



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use Authorization

HEARING DATE: 05/03/2018

Record No.: 2018-001389CUA
Project Address: 2280 MARKET STREET
Zoning: NCT (Upper Market Neighborhood Commercial Transit District)
50-X/40-X Height and Bulk District
Block/Lot: 3560/013
Applicant: Shawn Anderson
360 22nd Street, Suite 800, Oakland, CA 94939
Staff Contact: Veronica Flores – (415) 575-9173
veronica.flores@sfgov.org
Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The proposal includes a Conditional Use Authorization to allow a change the use to a Formula Retail Gym (d.b.a Barry's Bootcamp). The proposal does not include any structural expansions or façade alteration other than proposed signage. The existing commercial space is 9,377 square feet in size.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization to permit the proposed Formula Retail Gym, permit a use size greater than 2,999 square feet, and permit hours of operation before 6:00am.

ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** The Department has received 27 letters of support from neighborhood organizations including the Duboce Triangle Neighborhood Association, Castro/Eureka Valley Neighborhood Association, and Castro Merchants. The Project Sponsor conducted a total of six community meetings, plus additional community outreach to introduce to the project to neighbors and neighborhood organizations. All the feedback has been positive in nature and supported the activation of the currently vacant storefront.

BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan. The Project will activate a vacant commercial storefront that was most recently occupied by another Formula Retail use (d.b.a. CVS Pharmacy). The proposal will create more local employment

opportunities and also bring in other pedestrian traffic into the area. All proposed signage will comply with Article 6 of the Planning Code. The Project will bring the concentration of Formula Retail within the Upper Market NCT to approximately 20%. On balance, the Project is consistent with the General Plan Objectives. The Department also 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 – Plans and Renderings
Exhibit C – Environmental Determination
Exhibit D – Land Use Data
Exhibit E – Maps and Context Photos
Exhibit F – Project Sponsor Submittal
Exhibit G – Public Correspondence



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion

HEARING DATE: MAY 3, 2018

Case No.: **2018-001389CUA**
Project Address: **2280 MARKET STREET**
Zoning: Upper Market NCT (Neighborhood Commercial Transit)
50-X/40-X Height and Bulk District
Block/Lot: 3560/013
Project Sponsor: Shawn Anderson
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Property Owner: Kent Jeffrey
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ADOPTING FINDINGS RELATING TO APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 303.1, AND 764 OF THE PLANING CODE TO ALLOW A FORMULA RETAIL GYM (D.B.A. BARRY'S BOOTCAMP) APPROXIMATELY 9,377 SQUARE FEET IN SIZE OPERATING FROM 5:30AM-10:00PM WITHIN THE UPPER MARKET NCT (NEIGHBORHOOD COMMERCIAL TRANSIT) DISTRICT AND 50-X/40-X HEIGHT AND BULK DISTRICTS.

PREAMBLE

On January 25, 2018 Shawn Anderson (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303.1 and 764 to allow a Formula Retail Gym (d.b.a. Barry's Bootcamp) within the Upper Market NCT (Neighborhood Commercial Transit) District and 50-X/40-X Height and Bulk Districts.

The Planning Department Commission Secretary is the custodian of records; the File for Case No. 2018-001389CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

On May 3, 2018, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-001389CUA.

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 Authorization as requested in Application No. 2018-001389CUA, 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 applicant proposes to change the use of the currently vacant business to a Formula Retail Gym (d.b.a Barry’s Bootcamp). The existing commercial space is 9,377 square feet in size. The proposal does not include any proposed building expansions or façade alterations, other than new signage. A change of use Building Permit Application will be submitted contingent on the Conditional Use Authorization. The proposal requires a change of use and Section 312-neighborhood notification was conducted in conjunction with the Conditional Use Authorization process.
3. **Site Description and Present Use.** The project is located on the north side of Market Street at Noe Street, Block 3560, Lot 013. The property is located within the Upper Market Street NCT (Neighborhood Commercial Transit) District and 50-X/40-X height and bulk districts. The property is developed with a two-story building that covering 100% of the lot. The project site is currently vacant and the most recent use was CVS Pharmacy, which vacated the property earlier this year. The property is irregularly shaped with approximately 125 feet of frontage on Market Street and approximately 100 feet of frontage on Noe Street.
4. **Surrounding Properties and Neighborhood.** The project site is located on the north side of Market at Noe Street. The Project site is located in an Upper Market NCT District with a variety of neighborhood-serving uses. A mixture of food establishments, personal services, and small retail establishments defines the District. The surrounding properties are located within the RH-2 (Residential, Housing – Two Family) and RM-2 (Residential, Mixed) Zoning Districts.
5. **Public Outreach and Comments.** The Department has 27 letters of support from the Duboce Triangle Neighborhood Association, Castro Community Benefit District, and Castro Merchants. Additionally, the Project Sponsor conducted a total of five meetings, including the Eureka Valley Neighborhood Association. All the feedback has been positive in nature and supported the activation of the currently vacant storefront.
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 764 states that a Conditional Use Authorization is required for uses 3,000 square feet or greater.

The proposal includes a new retail use that is 9,377 square feet in size; thus Conditional Use Authorization is required for the use size.

- B. **Parking.** Planning Section 151 of the Planning Code requires off-street parking for every 200 square-feet of occupied floor area, where the occupied floor area exceeds 5,000 square-feet.

The project is located within the Upper Market Street NCT and no parking is required. The project would retain the 39 existing rooftop spaces at the property, accessed by a drive to Noe Street. The project plans to make these parking spaces available to customers and employees.

- C. **Hours of Operation.** Planning Code Section 764 states that a Conditional Use Authorization is required for maintaining hours of operation from 2:00am to 6:00am, as defined by Planning Code Section 102.

The proposed hours of operation are 5:30am to 10:00pm Mondays-Fridays; 6:30am to 4:30pm Saturdays; and 6:30am to 7:00pm on Sundays. Thus Conditional Use Authorization is required for hours of operation.

- D. **Rear Yard Requirement in the Upper Market Street NCT District.** Planning Code Section 134 states that the minimum rear yard depth shall be equal to 25 percent of the total depth of a lot in which it is situated, but in no case less than 15 feet.

The proposal does not include any structural expansion.

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

The subject commercial space has approximately 125-feet of frontage on Market Street, with ample fenestration devoted to either the gym entrance or window space. The windows are clear and unobstructed.

F. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

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

The size of the proposed use is in keeping with other storefronts on the block face. The proposed Formula Retail gym will not impact traffic or parking in the District because it is not a destination retail use. The proposed gym will provide nearby residents and employees with a neighborhood amenity. This will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood by removing a vacant storefront.

B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The height and bulk of the existing building will remain the same. The proposal includes façade alterations and infilling the existing diagonal entry at the corner of Church Street and Duboce Avenue. The proposal includes interior improvements to an existing, vacant retail space and installation of new signage at the new entryway.

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

The Planning Code does not require parking or loading for a 9,377 square-foot Formula Retail gym. 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. The project site is well served by public transit and located between the Castro and Church Street Stations.

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

The individual and group classes are all held indoors so that proposal will not create any unusual noise. The proposal will not produce, nor include, and uses that would emit noxious or offensive emissions such as noise, glare, dust, or odor, and will provide proper ventilation for the space in

compliance with the San Francisco Building Code. While work out classes do involve relatively high volume music, extensive sound proofing has been designed to limit noise levels emitted from the studio space, including upgraded sound-rated wall assemblies, resiliently-suspended or separately framed ceiling assembly, and installation of sound-absorptive ceiling surfaces and isolating new HVAC equipment mounted on the roof and inside the building from vibration.

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

The existing parking garage on the rooftop will not be changed. Loading will continue to take place from the existing interior loading dock. The two existing loading spaces on Market Street will serve the Project's delivery needs. The Department shall review all signs proposed for the new business.

- 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 the Upper Market Street NCT in that the intended use is located at the ground floor, 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 Section 303.1, Formula Retail Uses:

- A. The existing concentrations of Formula Retail uses within the district.

The Project Sponsor conducted a Formula Retail survey in early 2018. Based on the survey, the concentration of all Formula Retail establishments in the 300' radius from the project site is 6% of total commercial frontage. The concentration of all Formula Retail establishments in the Upper Market NCT district is 20% of total commercial frontage.

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

There are 4 existing gyms within the Upper Market NCT, including 24 Hour Fitness and Alex Fitness. However, none of them offer the same type of bootcamp based work out system, including interval strength and conditioning classes, in a large scale, indoor exercise space as is offered at BBC fitness training facility. These gyms, though large, are dedicated to non-specific, generalized workouts and offer a wide variety of workout equipment and classes.

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

The project will occupy a vacant commercial space previously occupied by another Formula Retail use (d.b.a. CVS Pharmacy). The proposed Barry's Bootcamp does not include any structural expansions or façade alteration other than proposed signage. 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.

The vacancy rate with the Upper Market NCT is approximately 23%.

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

Daily Needs: There are currently 101 daily needs-businesses within the Upper Market NCT and 37 daily needs-businesses within the 300' radius from the subject property. The proposed retail use does not qualify as a "Daily-Needs" use.

Citywide Services: There are currently 56 citywide services -businesses within the Upper Market NCT and 2 citywide services-businesses within the 300' radius from the subject property.

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

In the larger Upper Market NCT, there are approximately 190 businesses, and approximately 24 businesses (12.6%) appear to qualify as formula retail. These include Safeway, Starbucks, 24 Hour Fitness, Super Duper Burgers, among other uses. The subject project would add an additional formula retail establishment to the district, and the concentration of formula retail establishments will increase to approximately 13.2% as measured as linear feet of commercial frontage.

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

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

9. **Planning Code Section 121.1** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area.

The Project will activate a vacant commercial storefront and bring in other pedestrian traffic into the area. The proposed Barry's Bootcamp store will occupy approximately 9,377 square feet within the retail portion of the building. As such, it will not increase the intensity of activity in the district that existed when CVS Pharmacy operated at the site, and will occupy less floor area than this previous tenant. The Barry's Bootcamp will not interfere with other needed neighborhood-serving businesses in the area since there are numerous other vacant retail spaces along in the Upper Market NCT District.

- 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 gym is complementary to the existing residential and commercial uses and provides nearby residents and employees a neighborhood amenity. The proposed Barry's Bootcamp will serve the neighborhood surrounding the site. The 9,377 square foot retail space is the most appropriate use of the remaining, vacant space on the ground floor of the Project Site. This space was previously divided amongst several retail units after Tower Records vacated the premise in 2007, but none of these retail spaces were successful. The former CVS Pharmacy opened at the project site a few years ago and provided consistent retail frontage for the entirety of the building. The size of the retail space is necessary for a Barry's Bootcamp to provide the typical variety of products expected by consumers. No increase in the size or bulk of the existing building is proposed.

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

The existing building on the Project Site is relatively large for this District, but has ample fenestration along the street frontage. The proposed Barry's Bootcamp will occupy the same amount of ground floor retail frontage as CVS Pharmacy had occupied. The building is located at the intersection of Market and Noe Streets, which intersect at a 45-degree angle, resulting in an unusually shaped building. The majority of the retail space is located behind the Market Street frontage.

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

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

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

The following guidelines, in addition to others in this objective for neighborhood commercial districts, should be employed in the development of overall district zoning controls as well as in the review of individual permit applications, which require case-by-case review and City Planning Commission approval. Pertinent guidelines may be applied as conditions of approval of individual permit applications. In general, uses should be encouraged which meet the guidelines; conversely, uses should be discouraged which do not.

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.

URBAN DESIGN ELEMENT

Objectives and Policies

OBJECTIVE 1:

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

Policy 1.7

Recognize the natural boundaries of districts, and promote connections between districts.

The Project involves a change of use to a Formula Retail Gym (d.b.a. Barry's Bootcamp). The proposed use is Formula Retail, but the will provide desirable goods and services to the neighborhood and will provide resident employment opportunities to those in the community. Additionally, the Project will activate a vacant commercial storefront and bring in other pedestrian traffic into the area. The proposal also includes extended hours of operation beginning at 5:30am. The proposed Barry's Bootcamp does not include any structural expansions or façade alteration other than proposed signage. On balance, the Project is consistent with the Objectives and Policies of the General Plan.

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 proposal would enhance the district by providing a new gym in an area that is not over concentrated by gyms. The business would be locally owned and it creates 20 more employment opportunities for 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 existing units in the surrounding neighborhood would not be adversely affected. The proposal includes extending hours of operation, which are consistent with other gyms in the Upper Market NCT.

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

No housing is removed for this Project.

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

The site is on Church Street and is well served by transit including the K, L, M, N, and 22 bus lines. It is presumable that the employees would commute by transit thereby mitigating possible 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 any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.

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

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

Currently, 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 impact on existing parks and open spaces. The Project does not have an impact on open spaces.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2018-001389CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated March 1, 2018, 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 May 3, 2018.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 3, 2018

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Exhibits

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a Formula Retail Gym (d.b.a. Barry's Bootcamp) located at 2280 Market Street, Block 3560, Lot 013 pursuant to Planning Code Sections 303, 303.1, and 764 within the Upper Market Neighborhood Commercial Transit District and the 50-X/40-X Height and Bulk Districts; in general conformance with plans, dated 11/09/17, and stamped "EXHIBIT B" included in the docket for Case No. 2018-001389CUA and subject to conditions of approval reviewed and approved by the Commission on May 3, 2018 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 May 3, 2018 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, 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

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

PROVISIONS

8. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A.

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

9. **Market Octavia Affordable Housing Fee.** The Project is subject to the Market and Octavia Affordable Housing Fee, as applicable, pursuant to Planning Code Section 416.

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

10. **Market Octavia Community Improvements Fund.** The Project is subject to the Market and Octavia Community Improvements Fee, as applicable, pursuant to Planning Code Section 421.

