

### SAN FRANCISCO PLANNING DEPARTMENT

### Executive Summary Conditional Use

HEARING DATE: MAY 11, 2017

Date:	May 4, 2017
Case No.:	2016-008356CUA
Project Address:	3146 Mission Street
Zoning:	NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District
	50-X Height and Bulk District
Block/Lot:	6574/022
Project Sponsor:	Steve Vettel, Farella Braun & Martel, LLP
	235 Montgomery Street, San Francisco, CA 94104
	<u>SVettel@fbm.com</u> , (415) 954-4400
Property Owner:	3146 Mission, LLC, c/o Raj Chabra
	41 La Encinal, Orinda, CA 94563
Staff Contact:	Michael Christensen at (415) 575-8742
	michael.christensen@sfgov.org
Recommendation:	Approval with Conditions

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

#### **PROJECT DESCRIPTION**

The proposed project would establish a Formula Retail motorcycle sales and rentals use (dba <u>EagleRider</u>) within an 19,640 square foot ground-floor of an existing two-story building. Minor exterior modifications to the building are proposed as part of the project. Any related exterior signage will be submitted under a separate sign permit application.

#### SITE DESCRIPTION AND PRESENT USE

The site ("Project Site"), Lot 022 in the Assessor's Block 6574, is located on the west side of Mission Street between Valencia Street and Cesar Chavez Street in the NC-3 Zoning District. The property is an irregularly shaped through lot with frontages on both Mission Street and Valencia Street. The project site has approximately 60-feet (ft) of frontage along Mission Street, and 85-ft of frontage along Valencia Street. The property is developed with approximately 19,640 square feet of retail/commercial space. The existing ground floor is currently vacant, and the last use of the space was a Formula Retail auto parts store, dba Kragen Auto Parts.

#### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located in an NC-3 Zoning District, which is a linear district along Mission Street from Cesar Chavez Street to Randall Street. The surrounding area is a mix of residential and retail uses with buildings heights that range from one- to five-stories. Nearby uses along Mission Street include retail uses, restaurants, and institutional uses. Properties outside of the NC-3 district adjacent to the

project site are zoned RH-2 and include residential buildings and the St. Luke's Campus of California Pacific Medical Center.

#### ENVIRONMENTAL REVIEW

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

#### **HEARING NOTIFICATION**

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	April 21, 2017	April 19, 2017	22 days
Posted Notice	20 days	April 21, 2017	April 7, 2017	34 days
Mailed Notice	30 days	April 11, 2017	April 11, 2017	31 days

The required Section 312 neighborhood notification process was conducted as part of the notification for the Conditional Use Authorization.

#### PUBLIC COMMENT/COMMUNITY OUTREACH

• To date, the Department has received no comments or inquiries from any person or organization in reference to the proposal.

#### ISSUES AND OTHER CONSIDERATIONS

- <u>Conditional Use Authorization</u>: The proposal requires Conditional Use Authorization from the Planning Commission, pursuant to Planning Code Sections 303, 303.1, 703.4 and 712.61, to establish a Formula Retail Automobile Sale or Rental use at the ground floor of a commercial building located in the NC-3, Neighborhood Commercial District and a 50-X Height and Bulk District.
- <u>Formula Retail Use (EagleRider)</u>: The proposed establishment (dba EagleRider) is considered a Formula Retail use with over 78 locations worldwide. There are approximately 7 existing Formula Retail establishments out of 146 commercial uses within this NC-3 Zoning District, amounting to a total concentration of approximately 4.8%.
- <u>Formula Retail Concentration</u>: Within the specific NC-3 District, a total of 7 Formula Retail establishments were observed: Burger King, Bank of America, Big Lots, Pizza Hut, Safeway, Walgreens, and 7-11.

Of the 146 commercial uses within the subject NC-3 Zoning District, there is one other business which is similar in nature to the proposed establishment. SF Car Care/Mission Tires, located at 3160 Mission Street, is approximately 100 feet south of the proposed project site. While the business is in the automotive use category, it is primarily an automobile repair and maintenance facility, in contrast to the proposed use which is primarily automobile sales and rentals. The previous business to occupy the subject property was a Formula Retail automobile parts store, dba Kragen Auto Parts.

The use mix is varied in the NC-3 District. Eating establishments (limited restaurants and restaurants combined) comprise 26% of the ground floor frontage, followed by personal services and other retail, each comprising 15% of the ground floor frontage. These calculations do not include non-retail establishments, such as residences, institutions, parking, or public services.

Land Use Type	NC-3 Frontage Total (feet)	NC-3 %	300 Foot Vicinity Frontage Total (feet)	Vicinity %
Automotive	50	1%	50	12%
Bar/Nightclub	235	6%	50	24%
Financial Service	50	1%	0	0%
Grocery	267	7%	0	0%
Institutional	105	3%	25	6%
Limited-Restaurant	235	6%	0	0%
Liquor Store	35	1%	25	6%
Restaurant	720	20%	90	21%
Medical	50	1%	0	0%
Personal Service	542	15%	92.5	22%
Professional Service	335	9%	0	0%
Other Retail	555	15%	12.5	3%
Vacant	502	14%	30	7%
Total	3681	100%	425	100%

Table 1. NC-3 Ground Floor Frontage Br	eakdown per Land Use
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#### REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization to allow the establishment of new Formula Retail Automobile Sales and Rental use (d.b.a. "EagleRider") within the NC-3 Zoning District, pursuant to Planning Code Sections 303, 303.1, 703.4, and 712.61.

#### BASIS FOR RECOMMENDATION

- The Project is necessary, desirable for, and compatible with the surrounding neighborhood in that it would activate the ground floor tenant space of the building.
- The Project would not displace any existing tenant and would replace what was formerly a different formula retail automotive use, dba Kragen Auto Parts.
- The Project meets all applicable requirements of the Planning Code and the General Plan.

