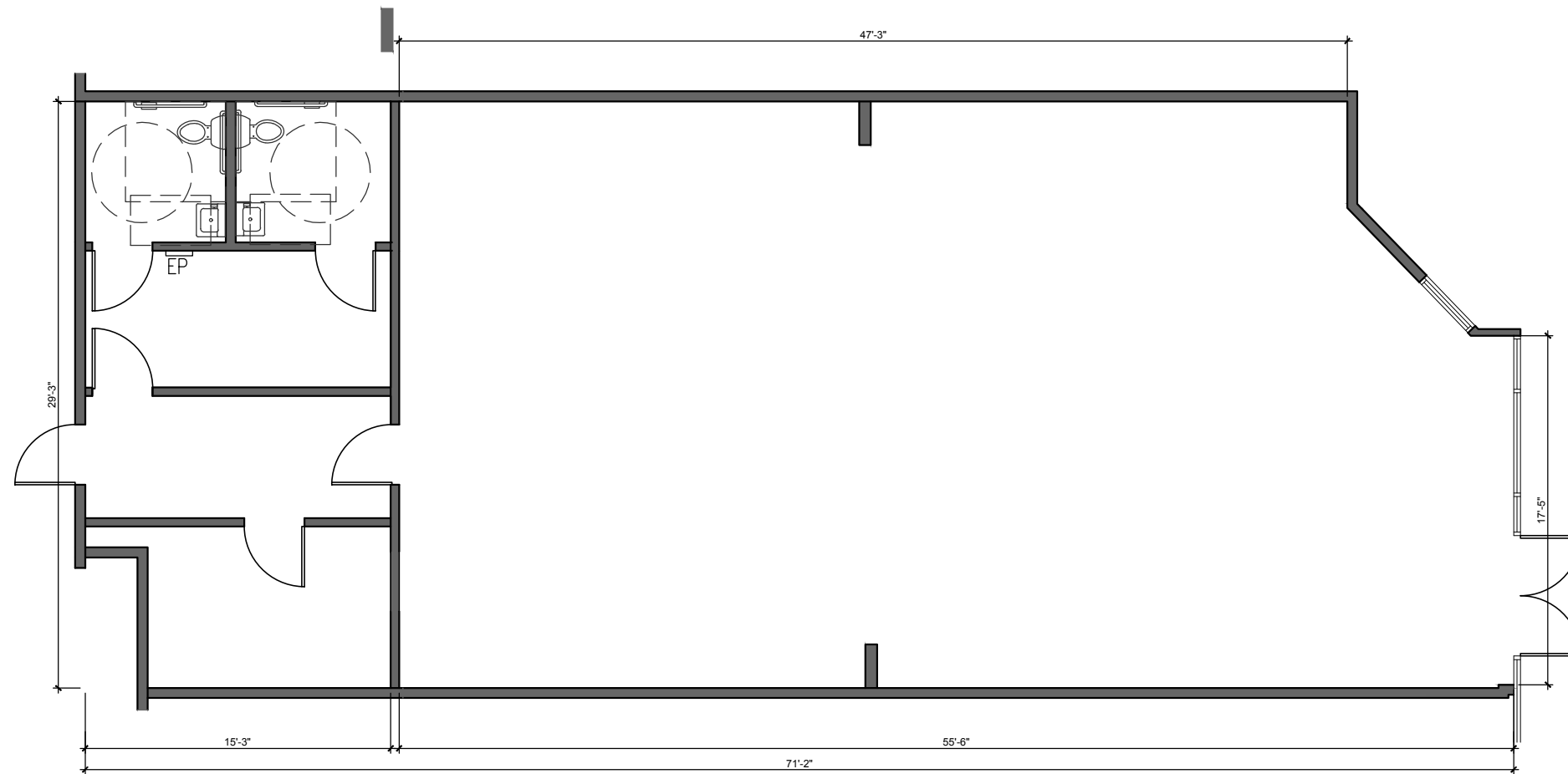
**Door Vinyl (First Surface)**

Apply new 3M #7725-10 White vinyl as shown. Store hours must be verified prior to manufacture. NOTE: Double door applications to be installed on right hand door only.