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

MONITORING - AFTER ENTITLEMENT

11. **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

12. **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

13. **Garbage, composting and recycling storage.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

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

14. **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>

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

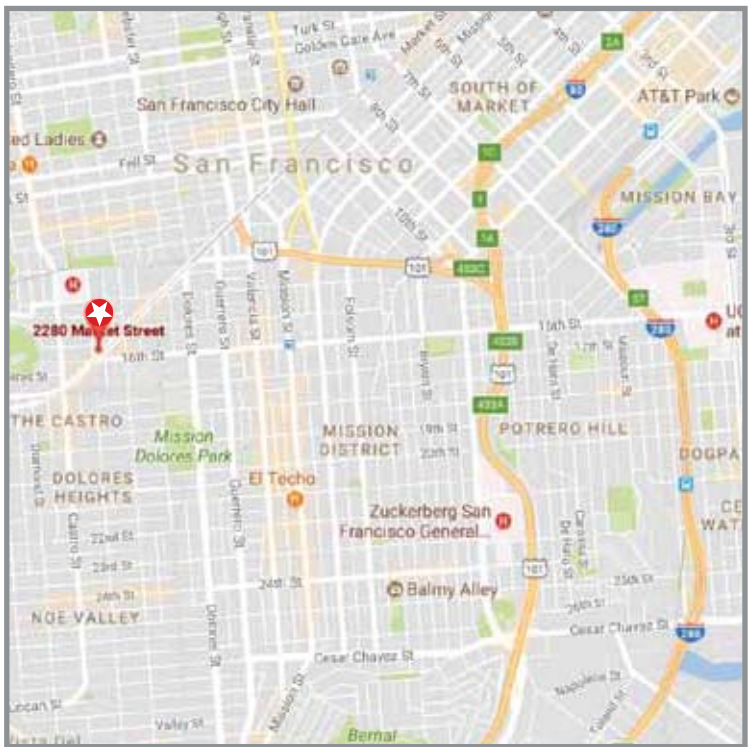
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

16. **Hours of Operation.** The subject establishment is limited to the following hours of operation: 5:30am to 10:00pm Mondays-Fridays; 6:30am to 4:30pm Saturdays; and 6:30am to 7:00pm on Sundays.

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

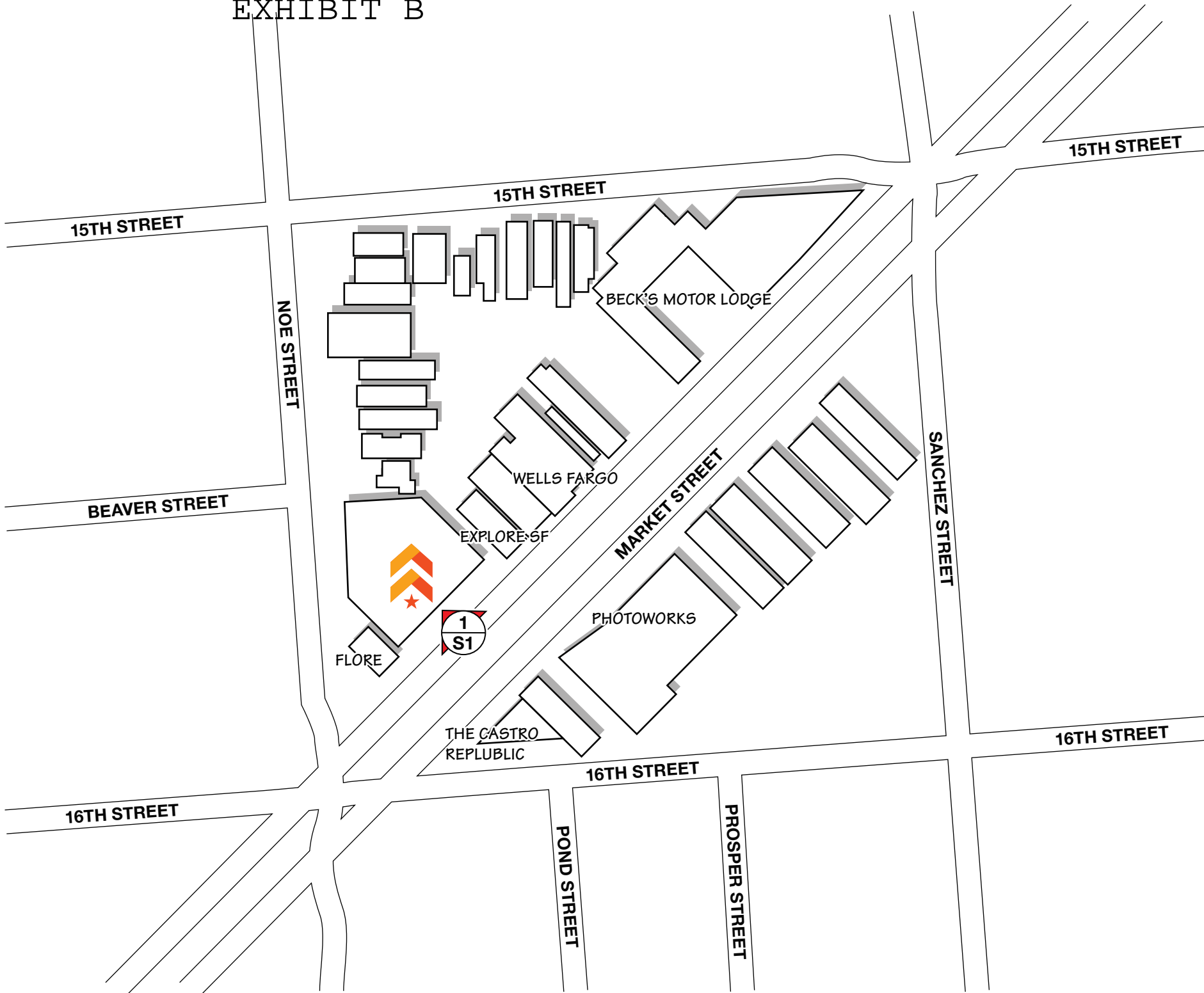
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EXHIBIT B



VICINITY MAP

NOT TO SCALE



SITE PLAN

NOT TO SCALE

GENERAL NOTES:
THIS DRAWING IS FOR SIGN REFERENCE ONLY, NOT FOR CONSTRUCTION.



1057 solano ave.
p.o. box 6153
albany, ca 94706-0153
510/526-0296 fax 526-6092
www.billmoore.com

bill moore & associates



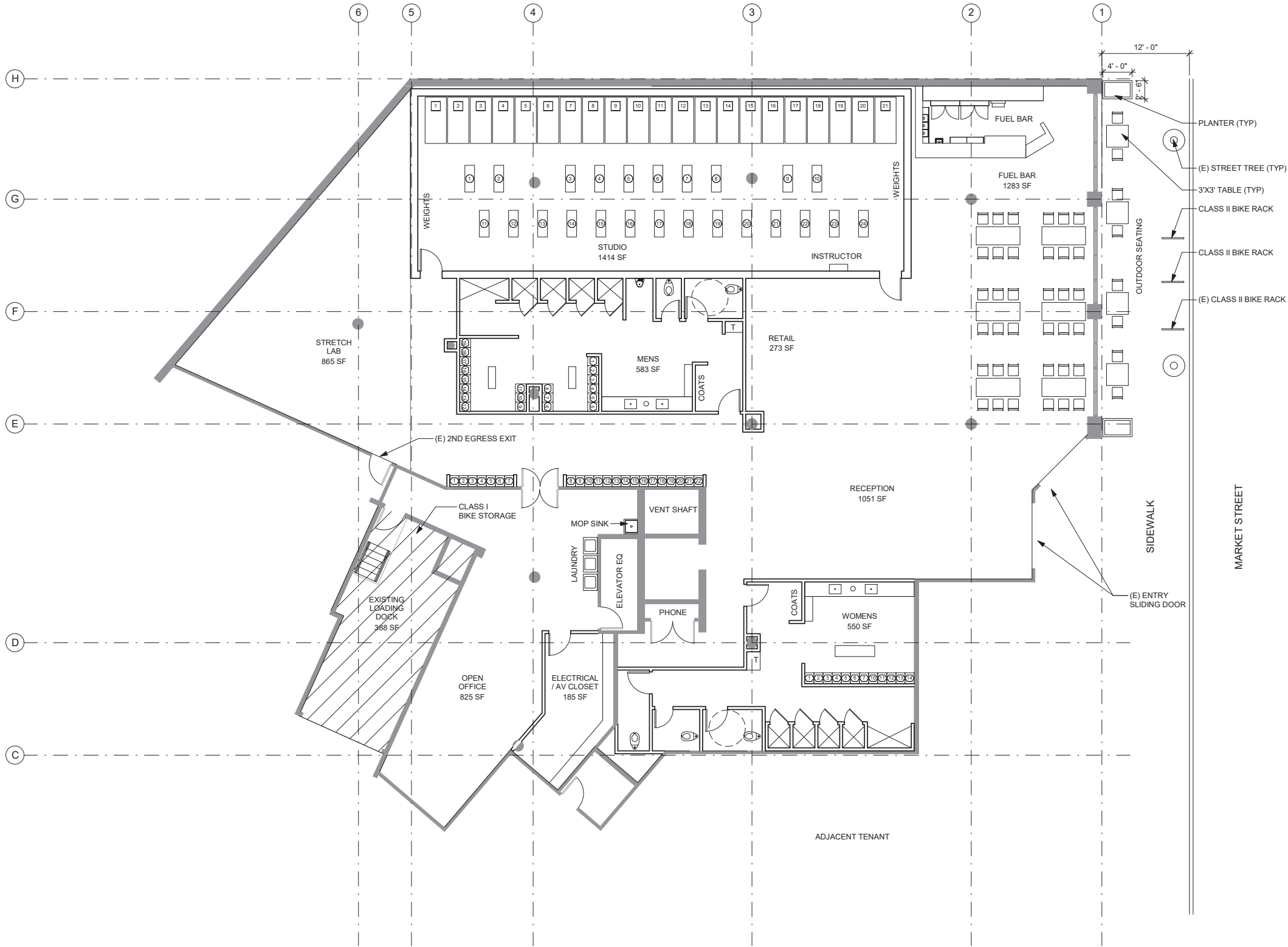
BBC005 BARRY'S CASTRO
2280 Market Street
San Francisco, CA 94114

drawn 09/25/17

SHEET

K







② **BLADE SIGN • PHOTO VIEW**

GENERAL NOTES:
THIS DRAWING IS FOR SIGN REFERENCE ONLY, NOT FOR CONSTRUCTION.



① **STOREFRONT • MARKET STREET • PHOTO VIEW**



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510/526-0296 fax 526-6092
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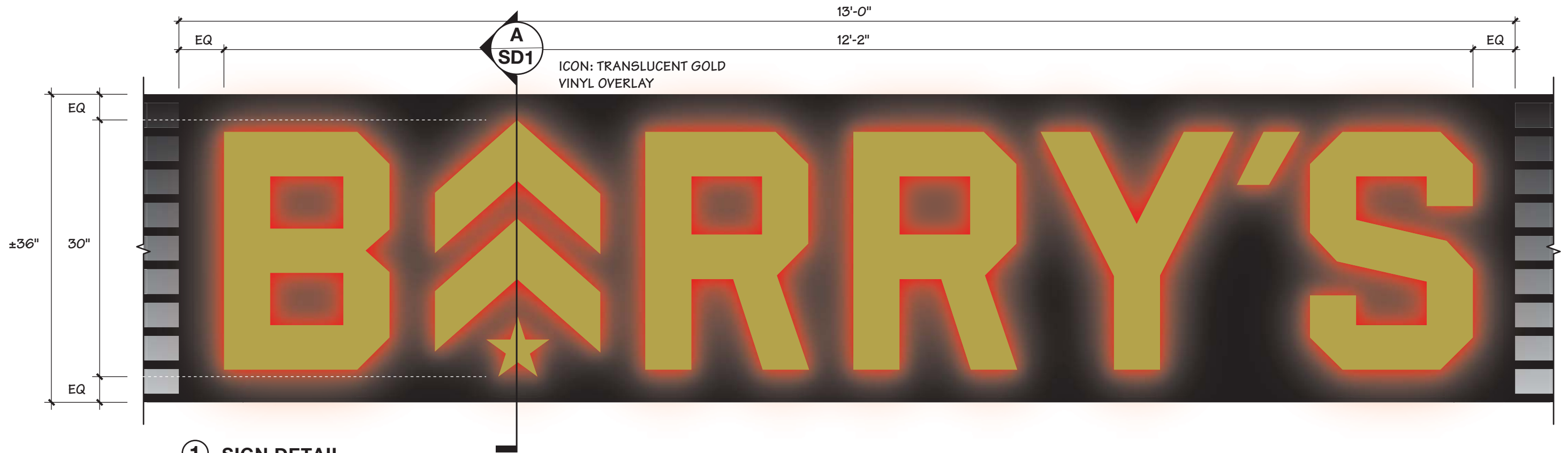


BBC005 BARRY'S CASTRO
2280 Market Street
San Francisco, CA 94114

drawn
revised to halo gold

09/25/17
11/02/17

SHEET
S1



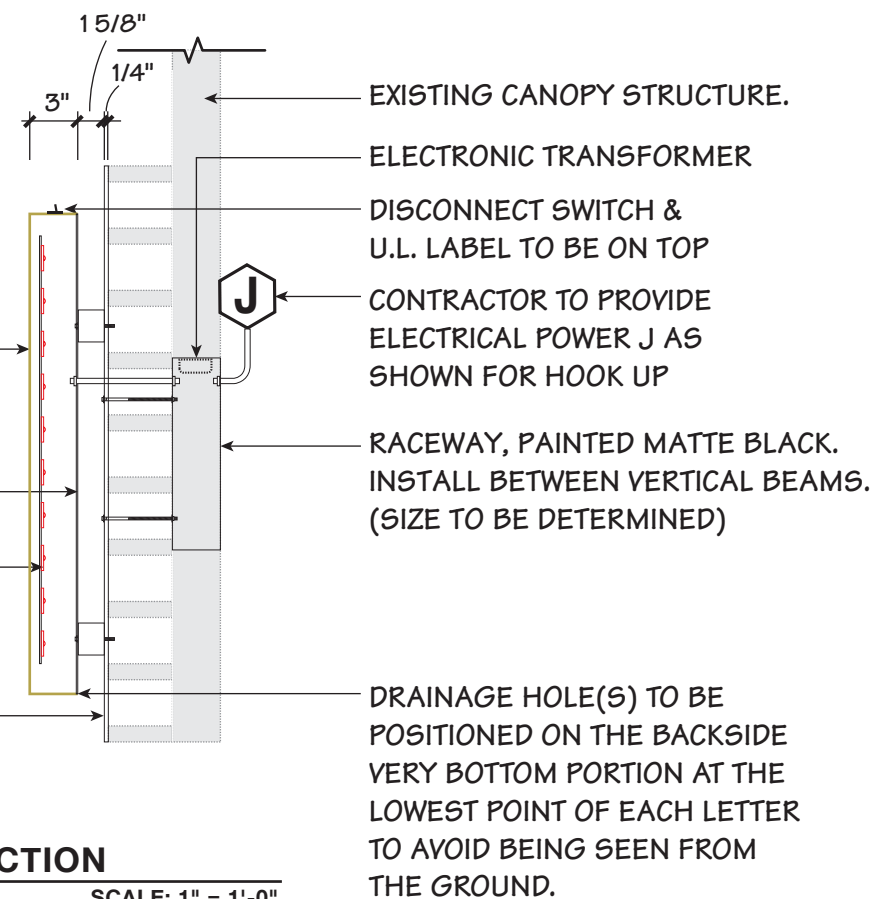
① **SIGN DETAIL**
SCALE: 1" = 1'-0"

30"H X 3" DEEP .063 ALUMINUM RETURNS, .125 ALUMINUM FACE, PAINTED TO MATCH PMS 871 (SATIN), FOG INTERIOR WHITE. PEGGED OFF BACK DROP WITH 1 5/8" SPACERS TYP. 1/4" ANCHOR BOLTS WITH NON-CORROSIVE SPACERS..

