Executive Summary Conditional Use – Formula Retail

HEARING DATE: JULY 25, 2019

Record No.: **2019-001013CUA**

Project Address: 375 32nd AVENUE/3132 CLEMENT STREET

Zoning: NC-S (Neighborhood Commercial, Shopping Center)

40-X Height and Bulk District

Block/Lot: 1401/002

Project Sponsor: Safeway, Inc.

11555 Dublin Canyon Road

Pleasanton, CA 94588

Property Owner: Richard I. Klein and Eva L. Klein

c/o Applicant contact

Staff Contact: Elizabeth Gordon Jonckheer – (415) 575-8728

elizabeth.gordon-jonckheer@sfgov.org

Recommendation: Approval with Conditions

PROJECT DESCRIPTION

The Project is to establish a new Formula Retail Grocery Store (Safeway d.b.a. "Andronico's Community Market") within an existing vacant 16,664-square-foot retail space (formerly occupied by the Fresh & Easy grocery store). No exterior modifications to the existing building are proposed except for replacement of existing signage; no building expansion is proposed. Additionally, the project would not alter the existing 135 off-street parking spaces or the 912-square-foot loading dock.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization to allow the establishment of a Formula Retail Grocery Store (Safeway d.b.a. "Andronico's Community Market"), and a non-residential use size that exceeds 5,999 square-feet in an NC-S District Zoning District pursuant to Planning Code Sections 121.2, 303, 303.1, 703.4, and 713.

ISSUES AND OTHER CONSIDERATIONS

- A pre-application meeting was held on August 22, 2018. To date, the Department has received public correspondence via two emails and one phone call in support of the Project.
- Performance-Based Design Guidelines. As a Formula Retail use, the project has been reviewed for compliance with the Performance-Based Design Guidelines. As such, the Department has determined that the project meets the Performance-Based Design Guidelines.

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

Reception: 415.558.6378

10.000.00

Fax: 415.558.6409

Planning Information: 415.558.6377

2

Executive Summary Hearing Date: 7/25/2019

ENVIRONMENTAL REVIEW

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

BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan. The project would re-activate an existing grocery store/retail space which has sat vacant since the Fresh & Easy Grocery store closed in late 2015. As such the Project will result in no net new addition of Formula Retail use to the area. The Project is located within a predominately residential neighborhood with a high demand for goods and services. The Department finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

ATTACHMENTS:

Draft Motion - Conditional Use Authorization

Exhibit A - Conditions of Approval

Exhibit B - Project Plans

Exhibit C - Environmental Determination

Exhibit D - Land Use Data

Exhibit E - Maps and Context Photos

Exhibit F - Project Sponsor Brief

Exhibit G - First Source Hiring Affidavit

Exhibit H - Public Correspondence

Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 121.2, 303, 303.1 703.4 AND 713 OF THE PLANNING CODE TO ALLOW THE ESTABLISHMENT OF A FORMULA RETAIL GROCERY STORE USE AND A NONRESIDENTIAL USE EXCEEDING 5,999 SQUARE FEET WITHIN THE NC-S (NEIGHBORHOOD COMMERCIAL, SHOPPING CENTER) DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On January 28, 2019, Natalie Mattei on behalf of Safeway, Inc. (hereinafter "Project Sponsor") filed Application No. 2019-001013CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for Conditional Use Authorization to establish a Formula Retail Grocery Store (Safeway d.b.a. "Andronico's Community Market") (hereinafter "Project") at 375 32nd Avenue / 3132 Clement Street, Block 1401/ Lot 002 (hereinafter "Project Site").

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2019-001013CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

On July 25, 2019, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2019-001013CUA.

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 as requested in Application No. 2019-001013CUA, 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. Project Description. The Project is to establish a new Formula Retail Grocery Store (Safeway d.b.a. "Andronico's Community Market") within an existing vacant 16,664-square-foot retail space (formerly occupied by the Fresh & Easy grocery store). No exterior modifications to the existing building are proposed except for replacement of existing signage; no building expansion is proposed. Additionally, the project would not alter the existing 135 off-street parking spaces or the 912-square-foot loading dock.
- 3. **Site Description and Present Use.** The project is located at the northwest corner of Clement Street and 32nd Avenue within the Seacliff neighborhood, bordering the Outer Richmond. The property is located within the NC-S (Neighborhood Commercial, Shopping) District and 40-X height and bulk district and is approximately 72,000 square feet in area with approximately 240 feet of frontage on Clement Street and 300 feet of frontage on 32nd Avenue. The property is developed with an approximately 36,500 square foot, 27-foot-tall commercial building approved by the Planning Commission in 1999 and completed in 2002. The building formerly housed an Albertsons Supermarket until 2006 and a Fresh and Easy grocery store until late 2015. A CVS pharmacy occupies an adjacent tenant space at the site; approved in 2010 by the Planning Commission per Case No. 2010.0512C in 2010. The grocery space has been vacant since 2015. The property has 135 parking spaces with 58 spaces in the surface lot to the north and east and the remainder located on the roof of the building.
- 4. **Surrounding Properties and Neighborhood.** The project site is located at the border of the Seacliff and Outer Richmond neighborhoods in an area generally characterized by residential uses with some limited neighborhood serving commercial uses along Clement Street and Geary Boulevard to the south. The property to the north is generally developed with two-story single-family residential buildings. Parcels to the east are developed with multi-family residential buildings up to four stories tall. The property across Clement to the south is developed with two-story commercial buildings in an NC-1 (Neighborhood Commercial, Cluster) District. The property to the west of the project site is Lincoln Park and its golf course.

- Public Outreach and Comments. A pre-application meeting was held on August 22, 2018. To date, the Department has received public correspondence via two emails and one phone call in support of 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. **Use Size.** Planning Code Section 121.2 principally permits non-residential uses up to 5,999 square feet. Uses 6,000 square feet or larger require Conditional Use Authorization.

In 1998, per Case No. 98.539C, the subject property was granted conditional use authorization to permit the construction of a grocery store of approximately 43,800 square-feet exceeding the thresholds of Section 121.2 of the Planning Code. In 2010, per Case No. 2010.0521C, approximately 14,270 square feet of tenant space within the building was authorized to establish a CVS pharmacy. The existing vacant retail space for the proposed grocery store is 16,664 square-feet which is greater than 6,000 square feet in size. Therefore, a new conditional authorization is required.

- (1) Section 121.2 provides additional criteria for the Planning Commission to consider when reviewing a request for such a use size.
 - a. The intensity of the activity in the district is not such that allowing the larger use will likely foreclose the location of other needed neighborhood-serving uses in the area.

The proposed grocery store will not increase the intensity of activity in the district beyond that which existed when Albertsons and Fresh and Easy operated at the property, nor will it foreclose the location of other neighborhood-serving uses in the area. The surrounding area is characterized by largely residential neighborhoods, generating a high demand for daily goods and necessities as will be provided by the proposed grocery use. The existing building is unique in size and shape, which limits its use to larger scale retailers.

b. The proposed use will serve the neighborhood in whole or in significant part and the nature of the use requires a larger size in order to function.

The proposed grocery store will serve the neighborhood surrounding the property. The neighborhood is under-served by retailers of basic personal and household items. The proposed large use size is necessary for a larger scale retail store to provide the typical variety of products expected by customers. No increase in size or exterior modification of the building aside from signage is proposed.

c. The building in which the use is to be located is designed in discrete elements which respect the scale of the development in the district.

SAN FRANCISCO
PLANNING DEPARTMENT

The project will not increase the size or otherwise alter the existing building. The existing building was approved by the Planning Commission in 1999 and is appropriately scaled to the NC-S district's height and bulk requirements. The existing building is shorter than the 4-story multiple-family building located directly across 32nd Avenue.

B. Parking. No parking is required by Section 151 of the Planning Code. Code Section 151 allows for a maximum 1.5 parking spaces for each 500 square feet of Occupied Floor Area up to 20,000 where the Occupied Floor Area exceeds 5,000 square-feet.

The project site features 135 off-street parking spaces authorized per previous entitlements (Conditional Use Authorizations 98.539C and 2010.0512C). No additional off-street parking spaces are proposed.

C. Loading. Planning Code Section 152 requires one off-street loading space for the project.

The project proposes to use the existing loading dock and the two off-street loading spaces that currently exist on the property that comply with the loading requirement. The loading spaces will be shared with the CVS store.

D. Bike Parking. Planning Code Section 155.2 requires one Class 1 space for every 7,500 square feet of Occupied Floor Area and one Class 2 space for every 2,500 square feet. of Occupied Floor Area.

Per Case No. 98.539C, the Commission required the site to provide at least fifteen on-site, bicycle spaces for patrons and bicycle lockers for employees. No modification to these existing bicycle spaces or lockers is proposed.

E. Intensification of Conditional Use. Per Planning Code Section 178(c)3(C), with regard to Formula Retail uses, a change of owner or operator of a Formula Retail establishment is determined to be an intensification of use requiring a new Conditional Use authorization if the change to a Formula Retail establishment has more locations than the existing previous Formula Retail establishment.

The Andronico's proposed at this location would be operated by Safeway. Safeway and its parent companies, Albertsons LLC, have over 2,300 stores nationwide, whereas Fresh and Easy operated approximately 150. Therefore, a new Conditional Use Authorization is required.

F. Hours of Operation. Planning Code Section 713 states that the permitted hours of operation for a commercial use within the NC-S Zoning District are 6:00 a.m. to 2:00 a.m. the following day, with Conditional Use Authorization required to operate between 2:00 a.m. and 6:00 a.m., as defined by Planning Code Section 102.

The proposed hours of operation are 6:00 a.m. to 11:00 p.m. daily. As such, the project is Code compliant.

4

- 7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:
 - A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The size of the existing grocery store will not be altered as a part of this project. The proposal will not impact traffic or parking in the District as it will authorize a re-establishment of an existing grocery store use. The proposed Safeway (d.b.a. Andronico's Community Market) will provide daily needs and desirable goods and services to neighborhood residents, workers, and visitors. As an Andronico's store, the grocery will offer a variety of grocery products, including fresh and local produce (rather than predominately packaged food offerings), a full deli and butcher block, expanded organics, and alcoholic beverages. Allowing the re-establishment of a grocery store use will ensure that the site continues to complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood. The new grocery store will benefit the building and surrounding community by conducting interior tenant improvements to the vacant retail space that allow for a fully-leased and operating building at the site. Re-establishment of the grocery use will also ensure that the site is kept cleaner, allow for activation of pedestrian use, which will provide for a safer environment and will increase the overall liveliness of the neighborhood. Further, the proposed Andronico's will benefit the neighborhood and city by creating new union jobs for local residents.