WALL LEGEND

EXISTING WALL  
TO REMAIN.



EXISTING FLOOR PLAN

AT&T Lakeshore Plaza - 1567 SLOAT BLVD, SAN FRANCISCO, CA 94132

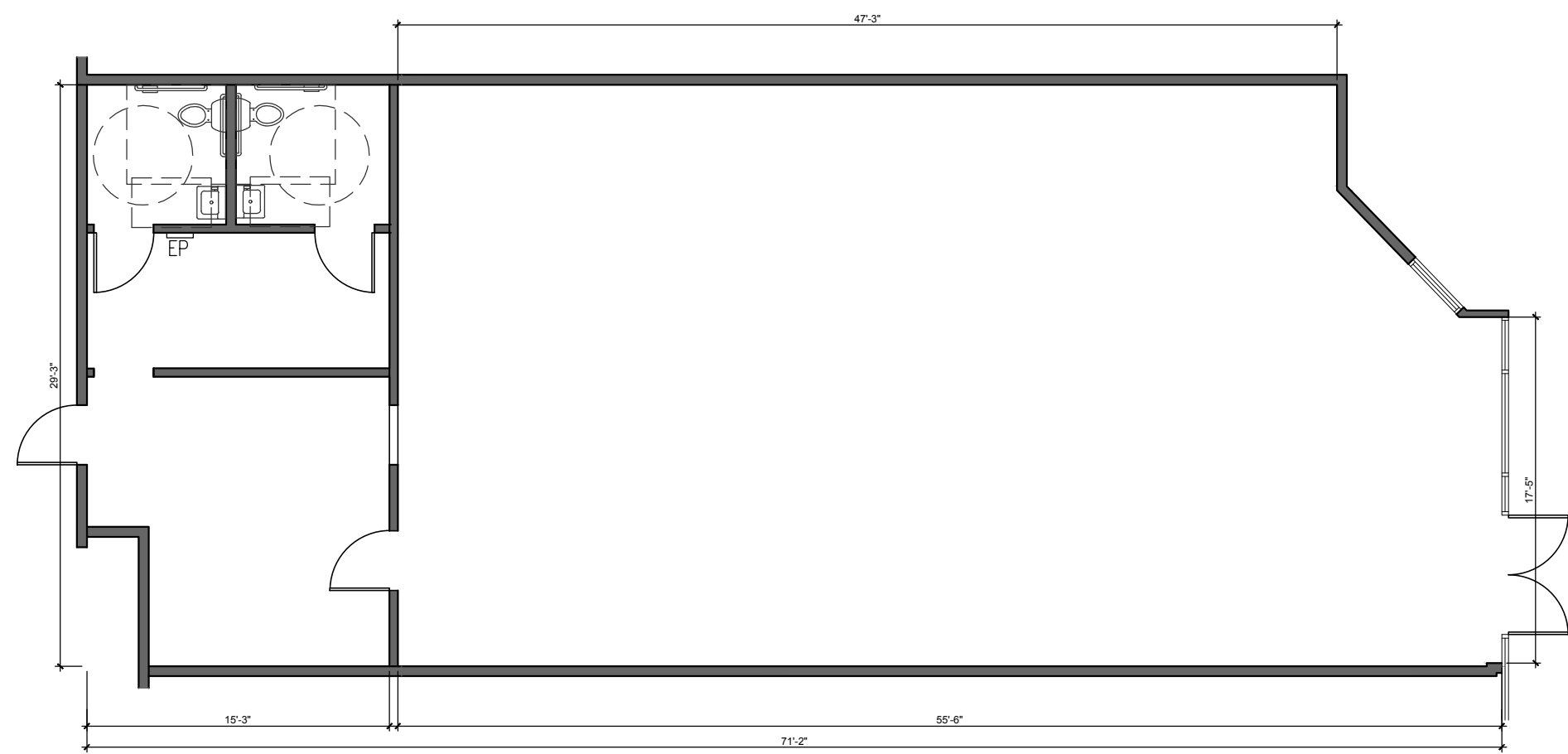
Drawing Date: 2.8.2016

SCALE: 1/8" = 1'-0"

**KAMUS + KELLER**  
Interiors | Architecture  
111 W. OCEAN BLVD.  
SUITE 1750  
LONG BEACH, CA  
90802  
P: 562.216.5244  
WWW.KKAIA.COM

**WALL LEGEND**

- █ EXISTING WALL TO REMAIN.
- NEW PARTITION.