CLEAR POLYCARBONATE LETTER BACKS

FIERY RED LED, HALO ILLUMINATION.

36" X 13'-0" X 1/4" ALUMINUM BACK DROP, PAINTED MATTE BLACK.



Ⓐ **SECTION**
SCALE: 1" = 1'-0"

GENERAL NOTES:
THIS DRAWING IS FOR SIGN REFERENCE ONLY, NOT FOR CONSTRUCTION.

bma
bill moore & associates
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www.billmoore.com



BBC005 BARRY'S CASTRO
2280 Market Street
San Francisco, CA 94114

drawn 09/25/17
revised to halo gold 11/02/17
REV 11/03/17

SHEET
SD1

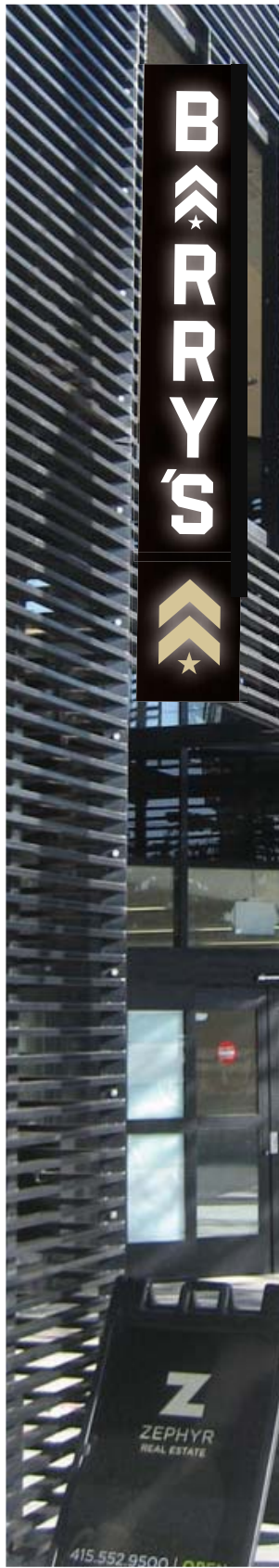
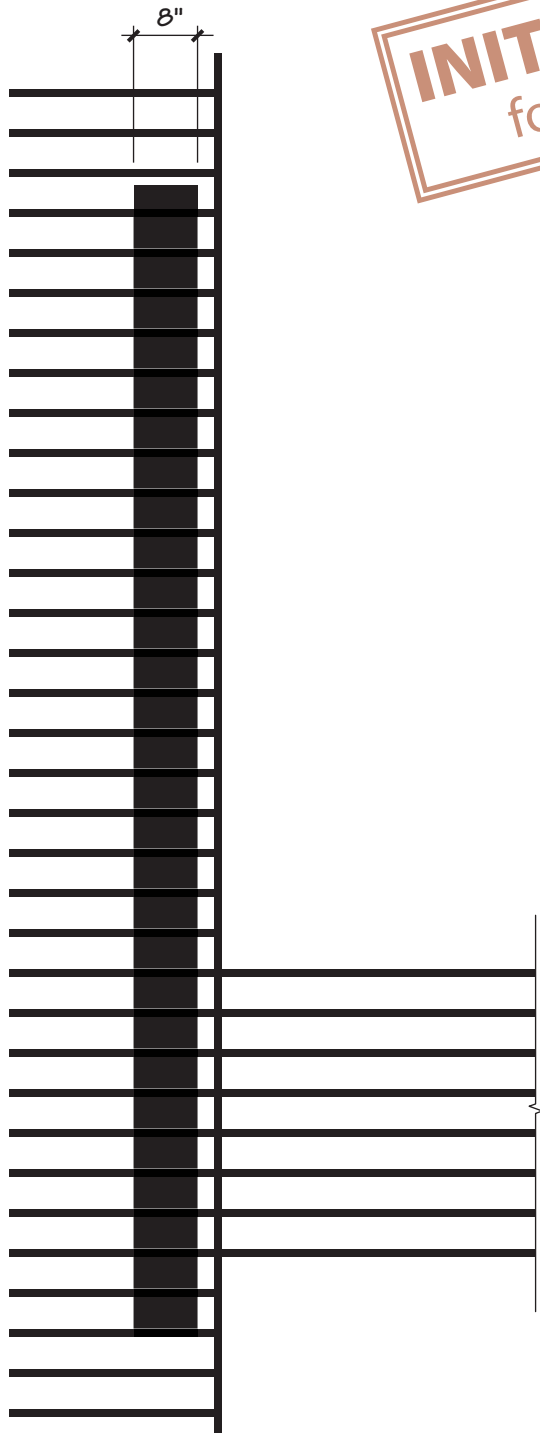


PHOTO RENDERING



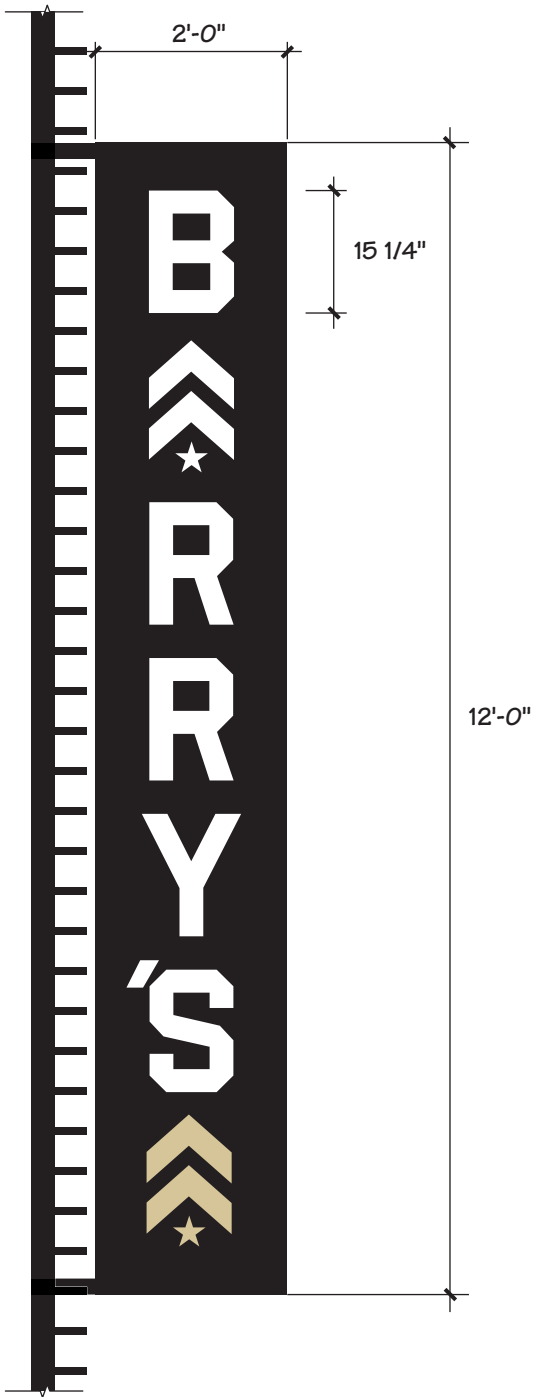
② SIDE VIEW
SCALE: 1/2" = 1'-0"

INITIAL CONCEPT
for discussion only

±12'-0"H X ±2'-0"W X ±8"D
DOUBLE-FACED METAL
CABINET SIGN,
INTERNALLY ILLUMINATED.
PAINT ALL EDGES AND
RETURNS BLACK,
INCLUDING BRACKETS.
(MOUNTING METHOD TO
BE DETERMINED)

ROUTED "BARRY'S"
LOGO, BACKED WITH
TRANSLUCENT WHITE
ACRYLIC.

ROUTED ICON, BACKED WITH
TRANSLUCENT WHITE
ACRYLIC AND TRANSLUCENT
GOLD VINYL OVERLAY



① SIGN DETAIL
SCALE: 1/2" = 1'-0"

GENERAL NOTES:
THIS DRAWING IS FOR SIGN REFERENCE ONLY, NOT FOR CONSTRUCTION.



EXHIBIT C

SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
2280 MARKET ST		3560/013
Case No.		Permit No.
2018-001389PRJ		
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
Project description for Planning Department approval. The proposal includes Conditional Use Authorization to permit a change of use to a Formula Retail Gym (d.b.a. Barry's Bootcamp). There are no proposed façade alterations as a part of this project.		

STEP 1: EXEMPTION CLASS

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input checked="" type="checkbox"/>	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services. FOR ENVIRONMENTAL PLANNING USE ONLY
<input type="checkbox"/>	Class ____

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

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

<input type="checkbox"/>	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)
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of 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).</i>
<input type="checkbox"/>	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?
<input type="checkbox"/>	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)
<input type="checkbox"/>	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)
<input type="checkbox"/>	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.
<input type="checkbox"/>	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.
<input type="checkbox"/>	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.

If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an *Environmental Evaluation Application* is required, unless reviewed by an Environmental Planner.

Comments and Planner Signature (*optional*):

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input checked="" type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	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.	
<input checked="" type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	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 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.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input checked="" type="checkbox"/>	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.	
<input type="checkbox"/>	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.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.

<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input checked="" type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments): Change of use to previously altered interior space; no proposed façade alterations.
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category A a. Per HRER dated b. Other (specify): </div> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category C (attach HRER) </div> </div>
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature: Elizabeth Gordon Jonckheer	

STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 - CEQA Impacts <input type="checkbox"/> Step 5 - Advanced Historical Review STOP! Must file an <i>Environmental Evaluation Application</i>.	
<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Commission Hearing If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	Signature: Veronica Flores 04/17/2018
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

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

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
2280 MARKET ST		3560/013
Case No.	Previous Building Permit No.	New Building Permit No.
2018-001389PRJ		
Plans Dated	Previous Approval Action	New Approval Action
	Commission Hearing	
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required.	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

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

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SAN FRANCISCO PLANNING DEPARTMENT

Land Use Information

PROJECT ADDRESS: 2280 MARKET ST
RECORD NO.: 2018-001389CUA

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

Reception:
415.558.6378

Fax:
415.558.6409

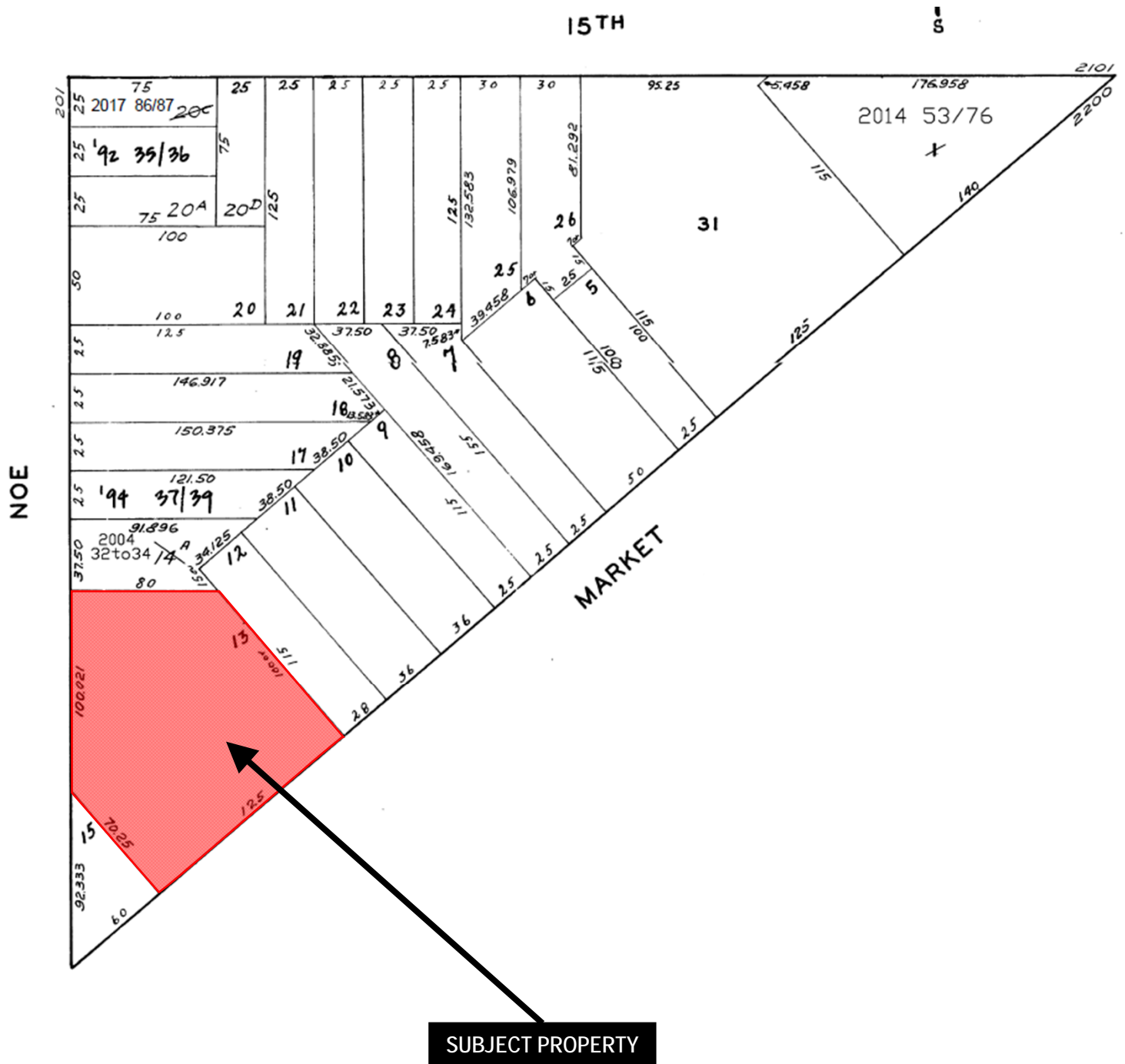
Planning
Information:
415.558.6377

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Lot Area	14,640	14,640	0
Residential	No change as part of this project		
Commercial/Retail	Tenant space: 9,377	Tenant space: 9,377	
Office	15,612	15,612	0
Industrial/PDR <i>Production, Distribution, & Repair</i>	No change as part of this project		
Parking	No change as part of this project		
Usable Open Space	No change as part of this project		
Public Open Space	No change as part of this project		
Other ()			
TOTAL GSF	Tenant space: 9,377	Tenant space: 9,377	
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Market Rate	0	0	0
Dwelling Units - Affordable	0	0	0
Hotel Rooms	0	0	0
Parking Spaces	39	39	39
Loading Spaces	1	1	1
Car Share Spaces	0	0	0
Bicycle Spaces	6	6	0
Number of Buildings	1	1	1
Number of Stories	2	2	2
Height of Building(s)	27 feet	27 feet	
Other ()			