- 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:
 - (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - The height and bulk of the existing building will remain the same and will not alter the existing appearance or character of the project vicinity. The proposed work will not affect the building envelope.
 - (2) 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 traffic patterns. All existing off-street parking and loading arrangements are to continue. The property is well served by MUNI. The 01 California, 01A California, 02 Clement, 18 46th Avenue, 38 Geary, 38A Geary Express, and 38L Geary Limited bus lines all run within 1,300 feet of the property. In addition, the Project will not alter the 135 off-street parking

spaces currently available, which have been sufficient for previous grocery store uses. Non-metered on-street parking lines both sides of Clement Street and 32nd Avenue adjacent to the property as well.

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

The proposed use will not generate significant noise, glare, dust, or odor. The operators will ensure that noise and other external effects of the store will be kept to a minimum so as not to affect nearby residents.

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

The project will not alter the site's landscaping, open space, or lighting. Only like-for-like signage alterations are proposed as a part of the project.

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

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

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

The proposed project is consistent with the stated purposed of NC-S Districts in that the intended use is located in a building created for a large-scale retailer or grocery store use, and will provide a compatible convenience service for the immediately surrounding neighborhoods during daytime hours.

- 8. **Formula Retail.** Planning Code Section 303.1 provides additional criteria for the Planning Commission to consider when considering any Conditional Use pursuant to Planning Code Section 303.1, Formula Retail uses:
 - a. The existing concentration of Formula Retail uses within the District.

The controlling NC-S district consists only of the subject lot. No formula retail uses are located in the nearby NC-1 districts along Clement Street from 31st Avenue to 33rd Avenue or in the NC-1 districts along Geary Boulevard from 32nd to 35th Avenues. The project will not create a significant addition to the concentration of formula retail uses in this area as relatively few formula retail uses are located within the general area. There are no other existing Formula Retail uses out of approximately 42 commercial storefronts within the vicinity. The existing concentration of Formula Retail uses would not increase as result of the proposed project. A formula retail supermarket

operated on the property from 2002-2015 with no apparent adverse effects on the surrounding neighborhood.

b. The availability of other similar retail uses within the District.

As this NC-S district includes only the subject property, there are no other similar retail uses in the District. The entire Outer Richmond area consists primarily of residential neighborhoods that are generally underserved by related retail uses. While the broader Outer Richmond neighborhood contains grocery store uses, they are not located within the Project's NC-S district or within a 300-foot radius of the property. The Seacliff neighborhood does not have an operating, full-service grocery store at this time. The closest grocery stores to the property are the Grocery Outlet Bargain Market at Geary Boulevard and 28th Avenue (0.4 miles); 25th & Clement Produce Market (0.4 miles); and 6001 California Market (0.7 miles). The project would provide a much-needed grocery to the Seacliff and Outer Richmond neighborhood.

c. The compatibility of the proposed Formula Retail use with the existing architectural and aesthetic character of the District.

The project's design does not significantly alter or modify the exterior of the existing building and therefore is compatible with the existing character of the neighborhood. The existing building was approved by the Planning Commission in 1999 and is appropriately scaled to the NC-S District's height and bulk requirements and fits well in its context. The existing building has one indoor floor and rooftop parking and is shorter than the 4-story multifamily building across 32nd Avenue from the project site. The Project proposes only interior upgrades/tenant improvements and like-for-like signage alterations. Any future sign alterations will be required to have a permit and comply with the requirements of the Planning Code and the Formula Retail sign guidelines. The Project is compatible within, and will have no adverse effect on, the architectural and aesthetic characters of the District.

d. The existing retail vacancy rates within the District.

While the retail corridors along Clement Street and Geary Boulevard appear to have low vacancy rates, the existing building on the site has been vacant since late 2015. The existing building was constructed to house a grocery store and there are few alternative uses that could appropriately occupy a space of this scale. The project would activate the site that would otherwise remain vacant

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

Except for the existing CVS store and pharmacy and the proposed Andronico's Community Market, no retail uses, either Citywide or neighborhood-serving, exist in this NC-S district as the project building is the only building in the district. In general, retail uses in the greater Outer Richmond area are overwhelmingly neighborhood-serving. The area is not in an easily accessible part of the

City and consists mainly of residential neighborhoods. For this reason, the retail uses in the vicinity generally serve local residents. The project will re-establish a grocery use that will serve this neighborhood and will not alter the concentration of neighborhood-serving uses in the District.

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

COMMERCE AND INDUSTRY

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

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

Policy 1.3:

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

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.

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 good and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

Policy 6.2:

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

The Project includes the establishment of a new Formula Retail Grocery Store (Safeway d.b.a. "Andronico's Community Market") within an existing grocery store space that has been vacant since late 2015. The proposed use is Formula Retail, but the space was developed and intended for such a large-scale existing grocery store use. The establishment will provide much needed and desirable services to the neighborhood and resident employment opportunities to those in the community. On balance, the Project is consistent with the Objectives and Policies of the General Plan.

- 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 complies 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 will re-establish a neighborhood-serving retail use in the Seacliff and Outer Richmond neighborhoods. The use will benefit both neighborhoods.
 - 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 site does not possess any existing housing. The Project is not anticipated to adversely affect the character or diversity of the neighborhood. No exterior alterations are proposed.
 - C. That the City's supply of affordable housing be preserved and enhanced,
 - The Project would not have any adverse 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 Site is well-served by nearby public transportation options. The property is well served by MUNI. The 01 California, 01A California, 02 Clement, 18 46th Avenue, 38 Geary, 38A Geary Express, and 38L Geary Limited bus lines all run within 1,300 feet of the property. In addition, the Project will not alter the 135 off-street parking spaces currently available, which have been sufficient for previous grocery store uses and mitigating effects on street parking.

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 or adversely affect any service sector or industrial businesses. The Project will not affect industrial or service sector uses or related employment opportunities.

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

The Project will not adversely affect the property's ability to withstand an earthquake. The Project will comply with the requirements of the San Francisco Building Code.

G. That landmarks and historic buildings be preserved.

The Project Site does not contain any City Landmarks or historic buildings.

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, and will not adversely affect their access to sunlight, or vistas.

- 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 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. 2019-001013CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated July 15, 2019, 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. 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 25, 2019.

Jonas P. Ionin Commission Sec	cretary
AYES:	
NAYS:	
ABSENT:	
ADOPTED: SAN FRANCISCO PLANNING DEPART	July 25, 2019

EXHIBIT A

AUTHORIZATION

This authorization is for Conditional Use Authorization to allow the establishment of Formula Retail Sales and Services Use (Safeway d.b.a. "Andronico's Community Market"), and a Nonresidential Use size exceeding 6,000 square feet located at 375 32nd Avenue/3132 Clement Street, Block 1401, Lot 002 pursuant to Planning Code Section(s) 121.2, 303, 303.1 703.4 and 713 within the within the NC-S (Neighborhood Commercial, Shopping Center) District and a 40-X Height and Bulk District; in general conformance with plans, dated July 15. 2019, and stamped "EXHIBIT B" included in the docket for Record No. 2019-001013CUA and subject to conditions of approval reviewed and approved by the Commission on July 25, 2019 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 25, 2019 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

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

- 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
- 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

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

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, www.sf-planning.org

OPERATION

- 8. **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, 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 and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups 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