**PROPOSED FLOOR PLAN**

AT&T Lakeshore Plaza - 1567 SLOAT BLVD, SAN FRANCISCO, CA 94132 PROPOSED PROPOSED

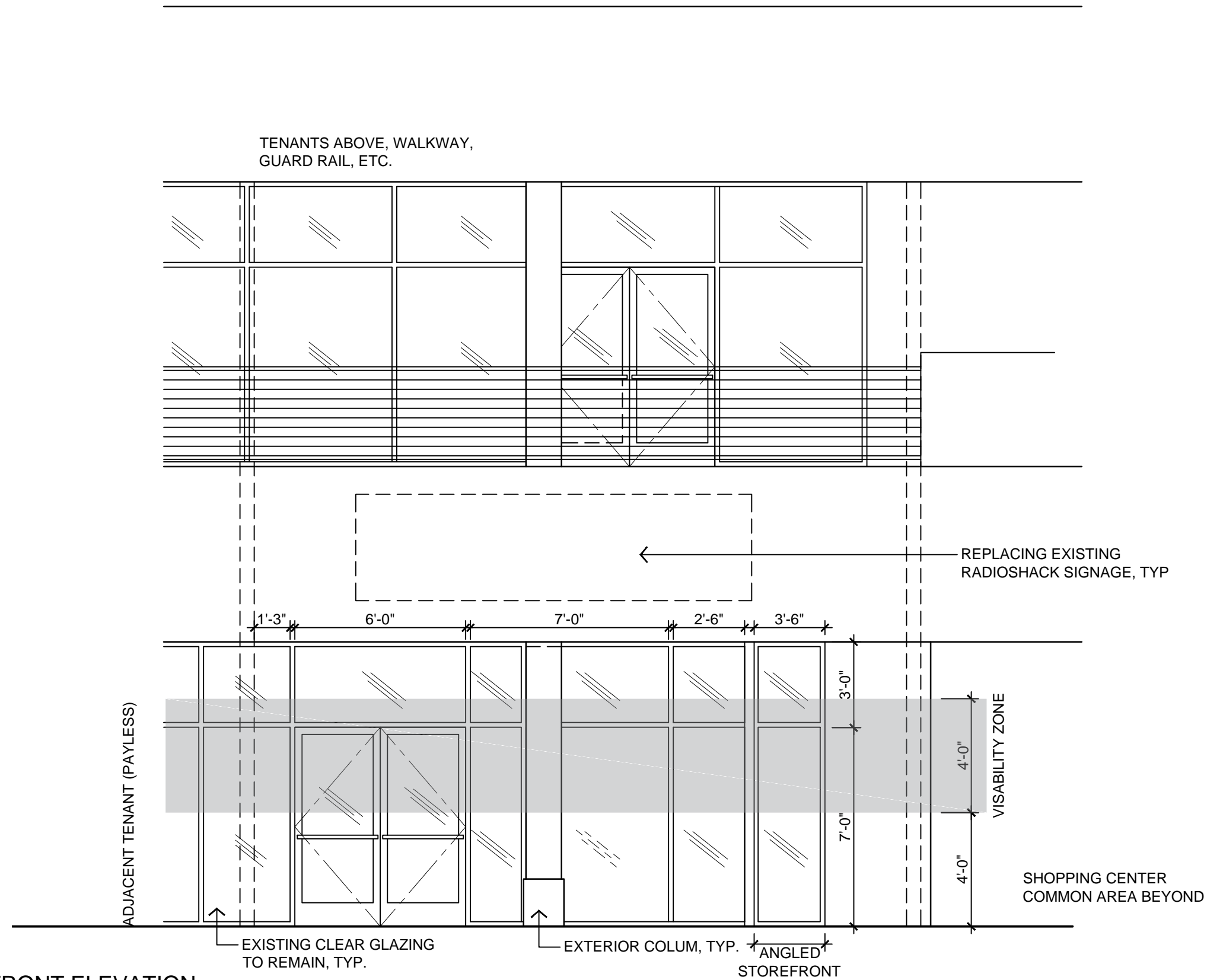
Drawing Date: 2.8.2016

SCALE: 1/8" = 1'-0"