**RECOMMENDATION:** Approval with Conditions

Attachments: Draft Motion Environmental Determination Parcel Map Block Book Map Sanborn Map Zoning Map Zoning Map Height and Bulk Map Aerial Photograph Site Photographs Project Sponsor Submission Map of Formula Retail Use Concentration Within NC-3 District Reduced Plans Attachment Checklist

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

Exhibits above marked with an "X" are included in this packet <u>MAC</u>

Planner's Initials



### SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- □ Affordable Housing (Sec. 415)
- $\hfill\square$  Jobs Housing Linkage Program (Sec. 413)
- □ Downtown Park Fee (Sec. 412)
- □ First Source Hiring (Admin. Code)
- □ Child Care Requirement (Sec. 414)
- Other

### Planning Commission Motion No. XXXXX

HEARING DATE: MAY 11, 2017

Case No.:	2016-008356CUA
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	50-X Height and Bulk District
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	Michael.christensen@sfgov.org
Recommendation:	Approval with Conditions

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303, 303.1, 703.4, and 712.61 TO ALLOW THE ESTABLISHMENT OF A FORMULA RETAIL AUTOMOBILE SALES OR RENTAL USE (D.B.A. EAGLERIDER) AT 3146 MISSION STREET WITHIN THE NC-3 (NEIGHBORHOOD COMMERCIAL, MODERATE SCALE) DISTRICT AND 50-X HEIGHT AND BULK DISTRICT.

#### PREAMBLE

On August 3, 2016, Steve Vettel (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization for the subject property at 3146 Mission Street, Lot 022 in Assessor's Block 6574 (hereinafter "subject property"), pursuant to Planning Code Section <u>303</u>, <u>303.1</u>, <u>703.4</u>, and <u>712.61</u> to establish a Formula Retail Automobile Sales and Rental Use (d.b.a. EagleRider) within the NC-3 (Neighborhood Commercial – Moderate Scale) District and 50-X Height and Bulk District.

The Planning Department Commission Secretary is the custodian of records; the file for Case No. **2016-008356CUA** is located at 1650 Mission Street, Suite 400, San Francisco, California.

On May 11, 2017 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. **2016-008356CUA**.

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

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Planning Information: 415.558.6377 The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

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

**MOVED**, that the Commission hereby authorizes the Conditional Use requested in Application No. **2016-008356CUA**, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

#### **FINDINGS**

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

- 1. The above recitals are accurate and constitute findings of this Commission.
- 2. Site Description and Present Use. The site ("Project Site"), Lot 022 in the Assessor's Block 6574, is located on the west side of Mission Street between Valencia Street and Cesar Chavez Street in the NC-3 Zoning District. The property is an irregularly shaped through lot with frontages on both Mission Street and Valencia Street. The project site has approximately 60-feet (ft) of frontage along Mission Street, and 85-ft of frontage along Valencia Street. The property is developed with approximately 19,640 square feet of retail/commercial space. The existing ground floor is currently vacant, and the last use of the space was a Formula Retail auto parts store, dba Kragen Auto Parts.
- 3. **Surrounding Properties and Neighborhood.** The subject property is located in an NC-3 Zoning District, which is a linear district along Mission Street from Cesar Chavez Street to Randall Street. The surrounding area is a mix of residential and retail uses with buildings heights that range from one- to five-stories. Nearby uses along Mission Street include retail uses, restaurants, and institutional uses. Properties outside of the NC-3 district adjacent to the project site are zoned RH-2 and include residential buildings and the St. Luke's Campus of California Pacific Medical Center.
- 4. **Project Description.** The proposed project would establish a Formula Retail motorcycle sales and rentals use (dba <u>EagleRider</u>) within an 19,640 square foot ground-floor of an existing two-story building. Minor exterior modifications to the building are proposed as part of the project. Any related exterior signage will be submitted under a separate sign permit application.
- 5. **Public Comment**. To date, the Department has received no comments or inquiries from any person or organization in reference to the proposal.
- 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. **Use.** Planning Code Section 712.61 requires a Conditional Use Authorization to establish an Automobile Sale or Rental use in the NC-3 Zoning District.

The project under review is for Conditional Use Authorization to establish a Formula Retail Automobile Sale and Rental use in the NC-3 Zoning District.

b. **Formula Retail Use.** Planning Code Section 703.4 requires Conditional Use Authorization for formula retail uses, as defined in Planning Code Section 303.1.

The project under review is for Conditional Use Authorization to establish a Formula Retail Automobile Sale and Rental use in the NC-3 Zoning District.

c. **Off-Street Parking**. Planning Code Section 150 requires off-street parking be provided when a 'major addition' to a structure or use occurs. 'Major addition' is defined as any enlargement, alteration, change of occupancy or increase in intensity of use which would increase the number of off-street parking spaces required for dwelling units by two or more spaces; which would increase the number of off-street or by at least five spaces, whichever is greater; or which would increase the requirement for off-street loading spaces by at least 15 percent.

The subject property was previously used as a Formula Retail Automobile Parts Store, which required one automobile parking space for each 1,000 square feet of occupied floor area. The proposed Formula Retail Automobile Sale or Rental use also requires one space for each 1,000 square feet of occupied floor area. Thus, the project is not a 'major addition' for the purposes of this section and off-street automobile parking is not required by the Planning Code.

d. **Use Size.** Planning Code Section 712.31 limits the size of individual non-residential uses to 5,999 square feet unless a Conditional Use Authorization is obtained.

While the project would establish a use which is greater than 5,999 square feet in size, the previous legal use of the site was the same size and legally existed. Per the Zoning Administrator's interpretation of Planning Code Section 121.2, a conforming use which was over the threshold but which predated the use size limit requirement could change to a different use occupying the same floor area without a conditional use authorization as long as there was no significant increase in the floor area. As no increase in floor area is proposed between the prior use and the proposed use, the project does not require a Conditional Use Authorization for use size.

e. Street Frontage in Neighborhood Commercial Districts. For projects within the NC-3 Zoning District, Planning Code Section 145.1 requires active uses be provided within the first 25 feet of building depth on the ground floor. Frontages with active uses 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 façade.

The project is proposed within an existing building which conforms to these requirements on the primary façade on Mission Street.

f. **Signage**. A sign application was not submitted as part of the project. Any proposed signage will be subject to the limitations of the Planning Code and individual signs are subject to the review and approval of the Planning Department.