10. **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, www.sf-planning.org





ANDRONICO'S COMMUNITY MARKET FORMULA RETAIL PLANNING SUBMITTAL JULY 2019

APPLICANT:
SAFEWAY (DBA ANDRONICO'S COMMUNITY MARKET)
PLEASANTON, CALIFORNIA



COME A AWARD

COMORT DATE

BELLING SER

PARAMETERS

STORY A MARKET

STORY A MARKET

TITLE

T1.0



↑ N MERCHICITAL OF 18.15

Andronico's
Conmunity Markets
3132 CLEMENT STREET
SAN FRANCISCO, CALIFORNIA

STORE FAMORE

CONCEPT CARE

CONCEPT CARE

AMERICAN REP

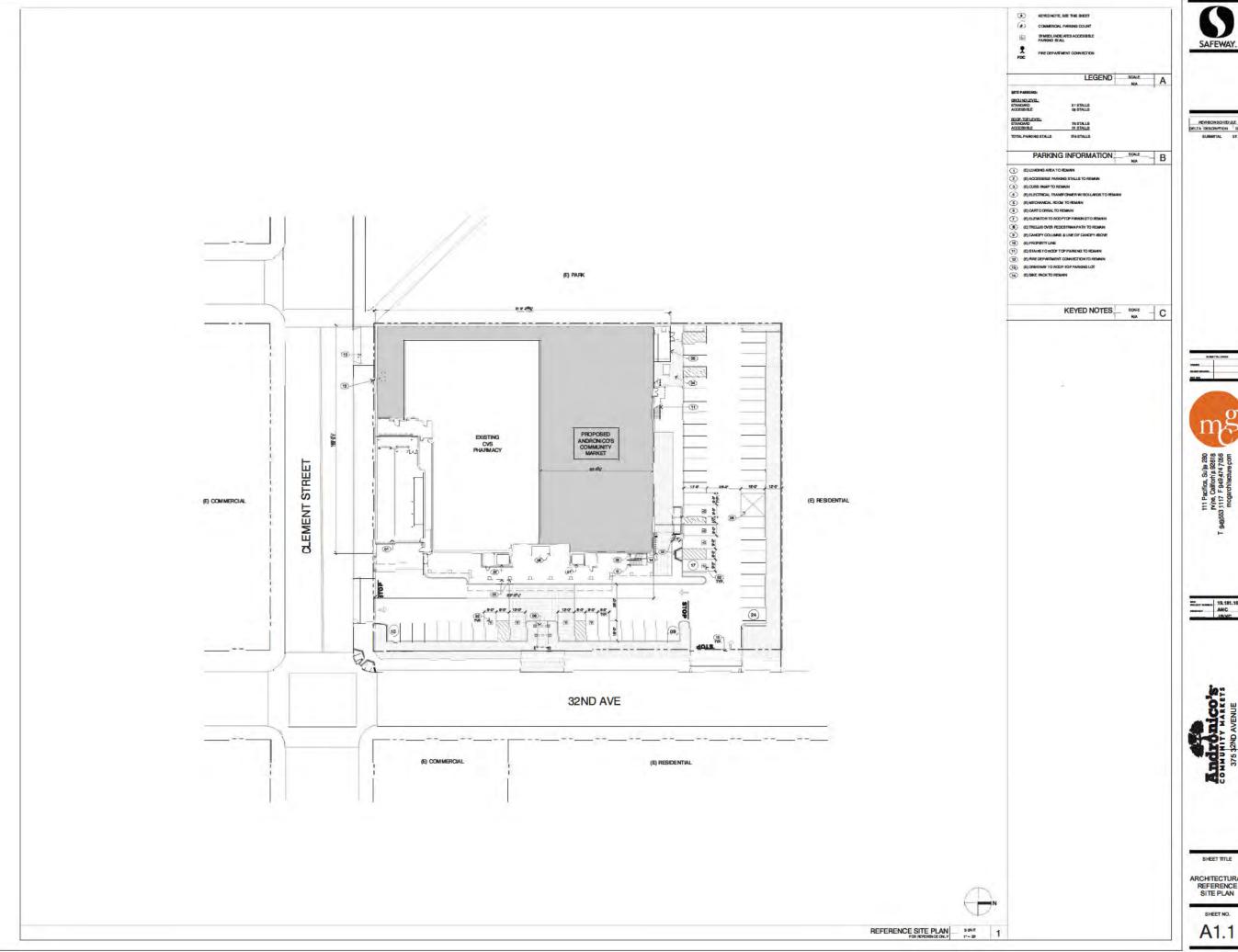
STORE FAMORE

STORE FAMORE

STORE FAMORE

AERIAL SITE PLAN

A1.0



SAFEWAY.



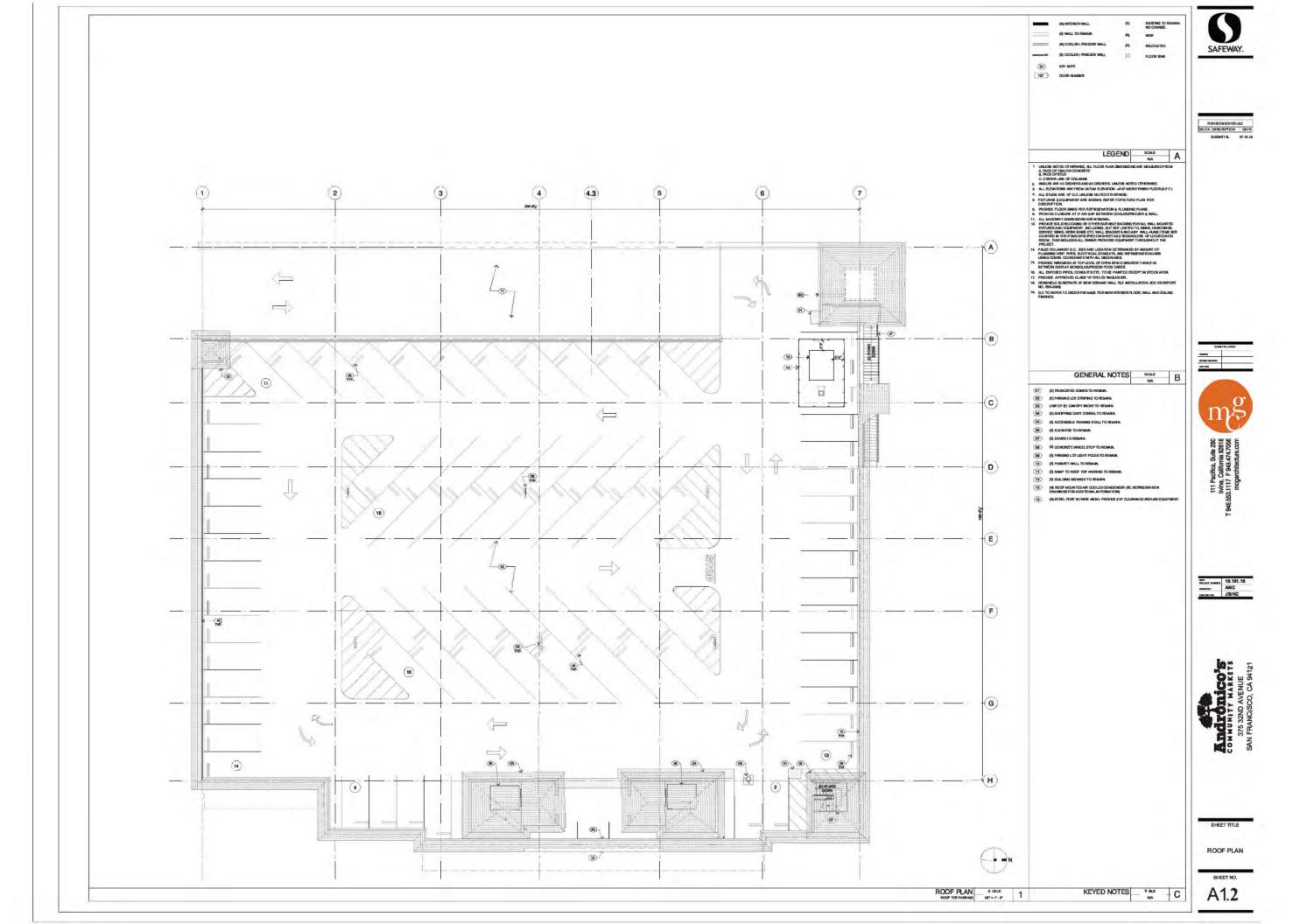
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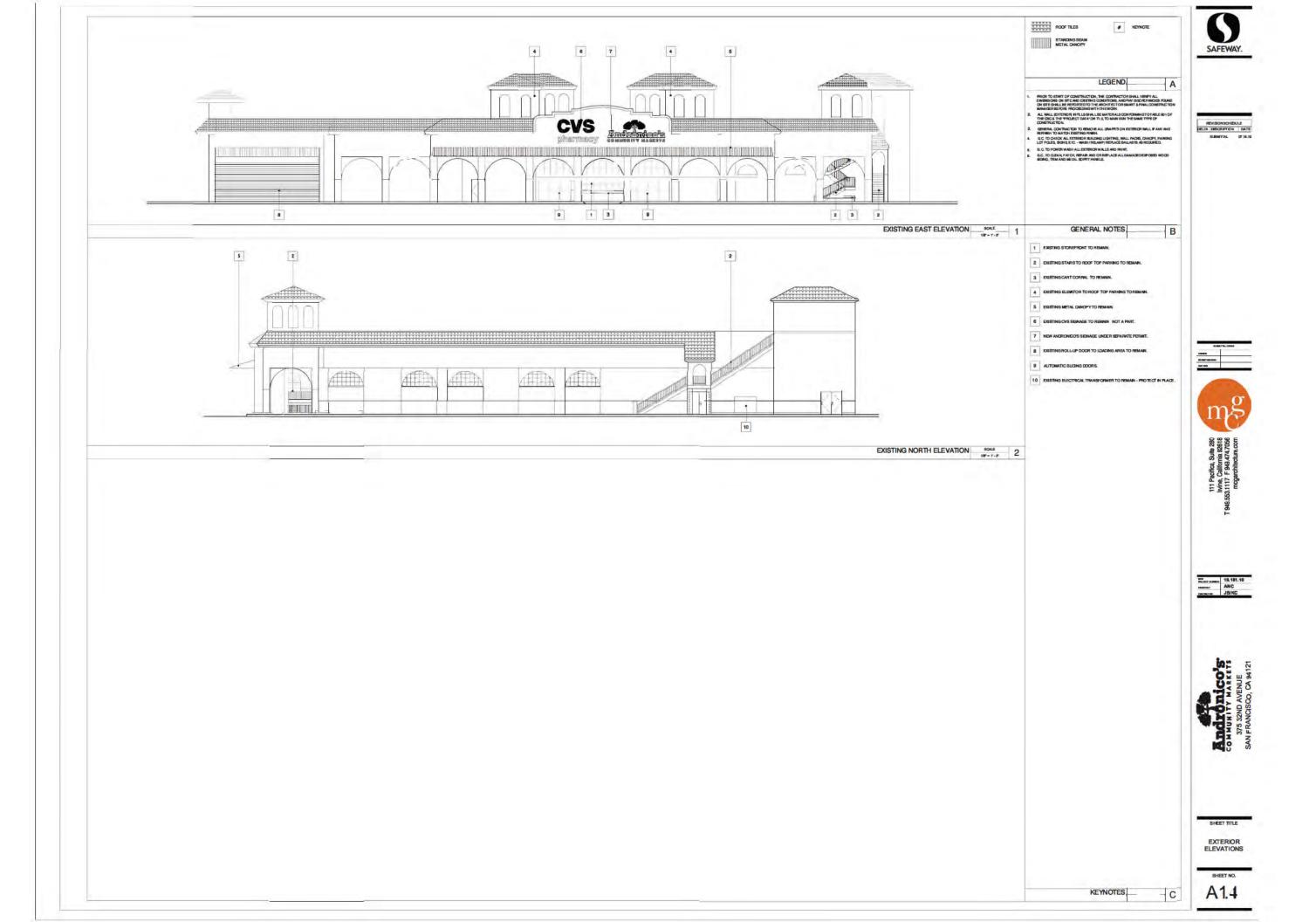