**KAMUS + KELLER**

Interiors | Architecture  
111 W. OCEAN BLVD.  
SUITE 1750  
LONG BEACH, CA  
90802  
P: 562.216.5244

WWW.KKAIA.COM



**EXISTING STOREFRONT ELEVATION**

AT&T Lakeshore Plaza - 1567 SLOAT BLVD, SAN FRANCISCO, CA 94132

Drawing Date: 2.11.2016

SCALE: 1/4" = 1'-0"

ALECTA REAL ESTATE USA LLC  
APN: 7255-004

LOT 4  
39 PM 52

SAVE MART SUPERMAKETS  
APN: 7255-002

LOT 2  
39 PM 52



**LEGEND**

---	PROPERTY BOUNDARY LINE PER R1
---	BUILDING LINE
EL	ELEVATION
⊙	FOUND MONUMENT PER R1
R1	PARCEL MAP: BOOK 39, PAGES 52-53
FL	DESCRIPTION
111.96'	ELEVATION

**BASIS OF BEARINGS**

THIS BASIS OF BEARINGS FOR THIS SURVEY IS N02°59'37"W BETWEEN FOUND LEAD PLUG & TACK IN MONUMENT WELL PER "PARCEL MAP O LOT 1, ASSESSORS BLOCK 7255", FILE 6/14/1989 IN BOOK 39 OF PARCEL MAPS AT PAGES 52 & 53, CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE RECORDER.

**GENERAL NOTES**

- 1) REFERENCED MAPS PER COUNTY RECORDER.
- 2) ALL ANGLES ARE 90°00' UNLESS NOTED OTHERWISE.
- 3) DISTANCES SHOWN IN FEET AND DECIMALS THEREOF.
- 4) ELEVATIONS FROM CROW CUT IN OUTER RIM SWI , IN THE NORTHWEST CORNER OF OCEAN AVE & CLEARFIELD DR A BENCHMARK HAVING AN ELEVATION OF 78.808'.

**SURVEY NOTE:**

THIS SURVEY HAS BEEN CREATED FOR THE PURPOSES OF ESTABLISHING ELEVATIONS OF STRUCTURES AND IS CONSIDERED APPROXIMATE AND PREPARE SOLELY FOR THE USE OF OUR CLIENT.

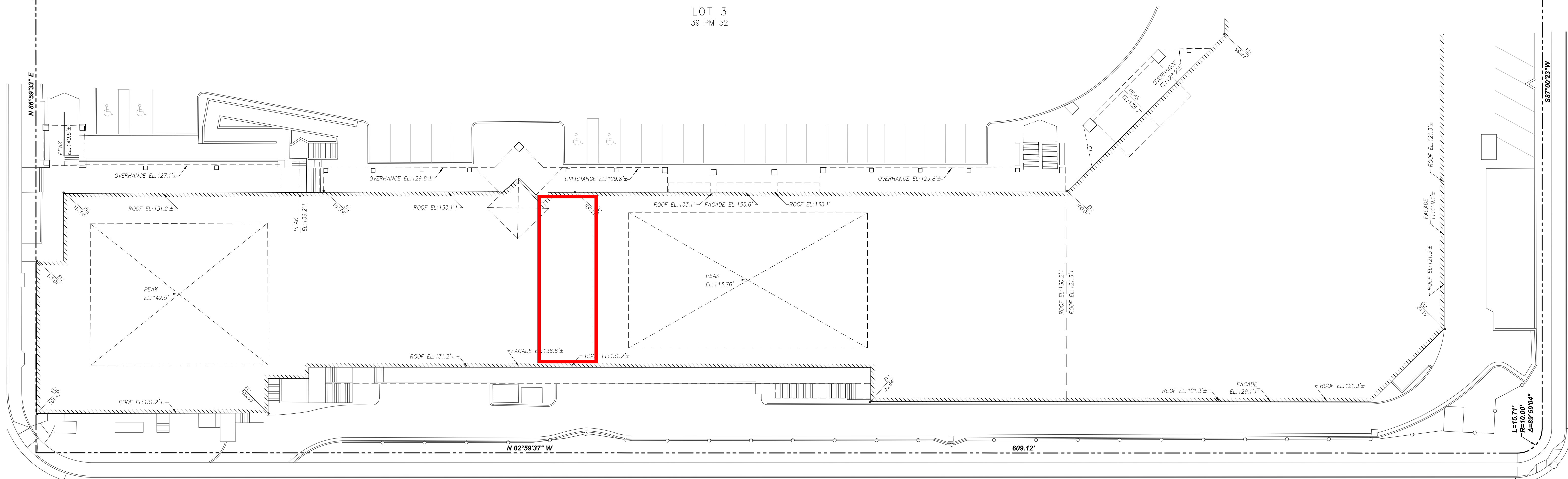
ALECTA REAL ESTATE USA LLC  
APN: 7255-003

