# Executive Summary Conditional Use

**HEARING DATE: SEPTEMBER 28, 2017** 

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

Reception: 415.558.6378

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Planning Information: 415.558.6377

Date Prepared: September 18, 2017
Case No.: 2017-004104CUA

Project Address: 855 BRANNAN STREET

Zoning: Urban Mixed Use (UMU) Zoning District

68-X Height and Bulk District

Planning Area: Showplace Square/Potrero Area Plan

Block/Lot: 3783/001

Project Sponsor: David Glassman

Glassman Planning Associates

1111 Sartori Avenue, Torrance, CA 90501

david@gpan.com or (310) 781-8250

Property Owner: Archstone Concourse LLC/Equity Residential

333 Third Street, Suite 210, San Francisco, CA, 94107

<u>Ikelly1@eqr.com</u> or (415) 633-8404

Staff Contact: Natalia Kwiatkowska – (415) 575-9184

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Recommendation: Approval with Conditions

#### PROJECT DESCRIPTION

The proposed project would authorize a 1,658 square-foot Formula Retail Limited-Restaurant use (coffee shop d.b.a. Peet's Coffee) in a vacant ground floor tenant space in a newly constructed six-story, mixed-use building. The total floor area of the space will not change with this Project. The Project will include new signage. Peet's Coffee is a San Francisco Bay Area based specialty coffee roaster and retailer, which had its first shop in Berkeley and is headquartered in Emeryville, includes more than 246 locations worldwide, including 29 other San Francisco locations.

#### SITE DESCRIPTION AND PRESENT USE

The Project Site, Lot 001 in Assessor's Block 3783, is located on the southeast side of Brannan Street, between 7th and 8th Streets in the UMU Zoning District in the South of Market neighborhood. The site is developed with a newly constructed six-story mixed-use building consisting of 432 dwelling units, approximately 19,650 square feet of retail and 422 off-street parking spaces approved by the Planning Commission per Motion No. 18793 on January 31, 2013 (See Case No. 2012.0700X for 801 Brannan Street). The building, currently under construction, has street frontage on Brannan, 7th, and 8th Streets. The subject storefront is located at the corner of Brannan and 8th Streets. Peet's Coffee is the first proposed tenant for the subject storefront.

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#### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The neighborhood is characterized by one- to six-story industrial, commercial, office, and mixed-use buildings. The north side of Brannan Street, opposite the subject site, includes a four-story, three-story, and three, two-story mixed-use buildings including office and retail uses. Lots across the street from Brannan and Townsend are zoned UMU while lots across the street from 8th Street are zoned PDR-1-G and lots across from 7th Street are zoned SALI and RED-MX.

#### **ENVIRONMENTAL REVIEW**

The project is not a project under CEQA Guidelines Sections 15060(c) and 15378 because there is no direct or indirect physical change in the environment.

#### **HEARING NOTIFICATION**

TYPE	TYPE REQUIRED PERIOD		ACTUAL NOTICE DATE	ACTUAL PERIOD	
Classified News Ad	20 days	September 8, 2017	September 8, 2017	20 days	
Posted Notice	20 days	September 8, 2017	September 8, 2017	20 days	
Mailed Notice	30 days	August 29, 2017	August 29, 2017	30 days	

The required Section 312 neighborhood notification process was conducted as part of this Project's Conditional Use notice.

#### **PUBLIC COMMENT**

The Planning Department has not received any correspondence for the proposed project.

#### **ISSUES AND OTHER CONSIDERATIONS**

- No commercial tenant will be displaced as the building is newly constructed and Peet's Coffee would be the first tenant.
- With regard to Conditional Use Authorizations for Formula Retail Uses, the Planning Commission is required to consider the following additional criteria (Section 303.1(d)) in addition to the standard Conditional Use findings:
  - The existing concentration of Formula Retail uses;
  - The availability of other similar Retail uses;
  - The compatibility of the proposed Formula Retail use with the District's architectural and aesthetic character;
  - The existing Retail vacancy rates; and
  - The existing mix of Citywide-serving and Daily Needs-serving Retail uses.

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- There are 8 existing ground story Formula Retail establishments out of 48 retail establishments within the Urban Mixed Use Zoning District. Therefore, the existing intensity of Formula Retail uses is approximately 16.67% of all businesses within the district. The proposed establishment would increase the concentration of Formula Retail establishments to approximately 18.75%, which is a nominal increase in the Formula Retail commercial frontage in this district of 2.08%.
- There are 49 existing ground story Formula Retail establishments out of 442 retail establishments within the ¼ mile vicinity, including Showplace Square. Therefore, the existing intensity of Formula Retail uses is approximately 11.09% of all businesses within the vicinity. The proposed establishment would increase the concentration of Formula Retail establishments to approximately 11.31%, which is a nominal increase in the Formula Retail commercial frontage within the vicinity of 0.22%.
- There are 4 existing limited restaurant establishments within the district and 22 existing limited restaurant establishments within the vicinity of the project site.
- The project seeks to occupy a commercial space in a new development and no exterior alterations are proposed. The project includes new signage. Proposed signage will be limited to one sign on top of the existing canopy to comply with the Commission Guide for Formula Retail. Therefore, the proposed use will have no effect on the architectural and aesthetic character of the district.
- There are currently five (5) vacant lots or approximately 9.5% of storefronts within the UMU District. There are currently 40 vacant lots or approximately 8.5% within the ¼ mile vicinity.
- Daily Needs: There are currently 53 daily needs-businesses within a ¼ mile vicinity of the subject property. This is approximately 11% of the number of storefronts in this same area. There are currently 9 daily needs-businesses within the UMU District. This is approximately 17% of the number of storefronts in the UMU District.
- Citywide Services: There are currently 378 citywide service-businesses within a ¼ mile vicinity of the subject property. This is approximately 80% of the number of storefronts in this same area. There are currently 39 citywide service-businesses within the UMU District. This is approximately 74% of the number of storefronts in the UMU District.

#### REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant a Conditional Use Authorization to establish a Formula Retail Use, per Planning Code Sections 303, 303.1, and 843.45.

#### BASIS FOR RECOMMENDATION

- The Project is necessary, desirable for, and compatible with the surrounding neighborhood in that it would continue to activate the ground floor tenant space of a six-story, mixed-use building.
- The Project would not displace any existing tenant.
- The Project meets all applicable requirements of the Planning Code.

Executive Summary

Hearing Date: September 28, 2017

Case No. 2017-004104CUA

855 Brannan Street

RECOMMENDATION: Approval with Conditions

#### **Attachments:**

**Draft Motion** 

Exhibits:

- Parcel Map
- Sanborn Map
- Zoning Map
- Height & Bulk Map
- Aerial Photograph
- Context Photo

Map of Formula Retail and Coffee Store Concentration (1/4 Mile Radius)

Project Sponsor submittal, including:

- Reduced Plans
- Site Photographs

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Attachment Checklist	
Executive Summary	Project Sponsor submittal
Draft Motion	Brief Letters in support
Environmental Determination	Drawings: Proposed Project
Zoning District Map	Check for legibility
Height & Bulk Map	
Parcel Map	RF Report
Sanborn Map	Community Meeting Notice
Aerial Photo	Inclusionary Affordable Housing Program: Affidavit for Compliance
Context Photos	
Site Photos	
Exhibits above marked with an " $X$ " are in	cluded in this packet <u>NK</u>
	Planner's Initials



# SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)	
☐ Transportation Sustainability Fee (Sec. 411A)	☐ Affordable Housing (Sec. 415)
☐ Jobs Housing Linkage Program (Sec. 413)	☐ First Source Hiring (Admin. Code)

**Planning Commission Draft Motion** 

**HEARING DATE: SEPTEMBER 28, 2017** 

☐ Child Care Requirement (Sec. 414) ☐ Other

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Staff Contact: Natalia Kwiatkowska – (415) 575-9184

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Recommendation: Approval with Conditions

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303, 303.1, AND 843.46 TO ALLOW A 1,658 SQUARE-FOOT FORMULA RETAIL LIMITED RESTAURANT USE (D.B.A. PEET'S COFFEE), ON THE GROUND FLOOR OF THE SIX-STORY MIXED-USE BUILDING WITHIN THE URBAN MIXED USE (UMU) DISTRICT, SHOWPLACE SQUARE/POTRERO AREA PLAN, AND 68-X HEIGHT AND BULK DISTRICT.