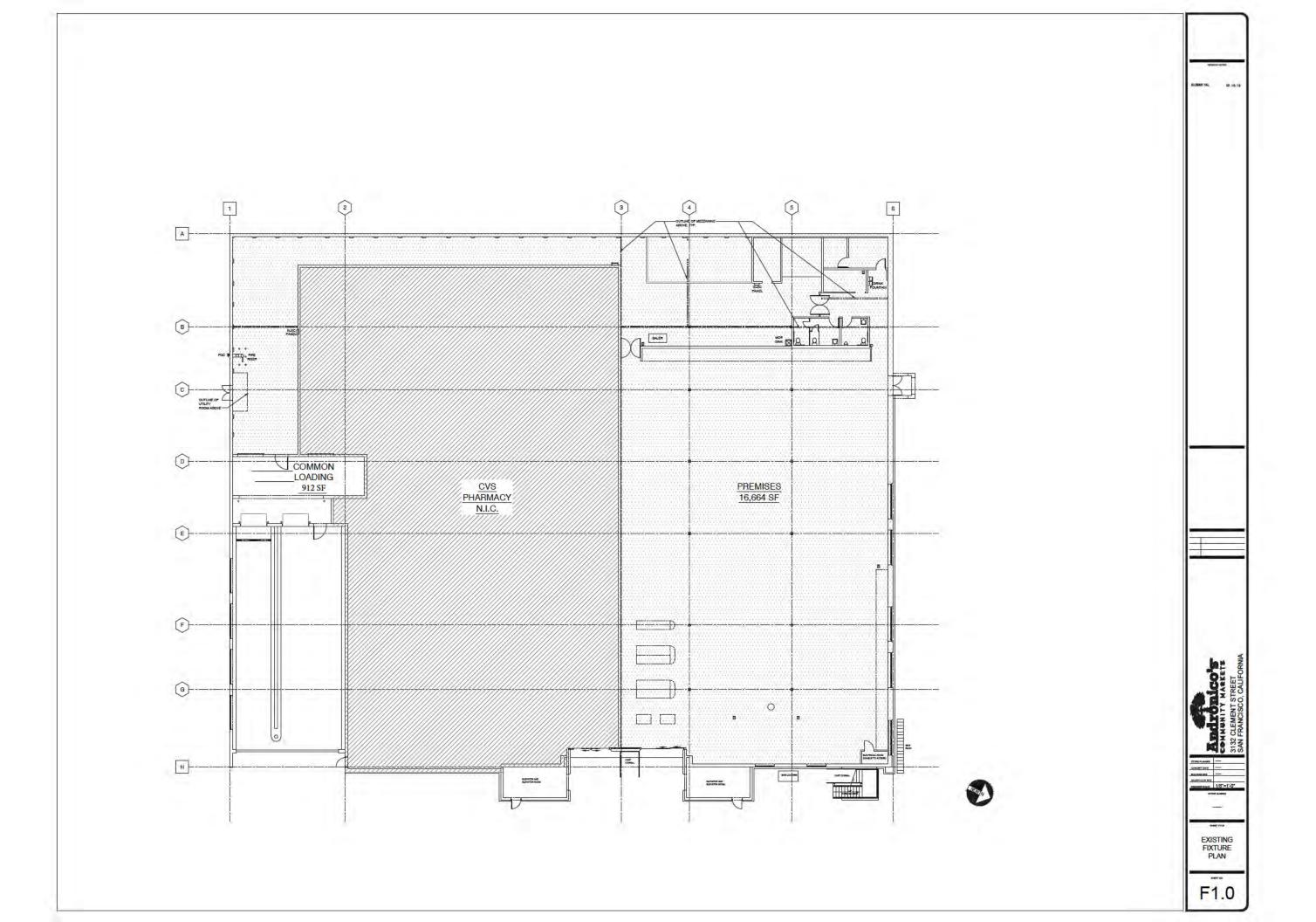
SHEET TITLE

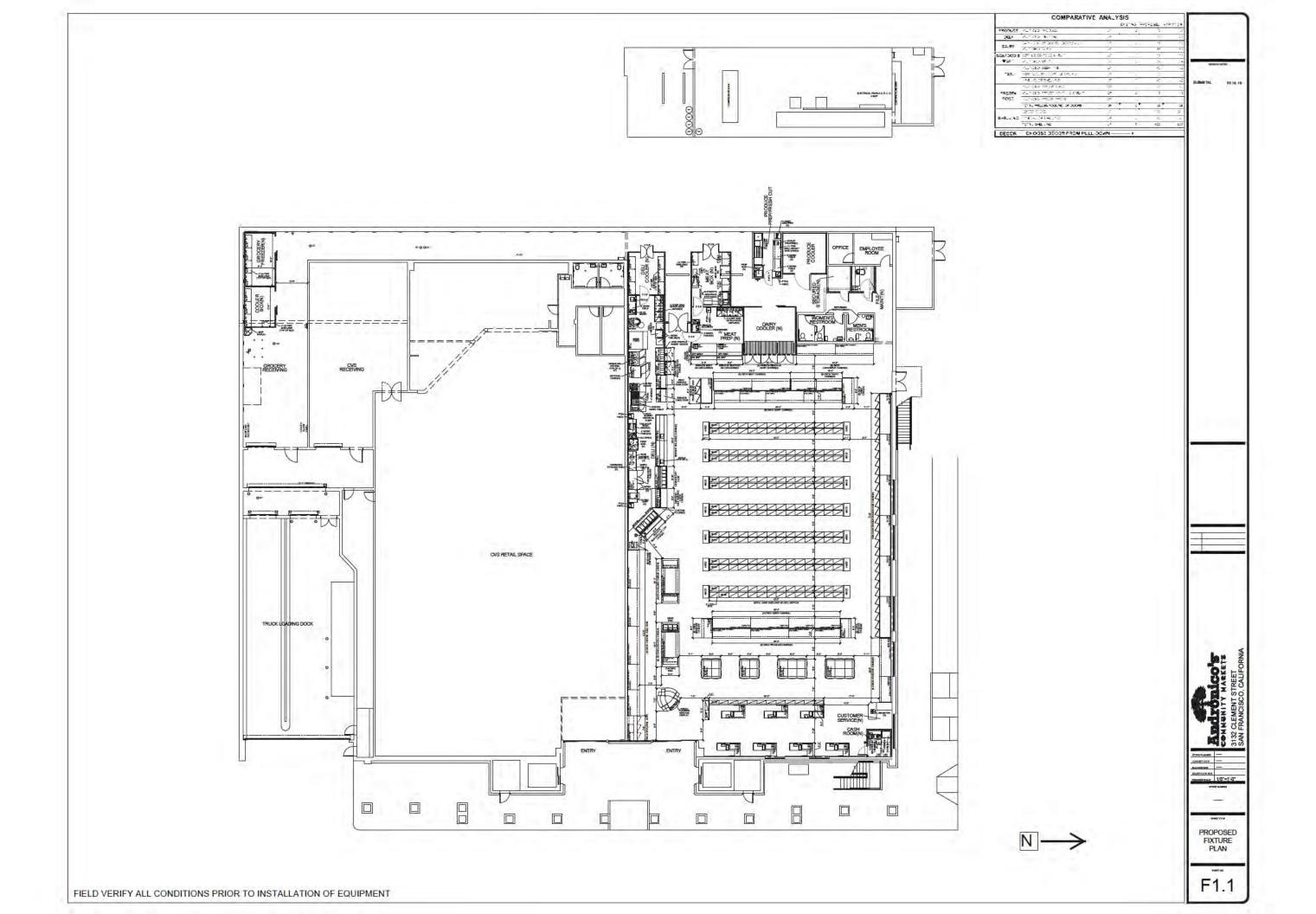
ARCHITECTURAL REFERENCE SITE PLAN

SHEET NO.

















P1.0





PHOTOS

P1.1

CEQA Categorical Exemption Determination

Block/Lot(s)

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address

Andro	nico's - 3132 Cler	ment Street	1401002
			Permit No.
2019-	001013ENV		
_	dition/ eration	Demolition (requires HRE for Category B Building)	New Construction
The p Richm 34,25 Andro 16,66 modif buildin	roject site is locate nond neighborhood 3-square-foot compinico's Community 4-square-foot retailications to the exising expansion is pro	Planning Department approval. d at the northwest corner of 32nd Avenue and Cle f. The project site is currently occupied by an appromercial building (constructed in 2002). The project Market) proposes to establish a new formula retail I space that was formerly occupied by a Fresh & Eting building are proposed except for like-for-like resposed. Additionally, the project would not alter the perfoot loading dock.	oximately 20-foot-tall, one-story, s sponsor (Safeway doing business as I grocery use within an existing vacant Easy grocery store. No exterior eplacement of existing signage; no
STE	P 1: EXEMPTIO	ON CLASS	
Note	: If neither class a	pplies, an Environmental Evaluation Applicatio	n is required.
	Class 1 - Existin	g Facilities. Interior and exterior alterations; additi	ions under 10,000 sq. ft.
		construction. Up to three new single-family resident reial/office structures; utility extensions; change of a CU.	
	10,000 sq. ft. and (a) The project is policies as well a (b) The proposed substantially surf (c) The project si (d) Approval of the water quality. (e) The site can be	Development. New Construction of seven or more different to the conditions described below: a consistent with the applicable general plan designs with applicable zoning designation and regulation different occurs within city limits on a project rounded by urban uses. It is that no value as habitat for endangered rare or the project would not result in any significant effects the adequately served by all required utilities and particular planning use only	nation and all applicable general plan ons. t site of no more than 5 acres threatened species. s relating to traffic, noise, air quality, or
	Class		

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any b	ox is checked below, an Environmental Evaluation Application is required.
	Air Quality: 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, etc.)? (refer to EP _ArcMap > CEQA Catex Determination Layers > Air Pollution 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. Exceptions: do not check box if the applicant presents documentation of 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).
	Transportation: 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?
	Archeological Resources: 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
	Slope = or > 20%: 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.
	Seismic: Landslide Zone: 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.
	Seismic: Liquefaction Zone: 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.
1	boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an ronmental Evaluation Application is required, unless reviewed by an Environmental Planner.
Com	ments and Planner Signature (optional): Don Lewis

STEP 3: PROPERTY STATUS - HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER PROPERTY IS ONE OF THE FOLLOWING: (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. Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6. STEP 4: PROPOSED WORK CHECKLIST TO BE COMPLETED BY PROJECT PLANNER 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. Window replacement that meets the Department's Window Replacement Standards. Does not include storefront window alterations. 4. Garage work. A new opening that meets the Guidelines for Adding Garages and Curb Cuts, 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. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way. 7. Dormer installation that meets the requirements for exemption from public notification under Zoning Administrator Bulletin No. 3: Dormer Windows. 8. Addition(s) 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 П 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: Project Planner must check box below before proceeding. Project is not listed. GO TO STEP 5. Project does not conform to the scopes of work. GO TO STEP 5. Project involves four or more work descriptions. GO TO STEP 5. Project involves less than four work descriptions. GO TO STEP 6. STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW TO BE COMPLETED BY PROJECT PLANNER Check all that apply to the project. 1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4. 2. Interior alterations to publicly accessible spaces. 3. Window replacement 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. Raising the building in a manner that does not remove, alter, or obscure character-defining

6. Restoration based upon documented evidence of a building's historic condition, such as historic

photographs, plans, physical evidence, or similar buildings.

features.