LOT 3  
39 PM 52

S L O A T B L V D (135' WIDE)

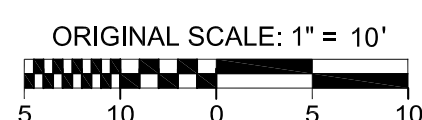
O C E A N A V E N U E (80' WIDE)

C L E A R F I E L D D R I V E (55' WIDE)



DATE 2/24/2016  
FILE# ALS16004  
DRAWN BY JE  
APPROVED BY SG

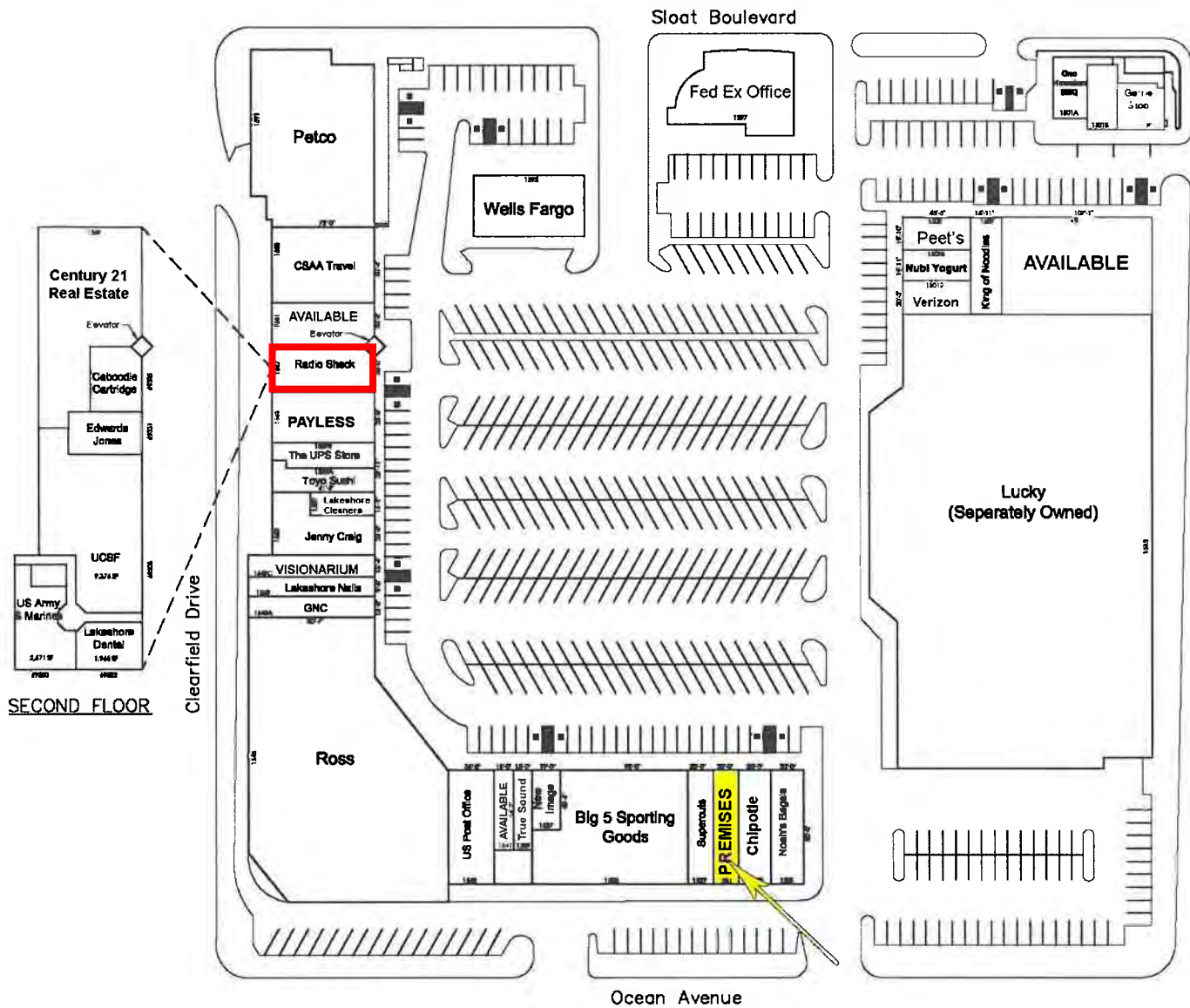