Any proposed signage shall comply with the limitations of the Planning Code and individual signs are subject to the review and approval of the Planning Department. The Project Sponsor will work with staff to propose signage that is aligned with the intent of the Formula Retail Performance-Based Design Guidelines.

- 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:
  - a. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The proposed automobile sale or rental use (d.b.a. EagleRider) would replace a previous automobile parts store (dba Kragen Auto Parts). Although the proposed use is classified as formula retail, it will replace another formula retail use at the same size and intensity. The proposed use is compatible with the surrounding retail uses, and would also provide a unique service to the neighborhood and city, thus making it necessary and desirable.

- b. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:
  - i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The project would utilize an existing retail space in an existing two-story building. No elements of the existing buildingare detrimental to the health, safety, or convenience of those residing or working in the area, and no modifications are proposed which could possibly have such impacts.

ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Project is located within an existing two-story building and does not intensify the use of the site from the previous use as an automobile parts store. Thus, traffic patterns and accessibility will not be impacted by the Project.

iii. 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, dust, or odor. The Formula Retail activities would be within an enclosed building, thus providing ample sound insulation.

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

The Project will be undertaking mainly interior tenant improvements and will not alter the site's landscaping, vehicle parking, loading areas, service areas, open spaces, or lighting. New signage will require a permit and must comply with the requirements of Article 6 of the Planning Code and Formula Retail signage guidelines.

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

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

d. That the use as proposed would provide development that is in conformity with the stated purpose of the District.

The Project is consistent with the stated purposed of the NC-3 Zoning District in that it is located at the ground floor and will provide a compatible general commercial use that serves a population greater than the surrounding neighborhood. As noted in Planning Code Section 712, NC-3 is described as:

NC-3 Districts are intended in most cases to offer a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood, additionally providing convenience goods and services to the surrounding neighborhoods. NC-3 Districts are linear districts located along heavily trafficked thoroughfares which also serve as major transit routes.

- Formula Retail Use. Formula Retail uses within the NC-3 Zoning District require a Conditional Use Authorization. Planning Code Section <u>303.1</u> provides additional criteria for the Planning Commission to consider when considering any conditional use pursuant Section <u>303.1</u>, Formula Retail Uses:
  - *i.* The existing concentrations of Formula Retail uses within the district and within the vicinity of the proposed project.

The Project proposes a Formula Retail use on the ground floor of an existing two-story building. A Formula Retail use may be conditionally permitted per Planning Code Sections <u>303</u>, <u>303.1</u>, <u>703.4</u>, and <u>712.61</u>. There are 146 commercial establishments within the subject NC-3 Zoning District, 7 of which are Formula Retail Establishments, for a total Formula Retail concentration of 4.8%. The project would replace one Formula Retail Establishment with another Formula Retail Establishment, thus having no impact on the concentration of Formula Retail Establishments in the area. One other automobile related use is in the immediate area, but it is primarily an automobile service and repair use. The proposed use is an automobile sales or rental use, which is not similar to any existing uses in the area.

*ii.* The availability of other similar retail uses within the district and within the vicinity of the proposed project.

Within the subject NC-3 Zoning District, no uses were found which had very similar business models to the proposed establishment. On the same block face, one automotive use exists. However, the use is an automobile maintenance and repair station and does not have the same business model as EagleRider, which is primarily automobile (motorcycle) sales and rental.

*iii.* The compatibility of the proposed Formula Retail use with the existing architectural and aesthetic character of the district.

The proposed use will be located in an existing two-story building. No major exterior alterations are proposed; thus, the Project will have no impact on the architectural and aesthetic character of the district. The signs will be required to have a permit and comply with the requirements of the Planning Code and the Formula Retail sign guidelines.

The Project's design primarily involves interior tenant improvements. Its exterior renovations are limited to signage which will be reviewed under a separate sign application to be in compliance with the Planning Code.

*iv.* The existing retail vacancy rates within the district and within the vicinity of the proposed project.

There are 22 vacancies within the subject NC-3 District (15% of documented storefronts). Approximately 502 of 3,681 linear feet or 13.63% of the total street frontage is vacant within the subject NC-3 District.

*v*. The existing mix of Citywide-serving retail uses and daily needs-serving retail uses within the district and within the vicinity of the proposed project.

Of the occupied Retail uses in the subject NC-3 District, 29 (28.7%) are considered "Daily-Needs," or neighborhood-serving; of these, 3 (10.3%) are Formula Retail. The remaining 71.3% (72 locations) of locations serve Citywide needs. The proposed Formula Retail use does not qualify as a "Daily-Needs" use.

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

Land Use Type	NC-3 Frontage Total (feet)	NC-3 %	300 Foot Vicinity Frontage Total (feet)	Vicinity %
Automotive	50	1%	50	12%
Bar/Nightclub	235	6%	100	24%
Financial Service	50	1%	0	0%
Grocery	267	7%	0	0%
Institutional	105	3%	25	6%
Limited- Restaurant	235	6%	0	0%
Liquor Store	35	1%	25	6%
Restaurant	720	20%	90	21%
Medical	50	1%	0	0%
Personal Service	542	15%	92.5	22%
Professional Service	335	9%	0	0%
Other Retail	555	15%	12.5	3%
Vacant	502	14%	30	7%

Table 1. NC-3 Ground Floor Frontage Breakdown per Land Use

The use mix is varied in the NC-3 District. Eating establishments (limited restaurants and restaurants combined) comprise 26% of the ground floor frontage, followed by personal services and other retail, each comprising 15% of the ground floor frontage. These calculations do not include non-retail establishments, such as residences, institutions, parking, or public services.

*vii.* For Formula Retail uses of 20,000 gross square feet or more, except for General or Specialty Grocery stores as defined in Articles 2, 7 and 8 of this Code, the contents of an economic impact study prepared pursuant to Section 303(i) of this Code.

The proposed 19,640 square foot formula retail use is less than 20,000 gross square feet; therefore, it is not required to provide an Economic Impact Study prepared pursuant to Section 303(i) of the Planning Code.

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

#### COMMERCE AND INDUSTRY ELEMENT

#### GENERAL/CITYWIDE

#### **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, which has substantial undesirable consequences that cannot be mitigated.