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EXHIBIT E

Parcel Map



Conditional Use Authorization Hearing
Case Number 2018-001389CUA
2280 Market Street

Sanborn Map*

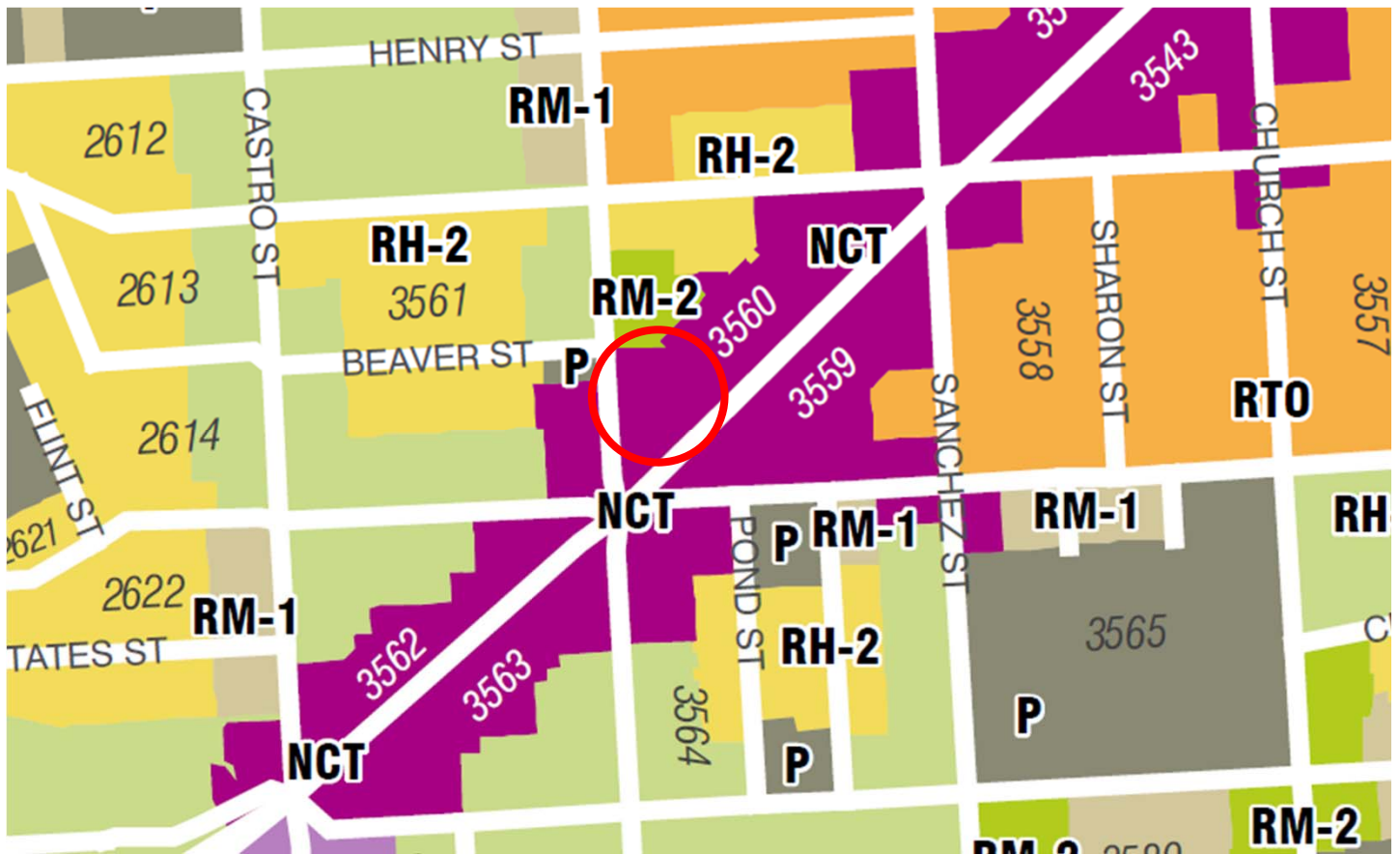


**The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.*



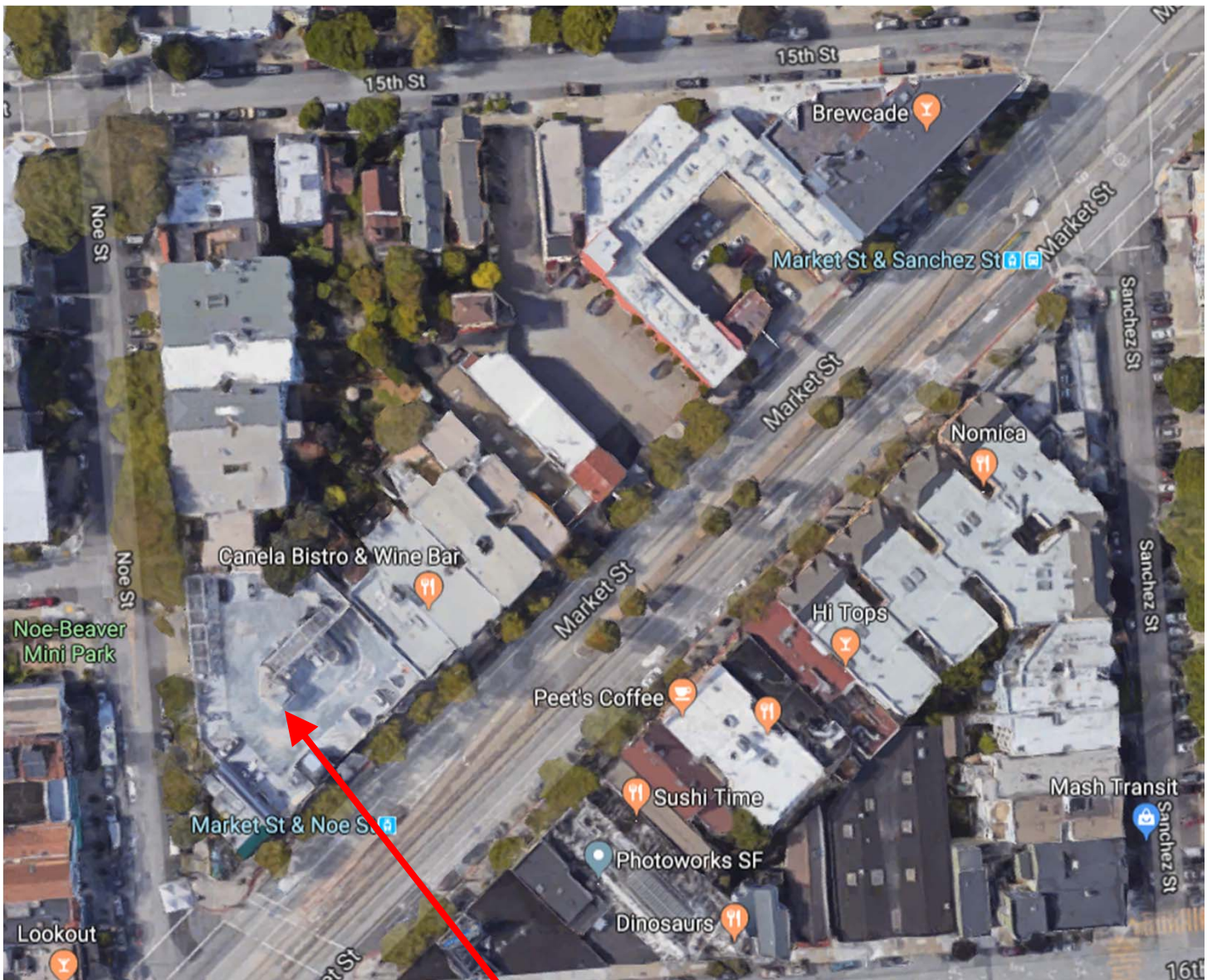
Conditional Use Authorization Hearing
Case Number 2018-001389CUA
2280 Market Street

Zoning Map



Conditional Use Authorization Hearing
Case Number 2018-001389CUA
2280 Market Street

Aerial Photo

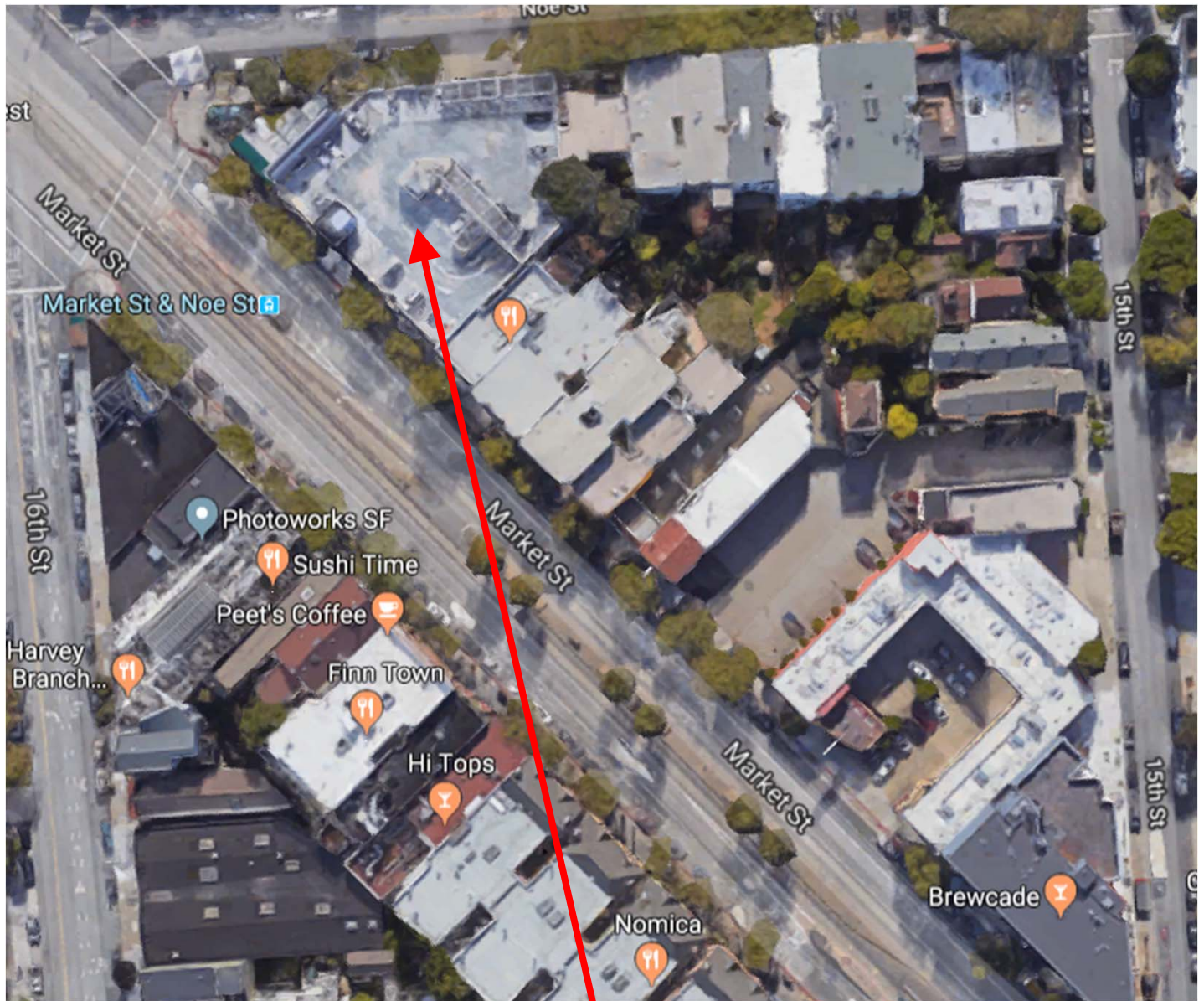


SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2018-001389CUA
2280 Market Street