No.	BY	DATE	REVISION



AMERICAN LAND SURVEYING, INC.  
1390 MARKET ST, SUITE 303, SAN FRANCISCO, CA 94102  
PH: (415) 888-8580 FAX: (866) 260-5454

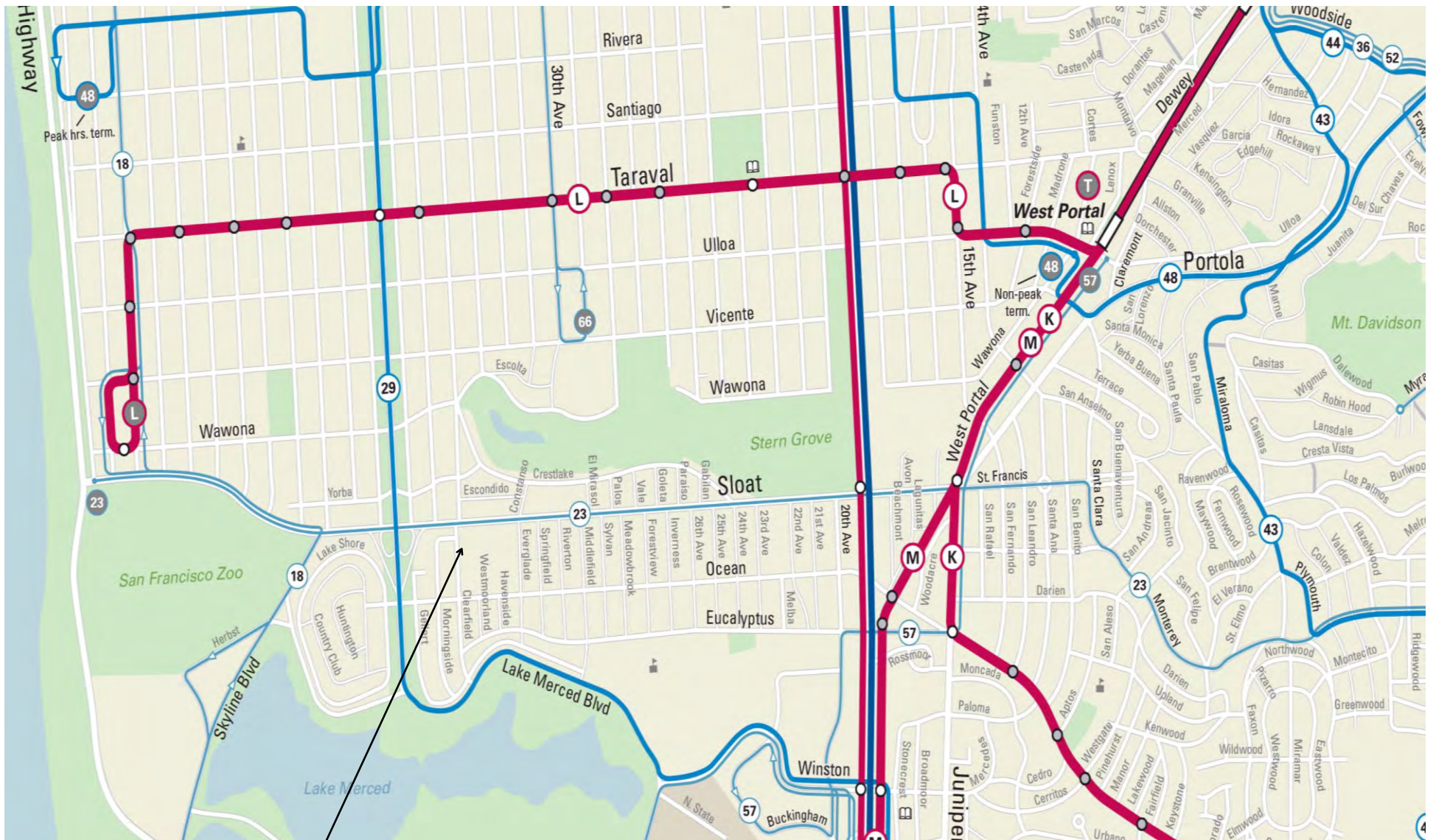
**SITE PLAN**  
1567 SLOAT BOULEVARD  
SAN FRANCISCO, CA - APN: 0598-001