#### Policy 1.2

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

#### Policy 1.3

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

The proposed project will provide desirable goods and services to the neighborhood and will provide resident employment opportunities to those within the community. Additionally, the project site is an existing commercial space and is consistent with activities in the commercial land use plan.

#### **OBJECTIVE 2:**

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

#### Policy 2.1:

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

*EagleRider* is both a retail and service use and will enhance the retail environment of the district while also providing services to the larger community. The rental of motorcycles for tours and visitors to the city is in support of the city's tourism industry, enhancing the business climate throughout the city.

- 10. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:
  - a. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The project would replace a Formula Retail Automobile Parts Store with a Formula Retail Automobile Sales or Rental establishment, thus having no impact on any existing neighborhood serving retail uses. The use is consistent with the purpose of the NC-3 Zoning District, which is to provide a compatible general commercial use that serves a population greater than the surrounding neighborhood.

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

The proposed project will preserve and enhance the cultural and economic diversity of the neighborhood by activating a currently vacant commercial space within a district which is experiencing a high vacancy rate for commercial spaces. Existing housing will not be affected by the proposed project.

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

The proposed project will be located in an existing building and will not displace any affordable housing.

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

The Project area is well served by public transit and is within walking distance of the 24<sup>th</sup> Street – Mission BART Station. Additionally, there are metered on-street parking spaces in front of the building and in the surrounding neighborhood; therefore there would not be any significant increase the automobile traffic congestion and parking problems in the neighborhood.

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 would enhance the city's tourism industry by providing motorcycle tours and rental services, enhancing the service sector.

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

The Project will be located in an existing building and will comply with all applicable earthquake safety standards and will be built to the current standards of the California Building Code.

g. That landmarks and historic buildings be preserved.

The subject property is an existing building that is not a designated historic resource but is ageeligible to be a historic resource. No major alterations are proposed to the exterior of the structure, so even if a historic resource is present at the project site (which has not been determined), no impact is possible from the project. h. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project will be located in an existing building and, therefore, will have no impact on existing parks and open spaces.

- The Project is consistent with and would promote the general and specific purposes of the Code provided under Section <u>101.1</u> (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. 2016-008356CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated March 17, 2017, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. #####. 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 May 11, 2017.

Jonas P. Ionin Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 11, 2017

### **EXHIBIT A**

#### **AUTHORIZATION**

This authorization is for conditional use to allow the establishment of a Formula Retail Automobile Sales and Rental Use (d.b.a. EagleRider) on the ground floor commercial space at 3146 Mission Street in Assessor's Block 6574, Lot 022 pursuant to Planning Code Sections 303, 303.1, 703.4, and 712.61 within the NC-3 Zoning District and a 50-X Height and Bulk District in general conformance with plans, dated March 17, 2017, and stamped "EXHIBIT B" included in the docket for Case No. 2016-008356CUA and subject to conditions of approval reviewed and approved by the Commission on May 11, 2017 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 May 11, 2017 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. 19848 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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>

**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, <u>www.sf-planning.org</u>

**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, <u>www.sf-planning.org</u>

**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, <u>www.sf-planning.org</u>

#### **MONITORING - AFTER ENTITLEMENT**

**6.** 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* 

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

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

#### DESIGN

**8. Signage.** Any signs on the property shall be made to comply with the requirements of Article 6 of the Planning Code.

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

#### **OPERATION**

- **9. Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at* 415-554-.5810, <u>http://sfdpw.org</u>
- 10. Sidewalk Maintenance. The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works,* 415-695-2017, <u>http://sfdpw.org</u>
- **11. 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, <u>www.sf-planning.org</u>

**12. Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

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



### SAN FRANCISCO PLANNING DEPARTMENT

### **CEQA Categorical Exemption Determination**

#### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
Case No.	Permit No.	Plans Dated	
Addition/	Demolition	New	Project Modification
Alteration	(requires HRER if over 45 years old)	Construction	(GO TO STEP 7)
Project description for	Planning Department approval.		

#### STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

*Note:	If neither class applies, an <i>Environmental Evaluation Application</i> is required.*
	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
	<b>Class 3 – New Construction/ Conversion of Small Structures.</b> Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.; .; change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000 sq. ft. if principally permitted or with a CU.
	Class

#### STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an *Environmental Evaluation Application* is required.

5	,, 1
	<b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone?
	Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel
	generators, heavy industry, diesel trucks)? Exceptions: do not check box if the applicant presents
	documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and
	the project would not have the potential to emit substantial pollutant concentrations. (refer to EP _ArcMap >
	CEQA Catex Determination Layers > Air Pollutant Exposure Zone)
	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing
	hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy
	manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards
	or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be
	checked and the project applicant must submit an Environmental Application with a Phase I
	Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of</i>
	enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the

	Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to $EP_ArcMap > Maher$ layer).
	<b>Transportation:</b> Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
	<b>Archeological Resources:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? ( <i>refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Archeological Sensitive Area</i> )
	<b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? ( <i>refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography</i> )
	<b>Slope = or &gt; 20%:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? ( <i>refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography</i> ) <b>If box is checked, a geotechnical report is required.</b>
	<b>Seismic: Landslide Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? ( <i>refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones</i> ) <b>If box is checked, a geotechnical report is required.</b>
	<b>Seismic: Liquefaction Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? ( <i>refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones</i> ) <b>If box is checked, a geotechnical report will likely be required.</b>
	are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an <i>Environmental</i> <i>Application</i> is required, unless reviewed by an Environmental Planner.</u>
	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments a	and Planner Signature (optional):

#### STEP 3: PROPERTY STATUS – HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER

<b>PROPERTY IS ONE OF THE FOLLOWING:</b> (refer to Parcel Information Map)		
	Category A: Known Historical Resource. GO TO STEP 5.	
	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.	
	<b>Category C:</b> Not a Historical Resource or Not Age Eligible (under 45 years of age). <b>GO TO STEP 6.</b>	

#### STEP 4: PROPOSED WORK CHECKLIST TO BE COMPLETED BY PROJECT PLANNER

Che	Check all that apply to the project.		
	1. Change of use and new construction. Tenant improvements not included.		
	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.		
	3. <b>Window replacement</b> that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.		
	4. <b>Garage work.</b> A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts,</i> and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.		
	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.		
	6. <b>Mechanical equipment installation</b> that is not visible from any immediately adjacent public right-of- way.		
	7. <b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .		
	8. <b>Addition(s)</b> that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.		
Note	Note: Project Planner must check box below before proceeding.		
	Project is not listed. GO TO STEP 5.		
	Project <b>does not conform</b> to the scopes of work. <b>GO TO STEP 5</b> .		
	Project involves <b>four or more</b> work descriptions. <b>GO TO STEP 5</b> .		
	Project involves less than four work descriptions. GO TO STEP 6.		

#### STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW TO BE COMPLETED BY PRESERVATION PLANNER

Check a	Check all that apply to the project.		
	1. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.		
	2. Interior alterations to publicly accessible spaces.		
	3. <b>Window replacement</b> of original/historic windows that are not "in-kind" but are consistent with existing historic character.		
	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.		
	5. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.		
	6. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.		
	7. <b>Addition(s)</b> , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .		
	8. <b>Other work consistent</b> with the Secretary of the Interior Standards for the Treatment of Historic Properties (specify or add comments):		

	9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):		
	(Requires approval by Senior Preservation Planner/Preservation Coordinator)		
	10. <b>Reclassification of property status</b> . ( <i>Requires approval by Senior Preservation Planner/Preservation Coordinator</i> )		
	Reclassify to Category A Reclassify to Category C		
	a. Per HRER dated: (attach HRER)		
	b. Other ( <i>specify</i> ):		
Note	: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.		
	Further environmental review required. Based on the information provided, the project requires an		
	Environmental Evaluation Application to be submitted. GO TO STEP 6.		
	Project can proceed with categorical exemption review. The project has been reviewed by the		
	Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.		
Comm	Comments (optional):		
Prese	rvation Planner Signature:		
STEP	6: CATEGORICAL EXEMPTION DETERMINATION		
TO B	E COMPLETED BY PROJECT PLANNER		
	Further environmental review required. Proposed project does not meet scopes of work in either (check		
	all that apply):		
	Step 2 – CEQA Impacts		
	Step 5 – Advanced Historical Review		
	STOP! Must file an Environmental Evaluation Application.		
	No further environmental review is required. The project is categorically exempt under CEQA.		
	Signature:		

Planner Name:	Signature:
Project Approval Action:	
If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	
Once signed or stamped and dated, this document constitutes a categori of the Administrative Code.	cal exemption pursuant to CEQA Guidelines and Chapter 31
In accordance with Chapter 31 of the San Francisco Administrative Cod within 30 days of the project receiving the first approval action.	e, an appeal of an exemption determination can only be filed

### STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

#### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different tha	Block/Lot(s) (If different than		
	front page)		
Case No.	Previous Building Permit No.	New Building Permit No.	
Plans Dated	Previous Approval Action	New Approval Action	
Modified Project Description:			

#### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:

1		
	Result in expansion of the building envelope, as defined in the Planning Code;	
	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;	
	Result in demolition as defined under Planning Code Section 317 or 19005(f)?	
	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?	
If at least one of the above house is abacked for they environmental review is required		

If at least one of the above boxes is checked, further environmental review is required.

#### DETERMINATION OF NO SUBSTANTIAL MODIFICATION

The proposed modification would not result in any of the above changes.			
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project			
approval and no additional environmental review is required. This determination shall be posted on the Planning			
Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.			
Name:	Signature or Stamp:		
	s checked, the proposed m nd no additional environm		

## **Parcel Map**





## Sanborn Map\*



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

# **Zoning Map**





## **Height and Bulk District Map**





## **Aerial Photo**



SUBJECT PROPERTY



## **Site Photo**



Mission Street Façade Google Maps: November 2016



Valencia Street Façade Google Maps: February 2017

JC Broma dba EagleRider



Local Appropriateness Report for 3146 Mission Street

#### CHARACTERIZATION OF THE DISTRICT AND DEMOGRAPHICS AS A WHOLE:

#### A. The People.

The Mission District is located in east-central San Francisco and is bounded by Guerrero to the west, Potrero to the east, Division to the north and Cesar Chavez to the south. This area is home to approximately 60,000 people with Latinos comprising almost half the population, many in households substantially larger and poorer than those found elsewhere in the City. There are about 17,000 units of housing in the Mission mixed with commercial, industrial, retail and other uses. This mix of uses makes it possible for many residents to live and work in the same general area.

For many years, San Francisco has experienced gentrification pressures as its demographics have shifted with the arrival of young tech workers. The increased demand and lack of new development of affordable housing has caused an increase in evictions and higher rents. The Mission District long known as the nucleus of the city's Latino culture has been the epicenter of the development boom. As of January 2016, there were almost two dozen development projects in the pipeline that have yet to receive entitlements or approvals from the City to build.

While Mexican, Salvadoran, and other Latin American businesses are pervasive throughout the neighborhood, residences are not evenly distributed. Of the neighborhood's Latino residents, most live on the eastern and southern sides. The western and northern sides of the neighborhood are more affluent and Caucasian. Community activists have raised objections about the neighborhood's quickly changing demographics, concerned that local residents are being driven out of the neighborhood. These fast-paced changes have caught the attention of activists and elected officials, who've proposed numerous polices to slow or halt the pace of change in the Mission.

#### B. The Businesses.

Retail is a significant business in the Mission. Mission and 24<sup>th</sup> Streets in particular offer a variety of shops and services including many small grocery stores, beauty shops and restaurants that serve the local neighborhood and reflect the Latino population. The 16<sup>th</sup> and Valencia Street corridor which runs parallel to Mission Street caters to new residents offering several blocks of hip bars, restaurants and clothing boutiques.

#### C. The Culture.

The Mission is known for its rich culture. It hosts annual public celebrations such as Carnaval and Cinco de Mayo and houses a variety of community and cultural resources including the Mission Cultural Center for Latino Arts, the Mission Economic Development Agency, Dolores Street Community Services and El Tecolote newspaper. The Mission is renowned for its vibrant art scene, including colorful murals, galleries, artist studios and non-profit organizations.