Aerial Photo

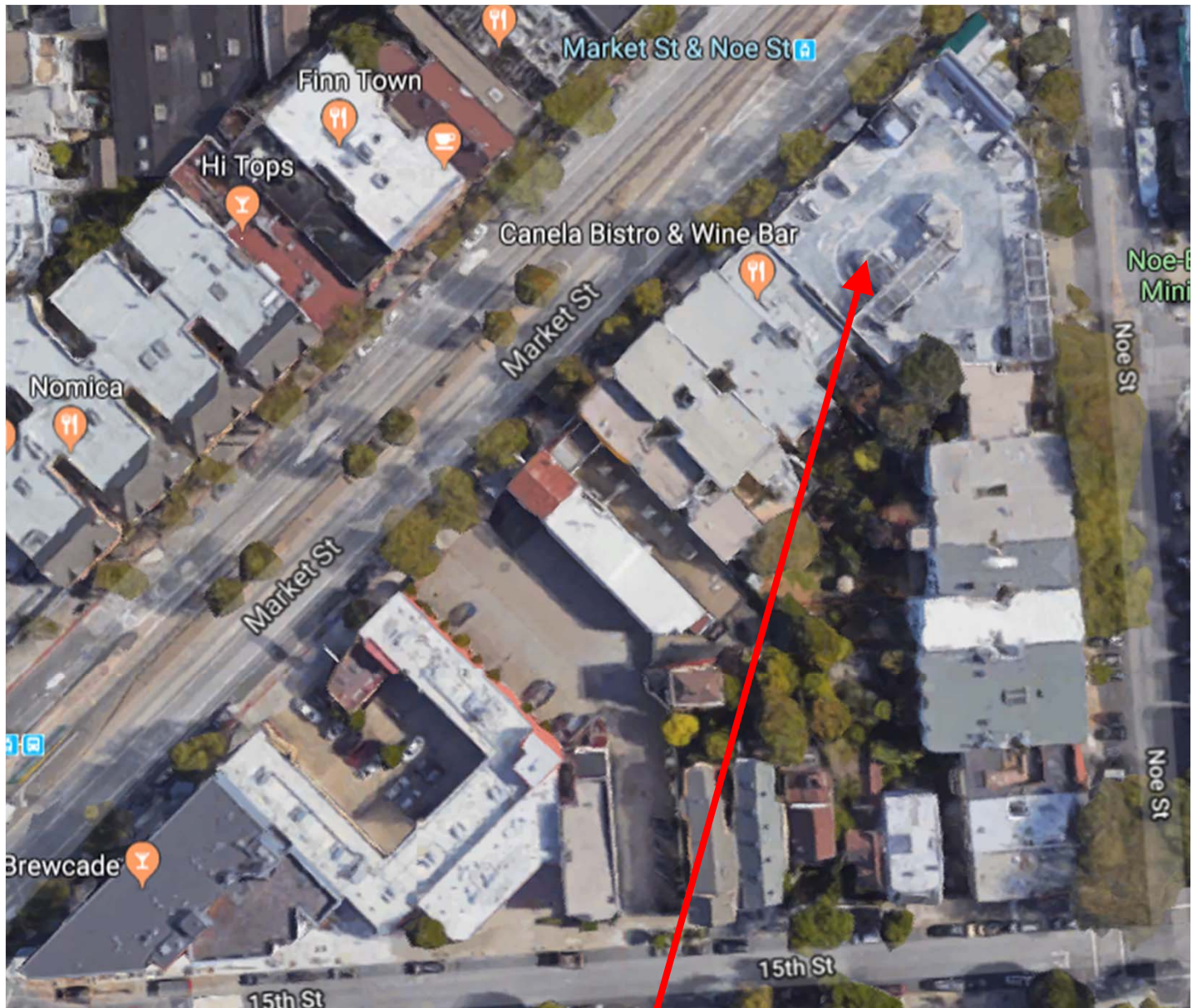


SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2018-001389CUA
2280 Market Street

Aerial Photo

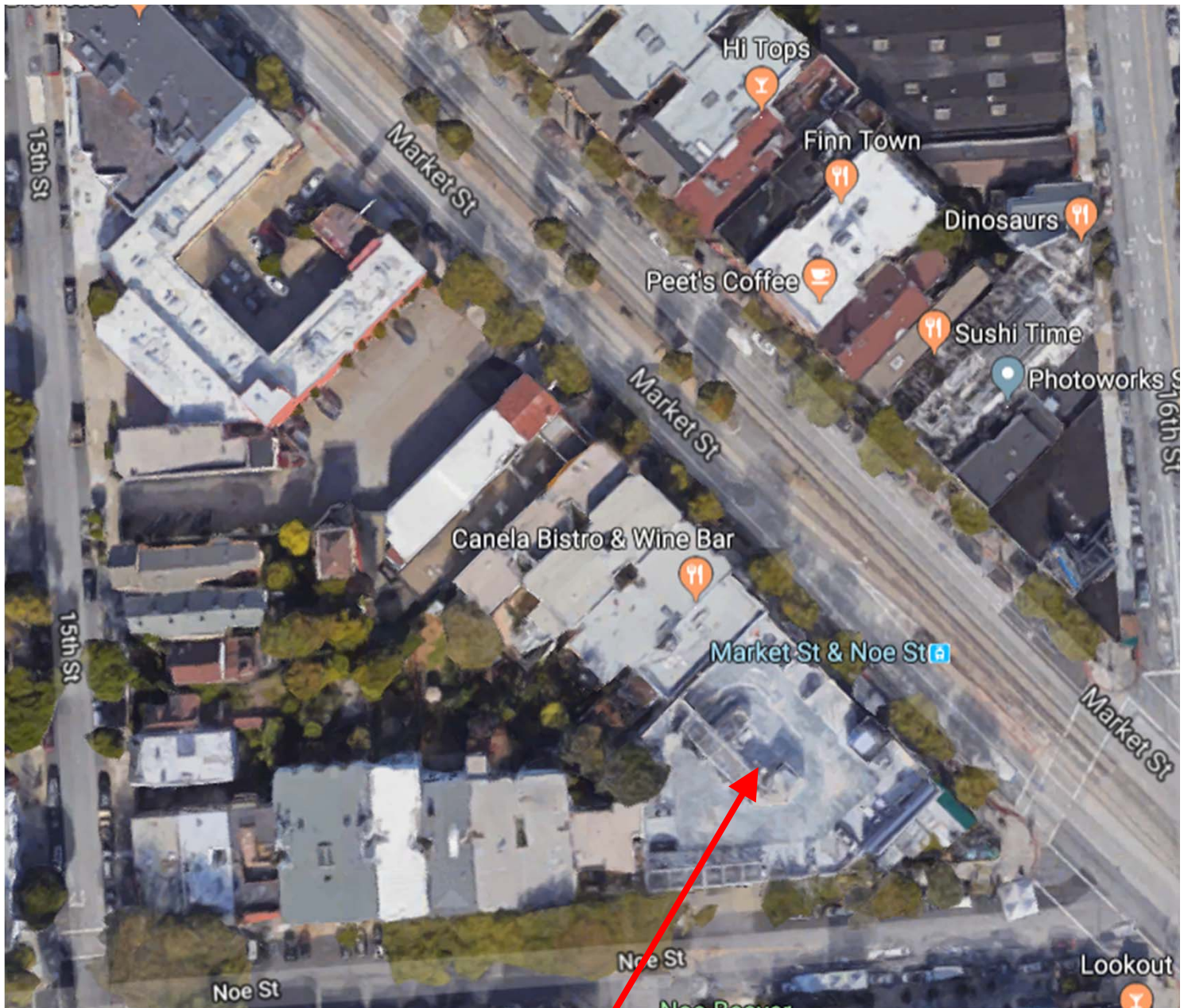


SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2018-001389CUA
2280 Market Street

Aerial Photo



SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2018-001389CUA
2280 Market Street

Site Photo



SUBJECT PROPERTY

Conditional Use Authorization Hearing
Case Number 2018-001389CUA
2280 Market Street

APPLICATION FOR Conditional Use Authorization

1. Owner/Applicant Information

Kent Jeffrey	
36 Orange Avenue Larkspur, CA 94939	(415) 927.9797 k.jeffrey@comcast.net

Adam Shane	Same as Above <input type="checkbox"/>
2120 Steiner Street San Francisco, CA 94115	(917) 446.2505 adams@barrysbootcamp.com

Shawn Anderson	Same as Above <input type="checkbox"/>
360 22nd Street, 8th Floor Oakland, CA 94612	(415) 987.0305 shawna@msasf.com

Evette Davis	Same as Above <input type="checkbox"/>
150 Post Street San Francisco, CA 94108	(415) 788.1000 ext. 201 edavis@bergdavis.com

2. Location and Classification

2280 Market Street		94114
Noe Street and Sanchez Street		
3560	/ 013	14,640
NCT		40-X/50-X

3. Project Description

(Please check all that apply) <input checked="" type="checkbox"/> Change of Use <input checked="" type="checkbox"/> Change of Hours <input type="checkbox"/> New Construction <input checked="" type="checkbox"/> Alterations <input type="checkbox"/> Demolition <input type="checkbox"/> Other Please clarify:	ADDITIONS TO BUILDING: <input type="checkbox"/> Rear <input type="checkbox"/> Front <input type="checkbox"/> Height <input type="checkbox"/> Side Yard		CVS Pharmacy
			Barry's Bootcamp

4. Project Summary Table

If you are not sure of the eventual size of the project, provide the maximum estimates.

	EXISTING USES:	EXISTING USES TO BE RETAINED:	NET NEW CONSTRUCTION AND/OR ADDITION:	PROJECT TOTALS:
	0	0	0	0
	0	0	0	0
	25	25	0	25
	1	1	0	1
	1	1	0	1
	27'-0"	27'-0"	0	27'-0"
	1	1	0	1
	6	6	0	6 at street level
	0	0	0	0
	9,377	9,377	0	9,377
NOT IN SCOPE	15,612	15,612	0	15,612
	0	0	0	0
	36+2ADA SPACES	36+2ADA SPACES	0	36+2ADA SPACES
BUILDING	24,989	36+2ADA SPACES	0	24,989

Please describe any additional project features that are not included in this table:
 (Attach a separate sheet if more space is needed)

5. Action(s) Requested (Include Planning Code Section which authorizes action)

~~Conditional Use Authorization for: (1) Formula retail use (Sections 303, 303.1 and 703.4); (2) Use size greater than 2,999 sf (Section 121.2) and (3) Change of hours of operation (Section 764).~~



Conditional Use Findings

Pursuant to Planning Code Section 303(c), before approving a conditional use authorization, the Planning Commission needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and
2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
 - (a) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - (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;
 - (c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - (d) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan.

See attached.

Priority General Plan Policies Findings

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the City Planning Code. These eight policies are listed below. Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

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

See attached.

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

See attached.

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

See attached.

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

See attached.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

See attached.

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

See attached.

7. That landmarks and historic buildings be preserved; and

See attached.

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

See attached.

Estimated Construction Costs

Conditional Use Authorization (CUA)	
B	
III-B	
24,989 sqft EXISTING WHOLE BUILDING 9,377sqft PROPOSED TENANT IMPROVMENT NO ADDED sqft	
\$1,500,000	
Adam Shane - Applicant	

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: _____



Date: _____

1/25/18

Print name, and indicate whether owner, or authorized agent:

SHAWN ANDERSON A.G.R.

Owner / Authorized Agent (circle one)

MARKET & NOE CENTER

A California Limited Partnership

January 4, 2018

San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: 2280 Market Street – Conditional Use Authorization Application

To whom it may concern:

I am the managing general partner of the Market & Noe Center, 2284 Market Street, San Francisco, California. Barry's Bootcamp, the prospective subtenant tenant of one of our tenants, CVS Pharmacy, desires to apply for a Conditional Use Authorization for a fitness training facility in the (former) CVS space at 2280 Market Street.

With this letter, I authorize Adam Shane, representative of Barry's Bootcamp, as my agent for purposes of a Conditional Use Authorization Application, as it relates to the (former) CVS space in our building, and only the (former) CVS space, at 2280 Market Street.

Sincerely,

A handwritten signature in black ink that reads "Kent Jeffrey". The signature is written in a cursive, flowing style.

Kent Jeffrey



575 MARKET STREET, SUITE 2700
SAN FRANCISCO, CA 94105
TELEPHONE: 415.814.6400
FACSIMILE: 415.814.6401
business@sslawfirm.com

DAVID E. NELSON
DIRECT TEL: 415.243.2676
david@sslawfirm.com

April 6, 2018

VIA PERSONAL DELIVERY

City of San Francisco
Department of Planning
1650 Mission Street, #400
San Francisco, CA 94103

***RE: Updated Letter of Introduction and Proposed Conditional Use Findings:
Application for Conditional Use Authorization for Barry's Bootcamp at
2280 Market Street***

Dear Sir or Madam:

This office represents Barry's Bootcamp in connection with the above-referenced Application. The Application pertains to the proposed opening of a 9,377 square foot health and fitness training facility in an existing tenant space along Market Street in the City's Upper Market/Castro neighborhood (the "Premises"). We are writing to discuss how the Application satisfies the findings required for issuance of a Conditional Use Authorization under San Francisco Municipal Code §§ 303, 303.1 and 703.4.

The Existing and Proposed Uses

The Premises is currently vacant. Its last tenant was CVS Pharmacy ("CVS"), a formula retail drugstore and pharmacy. CVS was granted a conditional use authorization in 2013. The surrounding tenants are Zephyr Realty, Dignity Health Urgent Care Clinic, the Café Flor, Canela Bistro & Wine, the Castro Republic Restaurant and Harvest Market.

The proposed use, Barry's Bootcamp ("BBC"), is a class-based, high-intensity fitness training facility that focuses on calorie burning, muscle toning, fat loss and an increase in body metabolism, setting it apart from traditional machine and weight-based gymnasiums. The basic physical features of the new use proposed in the Application are as follows:

- an exercise studio with weights and workout equipment;
- small men's and women's locker rooms with showers;
- a "FuelBar" that sells protein shakes and pre-made snacks and food products (no cooking on site whatsoever);
- a retail section selling branded exercise clothing and apparel; and
- a lobby and reception area.

Further details regarding these features, including the proposed layout and measurements of each physical element, are shown in the plans submitted concurrently with this letter.

The Premises is located in San Francisco's Upper Market Neighborhood Commercial Area. Its storefront faces Market Street and it is located between Noe Street and Sanchez Street. The Premises has a rooftop parking entrance on Noe Street and is in close proximity to two Muni metro stations, Castro Street and Church Street. The proposed design includes large display windows and double doors along and facing Market Street. BBC proposes to maintain hours of operation from 5:30am to 10:00pm (Monday through Friday); 6:30am to 4:30pm (Saturday); and 6:30am to 7:00pm (Sunday).

Project Benefits

BBC's fitness training facility will include the following benefits:

- Re-activating a vacant, ground-floor commercial space;
- Establishing a new neighborhood-serving recreational facility in a dense neighborhood with high demand for indoor exercise space;
- Providing a commercial and recreational use that is appropriate for the Upper Market neighborhood, and compatible with the presence of other merchants along the vibrant Market Street commercial corridor;
- Creating new construction jobs during tenant improvement construction;
- Creating up to 20 new jobs in the city, including up to 5 full-time positions and many other entry-level opportunities;
- Generating new economic activity and producing business tax revenue for the City.

Planning Code Compliance

The Project is consistent with the relevant provisions of the Planning Code in the following manner:

A. Planning Code Section 303(c) – Conditional Uses

Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project complies with the 303(c) criteria in that:

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

The project is necessary and desirable because it will provide a fitness training facility in a dense neighborhood with high demand for indoor exercise space. The Project will occupy a significant neighborhood storefront that is currently vacant and provide an

activity that is not only compatible with the surrounding community, but which the community greatly values and supports.

The surrounding area is characterized by residential neighborhoods with Market Street as the principal commercial corridor. Establishing a fitness training facility and ancillary retail uses at the Project Site would provide highly desirable, daily services for the neighborhood residents. The BBC fitness training facility could serve as a draw for the area, attracting physically active-minded people to the area and driving foot traffic to other nearby retailers and restaurants.

2. The proposed project will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:
 - i. 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 character of the project vicinity. The proposed work will consist primarily of interior improvements and will not affect the building envelope. The only proposed changes to the exterior of the building would be the replacement of two business-identifying signs on the existing building façade.