#### **PREAMBLE**

On April 4, 2017, David Glassman (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for a Conditional Use Authorization pursuant to Planning Code Sections 303, 303.1, and 8043.45 to authorize a 1,658 square-foot Formula Retail Limited Restaurant use (coffee shop d.b.a. Peet's Coffee) in a vacant ground floor tenant space in a newly constructed six-story mixed-use building within the Urban Mixed Use (UMU) District, Showplace Square/Potrero Planning Area, and 68-X Height and Bulk District.

The Planning Department Commission Secretary is the custodian of records; the file for Case No. 2017-004104CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

DRAFT MOTION Case No. 2017-004104CUA Hearing Date: September 28, 2017 855 Brannan Street

On September 28, 2017, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2017-004104CUA.

The project is not a project under CEQA Guidelines Sections 15060(c) and 15378 because there is no direct or indirect physical change in the environment.

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. 2017-004104CUA, 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 Project Site, Lot 001 in Assessor's Block 3783, is located on the southeast side of Brannan Street, between 7th and 8th Streets in the UMU Zoning District in the South of Market neighborhood. The site is developed with a newly constructed six-story mixed-use building consisting of 432 dwelling units, approximately 19,650 square feet of retail and 422 off-street parking spaces approved by the Planning Commission per Motion No. 18793 on January 31, 2013 (See Case No. 2012.0700X for 801 Brannan Street). The building, currently under construction, has street frontage on Brannan, 7th, and 8th Streets. The subject storefront is located at the corner of Brannan and 8th Streets. Peet's Coffee is the first proposed tenant for the subject storefront.
- 3. Surrounding Neighborhood. The neighborhood is characterized by one- to six-story industrial, commercial, office, and mixed-use buildings. The north side of Brannan Street, opposite the subject site, includes a four-story, three-story, and three, two-story mixed-use buildings including office and retail uses. Lots across the street from Brannan and Townsend are zoned UMU while lots across the street from 8th Street are zoned PDR-1-G and lots across from 7th Street are zoned SALI and RED-MX.
- 4. Project Description. The proposed project would authorize a 1,658 square-foot Formula Retail Limited-Restaurant use (coffee shop d.b.a. Peet's Coffee) in a vacant ground floor tenant space in a newly constructed six-story, mixed-use building. The total floor area of the space will not change with this Project. The Project will include new signage. Peet's Coffee is a San Francisco Bay Area based specialty coffee roaster and retailer, which had its first shop in Berkeley and is headquartered in Emeryville, includes more than 246 locations worldwide, including 29 other San Francisco locations.

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Public Comment. The Planning Department has not received any correspondence for the proposed project.

- 6. **Community Outreach.** A Pre-Application meeting was conducted on February 23, 2017; no one attended.
- 7. **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 Sales and Services, Retail.** Planning Code Section 890.104 defines a sales and services retail use as a commercial use which provides goods and/or services directly to the consumer and not for resale and is accessible to the general public.

Peet's Coffee is a San Francisco Bay Area based specialty coffee roaster and retailer. The project is considered Retail Sales and Services Land Use Category, as defined in Planning Code Section 890.104, which is a principally permitted use in the UMU District per Planning Code Section 843.45.

B. **Use Size.** Section 843.45 establishes size limits for all Retail Sales and Services uses in the UMU District. Within the District, Conditional Use Authorization is required for any Retail Sales and Services use that exceeds 25,000 square feet.

The proposal is going to occupy a 1,658 square-foot vacant ground floor establishment. The proposed use size is below the 25,000 square-foot size limit and is therefore principally permitted.

C. Formula Retail. Planning Code Sections 303.1 and 843.46 requires a Conditional Use Authorization for the establishment or expansion of a new formula retail use in the UMU District.

Peet's Coffee is a specialty coffee roaster and retailer, which includes more than 246 locations worldwide, including 29 other San Francisco locations, and is therefore considered a formula retail establishment. Peet's Coffee seeks a Conditional use Authorization for the establishment of a new formula retail use.

D. **Off-Street Parking.** Pursuant to Planning Code Section 843.10, no off-street parking is required for non-residential uses in the UMU Zoning District.

Peet's Coffee is a non-residential use and thus does not require any off-street parking spaces. There will be no off-street parking added as part of this Project.

E. Street Frontage in Mixed-Use Districts. Planning Code Section 145.1 requires that within Mixed-Use Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street

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frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

The proposed coffee shop will have approximately 49 feet of frontage along Brannan Street and approximately 34 feet of frontage along 8th Street with more than 60 percent devoted to transparent window space. The windows will be clear and unobstructed. Signs will be required to have a sign permit and comply with the requirements of Article 6 of the Planning Code and the Formula Retail sign guidelines. There are no changes proposed to the commercial frontage.

F. **Signage.** Section 607.2 of the Planning Code permits business signs to be located within Mixed Use Districts with limitations based on the type of signage. In addition to the Planning Code, the *Commission Guide for Formula Retail* provides additional limitations for signs located on formula retail storefronts. One sign per tenant is permitted, unless the establishment is a corner storefront, in which case it may have one sign per frontage.

Peet's Coffee is proposing one business sign on an existing awning, which will be internally illuminated. The proposed signage complies with Article 6 of the Planning Code and the Commission Guide for Formula Retail.

- 8. **Conditional Use Authorization.** Planning Code Section 303(c) 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:
  - i. The proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.
    - The proposed Formula Retail use is compatible with and desirable for the surrounding community because it would allow an active use of a ground floor tenant space in a mixed-use building in the SoMa neighborhood, and provide a centrally located retail service center for a coffee shop. The authorization of this business would not result in the displacement of any existing tenant since the proposed tenant would occupy a vacant storefront in a newly constructed mixed-se building and would activate a new storefront. With 15 expected employees, the project will provide employment opportunities for San Francisco residents.
  - ii. The proposed Project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the Project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

a) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The size and shape of the site and the size, shape, and arrangement of the building, e.g. height and bulk, will not be altered as part of this Project. The proposed Project will not affect the building envelope. The Formula Retail use will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. Within a ¼ mile radius, there are eight other coffee stores including Caffe Pazzo, Starbucks, Bonjour Patisserie, Pivot Coffee, Café In, Caffe Roma, Bechelli's Flower Market Café, and L'acajou Bakery and Cafe. The establishment of this Formula Retail Use is not anticipated to significantly affect the existing coffee stores within the District.

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

The Project is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicle trips from the immediate neighborhood or citywide. Existing off-street commercial parking will remain. The Project will not adversely affect public transit or overburden the existing supply of parking in the neighborhood.

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

The Project will not produce noxious or offensive emissions related to noise, glare, dust, or odor. The Formula Retail activities would be within an enclosed building, providing ample sound insulation.

d) 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 vehicle parking, loading areas, or service areas. Signs will require a permit and must comply with the requirements of Article 6 of the Planning Code and the Formula Retail sign guidelines.

iii. 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.

iv. 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 purpose of the UMU District in that the intended use is located at the ground floor and will provide a compatible convenience service for the immediately surrounding neighborhoods during daytime hours; the Formula Retail use will provide a compatible business for the immediately surrounding neighborhoods. The Code allows for the full

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range of commercial uses provided that the use size generally is limited to 25,000 square feet; the proposed use is 1,658 square feet.

- 9. **Formula Retail Use.** Formula Retail uses within the UMU Zoning District require a Conditional Use Authorization. Planning Code Section 303.1 provides additional criteria for the Planning Commission to consider when considering any conditional use pursuant Section 303.1, Formula Retail Uses:
  - a. The existing concentration of Formula Retail uses within the District.

There are 8 existing ground story Formula Retail establishments out of 48 retail establishments within the Urban Mixed Use Zoning District. Therefore, the existing intensity of Formula Retail uses is approximately 16.67% of all businesses within the district. The proposed establishment would increase the concentration of Formula Retail establishments to approximately 18.75%, which is a nominal increase in the Formula Retail commercial frontage in this district of 2.08%.