	 Addition(s), including mechanical equipment that are and meet the Secretary of the Interior's Standards for Re 			
	8. Other work consistent with the Secretary of the Interior Properties (specify or add comments):	or Stand	ards for the Treatment of Historic	
	9. Other work that would not materially impair a historic of	district (s	pecify or add comments):	
	(Requires approval by Senior Preservation Planner/Prese	ervation	Coordinator)	
	10. Reclassification of property status . (Requires appropriate of the property of the proper	oval by S	enior Preservation	
	Reclassify to Category A	Reclass	sify to Category C	
	a. Per HRER dated (atta	ach HRE	R)	
	b. Other (specify):			
	Note: If ANY box in STEP 5 above is checked, a Pre-	servatio	n Planner MUST check one box below.	
	Further environmental review required. Based on the in Environmental Evaluation Application to be submitted. G			
	Project can proceed with categorical exemption review Preservation Planner and can proceed with categorical ex			
Comm				
Comm	Preservation Planner and can proceed with categorical e			
	Preservation Planner and can proceed with categorical e			
Preser ——————————————————————————————————	Preservation Planner and can proceed with categorical elember (optional):	xemption		
Preser ——————————————————————————————————	Preservation Planner and can proceed with categorical ents (optional): vation Planner Signature: EP 6: CATEGORICAL EXEMPTION DETERMINATES COMPLETED BY PROJECT PLANNER Further environmental review required. Proposed proje	xemption	n review. GO TO STEP 6.	
Preser ——————————————————————————————————	Preservation Planner and can proceed with categorical ents (optional): vation Planner Signature: EP 6: CATEGORICAL EXEMPTION DETERMINATES COMPLETED BY PROJECT PLANNER	xemption	n review. GO TO STEP 6.	
Preser ——————————————————————————————————	Preservation Planner and can proceed with categorical ents (optional): vation Planner Signature: EP 6: CATEGORICAL EXEMPTION DETERMINATES E COMPLETED BY PROJECT PLANNER Further environmental review required. Proposed projection (check all that apply): Step 2 - CEQA Impacts Step 5 - Advanced Historical Review	TION ect does	n review. GO TO STEP 6.	
Preser ——————————————————————————————————	Preservation Planner and can proceed with categorical ents (optional): vation Planner Signature: P 6: CATEGORICAL EXEMPTION DETERMINATES COMPLETED BY PROJECT PLANNER Further environmental review required. Proposed projetocheck all that apply): Step 2 - CEQA Impacts Step 5 - Advanced Historical Review STOP! Must file an Environmental Evaluation Applicates.	TION ect does i	n review. GO TO STEP 6.	
Preser ——————————————————————————————————	Preservation Planner and can proceed with categorical ents (optional): vation Planner Signature: EP 6: CATEGORICAL EXEMPTION DETERMINATES E COMPLETED BY PROJECT PLANNER Further environmental review required. Proposed projection (check all that apply): Step 2 - CEQA Impacts Step 5 - Advanced Historical Review	TION ect does	not meet scopes of work in either egorically exempt under CEQA.	
Preser ——————————————————————————————————	Preservation Planner and can proceed with categorical ents (optional): vation Planner Signature: P 6: CATEGORICAL EXEMPTION DETERMINATED BY PROJECT PLANNER Further environmental review required. Proposed projection (check all that apply): Step 2 - CEQA Impacts Step 5 - Advanced Historical Review STOP! Must file an Environmental Evaluation Applicated No further environmental review is required. The project There are no unusual circumstances that would result effect. Project Approval Action:	TION ect does	not meet scopes of work in either egorically exempt under CEQA. sonable possibility of a significant Signature:	
Preser ——————————————————————————————————	Preservation Planner and can proceed with categorical ents (optional): vation Planner Signature: P 6: CATEGORICAL EXEMPTION DETERMINATES E COMPLETED BY PROJECT PLANNER Further environmental review required. Proposed projection (check all that apply): Step 2 - CEQA Impacts Step 5 - Advanced Historical Review STOP! Must file an Environmental Evaluation Applicated No further environmental review is required. The project There are no unusual circumstances that would result effect. Project Approval Action: Planning Commission Hearing	TION ect does	not meet scopes of work in either egorically exempt under CEQA. sonable possibility of a significant Signature: Don Lewis	
Preser ——————————————————————————————————	Preservation Planner and can proceed with categorical ents (optional): vation Planner Signature: P 6: CATEGORICAL EXEMPTION DETERMINATED BY PROJECT PLANNER Further environmental review required. Proposed projection (check all that apply): Step 2 - CEQA Impacts Step 5 - Advanced Historical Review STOP! Must file an Environmental Evaluation Applicated No further environmental review is required. The project There are no unusual circumstances that would result effect. Project Approval Action:	TION ect does	not meet scopes of work in either egorically exempt under CEQA. sonable possibility of a significant Signature: Don Lewis 06/18/2019	

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

Proje	ct Address (If different than fron	t page)	Block/Lot(s) (If different than front page)
Andro	onico's - 3132 Clement Street		1401/002
Case No. Previous Building Permit No.		New Building Permit No.	
2019-	001013PRJ		
Plans	s Dated	Previous Approval Action	New Approval Action
		Planning Commission Hearing	
Modi	fied Project Description:		
DET	TERMINATION IF PROJECT	CONSTITUTES SUBSTANTIAL MODIF	ICATION
Com	pared to the approved project, w	ould the modified project:	
	Result in expansion of the bui	lding envelope, as defined in the Planning	Code;
	Result in the change of use th Sections 311 or 312;	at would require public notice under Planni	ng Code
	Result in demolition as define	d under Planning Code Section 317 or 190	05(f)?
		ented that was not known and could not har rmination, that shows the originally approve ption?	
If at I	east one of the above boxes is	s checked, further environmental review	is required.
DET	ERMINATION OF NO SUBSTA	NTIAL MODIFICATION	
	The proposed modification wo	ould not result in any of the above changes	
approv	al and no additional environmental revi	ons are categorically exempt under CEQA, in according to the captile of the capti	n the Planning
Plani	ner Name:	Date:	

Land Use Information

PROJECT ADDRESS: 375 32ND AVENUE/3132 CLEMENT STREET RECORD NO.: 2019-001013CUA

	EXISTING	PROPOSED	NET NEW
	GROSS SQUARE	FOOTAGE (GSF)	
Parking GSF	Approx, 37,000	Approx, 37,000	0
Residential GSF	0	0	0
Retail/Commercial GSF	16,664	16,664	0
Office GSF	0	0	0
Industrial/PDR GSF Production, Distribution, & Repair	0	0	0
Medical GSF	0	0	0
Visitor GSF	0	0	0
CIE GSF	0	0	0
Usable Open Space	0	0	0
Public Open Space	0	0	0
Other ()			
TOTAL GSF	16,664	16,664	0
	EXISTING	NET NEW	TOTALS
	PROJECT FEATURES	S (Units or Amounts)	
Dwelling Units - Affordable	0	0	0
Owelling Units - Market Rate	0	0	0
Dwelling Units - Total	0	0	0
Hotel Rooms	0	0	0
Number of Buildings	1	1	0
Number of Stories	1	11	0
Parking Spaces	135	135	0
Loading Spaces	2	2	0
Bicycle Spaces	15	15	0
Car Share Spaces	0	0	0
Other ()		14	

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

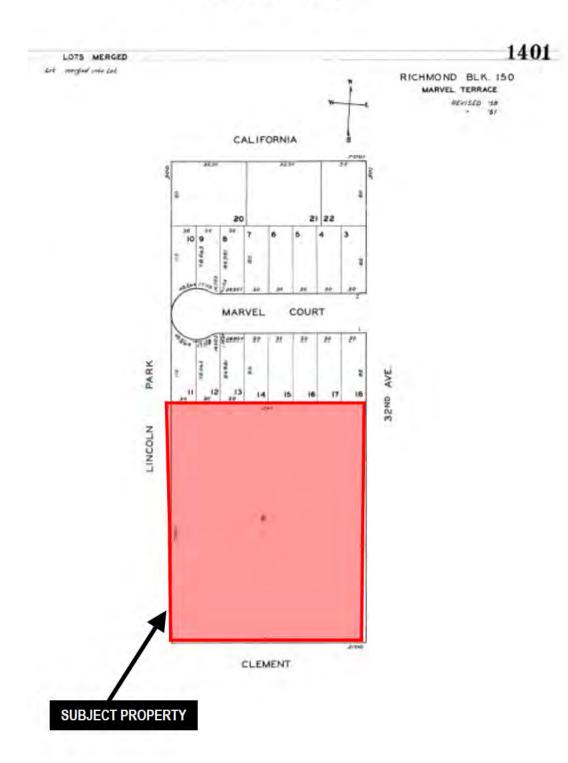
Reception: 415.558.6378

415.558.6409

Planning Information: 415.558.6377

	EXISTING	PROPOSED	NET NEW
	LAND USE - RE	SIDENTIAL	
Studio Units	N/A	N/A	N/A
One Bedroom Units	N/A	N/A	N/A
Two Bedroom Units	N/A	N/A	N/A
Three Bedroom (or +) Units	N/A	N/A	N/A
Group Housing - Rooms	N/A	N/A	N/A
Group Housing - Beds	N/A	N/A	N/A
SRO Units	N/A	N/A	N/A
Micro Units	N/A	N/A	N/A
Accessory Dwelling Units	N/A	N/A	N/A

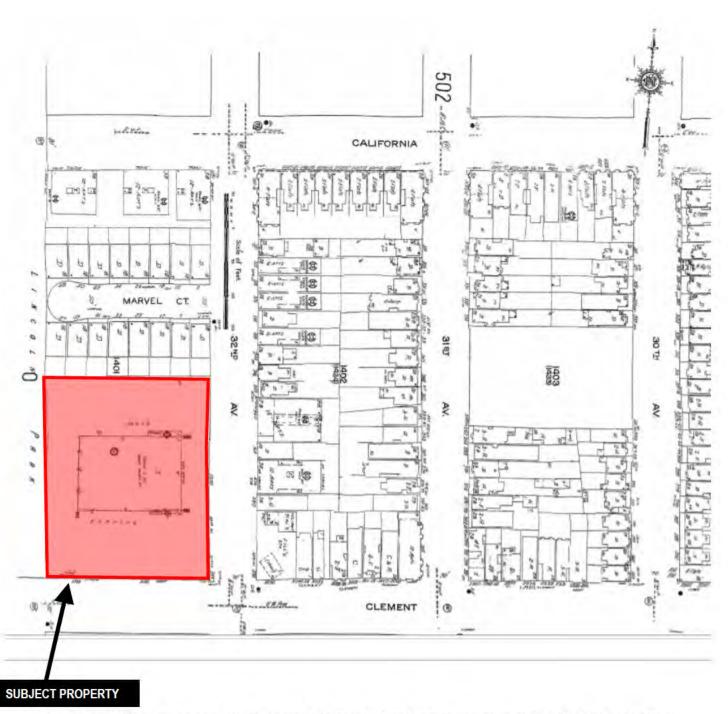
Parcel Map





Conditional Use Authorization Hearing Case Number 2019-001013CUA 375 32nd Avenue/3132 Clement Street Block 1401 Lot 002