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

The Project is located in a transit-rich location close to multiple surface transit lines and to the Church Street and Castro Street MUNI subway stations. Parking is not required for commercial uses in the Upper Market Street NCT; however, BBC fitness training facility's lease with the property owner includes the use of 25 of the 39 existing rooftop parking spaces. On-street parking is provided along Market Street and nearby side streets.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor

The Project consists of a 9,377 square foot indoor fitness training facility, including individual and group class exercise space, men's and women's changing rooms and shower area, small retail sports apparel space and a juice/snack bar. BBC fitness training facility will not emit noxious or offensive emissions such as noise, dust, glare, or odor. While work out classes do involve relatively high volume music, extensive sound proofing has been designed to limit noise levels emitted from the studio space, including upgraded sound-rated wall assemblies, resiliently-suspended or separately framed ceiling assembly, resilient floating floor assembly, sealant of all penetrations in the

studio and project envelope, sound-rated door assemblies, installation of sound-absorptive ceiling surfaces and isolating new HVAC equipment mounted on the roof and inside the building from vibration.

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

The project will decorate the exterior façade of the existing building with the company's programmatic design specifications and in accordance with all City regulations regarding commercial storefronts. The existing parking garage on the rooftop will not be changed. Loading will continue to take place from the existing interior loading dock. The two existing loading spaces on Market Street will serve the Project's delivery needs. The Project will include the placement of outdoor tables, chairs and perhaps planters along the front of the building to provide outdoor seating areas for the Project's clients and to enhance the active use of the Market Street commercial corridor. The proposed signage program complies with the Planning Code.

3. 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.

4. 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 purposes of Upper Market Street NCT in that the intended use is located at the ground floor, will provide a compatible fitness training facility use for the immediately surrounding neighborhoods. The proposed fitness training facility would predominantly serve the surrounding neighborhood, rather than the city generally or the Bay Area region. It is anticipated that the predominance of its members will live in the immediate area. The scale of the project would be in relation to other buildings in the surrounding area, as it would not alter the footprint of the existing building on the property, and would fit within the existing height and bulk requirements. The fitness training facility would not be a troublesome commercial use, and would not cause problems with traffic, congestion, noise, or late-night activity. The project area is well served by six MUNI transit routes. In addition, the project would have access to 25 of the existing 39 off-street parking spaces.

B. Planning Code Section 703.4 – Formula Retail

Planning Code Section 703.4 states that a Conditional Use Authorization is required for Formula Retail uses within this District. The proposed use, Barry's Bootcamp, is an international establishment with more than eleven stores. Section 303.1(d) requires that, with respect to an application for Conditional Use authorization for formula retail use, the Planning Commission shall consider the following criteria:

1. The existing concentrations of formula retail uses within the Neighborhood Commercial District.

The Upper Market Street NCT district runs along both sides of Market Street between 14th and 17th Streets. There are approximately 16 formula retail uses in the two zoning districts. 24 Hour Fitness at 2145 Market Street is the only formula retail use in the combined districts that provides somewhat similar goods and services as BBC fitness training facility.

In keeping with the policy for Determining Formula Retail Concentration in the Upper Market NCT adopted by the Planning Commission, a survey of land uses within 300 feet of the Project Site was conducted. This survey found that, with the proposed BBC fitness training facility, only 3.5% of the linear street frontage was committed to formula retail uses.

2. The availability of other similar retail uses within the Neighborhood Commercial District.

Although there are several gymnasiums within the Upper Market Neighborhood Commercial Transit district, none of them offer the same type of bootcamp based workout system, including interval strength and conditioning classes, in a large scale, indoor exercise space as is offered at BBC fitness training facility. There are three large scale gymnasiums located close to the project: (1) Alex Fitness, located 100 feet directly across Market Street from the Project, at 2275 Market Street; (2) Fitness SF, located 400 feet southwest of the Project, at 2301 Market Street; and (3) 24 Hour Fitness, located at 2145 Market Street. These gyms, though large, are dedicated to non-specific, generalized workouts and offer a wide variety of workout equipment and classes. In addition, there are only three small, neighborhood, specialty gymnasiums, two of which have limited hours, that focus on other types of exercise, such as yoga, pilates and spinning. The Project would provide an additional choice of unique daily exercise services for neighborhood residents, resulting in prices that are more competitive and a greater availability of goods and services.

3. The compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the Neighborhood Commercial District.

The Project will not alter or expand the exterior of the existing building at the project site. The height, bulk, and arrangement of space of the existing building along Market Street are consistent with that of the Market Street corridor. The height is limited to two stories and the ground floor retail space is divided between BBC fitness training facility and Zephyr Real Estate at 2282 Market Street. The second floor will continue to be used as separate commercial space. The Project will maintain the aesthetic character of the Upper Market Street Neighborhood Commercial Transit district while providing a neighborhood-serving tenant.

4. The existing retail vacancy rates within the Neighborhood Commercial District.

*The Upper Market Street Neighborhood Commercial Transit district currently contains 32 vacant storefronts available for other neighborhood serving businesses. The existing building was previously occupied by CVS pharmacy and has been vacant for **over one** year. Few non-formula retail uses would be suitable for such a large retail space. The Project would fill the currently vacant ground floor portion of the existing building while maintaining commercial space on the second floor for future tenants.*

5. The existing mix of Citywide-serving retail uses and neighborhood-serving retail uses within the Neighborhood Commercial District.

The existing retail uses in the Market Street corridor are not only neighborhood serving, but also serve as a shopping street for a broader trade area. The area is an easily accessible part of the City and consists mainly of dispersed centers of commercial activity and office space surrounded by residential housing. For this reason, the retail uses in the area generally serve both local and area wide residents. The project will add an indoor exercise center that will serve this neighborhood.

C. Planning Code Section 121.2 - Use Size Limits

Planning Code Section 121.2 states that a Conditional Use Authorization is required for nonresidential uses within this District that exceed 2,999 square feet. The proposed use size is approximately 9,377 square feet. In addition to the criteria set forth in Section 303(c) as set forth, the project is consistent with the following criteria set forth in Section 121.2.

1. The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area.

The proposed BBC fitness training facility will occupy approximately 9,377 square feet within the retail portion of the building. This space was previously occupied by another retail use, CVS Pharmacy. As such, the proposed project will not increase the intensity of activity in the district that existed when CVS operated at the site and will occupy approximately the same amount of floor area as this previous tenant. The BBC fitness training facility will not interfere with other needed neighborhood-serving businesses in the area since there are numerous other vacant retail spaces along in the Upper Market NCT and NCD districts.

2. 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 BBC fitness training facility will serve the neighborhood surrounding the site. Customer research shows that individuals typically prefer to patronize work-out locations that are close to either their home or workplace. The 9,377 square-foot retail space is the most appropriate use of the remaining, vacant space on the ground floor of

the Project Site. The proposed BBC fitness training facility will occupy the majority of the ground floor retail space, creating a consistent retail frontage for the entirety of the building. The size of the retail space is necessary for the BBC fitness training facility to provide the typical services expected by members and space necessary for the operation of the fitness center (exercise studio with weights & treadmills; open stretching / training area; men's and women's locker rooms with showers, lockers and stalls; Fuel Bar that sells grab and go food items and smoothies; retail clothing and branded apparel; lobby and reception area; storage room; laundry room; office). The BBC fitness training facility, however, would only occupy already existing space in an already existing building. No increase in the size or bulk of the existing building is proposed.

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

The existing building on the Project Site is relatively large for this district, but is broken up into discrete sections on the ground floor to provide appropriately sized retail frontage. The BBC fitness training facility will occupy the same amount of ground floor retail frontage as CVS pharmacy had occupied. The majority of the retail space is located behind the Market Street frontage. The building is located at the intersection of Market and Noe Streets, which intersect at a 45-degree angle, resulting in an unusually shaped building. Most of the floor area of the proposed fitness training facility is created by a widening of the building and not a longer frontage.

D. Planning Code Section 764 – Hours of Operation

Section 764 of the Planning Code principally permits hours of operation between 6:00 A.M. and 2:00 A.M. and allows hours between 2:00 A.M. and 6:00 A.M. with Conditional Use authorization for the Upper Market NCT district. The Project Sponsor is proposing hours of operation from 5:30am to 10:00pm (Monday through Friday); 6:30am to 4:30pm (Saturday); and 6:30am to 7:00pm (Sunday). While the vast majority of hours fall within principally permitted hours of operation, the Project Sponsor seeks conditional approval of one half hour (5:30am – 6:00am) from Monday to Friday. On balance, the project complies with the 303(c) criteria in that:

1. The proposed project hours of operation will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, in that:

The project proposes to open slightly earlier than principally permitted, by one half hour, to allow members to exercise before starting their work day. All activities at this hour will occur indoors and no alcohol will be sold or served on the premises, thereby minimizing noise, disturbances or other inconveniences to the project's neighbors. In addition, foot and vehicular traffic at 5:30am is light, so BBC members arriving at the Project Site will not create traffic congestion for persons residing or working in the vicinity. BBC's requested hours are consistent with the hours of other gymnasiums in the Upper Market NCT district, namely Fitness SF (2301 Market St.) and 24 Hour Fitness (2145 Market St.).

General Plan Compliance

The Project is, on balance, consistent with the following Objectives and Policies of the General Plan, more specifically the Market and Octavia Area Plan, in the following manner:

A. Market and Octavia Area Plan

Objective 1.1:

Create a Land Use Plan That Embraces the Market and Octavia Neighborhood's Potential as a Mixed-Use Urban Neighborhood.

Policy 1.1.8:

Reinforce continuous retail activities on Market, Church, and Hayes Streets as well as on Van Ness Avenue.

The project furthers this policy by adding a new retail tenant along the Market Street corridor. The project would provide an indoor exercise center and ancillary retail goods within walking, biking and transit distance of many area residents. The project would increase the vitality of the corridor by attracting physically active-minded people to the area and providing an appealing storefront to compliment the aesthetic of the neighborhood. The project will bring competition to the neighborhood with the opening of an additional fitness training facility, giving residents a choice of gymnasiums to patronize.

Objective 4.3:

Reinforce The Significance of the Market Street Streetscape and Celebrate Its Prominence as San Francisco's Symbolic "Main Street."

Policy 4.3.1

Recognize the importance of the entire Market Street corridor in any improvements to Market Street proposed for the plan area.

Recognizing the importance of the Market Street corridor, the project will include the placement of outdoor tables, chairs and perhaps planters along the front of the building to provide outdoor seating areas for the project's clients and to contribute to and enhance the active use of the commercial corridor.

B. Transportation Element

Objective 36:

Meet Short-Term Parking Needs In Neighborhood Commercial Shopping Districts Consistent With The Preservation Of A Desirable Environment For Pedestrians And Residents.

The Project supports this objective by providing 25 of the 39 existing rooftop parking spaces to its patrons. No new parking will be added to the building. While the location of the Project Site encourages the use of public transit, the existing parking spaces would provide ready access to

those customers who choose to drive, while maintaining the pedestrian-friendly environment that presently exists. Access to the parking is located on Noe Street, away from the busy Market Street corridor.

C. Urban Design Element

Objective 1:

Emphasis of the Characteristic Pattern, Which Gives To The City and Its Neighborhoods an Image, a Sense Of Purpose, and a Means Of Orientation.

Policy 1.6

Make centers of activity more prominent through design of street features and by other means.

The Project will include the placement of outdoor tables, chairs and perhaps planters along the front of the building to provide outdoor seating areas for the Project's clients and to enhance and contribute to the prominence of the active use of the Market Street commercial corridor.

Objective 3:

Moderation of Major New Development to Complement the City Pattern, The Resources to Be Conserved, and The Neighborhood Environment.

Policy 3.5

Relate the height of buildings to important attributes of the city pattern and to the heights and character of existing development.

The Project's two-story retail space is consistent with other retail development along the corridor. The Project does not increase the height or bulk of the existing building. By maintaining the existing structure, the Project would be in keeping with the existing city pattern. The Project would also maintain the recently remodeled façade that breaks up the scale of the building to be more consistent with the smaller buildings along Market Street.

D. Commerce and Industry Element

Objective 1:

Manage Economic Growth and Change to Ensure Enhancement of the Total City Living and Working Environment.

Policy 1.1

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

The Project would provide substantial net benefits by attracting more customers to the Upper Market commercial district, providing physical exercise opportunities to the public and promoting an active, healthy lifestyle that, due to its central location and proximity to public transportation, includes encouraging its patrons to arrive by foot and by bicycle. By maintaining, and not expanding, the existing limited parking, the Project will avoid the undesirable consequences of increased vehicular traffic and its associated negative impacts.

Policy 1.3

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

The Project would increase the level of commercial activity on the site by occupying a large, vacant retail space in accordance with the general land use requirements of the City. The project would bring competition to the neighborhood by establishing another gymnasium in the corridor.

Objective 3:

Provide Expanded Employment Opportunities For City Residents, Particularly the Unemployed and Economically Disadvantaged.

Policy 3.1:

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

The proposed BBC fitness training facility reactivates a site that might otherwise remain vacant. The proposed use would attract new jobs to the neighborhood, including unskilled and semi-skilled workers such as receptionists, equipment maintenance personnel and housekeeping personnel

Planning Priority Policies

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 these policies in that:

1. 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 provide approximately 9,377 square feet of neighborhood-serving retail use, which would occupy a retail space at the property that is currently vacant. The Project would provide new employment opportunities for neighborhood residents. The Project would activate the commercial space, attracting pedestrian traffic that would also patronize existing neighborhood businesses along this portion of Market Street and the Castro commercial district.

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

The Project proposes a fitness training facility use and would occupy a vacant retail space in an existing retail building. The Project will have no effect on housing.

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

The Project will have no effect on housing, as it is a fitness center occupying an existing vacant commercial space.

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

The site is on Market Street and is well served by a variety of public transit modes. Most patrons and employees would commute by foot or public transit, thereby mitigating possible effects on street parking. The project will not impede any transit service on Market Street.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The project proposes no commercial office use. The Project will enhance the City's service sector by putting a new fitness center in a vacant retail space in an existing mixed-use building.

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

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not affect the property's ability to withstand an earthquake.

7. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project Site.

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

The Project will occupy an existing commercial building without altering its bulk or exterior envelope and will have no negative affect on existing parks and open spaces. The Project does not have an effect on open spaces.

Community Outreach

The proposed Barry's Bootcamp was first introduced to the community at a Pre-Application Meeting on Monday, December 18, 2017 from 6:00 PM - 7:30 PM. To ensure thorough outreach, residents, occupants and merchants who reside within 500 feet of the proposed site along with the community groups of record with the planning department, were all invited to attend the meeting. All the community attendees were very supportive of the proposal. Key topics of discussion included questions regarding renovation of the facility, frequency of classes, types of amenities offered and the planning approval process.