There are 49 existing ground story Formula Retail establishments out of 442 retail establishments within the ¼ mile vicinity. Therefore, the existing intensity of Formula Retail uses is approximately 11.09% of all businesses within the vicinity. The proposed establishment would increase the concentration of Formula Retail establishments to approximately 11.31%, which is a nominal increase in the Formula Retail commercial frontage within the vicinity of 0.22%.

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

There are 4 existing limited restaurant establishments within the district and 22 existing limited restaurant establishments within the vicinity of the project site.

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

The project seeks to occupy a commercial space in a new development and no exterior alterations are proposed. The project includes new signage. Proposed signage will be limited to one sign on top of the existing canopy to comply with the Commission Guide for Formula Retail. Therefore, the proposed use will have no effect on the architectural and aesthetic character of the district.

d. The existing retail vacancy rates within the District.

There are currently five (5) vacant lots or approximately 9.5% of storefronts within the UMU District. There are currently 40 vacant lots or approximately 8.5% within the ¼ mile vicinity.

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

Daily Needs: There are currently 53 daily needs-businesses within a ¼ mile vicinity of the subject property. This is approximately 11% of the number of storefronts in this same area. There are currently 9 daily needs-businesses within the UMU District. This is approximately 17% of the number of storefronts in the UMU District.

Citywide Services: There are currently 378 citywide service-businesses within a ¼ mile vicinity of the subject property. This is approximately 80% of the number of storefronts in this same area. There are currently 39 citywide service-businesses within the UMU District. This is approximately 74% of the number of storefronts in the UMU District.

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

Table 1. UMU District and Vicinity Ground Floor Frontage Breakdown per Land Use<sup>1</sup>

LAND USE TYPE	URBAN MIXED USE (UMU) FRONTAGE TOTAL (FT.)	UMU %	¼ MILE VICINITY FRONTAGE TOTAL (FT.)	VICINITY %
Animal Hospital	0	0%	0	0%
Business / Professional	3469	50%	14029	38%
Financial	0	0%	675	2%
Institutional	52	1%	4922	13%
Limited Restaurant / Restaurant	559	8%	1800	5%
Medical	0	0%	26	0%
Other Retail	1034	15%	9658	26%
Personal Service	181	3%	1341	4%
Vacant	1661	24%	4531	12%
Total	6956	100%	36981	100%

The use mix is varied in the Urban Mixed Use District. Businesses providing professional services comprise 50% of the ground floor frontage, followed by vacant establishments comprising 24% of the ground floor frontage and other retail comprising 15%. These calculations do not include non-retail establishments, such as residences, institutions, parking, or public services.

g. For Formula Retail uses of 20,000 square feet or more, except for General or Specialty Grocery stores as defined in Articles 2, 7, 8 of this Code, the contents of an Economic Impact Study prepared pursuant to Section 303(i) of the Planning Code.

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

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

<sup>1</sup> The Urban Mixed Use Land Use table was developed using data collected by the project sponsor and reviewed by Planning Department Staff in 2017.

#### **COMMERCE AND INDUSTRY ELEMENT**

#### **Objectives and Policies**

#### **OBJECTIVE 1:**

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

#### Policy 1.1:

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

#### Policy 1.2:

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

#### Policy 1.3:

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

The project will provide desirable goods and services to the neighborhood and will provide resident employment opportunities to those in the community. Further, the project site is located within a Mixed Use District which promotes a vibrant mix of uses.

#### **OBJECTIVE 2:**

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

#### Policy 2.1:

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

The project will add a new commercial activity into a vacant retail space in a newly constructed mixed-use building and will enhance the diverse economic base of the City. The proposed location will be the 30<sup>th</sup> Peet's Coffee within San Francisco. Opening the SOMA location will contribute to the overall diversity of retail sales and services within the District and City at large. Furthermore, by establishing a new commercial activity in a vacant space, the neighborhood retains a commercial use at this site and enables the Project to enhance the economic base of the City and immediate area.

#### SHOWPLACE SQUARE/POTRERO HILL AREA PLAN

#### LAND USE

#### **OBJECTIVE 1.1**

ENCOURAGE THE TRANSITION OF PORTIONS OF SHOWPLACE / POTRERO TO A MORE MIXED USE AND NEIGHBORHOOD-SERVING CHARACTER, WHILE PROTECTING THE CORE OF DESIGN-RELATED PDR USES

#### **Policy 1.1.2**

In the northern part of Showplace Square (around 8th and Brannan, east of the freeway and along 16th and 17th Streets) revise land use controls to create new mixed use areas, allowing mixed-income housing as a principal use, as well as limited amounts of retail, office, and research and development uses, while protecting against the wholesale displacement of PDR uses.

#### **Policy 1.1.6**

Allow for active ground floor uses and a more neighborhood commercial character in newly designated mixed use areas within Showplace Square.

855 Brannan Street is located in the northern part of Showplace Square and is proposing a limited amount of retail use to further diversify the mixed use area it is located within. The interior renovations will activate the ground floor, which is currently vacant.

- 11. **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 is not anticipated to significantly affect the existing mix of neighborhood-serving retail uses, and would provide future opportunities for resident employment. The Project would enhance the District by providing a convenient retail outlet for a popular coffee shop in an area that contains eight similar stores. The Project will provide desirable goods and will provide employment opportunities to those in the community.

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

The Project is not anticipated to adversely affect the character or diversity of the neighborhood. There are no changes proposed to the façade other than the new signage.

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.

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There is off-street commercial parking as part of the existing property, and there will be no off-street parking added as part of this Project. The Project would not adversely affect public transit or place a burden on the existing supply of parking in the neighborhood. The Project Site is in a location well-served by transit including 8, 8AX, 8BX, 9, 9R, 10, 12, 14X, 19, 27, 47, 83X, and 90 MUNI bus lines. The nearest BART station is 0.8-miles away at Civic Center Station. The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide.

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 as the Project will occupy a vacant ground floor tenant space in a newly constructed mixed-use building.

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

This 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.

Neither a landmark nor historic building occupies the project site.

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

The Project will have no negative effect on existing parks and open spaces, and will not adversely affect their access to sunlight, or vistas.

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

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855 Brannan Street

#### **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. 2017-004104CUA** under Planning Code Sections 303, 303.1, and 843.46 to authorize a 1,658 square-foot Formula Retail Limited Restaurant use (coffee shop d.b.a. Peet's Coffee), in a vacant ground floor commercial space within a newly constructed six-story mixed-use building within the Urban Mixed Use (UMU) District and 68-X Height and Bulk District. The Project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated **September 13, 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. XXXXX. 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 September 28, 2017.

Jonas P. Ionin	
Commission So	ecretary
AYES:	
NAYS:	
ABSENT:	
ADOPTED:	September 28, 2017

### **EXHIBIT A**

#### **AUTHORIZATION**

This authorization is for a conditional use to allow a Formula Retail Limited Restaurant (d.b.a. Peet's Coffee) located at 855 Brannan Street, Block 3783, and Lot 001 pursuant to Planning Code Sections 303, 303.1, and 843.46 within the UMU District and a 68-X Height and Bulk District; in general conformance with plans, dated September 13, 2017, and stamped "EXHIBIT B" included in the docket for Case No. 2017-004104CUA and subject to conditions of approval reviewed and approved by the Commission on September 28, 2017 under Motion No XXXXXX. 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 September 28, 2017 under Motion No XXXXXX.

#### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **XXXXXX** 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, <a href="https://www.sf-planning.org">www.sf-planning.org</a>

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, <a href="https://www.sf-planning.org">www.sf-planning.org</a>

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, <a href="https://www.sf-planning.org">www.sf-planning.org</a>

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

DRAFT MOTION Case No. 2017-004104CUA Hearing Date: September 28, 2017 855 Brannan Street

#### **DESIGN – COMPLIANCE AT PLAN STAGE**

6. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

- 7. Garbage, composting and recycling storage. Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.
  - For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
- 8. **Signage.** Any signs on the property must have a sign permit and shall comply with the requirements of Article 6 of the Planning Code and the Commission Guide for Formula Retail. For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

#### MONITORING- AFTER ENTITLEMENT

- 9. **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, <a href="https://www.sf-planning.org">www.sf-planning.org</a>
- 10. 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, <a href="https://www.sf-planning.org">www.sf-planning.org</a>

#### **OPERATION**

11. 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.