Sanborn Map*

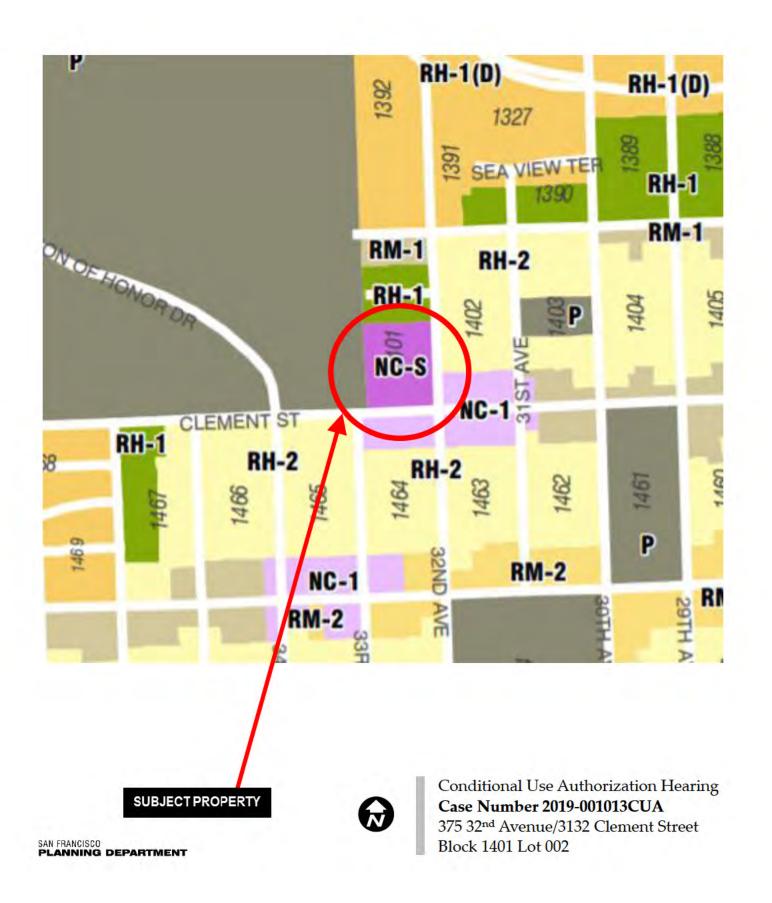


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization Hearing Case Number 2019-001013CUA 375 32nd Avenue/3132 Clement Street Block 1401 Lot 002

Zoning Map



Aerial Photo

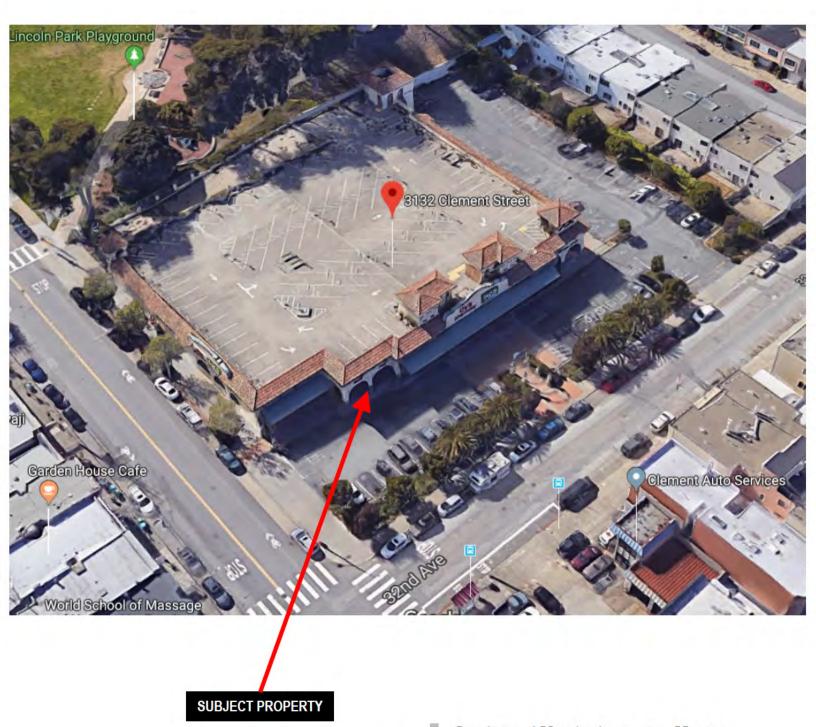


SUBJECT PROPERTY



Conditional Use Authorization Hearing Case Number 2019-001013CUA 375 32nd Avenue/3132 Clement Street Block 1401 Lot 002

Aerial Photo



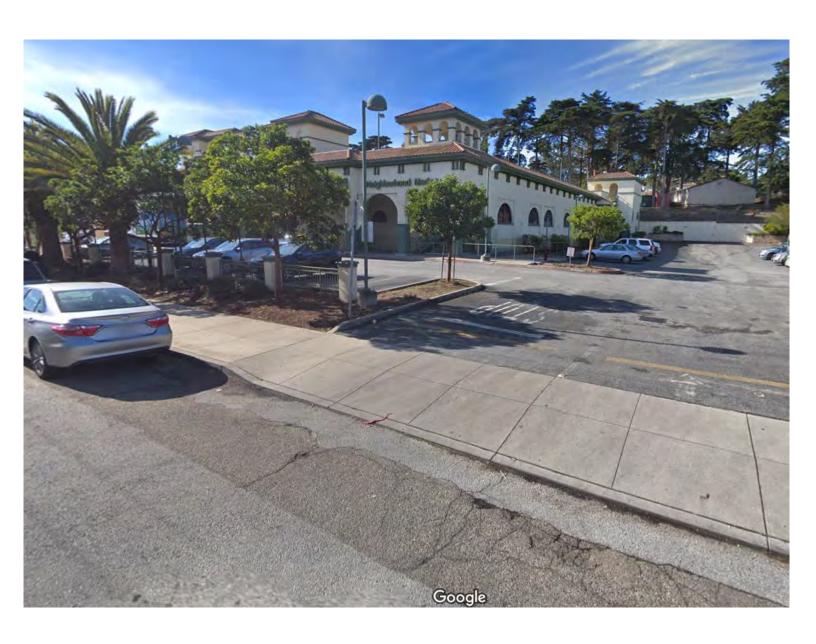


Conditional Use Authorization Hearing **Case Number 2019-001013CUA** 375 32nd Avenue/3132 Clement Street Block 1401 Lot 002









REUBEN, JUNIUS & ROSE, LLP

Melinda Sarjapur Msarjapur@reubenlaw.com

July 11, 2019

Delivered Via Email

Myrna Melgar, Commission President San Francisco Planning Commission 1650 Mission Street, 4th Floor San Francisco, CA 94103

Re: 3132 Clement Street - Andronico's Community Market

Planning Case No. 2019.001013 Hearing Date: July 25, 2019

Our File No.: 8776.03

Dear President Melgar and Commissioners:

This office represents Safeway, Inc., the sponsor of a proposed Andronico's Community Market grocery store (the "**Project**") at 3132 Clement Street (the "**Property**").

The Project requires Conditional Use Authorization to establish a formula retail grocery store in the Neighborhood Commercial, Shopping Center ("NC-S") zoning district, and for a new non-residential use over 5,999 gross square feet.

The Conditional Use Authorization should be approved due to the Project's substantial benefits:

- Providing a convenient neighborhood grocery with a broad selection of products including fresh and local produce, full deli, butcher block, and expanded organics;
- Re-activating and beautifying an existing retail space, which has sat vacant since a former grocery store (Fresh & Easy) closed in late 2015; and
- Creating approximately 70 new union jobs in the City, which Safeway intends to fill through local hiring practices;

The Project is scheduled for the Commission's Consent Calendar on July, 25, 2019.

President Myrna Melgar San Francisco Planning Commission July 11, 2019 Page 2

A. Site Description

The existing building is located at the northwest corner of Clement and 32nd Streets in the Seacliff neighborhood. The Project site is one of two commercial units in the building, constructed in 2002; the other unit is occupied by a CVS retail store and pharmacy. The site includes rooftop parking and minimal, at-grade parking. The Seacliff area is characterized by residential neighborhoods with a limited variety of commercial and retail services available as compared to the rest of the City.



The Project site has sat vacant since late 2015, when a former Fresh & Easy grocery store went bankrupt and closed. The neighborhood has expressed enthusiastic support for establishing a new grocery use in this space.

B. Project Description

The Project would establish an Andronico's Community Market grocery store in a vacant, 16,664 square foot retail space. There would be no expansion of the building envelope, and the façade would remain unchanged but for the installation of appropriate signage meeting citywide design standards. The existing parking lot and shared loading dock would remain unchanged.

Andronico's Community Market is an eclectic, upbeat neighborhood hub for feeding a healthy lifestyle. The store offers a broad range of grocery options including the freshest local choices, natural groceries, specialty items, and inspired "made-from-scratch" meals and treats, along with everyday products and necessities. This location would provide fresh and local produce, full deli, butcher block, and expanded organics.

President Myrna Melgar San Francisco Planning Commission July 11, 2019 Page 3

The Project will re-activate this vacant retail space, which was designed for and previously occupied by a grocery use. Andronico's Community Market will ensure the area is kept cleaner, safer, and will contribute to the overall liveliness of the neighborhood.

Project plans are attached to this letter as **Exhibit A**.

C. Compliance with Conditional Use Criteria for Formula Retail Use

The Project meets and exceeds requirements for granting Conditional Use Authorization for formula retail and non-residential use size in the Neighborhood Commercial, Shopping Center ("NC-S") zoning district. It is a perfect fit for the NC-S district, which is intended to "serve as small shopping centers or supermarket sites which provide retail goods and services for primarily car-oriented shoppers."