The final project is the result of a collaborative community process involving extensive dialogue with residents, merchants, and neighborhood groups. We are very pleased that our efforts have resulted in a proposal that is endorsed by the Castro Merchants, Duboce Triangle Neighborhood Association (DTNA) and the Castro CBD. The project team has also received positive feedback from the Eureka Valley Neighborhood Association (EVNA).

As discussed above, the proposed use serves the objectives and policies of the General Plan and Planning Code. Accordingly, Barry's Bootcamp respectfully requests that the Department of Planning make the findings required under Municipal Code §§ 303, 303.1 and 703.4 to approve issuance of a Conditional Use Authorization for the use proposed in the Application.

Thank you for your time and attention. Should you have any questions, please do not hesitate to contact us.

Sincerely,

SSL LAW FIRM LLP



David E. Nelson

cc: Shawn Anderson (*via email*)
Adam Shane (*via email*)

To: San Francisco Planning Department
From: Adam Shane, Barry Bootcamp
Date: January 17, 2018
RE: Barry's Bootcamp (2280 Market Street) Community Outreach

To Whom It May Concern,

Barry's Bootcamp is excited to file its application for a conditional use permit to open a new location in the Castro District at 2280 Market Street. Prior to this submission, Barry's Bootcamp and its representatives have engaged in extensive community outreach.

From the outset, we have been committed to transparency through community engagement and have had discussions and/or presented the project to the following neighborhood groups and stakeholders in the Castro/Upper Market neighborhood.


- **Duboce Triangle Neighborhood Association (DTNA)**, October 9, 2017 - Informational presentation to general membership
- **Eureka Valley Neighborhood Association (EVNA)**, November 1, 2017 – Informational presentation to the Land Use Committee
- **Castro Merchants**, November 3, 2017 – Information presentation to general membership
- **Castro/Upper Market CBD**, November 13, 2017 – Informational presentation to the Land Use Committee

Feedback from our early discussions – large and small – was incorporated to ensure the proposed project meets the community's vision for the Upper Market corridor. As a result of these conversations, the proposal is strongly supported by the primary neighborhood groups and we are currently seeking formal endorsements. Activating the former CVS site with a thriving retailer is a priority for neighbors and community groups alike, many of whom have expressed a keen desire for the expedited approval of the conditional use application. Additionally, Barry's Bootcamp has kept the district supervisor and his staff updated about the project and the results of its outreach.

Barry's Bootcamp held a community meeting on Monday, December 18, 2017 from 6:00 PM - 7:30 PM to share its plans. To ensure thorough outreach, residents, occupants and merchants who reside within **500 feet** of the proposed site, along with the community groups of record with the planning department, were all invited to attend the meeting. Six community members, including representatives from the Castro Merchants Association, Duboce Triangle Neighborhood Association, Eureka Valley Neighborhood Association and two neighbors who reside on the 2200 block of Market Street attended the meeting. All the meeting attendees were very supportive of the proposal to activate the vacant site with a new Barry's Bootcamp. Key topics of discussion included questions regarding renovation of the facility, frequency of classes, types of amenities offered and the planning approval process.

It is the intent of the project sponsor to continue community outreach throughout the permitting process. We appreciate the opportunity to document our efforts as a part of this submission and welcome any questions you may have.

Sincerely,



Adam Shane, CEO – Barry's Bootcamp San Francisco

AFFIDAVIT FOR Formula Retail Uses

1. Location and Classification

STREET ADDRESS OF PROJECT: 2280 Market Street		
ASSESSORS BLOCK/LOT: 3560 / 13	ZONING DISTRICT: Upper Market Neighborhood Commerical Transit	HEIGHT/BULK DISTRICT: 40-X/50-X

2. Proposed Use Description

PROPOSED USE (USE CATEGORY PER ARTICLE 7 OR 8): Gym	
PROPOSED BUSINESS NAME: Barry's Bootcamp	
DESCRIPTION OF BUSINESS, INCLUDING PRODUCTS AND/OR SERVICES: The proposed use, Barry's Bootcamp, is a class-based, high-intensity fitness training facility that focuses on calorie burning, muscle toning, fat loss and an increase in body metabolism, setting it apart from traditional machine and weight-based gymnasiums.	
BUILDING PERMIT APPLICATION NO.: (if applicable)	PLANNING DEPARTMENT CASE NO.: (if applicable) 2018-001389CUA

3. Quantity of Retail Locations

		TOTAL
3.a	How many retail locations of this business are there worldwide? Please include any property for which a land use permit or entitlement has been granted.	33
3.b	How many of the above total locations are in San Francisco?	3

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

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

4. Standardized Features

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

	FEATURES	YES	NO
A	Array of Merchandise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B	Trademark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C	Servicemark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D	Décor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
E	Color Scheme	<input checked="" type="checkbox"/>	<input type="checkbox"/>
F	Façade	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G	Uniform Apparel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H	Signage	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TOTAL		7	1

Enter the total number of Yes/No answers above.

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

5. Applicant's Affidavit

NAME: Adam Shane		<input type="checkbox"/> Property Owner	<input checked="" type="checkbox"/> Authorized Agent
MAILING ADDRESS: (STREET ADDRESS, CITY, STATE, ZIP) 2120 Steiner Street			
PHONE: (917) 446.2505		EMAIL: adams@barrysbootcamp.com	

Under penalty of perjury the following declarations are made:

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

Applicant's Signature:  Date: 3/13/18

PLANNING DEPARTMENT USE ONLY	
PLANNING CODE SECTION(S) APPLICABLE:	
HOW IS THE PROPOSED USE REGULATED AT THIS LOCATION?	
<input type="checkbox"/> Principally Permitted <input type="checkbox"/> Principally Permitted, Neighborhood Notice Required (Section 311/312) <input type="checkbox"/> Not Permitted <input type="checkbox"/> Conditional Use Authorization Required	
COMMENTS:	
VERIFIED BY:	
Signature: _____	Date: _____
Printed Name: _____	Phone: _____



**SAN FRANCISCO
PLANNING
DEPARTMENT**

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

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

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

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

TEL: **415.558.6377**

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

EXHIBIT G



1/19/18

San Francisco Planning Department
1650 Mission Street
San Francisco, CA 94103

To Whom It May Concern:

This letter is to serve as a letter of support from Hi Tops Restaurant for Barry's Bootcamp to move into the retail space at 2280 Market Street, in San Francisco. As a fellow tenant on the same block, we are completely supportive and excited for their presence in the neighborhood. We feel that it will greatly increase foot traffic and help activate what has historically been a someone underutilized block.

Personally, as someone who goes to the other locations of Barry's throughout San Francisco, I am excited to have a studio closer to me and my business, and will be a frequent patron.

We hope that the Planning Department agrees with our enthusiasm for the project and helps them to move forward. If we can be of any further assistance please don't hesitate to reach out.

Sincerely,

A handwritten signature in black ink, appearing to read "Jesse Woodward", with a long horizontal line extending to the right.

Jesse Woodward

Owner – Hi Tops Bar and Restaurant
2247 Market Street, SF CA 94114

**San Francisco Planning Department
1650 Mission Street
San Francisco, CA 94103**

January 22, 2018

To Whom it may Concern,

This letter is to express my support of Barry's Bootcamp's application for tenancy on Market Street in the former CVS commercial space.

As a home-owning resident of the Duboce Triangle, and patron of their location in South of Market, I believe having a Barry's Bootcamp location in our area would be of great value to our neighborhood. I have traveled from my home to SoMa many times specifically to attend their classes and strongly believe that their presence will attract people from many of the surrounding neighborhoods – if not for their workout, for their delicious smoothies. Having this additional location adds convenience to those who are interested in participating in their classes, yet feel that their current locations are to far.

Their unique and effective program will be unlike any other gyms or fitness programs located in our neighborhood as it offers the best of weight training and cardiovascular workouts all within an hour. I experienced a tremendous change in my health and overall fitness when I was attending their classes regularly. Once our son was born, 9 months ago, I have not been able to continue due to the distance and length of travel time via public transportation. Having this location would cut down my commute from an hour and a half round trip to a 5 minute walk door-to-door. I am sure many would appreciate this - especially during baseball season when getting to and from SoMa is a nightmare.

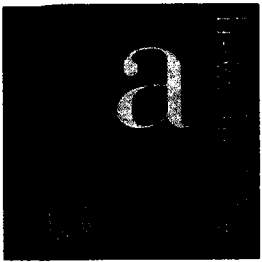
I hope this letter of support adds some insight for those of us who live in the neighborhood and would like to see Barry's application for tenancy approved.

Please feel free to contact me with any questions.

Thank you,

A handwritten signature in black ink, appearing to read 'Mike Manganaan', with a long horizontal flourish extending to the right.

**Michael Manganaan
510. 673.5929
mike.manganaan@gmail.com**



584 Castro Street #336
San Francisco, CA 94114
PH 415.500.1181
FX 415.522.0395
www.castrocbd.org
www.facebook.com/castrocbd
[@visitthecastro](https://www.facebook.com/castrocbd)

Rich Hillis, President
S.F. Planning Commission
1650 Mission St., Suite 400
San Francisco, CA 94103

January 17, 2018

Dear Commission President Hillis,

The Castro/Upper Market Community Benefit District is writing to express our support for Barry's Bootcamp at 2280 Market St.

The Castro/Upper Market CBD enthusiastically is supporting this project. The CBD board of directors believes this new use will bring added economic vitality to the Castro commercial corridor. To ensure they are able to keep their sidewalk clean, especially with outdoor seating, Barry's has agreed to install an external hose bib to their building, accessible from the Market St. sidewalk.

Additionally, at the CBD's urging and to let the neighbors understand that the storefront is no longer vacant, Barry's will make every effort to put simple and tasteful "coming soon" signage in the Market St. facing windows. This signage will serve to promote the business, but more importantly let everyone passing by know that the space is not vacant, but has been leased and a new business will be coming soon.

If you have any questions about this project and the Castro/Upper Market CBD's position, please do not hesitate to contact me at 415-500-1181 or via email at andrea@castrocbd.org

Thank you.

Sincerely,

Andrea Aiello
Executive Director

cc: Jeff Sheehy, District 8 Supervisor
Adam Shane, Barry's Bootcamp
Justin Roja, Barry's Bootcamp
Jonas Ionin, SF Planning Dpt.
Castro/Upper Market CBD Board of Directors



January 15, 2018

San Francisco Planning Department
1650 Mission Street
San Francisco, CA 94103

RE: Barry's Bootcamp – Letter of Support

To whom it may concern:

This letter will serve as a letter of support for the tenancy of Barry's Bootcamp on behalf of Dignity-GoHealth Urgent Care at 2280 Market St, San Francisco, CA 94114. We feel this is a needed use and will increase foot traffic and tenant mix value on the block. After meeting on 1/5/18 with our leadership, a formal vote in favor of their street-level tenancy was formalized.

As part of their efforts in with the City of San Francisco and Department of Planning, this letter will provide local representation of one of their direct neighbors and co-tenant of the same building and ownership property. We are open to additional interviews of support throughout the approval process.

Any additional questions may be sent to me directly.

Respectfully,

A handwritten signature in black ink, appearing to read "Ryan Dougherty", is written over a horizontal line.

Ryan Dougherty

Director of Real Estate & New Market Development, Dignity-GoHealth Urgent Care

P 415-218-4649
E ryan.dougherty@gohealthuc.com

CC: Adam Shane
Partner - Barry's San Francisco
236 King St. | 2246 Lombard St. | 333 Bush St.
C: 917-446-2505
adams@barrysbootcamp.com



Duboce Triangle Neighborhood Association

PMB # 301, 2261 Market Street, San Francisco, CA 94114

(415) 295-1530 / www.dtna.org

March 1, 2018

Veronica Flores
San Francisco Planning Department
1650 Mission St Suite 400
San Francisco, CA 94103

Re: Case No. 2018-001378CUA
2280 Market Street (Barry's Boot Camp)

Dear Ms. Flores:

The Duboce Triangle Neighborhood Association's Land Use Committee has voted to enthusiastically support Conditional Use Authorizations for both Formula Retail Use and Use Size Greater than 2,999 SF for the above-referenced project.

We are confident that Barry's Boot Camp will be a welcome addition to our neighborhood, and hope that Planning staff and the Commission will agree. Please ensure that our support for the project is noted in the Commissioners' packets.

Should you have any questions, please feel free to contact me directly at (415) 861-0920.

Very truly yours,
Duboce Triangle Neighborhood Association

David Troup,
Chair, Land Use and Transportation Committee

Cc: Project sponsor



**584 Castro Street #333
San Francisco CA 94114-2512**

formerly "Merchants of Upper Market & Castro – MUMC"
415/431-2359

**Info@CastroMerchants.com
www.CastroMerchants.com**

January 23, 2018

To Be Hand-Carried on January 25, 2018 by Adam Shane and Justin Roja for Barry's Boot Camp

New Projects Intake Unit Staff
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco CA 94103

Re: Proposed CUA – Formula Retail, Change of Use, etc. and related approvals
for Barry's Boot Camp (2280 Market Street)

Ladies and gentlemen,

I am pleased to provide this letter as Castro Merchants' introduction to Adam Shane, Justin Roja (principals) and their colleagues, representing Barry's Boot Camp. We understand that they are scheduled to meet with you on about January 25 to begin Planning's process for a CU and/or similar authorization(s) to open a new Formula Retail fitness business in a currently-vacant former Formula Retail space at 2280 Market Street in San Francisco (was CVS Pharmacy).

The Barry's Boot Camp team has been working closely with Castro Merchants since fall 2017, as part of its early planning and neighborhood outreach efforts. They are Castro Merchants Members for 2017-18. They made an information-only presentation at our November 2, 2017 Members Meeting, which was warmly received. We understand that they also have contacted other neighborhood organizations and made similar presentations. They conducted Planning's required "Pre-Application" neighborhood outreach meeting on December 18, 2017, which we attended. We are not aware of any significant opposition expressed during our Members Meeting or other outreach – in fact we've observed multiple sentiments of neighborhood welcome and support for Barry's different business model in the fitness field.

Castro Merchants' policy is to follow the Project as it proceeds thru Planning's process until proposed Conditions of Approval are near-final and a Planning Commission Hearing Date is pending. Then, we will schedule another Members Meeting presentation for an update on the plans, in time for an optional Members vote of support for the Project, if the Sponsors wish. We then send a letter reporting that voting result to the Staff Planner in time for inclusion in Commissioners' Hearing packets.