Case No. 2017-004104CUA 855 Brannan Street

DRAFT MOTION Hearing Date: September 28, 2017

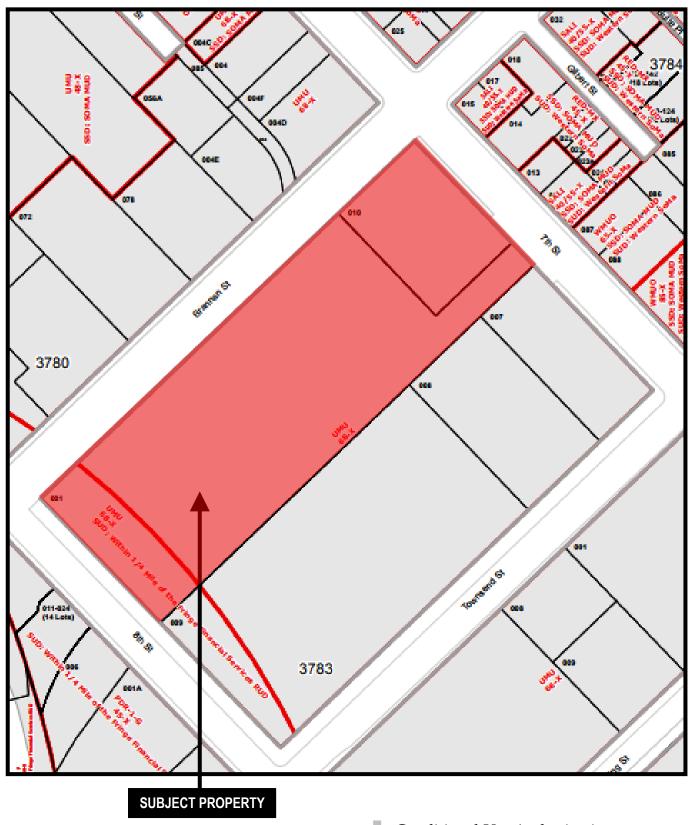
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <a href="http://sfdpw.org">http://sfdpw.org</a>

- 12. **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, <a href="http://sfdpw.org">http://sfdpw.org</a>
- 13. **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.

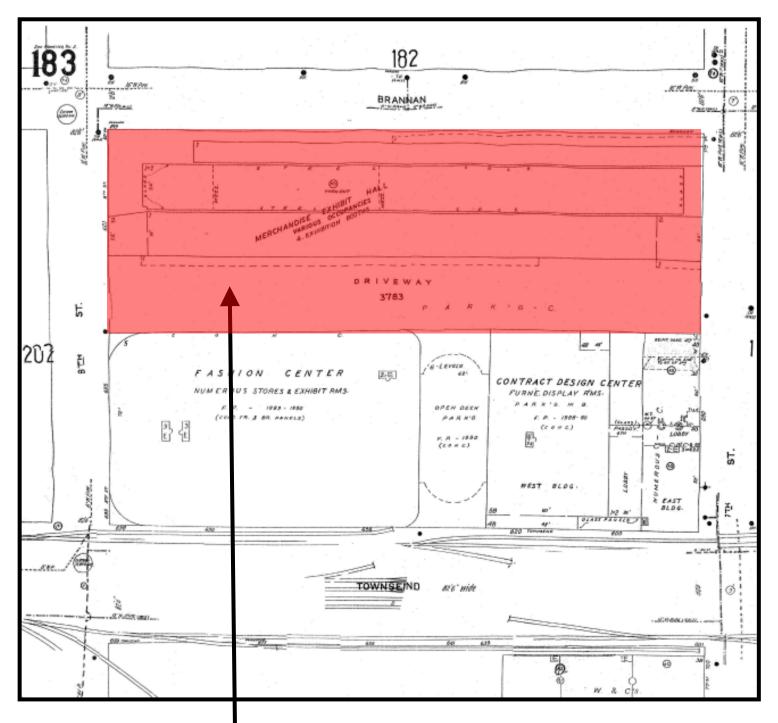
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <a href="https://www.sf-planning.org">www.sf-planning.org</a>