Andronico's Community Market is necessary and desirable use because it will re-activate this existing, vacant retail space, providing neighborhood residents and workers with convenient access to a broad range of high-quality grocery products. The Project will not expand the existing building; it will have no impact on the scale or character of neighbor development. However, the interior renovation and addition of new signage will improve the Property, drawing increased pedestrian foot traffic. The presence of an established retail use will also ensure that the area is kept cleaner, safer, and will contribute to the overall vitality of the neighborhood.

The existing 16,664 square foot unit was designed for occupancy by a grocery store, and has sat vacant since the previous (formula retail) Fresh & Easy closed in late 2015. Given this history, the Project would not result in a net increase of formula retail to the neighborhood.

Finally, the sponsor looks forward to being a strong source of good jobs in the community. Andronico's will operate as a union grocery store. Before opening, the sponsor will conduct a local job fair, and intends to work with the City's Office of Economic and Workforce Development to maximize local hiring practices.

D. Neighborhood Outreach and Support

Safeway is committed to project transparency through community engagement. Since the project's initial community outreach, the sponsor has listened intently to feedback from the neighborhood regarding the offerings they would like to see inside the grocery store, and maintenance and upkeep of the landscaping and parking.

The sponsor initially contemplated opening and operating a Safeway grocery store at this location. However, it re-designed the grocery store's interior décor and exterior branding to Andronico's Community Markets in direct response to community feedback. At the Project's pre-application meeting in August 2018, neighbors and community stakeholders requested that this location feature fresh grocery departments, such as Meat/Butcher, Seafood, and Deli, rather than predominantly packaged food offerings. Requests for expanded organics and specialty items, such

President Myrna Melgar San Francisco Planning Commission July 11, 2019 Page 4

as gourmet cheese, were also communicated. The neighborhood has been very receptive and supportive of the Project's evolution.

The neighborhood has expressed strong support of the Project, while also expressing its expectation that the landscaping and parking lot will be maintained with professional property management standards. Safeway has committed to working with CVS to ensure these standards are executed.

E. Conclusion

The Project will re-activate an existing, vacant retail space previously occupied by formula retail grocery use. The Project would not expand the existing building envelope. Andronico's Community Market will provide neighborhood residents with convenient access to a broad selection of high-quality groceries, and will contribute to the overall livelihood of the neighborhood. For these reasons, we respectfully request that you grant this Conditional Use Authorization.

Thank you.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

Melinda A. Sarjapur

Enclosures

cc: Myrna Melgar, Commission President
Joel Koppel, Commission Vice-President
Dennis Richards, Commissioner
Frank Fung, Commissioner
Kathrin Moore, Commissioner
Milicent Johnson, Commissioner
Elizabeth Gordon-Jonckheer, Project Planner
Natalie Mattei – Safeway, Inc.



AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM Administrative Code Chapter 83

1650 Mission Street, Suite 400 * San Francisco CA 94103-2479 * 415.558,6378 * http://www.sfplanning.org

Section 1: Project Information

PROJECT ADDRESS		BLOCK/LOT(S) 1401/002				
375 32nd Avenue / 3132						
BUILDING PERMIT APPLICATION NO. CASE NO. (IF APPLICA			ABLE) MOTION NO. (IF APPLICABLE)			
N/A		2019.001013CUA		N/A		
PROJECT SPONSOR		MAIN CONTACT		PHONE		
Safeway, Inc.		Natalie Mattei		(925) 226-5754		
ADDRESS					*	
11555 Dublin Canyon Rd						
CITY, STATE, ZIP			EMAIL			
Pleasanton, CA 94588			natalie.mattei@albertsons.com			
ESTIMATED RESIDENTIAL UNITS	ESTIMATED SQ FT	ESTIMATED SQ FT COMMERCIAL SPACE		HT/FLOORS	ESTIMATED CONSTRUCTION COST	
0	16,664		27 / 1 floor		\$2,700,000	
ANTICIPATED START DATE						
Fall - Winter 2019						

Section 2: First Source Hiring Program Verification

CHECK	ALL BOXES APPLICABLE TO THIS PROJECT
	Project is wholly Residential
	Project is wholly Commercial
	Project is Mixed Use
	A: The project consists of ten (10) or more residential units;
	B: The project consists of 25,000 square feet or more gross commercial floor area.
	C: Neither 1A nor 1B apply.

NOTES

- If you checked C, this project is <u>NOT</u> subject to the First Source Hiring Program. Sign Section 4: Declaration of Sponsor of Project and submit to the Planning Department.
- If you checked A or B, your project IS subject to the First Source Hiring Program. Please complete the reverse of this document, sign, and submit to the Planning Department prior to any Planning Commission hearing. If principally permitted, Planning Department approval of the Site Permit is required for all projects subject to Administrative Code Chapter 83.
- For questions, please contact OEWD's CityBuild program at CityBuild@sfgov.org or (415) 701-4848. For more information about the First Source Hiring Program visit www.workforcedevelopmentsf.org
- If the project is subject to the First Source Hiring Program, you are required to execute a Memorandum of Understanding (MOU) with OEWD's CityBuild program prior to receiving construction permits from Department of Building Inspection.

Continued...

N/A

Section 3: First Source Hiring Program – Workforce Projection

Per Section 83.11 of Administrative Code Chapter 83, it is the developer's responsibility to complete the following information to the best of their knowledge.

Provide the estimated number of employees from each construction trade to be used on the project, indicating how many are entry and/or apprentice level as well as the anticipated wage for these positions.

Check the anticipated trade(s) and provide accompanying information (Select all that apply):

orroon are armorp	atou trado(o) arra p	orovido docor	npanym,	g imorrianori (derect	an triat appry).				
TRADE/CRAFT	ANTICIPATED JOURNEYMAN WAGE	# APPRENTICE POSITIONS	# TOTAL POSITION	TRADE/CRAFT	ANTICIPATED JOURNEYMAN WA		APPRENTICE POSITIONS	# TOTA POSITI	
Abatement Laborer				Laborer					
Boilermaker				Operating Engineer					
Bricklayer				Painter					
Carpenter				Pile Driver					
Cement Mason				Plasterer					
Drywaller/ Latherer				Plumber and Pipefitter					
Electrician				Roofer/Water proofer					
Elevator Constructor				Sheet Metal Worker					
Floor Coverer				Sprinkler Fitter					
Glazier				Taper					
Heat & Frost Insulator				Tile Layer/ Finisher					
Ironworker				Other:					
		TOTAL:				1	TOTAL:		
YES NO 1. Will the anticipated employee compensation by trade be consistent with area Prevailing Wage?									
2. Will the awarded contractor(s) participate in an apprenticeship program approved by the State of California's Department of Industrial Relations?									
3. Will hiring and retention goals for apprentices be established?									
4. What is the estimated number of local residents to be hired?									
Section 4: Declaration of Sponsor of Principal Project									
PRINT NAME AND TITLI	E OF AUTHORIZED REPRES	SENTATIVE		EMAIL		PHONE	NUMBER		
Natalie Matte	Natalie Mattei - Sr. Real Estate Manager natalie.mattei@albertsons.com (925) 226-5754 Safeway, Inc.								
I HEREBY DECLARE T	HAT THE INFORMATION P	ROVIDED HEREIN	IS ACCUR	ATE TO THE BEST OF MY KN	OWLEDGE AND THA	AT I COOF	RDINATED WITH	OEWD	'S

PRINT NAME AND TITLE OF AUTHORIZED REPRESEN	TATIVE EMAIL	PHONE NUMBER			
Natalie Mattei - Sr. Real Estate Ma Safeway, Inc.	natalie.mattei@a	bertsons.com (925) 226-5754			
I HEREBY DECLARE THAT THE INFORMATION PROVIDED HEREIN IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT I COORDINATED WITH OEWD'S CITYBUILD PROGRAM TO SATISFY THE REQUIREMENTS OF ADMINISTRATIVE CODE CHAPTER 83.					
Natalie Mattie 7/15/2019					
(SIGNATURE OF AUTHORIZED REPRESENTATIVE)	(DATE)				
FOR PLANNING DEPARTMENT STAFF ONLY: PLEASE EMAIL AN ELECTRONIC COPY OF THE COMPLETED AFFIDAVIT FOR FIRST SOURCE HIRING PROGRAM TO OEWD'S CITYBUILD PROGRAM AT CITYBUILD@SFGOV.ORG					
	V.ORG				

Address: 1 South Van Ness 5th Floor San Francisco, CA 94103 Phone: 415-701-4848

 $\textbf{Website:} \textit{www.workforcedevelopmentsf.org} \ \ \textbf{Email:} \textit{CityBuild@sfgov.org}$

From: Woods, Mary (CPC)

Sent: Monday, June 10, 2019 4:48 PM **To:** Gordon-Jonckheer, Elizabeth (CPC)

Subject: FW: Andronico's/Safeway 32nd and Clement

Fyi.

Mary Woods, Senior Planner
Northwest Team, Current Planning Division San Francisco Planning Department
1650 Mission Street, Suite 400 San Francisco, CA 94103
Direct: 415.558.6315 | www.sfplanning.org San Francisco Property Information Map

----Original Message-----

From: Fred Campagnoli < campagnolif@yahoo.com>

Sent: Monday, June 10, 2019 2:42 PM

To: Woods, Mary (CPC) <mary.woods@sfgov.org> Subject: Andronico's/Safeway 32nd and Clement

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Woods-

I am a 38 year resident of the Outer Richmond. I live 10 blocks from the subject site. I used to shop there when Safeway at that location. The outer Richmond needs better shopping options than Safeway at the Beach and Bargain Market. We have even lost beloved Thom's on Geary. I often drive 3 miles to Laurel Village or Bi-Rite. This site should be utilized as a food market as it has been for over 50 years. I'd rather have a Whole Foods or Trader Joes, but if Safeway wants to install an "Andronico's" I am 100% for it. Please approve.

Sincerely, Frederic A Campagnoli 415-987-7689

From: CA Gov't Sec 7927.700

Sent: Tuesday, July 09, 2019 8:38 AM **To:** Gordon-Jonckheer, Elizabeth (CPC)

CA Gov't Sec 7927.70

Subject: Support for Andronico's

Follow Up Flag: Follow up Flag Status: Completed

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Gordon-Jonckheer,

We are writing to you to express our strong support for the proposed Andronico's Community Market on the corner of Clement and 32nd Avenue.