#### D. The Transit.

The Mission District is one of the most transit friendly in San Francisco with easy access to two BART stations and several MUNI lines. The pedestrian- and bike-friendly Mission corridor stretches from 14<sup>th</sup> Street to Cesar Chavez and offers numerous options for entertainment, dining and shopping for both the working class Latino community and more affluent newcomers. The SFMTA has proposed to implement several new traffic calming measures to reduce travel times for the estimated 65,000 transit rides taken on Mission corridor bus lines every day. Measures include eliminating bus stops at 15th, 19th, 21st and 23rd streets, forcing right turns away from Mission Street and rolling-out red transit-only lanes.

#### CHARACTERIZATION OF THE IMMEDIATE VICINITY OF 3146 MISSION STREET:

For the purposes of this report, characterization of the immediate vicinity is based on the entire NC-3 Zoning District of the proposed project site. Due to the dense nature of the area, analysis of the land use type is based on a 600-foot radius which can be described as a comfortable walking distance that would generally be appropriate for this district. 3146 Mission Street is located at the border of the Mission and Bernal Heights neighborhoods, directly south of Cesar Chavez Avenue between Mission and Valencia Streets. The site is currently vacant with frontages on Mission and Valencia Streets. The building previously housed an O'Reilly Auto Parts retail store. A neighboring Valencia Auto Clinic is located at 1633 Valencia St. The project site shares a driveway and fenced parking lot with the Army building at 3435 Cesar Chavez Street. The Army building is a former Sears Roebuck department store that was converted into artist studios and apartments; the ground floor tenants are Studio 210 and the California Employee Development Department. The area is mostly comprised of older two and three story residential buildings with ground floor retail and the occasional four story modern structure. The retail merchants represent an eclectic mix of longstanding, independently-owned businesses (Exhibit 1). Immediate neighbors include the popular El Rio bar, San Francisco Car Care/ Mission Tires, salons, coffee shops, convenience stores and a medical cannabis dispensary.

This Cesar Chavez portion of the Mission corridor does not experience the foot traffic that the popular 16<sup>th</sup> Street and 24<sup>th</sup> Street retail hubs enjoy. Retail goods and services in this area are primarily directed to residents that live in the immediate vicinity. This area is in need of a commercial anchor that would entice shoppers and tourists to travel the length of the Mission corridor.

Located across Valencia Street from the project site is St. Luke's, the Mission District's only hospital. St. Luke's is being replaced with a new 215,000 square foot acute health care facility adjacent to the old hospital on San Jose Avenue just south of Cesar Chavez Street. The replacement hospital is scheduled to be fully operational for patient care in 2019. As part of the SFPUC's Sewer System Improvement Project, a welcoming community focused entryway to the Mission, which includes rain gardens, an infiltration galley and bulb outs, is being created adjacent to the new St. Luke's hospital. Construction is on track for completion in January 2017.

EXHIBIT 1: COMMERCIAL USAGE MIX			
Land Use Type	600-Foot Frontage Total	% of Comm. Uses in Vicinity	
Art Studio/Gallery	3	4.55%	
Automotive Services	2	3.03%	
Bar	5	7.58%	
Cleaners	4	6.06%	
Education	2	3.03%	
Financial Services	1	1.52%	
Grocery and Markets	3	4.55%	
Health Services	10	15.15%	
Government	2	3.30%	
Limited Restaurant	5	7.58%	
Non-profit	6	9.09%	
Personal Services	1	1.52%	
Professional Services	3	4.55%	
Print and Copy	2	3.03%	
Restaurant	1	1.52%	
Retail	2	3.03%	
Salon	5	7.58%	
Church	1	1.52%	
Travel Agency	1	1.52%	
Dispensary	1	1.52%	
Jewelers	1	1.52%	
Tattoo Parlor	1	1.52%	
Total	61 Businesses		

The immediate vicinity is in a NC-3 District and offers a wide variety of goods and services including daily needs and Citywide-serving retail. **Exhibit 1** represents the mix of commercial uses located within 600 feet of the project site.



#### FORMULA RETAIL

There are two formula retail businesses, Burger King and Walgreens, located within 600 feet of the proposed site. Considering the 61 ground floor commercial uses estimated within 600 feet of the site, the percentage of formula retail in the vicinity is 3.03%. If standard linear frontage on average is 15 feet, with both these formula retail locations occupying corner lots which can be weighted more heavily at an estimated 25 feet, the linear frontage concentration of formula retail uses within this vicinity can be estimated between 4-6%.

When the radius increases to ¼ mile the number increases to seven formula retail businesses. When you consider the full NC-3 District, the number increases to 14. Exhibit 3 shows the locations of the formula retail businesses relative to the project site.


## AVAILABILITY OF SIMILAR USES WITHIN THE DISTRICT AND WITHIN THE VICINITY OF THE PROPOSED PROJECT:

EagleRider provides a unique service that is not currently offered in the Mission District and as such there are no analgous comparisons. The percentage of similar uses in the District is 0%. Although there are no other businesses that offer motorcycle rentals and tours within a the vicinty of the proposed project, Exhibit 4 reflects other vehicle-related services available within the District.

#### Map Legend:

- 1. Project site, 3146 Mission Street
- 2. San Francisco Car Care/Mission Tires, 3160 Mission Street
- 3. VSF Motorsports, 1663 Valencia Street
- 4. Cesar Chavez Services Center, 3300 Cesar Chavez Street
- 5. Auto Zone, 1575 S Van Ness Avenue
- 6. John's Jaguar Service, 3250 Cesar Chavez Street
- Auto Smog & Oil Changers, Inc., 1296 Shotwell Street
- 8. Excellent Automotive Repair Shop, 1298 Shotwell Street
- 9. Maximum Auto Body, 1423 Valencia Street
- 10. Advanced Autowerks, 1358 Valencia Street
- 11. House of Brakes Inc., 3185 24<sup>th</sup> Street



## COMPATIBILITY OF THE PROPOSED FORMULA RETAIL USE WITH THE EXISTING ARCHITECTURAL AND AESTHETIC CHARACTER OF THE DISTRICT:

The architecture in this area is a combination of Mission and Edwardian design with several industrial warehouses that represent the blue collar roots of the neighborhood. Most of the retail is ground floor

mixed use with the occasional exception of a standalone storefront, such as the proposed project site at 3146 Mission Street.