# **Parcel Map**





# Sanborn Map\*

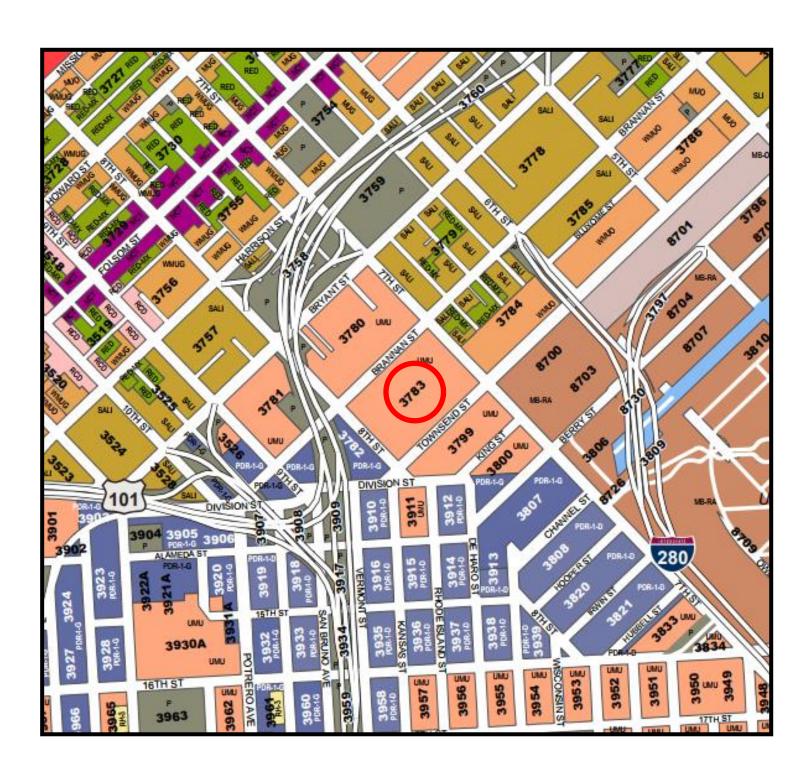


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

**SUBJECT PROPERTY** 

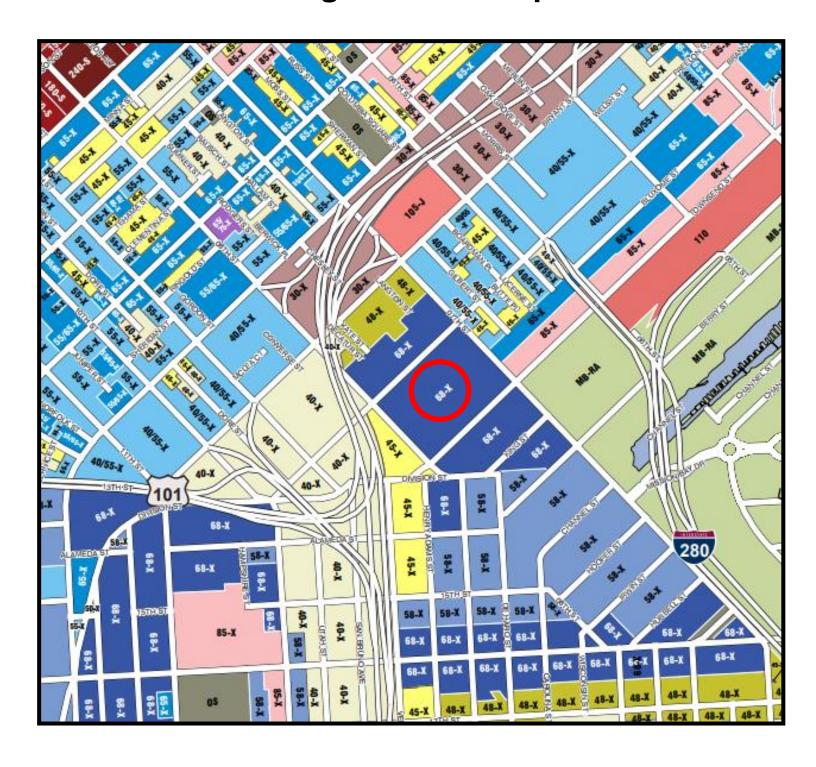


# **Zoning Map**



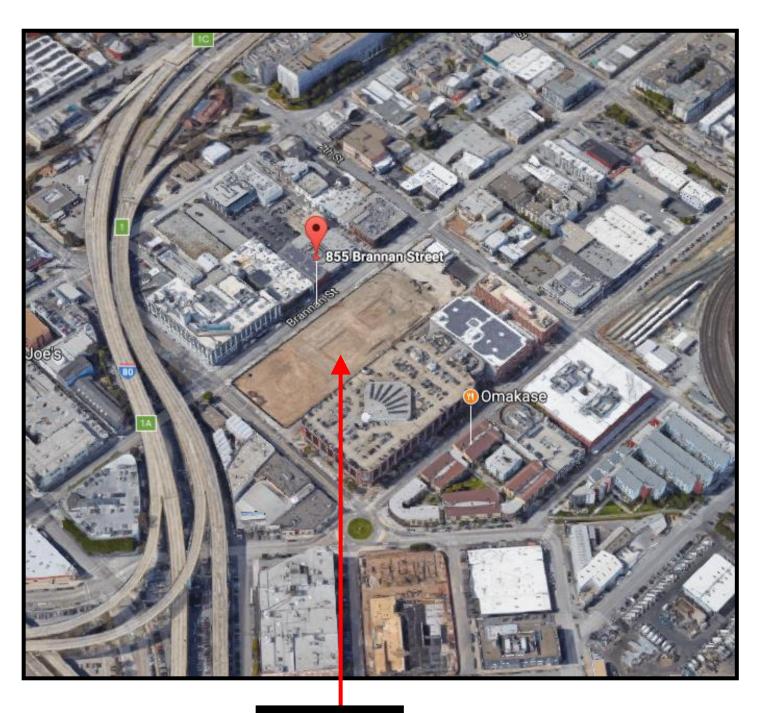


# Height & Bulk Map





# **Aerial Photo**



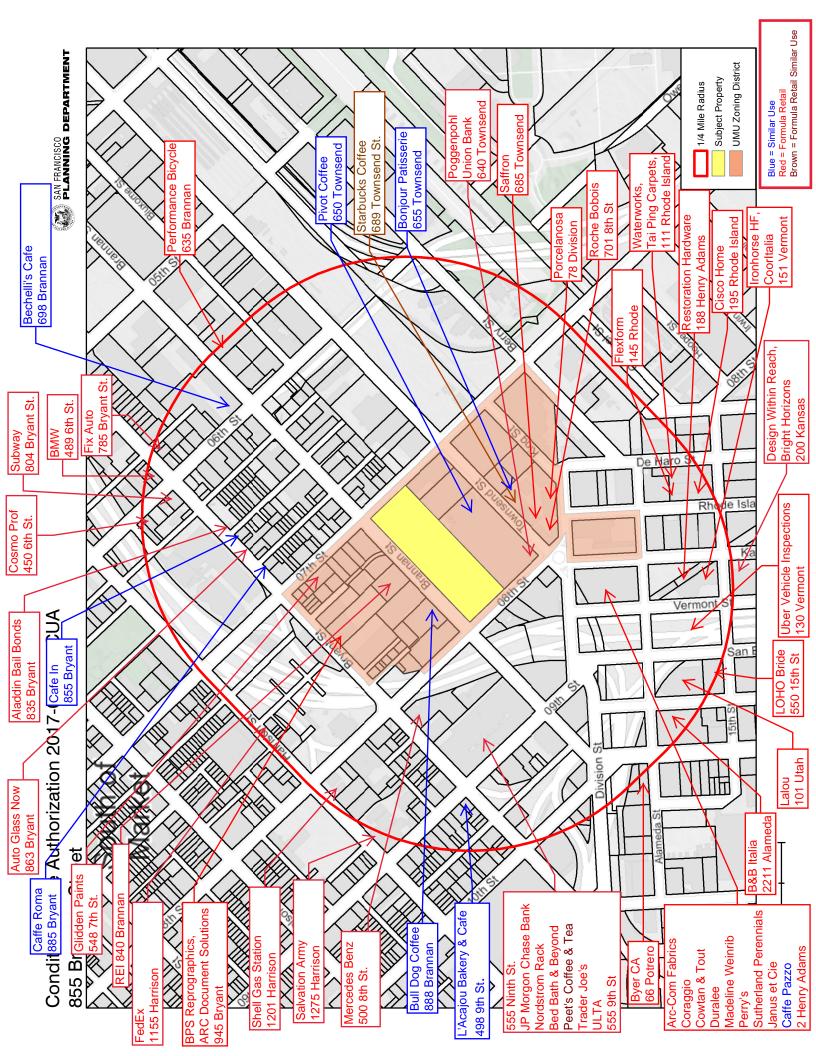
SUBJECT PROPERTY



# **Site Photo**



SUBJECT PROPERTY

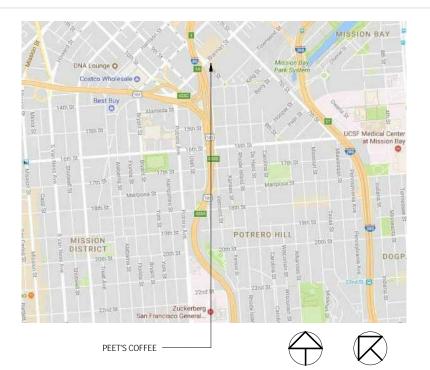


## PEET'S COFFEE

855 BRANNAN STREET SUITE B1 SAN FRANCISCO, CA 94103

## FORMULA RETAIL SUBMITTAL PACKAGE

DESCRIPTION REQUIREMENT PROPOSED CONSTRUCTION TYPE TYPE II-B NO CHANGE GC COMMERCIAL NO CHANGE USE GROUP NO CHANGE B - BUSINESS ONE STORY NO CHANGE BUILDING IS FULLY SPRINKLERED BUILDING IS FULLY SPRINKLERED SPRINKLERED



TRUE NORTH PROJECT NORTH

DESIGN PROJECT MANAGER PEET'S COFFEE & TEA

1400 PARK AVENUE EMERYVILLE, CA 94608 CONTACT: LUCIE LEE T: 510.847.4151

LANDLORD

THE IRVINE COMPANY 550 NEWPORT CENTER DRIVE NEWPORT BEACH, CA 92660 CONTACT: WANA SIMS T: 949.720.2535

E: WEBMASTER@IRVINECOMPANY.COM

ARCHITECT MBH ARCHITECTS 960 ATLANTIC AVENUE ALAMEDA, CA 94501 PROJECT MANAGER: CELSO RIVERA T: 510.865.8663

MEP ENGINEER

DUNHAM 50 SOUTH SIXTH STREET, SUITE 1100 MINNEAPOLIS, MN 55402 CONTACT: RICK MOMBERG

T: 612.465.7550

E: RICK.MOMBERG@DUNHAMENG.COM

SAN FRANCISCO PLANNING 1650 MISSION ST, SUITE 400 SAN FRANCISCO, CA 94103 CONTACT: NATALIA KWIATKOWSKA PLANNER / PRESERVATION SPECIALIST TEL: 415.575.9185

#### PROJECT DIRECTORY

THIS PROJECT IS AN INTERIOR FIT OUT FOR A NEW PEET'S COFFEE STORE, FULLY SPRINKLERED, NEW CONSTRUCTION PROJECT.