SHEET NO.  
1 of 1



Lucky	49,500 sf
Ross Dress for Less	27,846 sf
Petco	9,996 sf
CSAA Travel & Insurance	3,527 sf
AVAILABLE	2,618 sf
Radio Shack	2,100 sf
Payless	2,520 sf
Toyo Sushi	1,728 sf
The UPS Store	1,150 sf
Lakeshore Cleaners	630 sf
Jenny Craig	2,181 sf
Lakeshore Nails	800 sf
Visionarium	1,255 sf
GNC	1,290 sf
US Postal Service	3,550 sf
AVAILABLE - June 2013	825 sf
True Sound	766 sf
New Image Salon	800 sf
Big 5 Sporting Goods	8,640 sf
Supercuts	1,600 sf
<b>PREMISES</b>	<b>1,577 sf</b>
Chipotle	1,600 sf
Noah's Bagels	1,600 sf
Century 21 Real Estate	8,886 sf
Cartridge Innovations	600 sf
Edward Jones	650 sf
UCSF	9,376 sf
US Army & Marines	2,671 sf
Lakeshore Dental	1,965 sf
Peet's Coffee & Tea	900 sf
Nubi Yogurt	900 sf
Verizon	900 sf
King of Thai Noodles	996 sf
AVAILABLE	6,120 sf
Ono Hawaiian BBQ	1,126 sf
PREMISES	876 sf
Gamestop	1,192 sf
Fed Ex Office	4,000 sf
Well's Fargo	3,500 sf

# 1567 Sloat Boulevard – Public Transportation Map



Proposed Site (1567 Sloat Boulevard)



# Alecta Real Estate USA, LLC

August 3, 2015

Department of City Planning  
City and County of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, California 94103

**Re: Property Address: 1567 Sloat Boulevard**  
**Block/Lot: Block 7255, Lot 003**  
**Owner: Alecta Real Estate USA, LLC**  
**Subject: Applications and Processing**

To Whom It May Concern:

Alecta Real Estate USA, LLC, a Delaware limited liability company is the owner (“Owner”) of the above referenced property. Owner hereby authorizes the law firm of Reuben, Junius & Rose, LLP to take all necessary actions, including, but not limited to, the signing of documents in furtherance of the filing and processing of applications by Spring Communications Holding, Inc., specifically for the purpose of establishing a formula retail AT&T Authorized Retailer store at the above referenced property.