As you know, the site has sat vacant for a number of years. We have lived in the area for over four years -- first in Baker Beach, now on 31st Avenue -- and a grocery in that neighborhood is sorely needed. At present, we drive to one of the nearby Safeways, Target, or the neighborhood groceries in Laurel Village, but hope to be able to walk from our home to the store and back. There are hundreds if not thousands of residential units within walking distance who would likely do the same, thereby reducing auto pollution and traffic in the area and the city overall.

We love our neighborhood and we love the local businesses on Clement between 32nd and 33rd. We go to the numerous restaurants along the block multiple times a week to dine in or carry out. We often speak to the owners and many of them have repeatedly expressed concern that the vacant lot across the street is negatively impacting their business. We sincerely hope that the permit is approved and will bring shoppers to the area and to the small, locally-owned businesses nearby. It seems that most of them have been in San Francisco for many years and have families in the neighborhood; we hope they are able to stay and make a great living for themselves and their families.

Furthermore, the continually-vacant lot is a safety concern. Although the CVS has at least kept activity on the site, we are concerned about the impact a continued vacancy would have on the neighborhood's overall safety.

Please feel free to contact us at this email or CA GOVI Sec 7927.700 if you have any questions or concerns regarding our support. We will also try to attend the meeting on the 25th, but as it is during working hours that may be difficult for us.

Thank you for your consideration of Andronico's application and for your service to our beautiful city.



From:

I S Kayton <ikayton@gmail.com>

Sent:

Tuesday, July 16, 2019 8:10 PM

To:

Gordon-Jonckheer, Elizabeth (CPC); Natalie.Mattei@safeway.com

Subject:

Support Andronico's at 375 32nd Ave / 3132 Clement - Planning Commission

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

We really need a higher end grocery store in the neighborhood. Andronicos fits the bill almost perfectly. I support their application.

From:

Marjie Hom Brown <royalmargie@gmail.com>

Sent:

Tuesday, July 16, 2019 8:22 PM

To:

Gordon-Jonckheer, Elizabeth (CPC); natalie.mattei@safeway.com

Subject:

Support Andronico's at 375 32nd Ave / 3132 Clement - Planning Commission

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Margie Hom Brown

From:

Kristen Valanoski <kristen.vala@gmail.com>

Sent:

Tuesday, July 16, 2019 9:05 PM

To:

Gordon-Jonckheer, Elizabeth (CPC); natalie.mattei@safeway.com

Subject:

Support Andronico's at 375 32nd Ave / 3132 Clement - Planning Commission

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

we need this grocery store and we need to finally put that huge space to functional use!

From:

Jocelyn Heyneker <jheyneker@gmail.com>

Sent:

Tuesday, July 16, 2019 9:24 PM

To:

Gordon-Jonckheer, Elizabeth (CPC)

Cc:

natalie.mattei@safeway.com

Subject:

Support Andronico's at 375 32nd Ave / 3132 Clement - Planning Commission

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I would like to pledge my support for the Andronico's Market to be approved at 32nd and Clement in San Francisco. Very exciting news for the neighborhood!

Thank you for your consideration!

Jocelyn Heyneker 415.218.2440

Sent from my iPhone

From:

Julie Burns <julieburns@sealrock.com>

Sent:

Tuesday, July 16, 2019 10:17 PM

To:

Gordon-Jonckheer, Elizabeth (CPC); natalie.mattei@safeway.com

Subject:

Support Andronico's at 375 32nd Ave / 3132 Clement - Planning Commission

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

This space has been empty for too long. Our neighborhood needs an accessible grocery. While many of us might prefer a smaller, regional store like Nugget or New Leaf rather than a Safeway derivative, something will be better than continuing the vacant blight of the current site.

We also truly need a market that is open in the late evening. Fresh and Easy, for all its limitations, filled this need. We have no markets that are walkable/easily accessible. Moreover, our needs are for a market with quality, organic produce and healthy prepared foods. Many of us have limited time and look for a healthy but convenient source of food – without turning to Amazon Prime to order from Whole Foods.

We support the idea of an Andronico's, IF it can remain truly a neighborhood store and resource. We'd like to see that commitment to the neighborhood.

Best, jb

Julie Burns, Ph.D. Co-Captain, SAFE Seal Rock San Francisco +1.415.341.6060

Gordon-Jonckheer, Elizabeth (CPC)				
From: Sent: To: Subject:	Craig Epstein <craigepsteinproperties@gmail.com> Tuesday, July 16, 2019 10:29 PM Gordon-Jonckheer, Elizabeth (CPC); natalie.mattei@safeway.com Support Andronico's at 375 32nd Ave / 3132 Clement - Planning Commission</craigepsteinproperties@gmail.com>			
This message is from	n outside the City email system. Do not open links or attachments from untrusted sources.			

Dear Ms. Gordon-Jonckheer,

As a life long resident of the Richmond District and a huge fan of Andronico's, I couldn't be more pleased to have them coming to the neighborhood! Over the course of my life (I'm 49) it seems like that space has been vacant nearly as much as it's been occupied and even when it's been occupied, the community market feel was never really there (although Fresh and Easy was an interesting option while they lasted). Andronico's will be a perfect fit and the neighbors who have been patiently waiting deserve to finally have a place to shop in this beautiful little corner of our city. Please know that I, along with all of my neighbors on Seal Rock Drive are in full support of Andronico's coming to 32nd and Clement and we hope that you are too.

Best, Craig

Craig Epstein

Real Estate Sales & Investments craigepsteinproperties.com.

×	
891 E	Beach Street
San F	Francisco, CA 94109
m: 41	5.306.1174
Licen	se No. 01739593

×	

From:

Dave Pachla <dpachla@gmail.com>

Sent:

Wednesday, July 17, 2019 2:21 AM

To:

Gordon-Jonckheer, Elizabeth (CPC); natalie.mattei@safeway.com

Cc:

Koryn Pachla

Subject:

Support Andronico's at 375 32nd Ave / 3132 Clement - Planning Commission

S

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Greetings -

We support Andronico's, and look forward to the addition to our neighborhood. We feel it will be a great market source in serving the central and western Richmond, Lake Street, and Sea Cliff communities. We hope for both internal and external aesthetic improvements, along with fresh food options.

Thank you Dave and Koryn Pachla

From:

Chris Kagay < ckagay@gmail.com>

Sent:

Wednesday, July 17, 2019 6:00 AM

To:

Gordon-Jonckheer, Elizabeth (CPC); Natalie.Mattei@safeway.com

Subject:

Support Andronico's at 375 32nd Ave / 3132 Clement - Planning Commission

10 m

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the planning commission:

As a neighbor of the proposed Andronico's site at 375 32nd Ave, I hope you will expedite this project.

This site has sat empty for far too long, and there are too few groceries in the Richmond District, home to 80,000 San Franciscans.

Opening the Andronico's at this location will be a major positive addition to the Outer Richmond.

Sincerely,

Christopher Kagay 430 38th Ave San Francisco, CA 94121

415-420-2465

Sent from Gmail Mobile

From:

Elizabeth Wyma-Hughes <emhughes715@gmail.com>

Sent:

Wednesday, July 17, 2019 8:20 AM

To:

Gordon-Jonckheer, Elizabeth (CPC); natalie.mattei@safeway.com

Subject:

Support Andronico's at 375 32nd Ave / 3132 Clement - Planning Commission

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To whom it may concern,

As a resident of the Outer Richmond district, I am thrilled to hear that progress is being made in opening a quality grocery store in our area. I have lived a block from the closed Fresh and Easy for over 3 years and have been disappointed by the wasted space. I think that Andronico's will be a perfect fit for our community and I look forward to shopping there often!

Regards,

Elizabeth Wyma-Hughes

From:

Brianne Howell < howell.brianne@gmail.com>

Sent:

Wednesday, July 17, 2019 9:38 AM

To:

Gordon-Jonckheer, Elizabeth (CPC); natalie.mattei@safeway.com

Subject:

Support Andronico's at 375 32nd Ave / 3132 Clement - Planning Commission

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

I wanted to let you know that I'm so excited that Andronico's will be moving into our neighborhood. When Fresh & Easy closed, it left a big gap in our neighborhood and we're excited to have it filled by a great market like Andronico's. I've lived in the Outer Richmond for over 10 years and feel that adding in a market is a huge upgrade. I only wish it could move in sooner!

Thank you, Brianne Howell 34th Ave. San Francisco

From:

Thomas Weed <thomasweed@aol.com>

Sent:

Wednesday, July 17, 2019 11:22 AM

To:

Gordon-Jonckheer, Elizabeth (CPC); natalie.mattei@safeway.com

Subject:

Support Andronico's at 375 32nd Ave / 3132 Clement - Planning Commission

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Elizabeth,

I am writing in favor of Andronico's taking over the former Fresh & Easy space. I live across the street & feel that it would be a benefit to the neighborhood. Thanks for your consideration.

Thomas Weed 360 32nd Avenue Apt 12 San Francisco, CA 94121 (415) 387-3448 ThomasWeed@aol.com

From:

Jason Brooks <jason@sealrock.net>

Sent:

Wednesday, July 17, 2019 12:22 PM

To:

Gordon-Jonckheer, Elizabeth (CPC); natalie.mattei@safeway.com

Subject:

Support Andronico's at 375 32nd Ave / 3132 Clement - Planning Commission

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I live in the neighborhood and would love to see this space active again. Please approve it!

Thanks, Jason

From:

shannon levy <shannonlevy@me.com>

Sent:

Wednesday, July 17, 2019 7:32 PM

To:

Gordon-Jonckheer, Elizabeth (CPC)

Subject:

Support Andronico's at 375 32nd Ave / 3132 Clement - Planning Commission

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I support this grocery store opening in our neighborhood. I live on Seal Rock Drive. Thank you!

Best Regards,

Shannon Levy

Elizabeth.Gordon-Jonckheer@sfgov.org natalie.mattei@safeway.com

From:

James W. Argo < jargo@guaranteemortgage.com>

Sent:

Wednesday, July 17, 2019 3:59 PM

To: Cc:

Gordon-Jonckheer, Elizabeth (CPC)

Subject:

natalie.mattei@safeway.com; Fewer, Sandra (BOS) Withholding Support for Andronico's at 375 32nd Ave / 3132 Clement - Planning

Commission

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I along with my Lincoln Park Neighbors, are hereby withholding support - voicing concerns over the hours of operation.

We were not told about operating hours of 6am to 11pm at 2 earlier meetings.

This changes our opinion on the matter.

Kind Regards,

Jim

James W. Argo

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