SCOPE OF WORK INCLUDES INSTALLATION OF NEW INTERIOR PARTITIONS, FINISHES, FIXTURES, FURNITURE, CASEWORK, MILLWORK,

#### **VACINITY PLAN**



TRUE NORTH PROJECT NORTH

### PROJECT INFORMATION

BUILDING CODE: 2016 CALIFORNIA BUILDING CODE FIRE PROTECTION CODE: 2016 CALIFORNIA PLUMBING CODE

2016 CALIFORNIA BUILDING CODE & TITLE 24 ACCESSIBILITY CODE

PLUMBING CODE: 2016 CALIFORNIA PLUMBING CODE 2016 CALIFORNIA MECHANICAL CODE MECHANICAL CODE: ELECTRICAL CODE: CALIFORNIA ELECTRICAL CODE

ENERGY CODE: 2016 CA TITLE 24 ENERGY CODE

#### **APPLICABLE CODES**

SHEET NO.	SHEET NAME	LANDLORD SUBMITTAL	PERMIT SET	PLAN CHECK RSPONSE	CONSTRUCTION SET	BULLETIN 1
SK						
FRP-0	PROJECT INFORMATION					
FRP-1	FORMULA RETAIL PACKAGE - FLOOR PLAN					
FRP-2	FORMULA RETAIL PACKAGE - EXTERIOR ELEVATION (AT BRANNAN STREET)					
FRP-3	FORMULA RETAIL PACKAGE - EXTERIOR ELEVATION (AT 8TH ST)					
FRP-4	FORMULA RETAIL PACKAGE - SITE PLAN					
FRP-5	FORMULA RETAIL PACKAGE - EXTERIOR ELEVATION DETAILS					
FRP-6	SIGNAGE					
FRP-7	SIGNAGE					
FRP-8	SIGNAGE					

**KEY PLAN** 

### **SHEET INDEX**



**GENERAL INFORMATION** 

GENERAL

**70NING** 

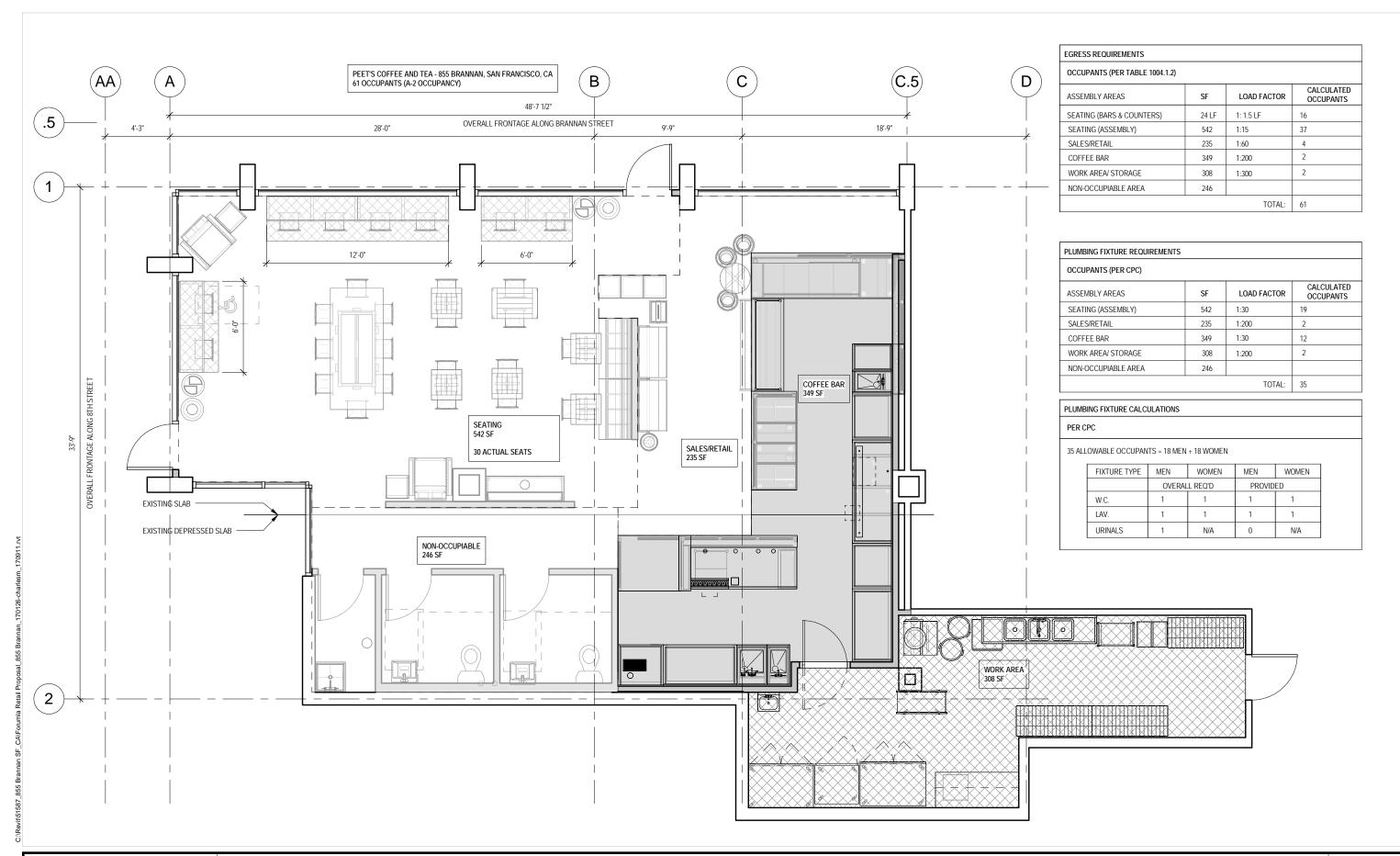
STORY

PROJECT INFORMATION

855 BRANNAN SAN FRANCISCO, CA

JOB #:	51587
SCALE:	As indicated
DATE:	09/13/17
DWN BY:	Author
REF:	Designer

FRP-0



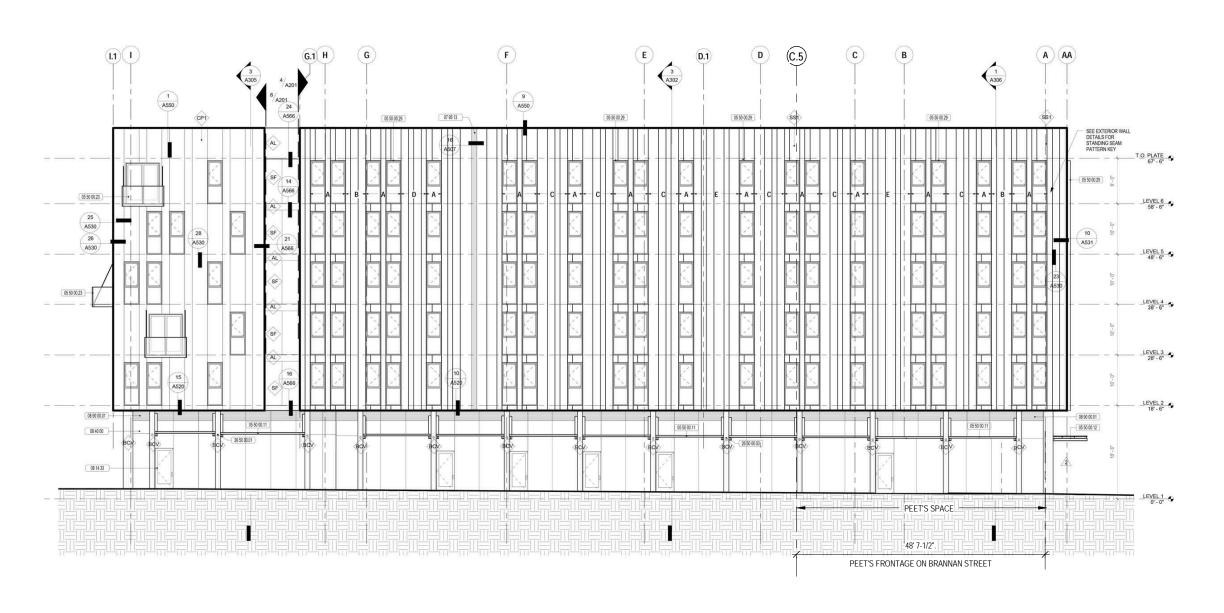
960 Atlantic Ave Alameda, CA 94501 510 865 8663 mbharch.com FORMULA RETAIL PACKAGE - FLOOR PLAN