Very truly yours,

**Alecta Real Estate USA, LLC,**  
**a Delaware limited liability company**

By: *Emily Murtha* <sup>Agent for</sup>  
Name: Emily Murtha <sup>Alecta Real Estate</sup>  
Its: Sr. Property Manager <sup>USA, LLC</sup>

# AFFIDAVIT FOR Formula Retail Uses

## 1. Location and Classification

STREET ADDRESS OF PROJECT: <b>1567 Sloat Boulevard</b>		
ASSESSORS BLOCK/LOT: <b>7255 /003</b>	ZONING DISTRICT: <b>NC-S</b>	HEIGHT/BULK DISTRICT: <b>26-40-X</b>

## 2. Proposed Use Description

PROPOSED USE (USE CATEGORY PER ARTICLE 7 OR 8): <b>Retail Sales</b>	
PROPOSED BUSINESS NAME: <b>Spring Communications Holding, Inc. dba AT&amp;T Authorized Retailer</b>	
DESCRIPTION OF BUSINESS, INCLUDING PRODUCTS AND/OR SERVICES: <b>The store will sell AT&amp;T mobility products and services, including mobile devices, plans, accessories, and technical services.</b>	
BUILDING PERMIT APPLICATION NO.: (if applicable) <b>N/A</b>	PLANNING DEPARTMENT CASE NO.: (if applicable) <b>N/A</b>

## 3. Quantity of Retail Locations

		TOTAL
3.a	How many retail locations of this business are there worldwide? Please include any property for which a land use permit or entitlement has been granted.	300+
3.b	How many of the above total locations are in San Francisco?	<10

If the number entered on Line 3.a above is 11 or more, then the proposed use *may* be a Formula Retail Use. Continue to section 4 below.

If the number entered on Line 3.a above is 10 or fewer, no additional information is required. Proceed to section 5 on the next page and complete the Applicant's Affidavit.

## 4. Standardized Features

Will the proposed business use any of the following Standardized Features?

	FEATURES	YES	NO
A	Array of Merchandise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B	Trademark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C	Servicemark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D	Décor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E	Color Scheme	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F	Façade	<input checked="" type="checkbox"/>	<input type="checkbox"/>
G	Uniform Apparel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H	Signage	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TOTAL		8	

Enter the total number of Yes/No answers above.

If the total YES responses are two (2) or more, then the proposed use is a Formula Retail Use.

5. Applicant's Affidavit

NAME: <b>Stephanie L Haughey</b>		<input type="checkbox"/> Property Owner	<input checked="" type="checkbox"/> Authorized Agent
MAILING ADDRESS: (STREET ADDRESS, CITY, STATE, ZIP) <b>Reuben, Junius &amp; Rose, LLP, 1 Bush Street, Ste. 600, San Francisco, CA 94104</b>			
PHONE: <b>(415) 567-9000</b>		EMAIL: <b>shaughey@reubenlaw.com</b>	

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: Other information or applications may be required.

Applicant's Signature: *Stephanie L Haughey* Date: 8/11/15

PLANNING DEPARTMENT USE ONLY	
PLANNING CODE SECTION(S) APPLICABLE:	
HOW IS THE PROPOSED USE REGULATED AT THIS LOCATION?	
<input type="checkbox"/> Principally Permitted <input type="checkbox"/> Principally Permitted, Neighborhood Notice Required (Section 311/312) <input type="checkbox"/> Not Permitted <input checked="" type="checkbox"/> Conditional Use Authorization Required	
COMMENTS:	
VERIFIED BY:	
Signature: <u><i>Todd Kennedy</i></u>	Date: <u>10/29/15</u>
Printed Name: <u>Todd Kennedy</u>	Phone: <u>415-575-9125</u>



SAN FRANCISCO  
PLANNING  
DEPARTMENT

FOR MORE INFORMATION:  
Call or visit the San Francisco Planning Department

**Central Reception**  
1650 Mission Street, Suite 400  
San Francisco CA 94103-2479

TEL: **415.558.6378**  
FAX: **415 558-6409**  
WEB: <http://www.sfplanning.org>

**Planning Information Center (PIC)**  
1660 Mission Street, First Floor  
San Francisco CA 94103-2479

TEL: **415.558.6377**  
*Planning staff are available by phone and at the PIC counter.  
No appointment is necessary.*