Plans include restoring and painting the building façade and the addition of a transparent storefront to allow passersby to view inside the store. Interior renovation will include the installation of a wood roof truss system with galvanized duct work in the showroom and service area. The proposed signage program will comply will the planning department's formula retail guidelines. All construction work will be done in accordance with California ADA requirements.

## **EXISTING RETAIL VACANCY RATES WITHIN THE DISTRICT:**

There are four vacant commercial properties within the 600 foot radius. In general the vacancies are well-maintained, however 1633 Valencia and 3146 Mission Street (the project site) occupy large footprints and are in need of rehabilitation. Below is the listing of vacant commercial properties:

- 1633 Valencia Street (Valencia Auto Clinic), commercial warehouse
- 3185 Mission Street (High Bridge Arms), two store commercial
- 3146 Mission Street (O'Reilly Auto Parts), two story commercial warehouse
- 3154 Mission Street (former use unknown), 3 story mixed use

The project will bring much needed rehabilitation and activity to a large vacant storefront in the area.

## EXISTING MIX OF CITYWIDE-SERVING RETAIL USES AND DAILY NEEDS SERVING RETAIL USES WITHIN THE APPROPRIATE VICINITY OF THE PROPOSED LOCATION:

The vicinity of 3146 Mission Street lies within an NC-3 District. As defined in Planning Code 712.1, "NC-3 Districts are intended in most cases to offer a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood, additionally providing convenience goods and services to the surrounding neighborhoods." In the vicinity of the proposed project, daily needs are met with a diverse mix of local salons, cleaners, food & beverage, local markets, and health services. City-wide serving retail uses in this vicinity are limited. Providing a unique service to the District, the proposed project would fill a gap in the vicinity of this NC-3 District for Citywide-serving retail.





May 3, 2016

Rich Hillis, President San Francisco Planning Commission 1650 Mission Street San Francisco, CA 94103

Dear President Hillis:

On behalf of the Calle 24 Latino Cultural Heritage District, we want to acknowledge the interest and support of EagleRider in working to support our goals and success.

We have met with Arthur Petersen, EagleRider's San Francisco Manager. Arthur has expressed EagleRider's interest in working with the Latino Cultural District by providing information to their 10,000 customers, including thousands of international and domestic travelers, about cultural, restaurant and shopping options in this area.

Arthur and EagleRider are excited to be part of a neighborhood and community—and we are looking forward to working with them. We appreciate EagleRider's commitment to being a strong community partner.

If you have any questions, please feel free to contact me at erick@calle24sf.org or call (415) 323-8939.

julle

Erick Arguello, President & Co-Founder Calle 24 Latino Cultural District Council



San Francisco Bicycle Coalition 1720 Market Street San Francisco CA 94102

T 415.431.BIKEF 415.431.2468

sfbike.org

May 3, 2017

Rich Hillis President San Francisco Planning Commission 1650 Mission Street San Francisco, CA 94103

Dear President Hillis:

I am writing with respect to EagleRider's application to relocate their business to 3146 Mission Street.

It happens that the back of their business fronts onto Valencia Street and the recent bicycle, pedestrian and traffic calming improvements at this key segment of our bicycle network.

EagleRider reached out proactively to me and we met on site to discuss the importance of ensuring safe exiting from EagleRider and ensuring that we are in communication to address any issues or problems.

I met with Arthur Petersen, Manager of the SF EagleRider location, and we had a great discussion and exchanged numbers. I appreciated his concern that we be in contact and believe it speaks well to their desire to be a strong community partner.

Will

Brian Wiedenmeier Executive Director San Francisco Bicycle Coalition

Rich Hillis President San Francisco Planning Commission 1650 Mission Street San Francisco, CA 94103

Dear President Hillis:

I am writing with respect to the application by EagleRider to occupy 3146 Mission Street.

As an owner of Virgil's Sea Room a bar and event venue located immediately next door at 3152 Mission Street, we are very excited to have EagleRider as our neighbor.

With over 10,000 customers each year, EagleRider will provide a positive anchor supporting neighboring businesses and restaurants.

EagleRider has been involved with Dykes on Bikes as part of San Francisco Pride and we are talking about holding a welcoming reception next year in conjunction with Virgil's and possibly El Rio, which is also nearby.

Arthur Peterson, the Manager of EagleRider's SF location, has done an outstanding job of meeting with many of the neighborhood's stakeholders and organizations. This is exactly the type of leadership we want from our larger businesses and everyone is excited for this new energy.

Thanks for considering these views.

J.Jeppero

Tom Temprano Owner, Virgil's Sea Room 3152 Mission Street. San Francisco, CA 94110 415-829-2233



## EagleRider hearing Thursday 5/11

Latinzoneprod <latinzoneprod@aol.com> To: jonas.join@sfgov.org, commissionssecretary@sfgov.org Cc: bevan.dufty@gmail.com Wed, May 3, 2017 at 11:56 AM

Dear President Hillis:

I am writing in my role as a community leader and producer of major cultural events in the Mission, such as Carnaval San Francisco.

Arthur Petersen, San Francisco Manager of EagleRider, came and met with me to discuss their business relocating from SOMA to 3146 Mission Street. He shared that they generate 10,000 customers each year coming to rent motorcycles as part of visits to San Francisco from around the country and around the world.

Arthur and EagleRider are excited to be part of a neighborhood and community and to support the Latino Cultural Heritage District. Arthur has also asked for my help to connect EagleRider with the City's Latino Motorcycle clubs to provide mutual support.

I see EagleRider as a positive addition to the community and their commitment to encourage customers to shop, dine and participate in our cultural events as extremely positive.

Sincerely,

Roberto Y. Hernandez Carnaval San Francisco 415.206.0577 www.carnavalsanfrancisco.org May 3, 2017

Rich Hillis President San Francisco Planning Commission 1650 Mission Street San Francisco, CA 94103

Dear President Hillis:

At the request of EagleRider and their San Francisco Manager, Arthur Peterson, I want to acknowledge their outreach and interest in working with the Mission Bernal Merchants Association.