855 BRANNAN SAN FRANCISCO, CA

JOB #:	51587	
SCALE:	As indicated	
DATE:	09/13/17	
DWN BY:	Author	
DEE:	Dooignor	

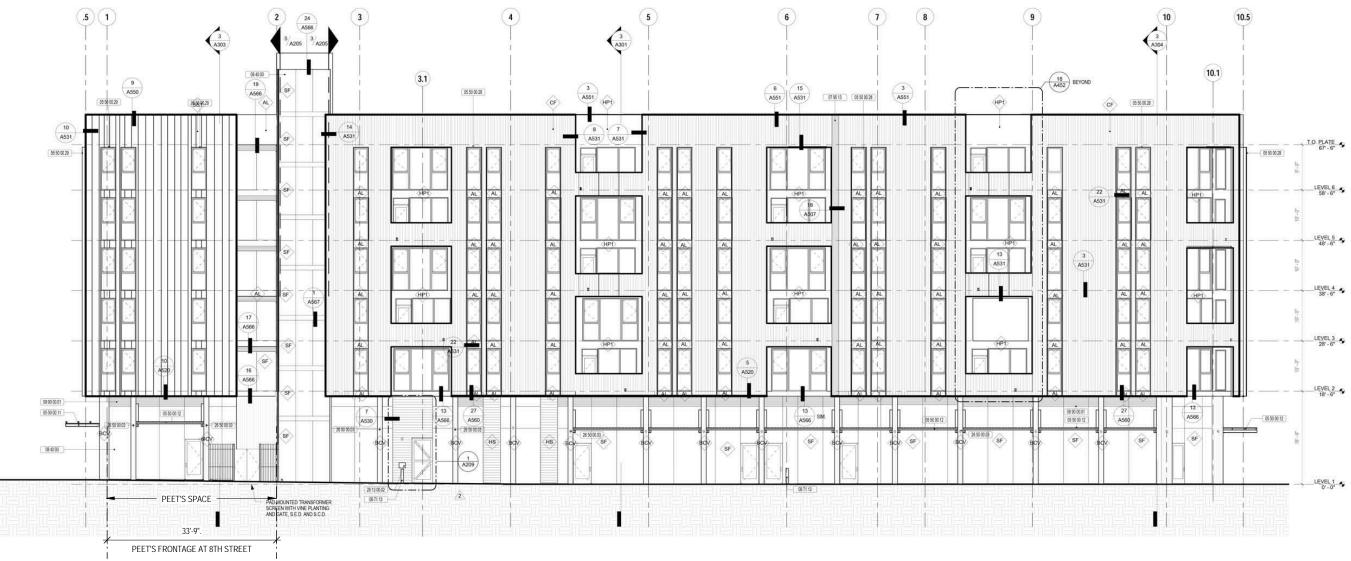


### KEY PLAN



960 Atlantic Ave Alameda, CA 94501 510 865 8663 mbharch.com

FORMULA RETAIL PACKAGE - EXTERIOR ELEVATION (AT BRANNAN STREET)



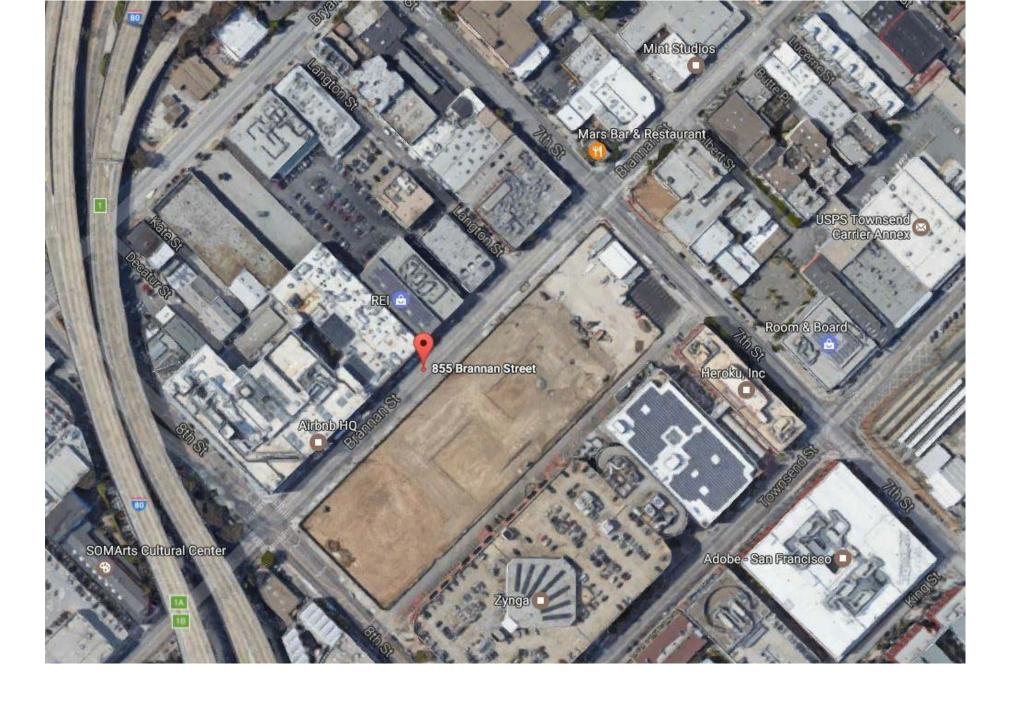


FORMULA RETAIL PACKAGE - EXTERIOR ELEVATION (AT 8TH ST)

855 BRANNAN SAN FRANCISCO, CA | JOB #: 51587 | SCALE: 1/8" = 1'-0" | DATE: 09/13/17 | DWN BY: Author | REF: Designer

FRP-3

BRANNAN ST



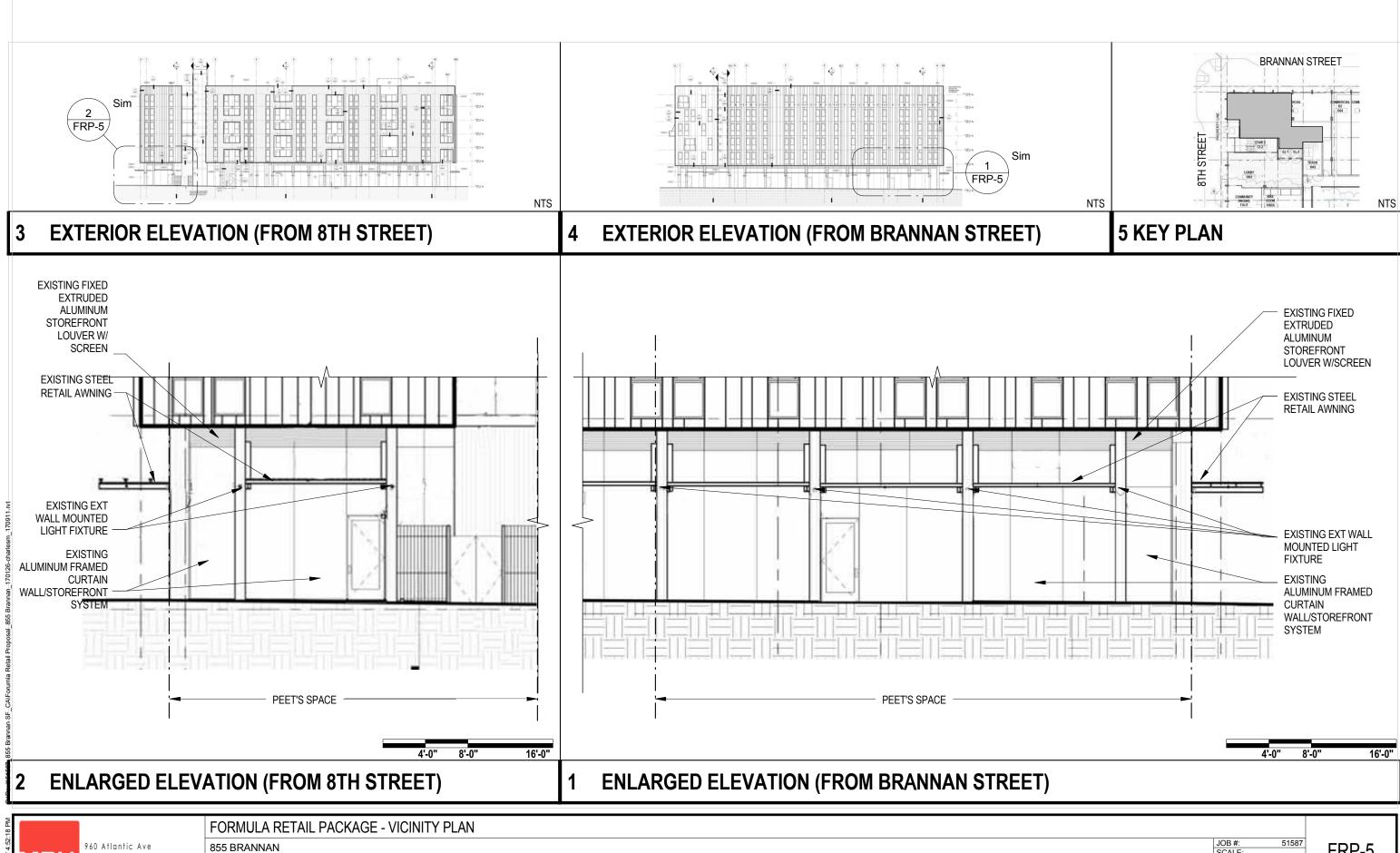
960 Atlantic Ave Alameda, CA 94501 510 865 8663 mbharch.com FORMULA RETAIL PACKAGE - SITE PLAN