We are one of the City's newer Merchant Associations and we do not take positions with respect to applications by businesses to the Planning Commission at this time. However, I can attest that Arthur and EagleRider have been engaged with us over the past few months to learn about the needs and concerns of the businesses along our corridor.

EagleRider helped us make and deliver wreaths for our 2016 Holiday Walk to 40+ merchants and Arthur has attended one of our meetings and connected with me following a meeting he was unable to attend. Arthur has expressed to our members how excited they are to be part of a strong neighborhood and merchant district, which is very different from their current location in SOMA. He has also expressed their commitment to educating their customers about cultural, dining and shopping opportunities right in the neighborhood.

Sincerely,

Eden Stein

May 1, 2017

EAGLERIDER San Francisco 488 8<sup>th</sup> St San Francisco CA 94103

To Whom It May Concern:

I write this letter in support of EAGLERIDER San Francisco's conditional use permit application to conduct business out of the location at 3146 Mission St. in Bernal Heights. I am a long time resident of the area and an active member of the community. This is a part of Mission Street that has long suffered many empty storefronts and a lack of vitality. I have met with the General Manager, Arthur Petersen, on multiple occasions and he has proved himself dedicated to running a successful operation and doing so as part of the Bernal Heights community.

Instead of another huge empty property that has been a magnetic for homeless in the rear and just another sad nothing on Mission Street, we could have a business that promises to bring many thousands of visitors annually to the neighborhood. We need the influx in commerce and liveliness to our community. We also need businesses that understand that they are part of a community and Mr. Petersen has already been involved with community events through the Bernal Heights Merchants Association.

If you require any additional information, please feel free to contact me at <u>rita@ritaroti.com</u> or 415-307-7353.

Rip Geti

Rita Roti 103 Tiffany Avenue San Francisco, CA 94110

May 3, 2017

Rich Hillis San Francisco Planning Commission 1650 Mission Street San Francisco, CA 94103

Dear President Hillis:

I am writing as owner of Baby Blues BBQ, 3149 Mission Street.

I have a neighboring business to the proposed new EagleRider and I am a customer of their business.

EagleRider will be a great addition to this stretch of Mission Street. They serve 10,000 customers at their current location and they will bring thousands of international and domestic visitors into the neighborhood patronizing our restaurants, shopping and visiting our cultural destinations and events.

Arthur Petersen is the Manager of their SF location and he has done a great job making connections in the neighborhood and showing that he will be a great stakeholder in the Mission-Bernal Merchant district.

Thanks for considering my support.

PAUL FISHER

Fischer

R.S. - You schened on the Red yore it's the least you can do to bring business back into the Neughborhood.



John O'Connell High School 2355 Folsom St. San Francisco, CA 94110 (415)-695-5370 p (415)-695-5379 f

Richard Hillis President San Francisco Planning Commission 1650 Mission Street San Francisco, CA 94103

Dear President Hillis:

I am writing with regard to the proposed location of EagleRider Motorcycle at 2146 Mission Street.

For perspective John O'Connell High School was a vocational school for 60 years and are now a college and career high school preparing students for university and direct entry into career. We have four career sector areas of focus: Health, Construction, Engineering & Culinary/Entrepreneurship with each being supported by SF business community and city departments.

EagleRider reached out and met with me to tour John O'Connell High School last month. They are eager and excited to partner with our high school to support our students in developing skills with motorcycle mechanic education and training, as well as experiential opportunities for students at their new facility.

We see this as being a great fit in bringing vitality to the neighborhood and developing a deep and strong partnership that provides real-world training and exposure to our students.

Thank you for your consideration of my feedback and feel free to contact me with any questions at 415-695-5370.

Sincerely.

Mark Loo Alvarado Principal, John O'Connell High School alvaradom@sfusd.edu





A - SIDE EXTERIOR ELEVATION SCALE: 36"" = 1'-0"





SIGNAGE  $(\mathbf{C})$ 

DOUBLE SIDED











EXISTING ELEVATION (MISSION ST. VIEW) SCALE: % = 1'-0

EXISTING ELEVATION (VALENCIA VIEW)

SCALE: 3/8" = 1'-0'



EXTERIOR PROJECTING SIGNS CALCULATION

1. PER SEC 601.((fX3XC): | PROJECTING SIGN PER BUSINESS, NOT TO EXCEED 32 SF 2. 2 EXISTING SIGNS TO REMAIN.

PROJECTING SIGN A: 40 SF (TO BE REMOVED) PROJECTING SIGN C: 14 SF

TOTAL SIGNAGE: 14 SF



3. EAGLERIDER LOGO: 33 SF YAMAHA LOGO: 21 SF TOTAL SIGNAGE: 60 SF

1. FACADE (18'x58') = 1044 SF 2.60% = 626 SF 3. PROVIDED = 600 SF (57%)



## designwork studios

1621 Alton Parkway, Sulte 200 Irvine, CA 92606 Tel. 714.480.0533 Fax 714.480.0534

PROIECT



PROJECT NO	15041
DATE	@3/2@/17
DRAWN BY	PH
SCALE	AS NOTED
REVISIONS	
$\triangle$	

SHEET TITLE MISSION ST. AND VALENCIA EXTERIOR ELEV. & EXTERIOR SIGNAGE EXT-1



#### designwork studios architectural + environmental design

1621 Alton Parkway, Sulte 200 Irvine, CA 92606 Tel. 714.480.0533 Fax 714.480.0534

PROJECT

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FIXTURE FLOOR PLAN & INTERIOR ELEVATIONS (MISSION ST.) SHEET NUMBER I-2.0





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PROJECT

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SHEET TITLE FIXTURE FLOOR PLAN & INTERIOR ELEVATIONS (VALENCIA ST. ) SHEET NUMBER I-2.1



Mission Street

1











































## Mission Street



# **8** Mission Street

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E.A. LAVIDOVITS & CO., INC.	5 T T T				DATE:
	3116 11		CTDEET		DRAWING NO.:
555 Price Avenue. Suite #200 Redwood City. CA 94063					
P: 650.366.6068   F: 650.368.1188   davidovitsco.com	PROJECT NO.:	DRAWN:	CHECKED:	SCALE:	REF.