855 BRANNAN SAN FRANCISCO, CA 
 JOB #:
 51587

 SCALE:
 DATE:
 09/13/17

 DWN BY:
 Author

 REF:
 Designer

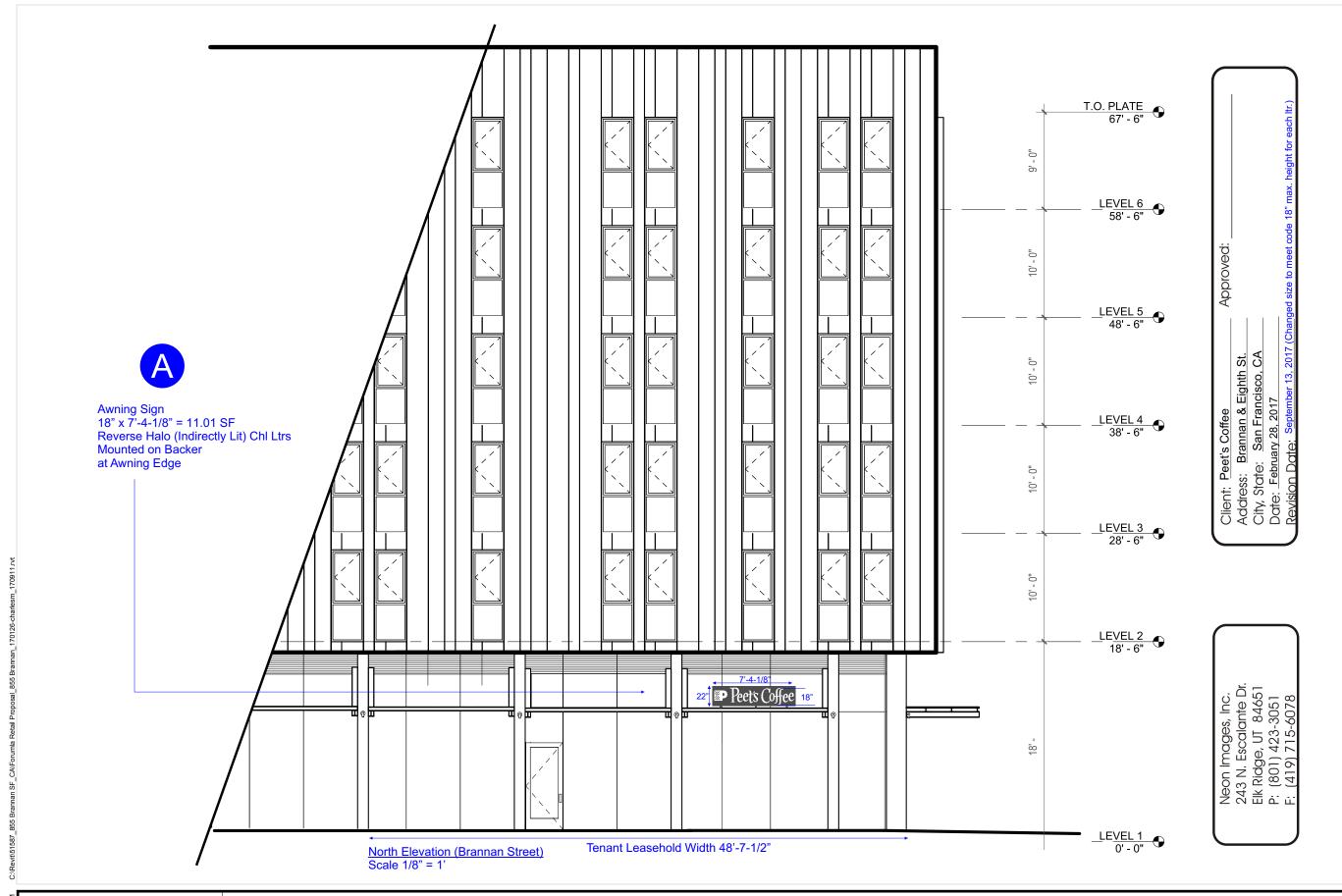




SAN FRANCISCO, CA

JOB #: SCALE: DATE: 09/13/17 DWN BY Author

FRP-5



960 Atlantic Ave Alameda, CA 94501 510 865 8663 mbharch.com SIGNAGE

855 BRANNAN SAN FRANCISCO, CA

JOB #:	51587	
SCALE:		
DATE:	09/13/17	
DWN BY:	Author	
REF:	Designer	



960 Atlantic Ave Alameda, CA 94501 510 865 8663 mbharch.com SIGNAGE

855 BRANNAN SAN FRANCISCO, CA JOB #: 51587 SCALE: DATE: 09/13/17 DWN BY: Author

FRP-7





Scale 3/4" = 1'

P = 16-7/8" C = 16-7/8" 1st "f" = 17-1/2" 2nd "f" = 18"

#### REVERSE HALO (INDIRECTLY ILLUMINATED) CHANNEL LETTERS MOUNTED ON BACKER

Reverse Welded Halo Illuminated Channel Letters LETTERS:

.090 Alum Full Welded Construction White FACES:

Clear Lexan Backs BACKS:

2" Deep .090 Aluminum Painted White **RETURNS:** 

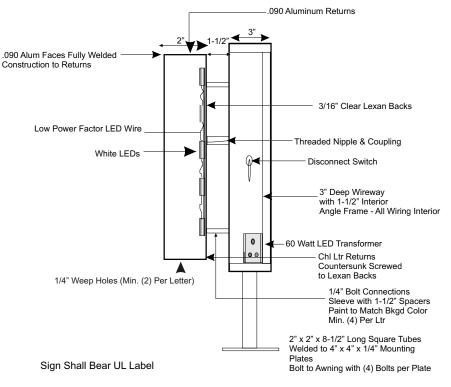
White LED's with Remote Power Pack **ILLUMINATION:** 

1-1/2" Painted to Match Backer Color SPACERS:

3" Deep Aluminum Backer Painted to Black PMS 6C BACKGROUND:

Black Vinyl LOGO ACCENT:

#### **Section Detail**



SIZEMATRIX

SIGN D ESIGNATION

Type 2A-2

Α	В	Area	Location
18"	7'-4-1/8"	11.01 SF	Brannan St. Elevation



**Peet's Coffee & Tea SIGN STANDARDS** 

Reverse Halo Indirectly Illuminated Awning Sign

Neon Images, Inc. 243 N. Escalante Dr. Elk Ridge, UT 84651 P: (801) 423-3051 F: (419) 715-6078

Approved

Client: Peet's Coffee
Address: Brannan & Eighth St.
City, State: San Francisco, CA
Date: February 28, 2017

960 Atlantic Ave Alameda, CA 94501 510 865 8663 mbharch.com

SIGNAGE

855 BRANNAN SAN FRANCISCO, CA SCALE: 09/13/17 DWN BY Author

FRP-8