.... continued



CASTRO MERCHANTS

S.F. Planning Department Intake Unit
Re: Barry's Boot Camp, 2280 Market Street (A. Shane, J. Roja)

January 23, 2018
Page 2

If it otherwise qualifies, we respectfully recommend that the Barry's Boot Camp file be assigned to your Department's new "fast-track" process, to expedite its handling, and the hoped-for opportunity that Barry's will soon fill a significant ground floor commercial vacancy in our neighborhood.

Castro Merchants represents business owners and managers in San Francisco's Castro-Upper Market area, generally along Upper Market Street from Castro Street to Octavia Blvd.; Castro from Market to 19th Street; and commercially-zoned portions of cross streets throughout that area. Castro Merchants has over 320 paid Members for 2017 through April 30, 2018, and expects continued local business support at that level for our upcoming 2018-19 Membership Campaign beginning in March 2018. Barry's Boot Camp's proposed location is within Castro Merchants' primary service area.

Copies of this letter were provided today to Mr. Shane and Mr. Roja as an email attachment and by hand. We ask that they contact us if they have any questions or comments, and that this letter not be modified in any way without our prior approval. Once we're informed of the Staff Planner and File No. assigned to the Project, we will send a copy of this letter to that Planner for that file, as well.

Let us know if you have any questions regarding Castro Merchants' involvement with and expected, continuing support for this Project. Please include us on any future emails or mailings about this Project (we already are on Planning's general list for this Quadrant). Please include this letter in the matter's permanent file and any successor files, and assure that our involvement is communicated to all applicable Planning Staff and to all Commissioners prior to any Hearing(s) on this matter, and to any Appeal panels at the time that this matter may be considered by them.

Thank you for considering our comments.

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel Bergerac".

Daniel Bergerac, President

email cc: S.F. District 8 Supervisor Jeff Sheehy
SFPD Mission Station Capt. Gaetano Caltagirone
K. Jeffrey, Market & Noe Center
J. Woodward, Castro Merchants
Adam Shane, Justin Roja, Barry's Boot Camp
L. Cuadra, BergDavis



**584 Castro Street #333
San Francisco CA 94114-2512**

formerly "Merchants of Upper Market & Castro – MUMC"
415/431-2359

Info@CastroMerchants.com
www.CastroMerchants.com

April 15, 2018

By Email and USPS Hardcopy

Veronica Flores, Staff Planner
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco CA 94103

Re: Conditional Use Authorization, Case No. 2018-001389CUA, and related approvals
for Change of Use/Formula Retail, etc., Barry's Boot Camp at 2280 Market Street

Dear Ms. Flores,

This confirms that Castro Merchants (formerly "Merchants of Upper Market & Castro – MUMC") **SUPPORTS** the Conditional Use Application(s) of Barry's Boot Camp at 2280 Market Street for a Change of Use, a Formula Retail operation, operating hours, and related issues. Our SUPPORT includes for the Applicant's request when heard by the Planning Commission (currently scheduled for May 3, 2018). It also includes SUPPORT for related applications to any other S.F. Departments, including (but not limited to) Building Inspection and Public Works, and any appeals of any such applications (including S.F. Board of Appeals, Board of Supervisors, etc.).

CM's support is based on information provided in recent months by the Applicant/Project Sponsor. The support communicated in this letter remains in effect until withdrawn in writing. We have asked the Applicant/Project Sponsor to update us promptly, if there is any substantial change(s) in information or Conditions of Approval as Barry's Boot Camp nears its Planning Commission Hearing date and other approval milestones.

Castro Merchants represents business owners and managers in San Francisco's Castro-Upper Market area, generally along Upper Market Street from Castro Street to Octavia Blvd.; Castro from Market to 19th Streets; and commercially-zoned portions of cross streets throughout that area, including in Duboce Triangle. Castro Merchants has over 325 paid Members for 2017 through April 30, 2018 and anticipates similar Membership support for the coming year's Campaign scheduled for this month. Barry's Boot Camp's Upper Market/Castro/Duboce Triangle location is within Castro Merchants' primary service area.

..... continued



CASTRO MERCHANTS

S.F. Planning Department

April 15, 2018

Re: Conditional Use Authorization, Case No. 2018-001389CUA, and related approvals
for Change of Use/Formula Retail, etc., Barry's Boot Camp at 2280 Market Street

Let us know if you have any questions regarding Castro Merchants support for this proposed Application(s). Please include this letter in the matter's permanent file and any successor files, and assure that our support is communicated to all applicable Planning staff and to all Commissioners prior to their Hearing on this matter, and to any Appeal panel(s) at the time that this matter is considered by them.

Thank you for considering our comments.

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel Bergerac".

Daniel Bergerac, President

email cc: District 8 Supervisor Jeff Sheehy & staff (Martin Fatooh)
Capt. Gaetano Caltagirone, SFPD Mission Station
Capt. Ona Bailey, SFPD Park Station
Kent Jeffrey, Property Owner, 2280 Market Street
cc: Adam Shane, Justin Roja, Barry's Boot Camp
Luis Cuadra, BergDavis Public Affairs
Shawn Anderson, MSA Architecture + Design

CmLtrPlanningBarrys041518

From: [Andy Anderson](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: Barry's Castro Location
Date: Monday, April 16, 2018 9:10:19 AM

Dear Veronica,

I'm writing to show my support for the proposed Barry's Boot Camp Castro location at 2280 Market St. I've been attending classes at the Soma location for several years now and would greatly welcome a location that's walking distance from home instead of a 30 minute drive. Here's a few reasons why it would be an asset to the neighborhood:

- Responding to neighborhood feedback, Barry's is proposing to activate the exterior of the storefront with tables, chairs and planters, creating a welcoming, pedestrian scale streetscape for neighbors and passersby to enjoy.
- The new studio will have a full schedule of morning, mid-day, and evening classes and will include Barry's signature Fuel Bar offering fresh smoothies and grab and go food items for both members and non-members to enjoy.
- Run by local owner-operators, Barry's takes great pride in the neighborhoods they serve, developing strategic partnerships with local businesses and neighbors alike.
- The project proposal is strongly supported by local neighbors, merchants and community groups. I encourage you to vote in favor of Barry's Castro location.

Thanks for your consideration.

Best,
Andy

From: [Alison Zarrow](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: 2280 Market Street
Date: Monday, April 16, 2018 9:39:50 AM

Hi Veronica,

I wanted to drop you a quick note regarding the potential site for Barrys in the old CVS on Market street. I live in the Castro and have been working out at Barrys in the marina and in the financial district for a few years now. I always joke to my friends that I would never have to leave the Castro if a Barrys opened. With the talks of this happening, I wanted to just express my excitement for this potential project.

Barrys will bring so much to the Castro if they are granted the access to open a studio. The Castro currently lacks healthy food + drink options and having their fuel bar will bring a lot of people in the neighborhood a healthier option than what is currently available. The workout itself is amazing and I believe that by opening up a Barrys Castro, we will bring a lot of folks into the Castro who wouldn't otherwise come into our neighborhood.

I know that Barrys will do a great job working with our Castro community to make their space fit the neighborhood vibe. The Barrys community is so warm and inviting. I am confident that by allowing them to open a studio in the Castro, that our neighborhood will greatly benefit.

Thank you for your consideration.

Alison Zarrow

Castro Neighbor

From: [Ericka Montana Group Fitness](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: In support of Market Street development
Date: Monday, April 16, 2018 10:07:38 AM

Hi Veronica,

I am writing to you today as a passionate Castro District resident. I have lived and worked in this vibrant community for more than 15 years. I love everything that our neighborhood has to offer, aside from a high quality space to workout. I've worked/worked out at the gyms on Upper Market Street, and they leave a lot to be desired. So for the last three years, I have made a loooooong daily commute across the city to get to my favorite place to sweat, Barry's Bootcamp! It takes me nearly 30 minutes each way, and I feel bad being yet another car on our congested roads! But this place offers me the best workout in the world (no, really) and between that and the awesome community they cultivate, and their delicious fuel bar, I just love it!

I just found out they are wishing to expand to The Castro District, which I am thrilled about! The location they have selected, 2280 Market Street, is THE PERFECT PLACE for a Barry's, in my opinion! They will bring their 5 star customer service, clean up that dead space, and the clientele will bring A LOT of revenue to the surrounding businesses. Those of us seeking a safe, clean, top of the line boutique fitness studio will finally have a local spot to call our own. Plus we won't have to clog up the streets with our cars/Uber's to drive to their other, faraway locations! It really would be a win-win.

I strongly believe this neighborhood will flourish if Barry's Bootcamp Castro is granted access to open. Please consider this a YES vote! And feel free to reach out to me if you have any questions at all.

Best,
Ericka
415-637-3838



Ericka Montana Yoga
about.me/erickamontanayoga

From: [Melissa Yeung](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: Barry's Castro Location
Date: Monday, April 16, 2018 11:18:59 AM

Hello Veronica,

I hope this email finds you well and that you had a lovely weekend!

My name is Melissa Yeung and I am writing you in strong support of the plans for a new Barry's studio in the vacant storefront at 2280 Market Street - the former location of CVS Pharmacy.

As a part of the local business community (I run events at a privately owned venue in SF), it is inspiring and a blessing for locally run businesses to not only be present in our rapidly growing city but successful. Their strategic partnerships with other locally run businesses, further drives and enriches local businesses and supports what makes San Francisco unique.

Furthermore, I am a member of the neighborhood, only living four short blocks away from the proposed new location. Their aesthetically pleasing storefront including chairs, planters, and pedestrian-scale streetscape, will surely add to this beautiful neighborhood.

The sense of community and a powerful, healthy message is truly what Barry's represents to me! I strongly encourage that you vote in favor of the new Barry's Castro location.

All the best,

Melissa

--

Melissa Yeung | 1015 Folsom
Events Manager

email: melissa@1015.com cell: 303.669.6684 fax: 415.431.8609

From: [Chris Visslailli](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: Support for Barry's Bootcamp 2280 Market Street, SF
Date: Monday, April 16, 2018 11:29:58 AM

Dear Ms. Flores,

I am writing as I am strongly in support of Barry's Bootcamp opening a new studio at 2280 Market Street, San Francisco. The Barry's Bootcamp product changes people's lives in the most positive way. I am 44 years old and have never been healthier and am in the best shape of my life after taking classes at Barry's the past two years. It has also supported my with dealing with the every day stressors of life. Barry's has a proved track record of taking great pride in the neighborhoods they serve by listening to neighborhood feedback, and developing strategic partnerships with local businesses and neighbors alike. The Castro needs a business that builds community, cares for people, the neighborhood and San Francisco.

Thank you taking the time to read my email.

Sincerely

Chris Visslailli, PHR
276A Douglass Street
SF, 94114

From: [Peter Tseng](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: Support for Barry's
Date: Monday, April 16, 2018 11:40:21 AM

Hi Veronica,

I am writing you because I am strongly in support of Barry's plans to open a new studio at the vacant storefront at 2280 Market Street – the former location of CVS Pharmacy. I would personally exercise more regularly with this being within walking distance of where I live!

Thank you,
Peter Tseng
45 Bartlett Street #803, SF, CA, 94110

From: [Jossy Tseng](#)
To: [Flores, Veronica \(CPC\)](#)
Cc: [Ruth Bryson](#)
Subject: Support for Barry's Bootcamp
Date: Monday, April 16, 2018 12:12:50 PM

Hi Veronica,

I am writing you because I am strongly in support of Barry's plans to open a new studio at the vacant storefront at 2280 Market Street – the former location of CVS Pharmacy. I would personally exercise more regularly with this being within walking distance of where I live! My wife and I live in Noe Valley and with a 5 month old baby girl, having an excellent exercise studio in a convenient location would make all the difference.

Thank you,

Jocelyn Tseng and Ruth Bryson
4042 23rd St, San Francisco, CA 94114

From: [Kevin B.](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: Barry's Bootcamp @ 2280 Market Street
Date: Monday, April 16, 2018 12:22:16 PM

Hello,

I'm writing to voice my support of the Barry's Bootcamp opening in the Castro. As a homeowner in the neighborhood for the last 6 years, I can say that this fitness studio of this caliber will be a welcome addition to the neighborhood.

I've been exercising at Barry's at different locations around the city for the last 2 years. It would be an honor to keep my business in my own neighborhood. I've found the fitness community at Barry's to be life-changing as it's helped me get into shape and even make healthier choices outside of the gym. This aspect could be a benefit to the many residents in surrounding neighborhoods.

I'm also looking forward to their cafe-style seating outside and stopping by their smoothie bar when walking around the neighborhood. The Castro needs more healthy choices and gathering spaces to balance out the plentiful bars and clubs in the the neighborhood.

I truly believe that Barry's Bootcamp will be a fantastic addition to the Market Street corridor. Please share my thoughts with the Planning Commission.

Take care,

Kevin Bechtel
1046 14th Street, Unit B
San Francisco, CA 94114

From: [Julianna Acos](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: Support for Castro Barrys Bootcamp
Date: Monday, April 16, 2018 12:23:19 PM

Hi Veronica,

I am writing you because I am strongly in support of Barry's plans to open a new studio at the vacant storefront at 2280 Market Street – the former location of CVS Pharmacy. I would personally exercise more regularly with this being within walking distance of where I live! I absolutely love Barrys Bootcamp but the other locations in the city are not convenient to my house or work and thus I don't go as often as I would like. Please make every effort to have Barrys come to the Castro!!

Thank you,
Julianna Acos
835 Dolores Street, SF 94110

From: [Allie Krummel](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: Barry's Bootcamp -- Market Street
Date: Monday, April 16, 2018 12:52:47 PM

Hi Veronica!

I am writing you because I am strongly in support of Barry's plans to open a new studio at the vacant storefront at 2280 Market Street – the former location of CVS Pharmacy. I would personally exercise more regularly with this being within walking distance of where I live! I'm currently in a Bodyrok/SoulCycle loop and would love love to have the opportunity to get bootcamp into the mix.

Thanks so much!

Allie Krummel
180 Albion, SF, 94110

From: [Blake Nelson](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: Barry's new Castro location at 2280 Market St
Date: Monday, April 16, 2018 1:07:20 PM

Veronica,

I am writing you because I am strongly in support of Barry's plans to open a new studio at the vacant storefront at 2280 Market Street – the former location of CVS Pharmacy.

I have been a Castro Resident for over 8 years and would love to see an empty storefront turn into a thriving business.

As a Barry's customer myself, I know the local owner-operators, and trust they take great pride in the neighborhoods they serve.

I encourage you to vote in favor of Barry's Castro location.

Thanks,

Blake Nelson

From: [Doug Ridgway](#)
To: [Flores, Veronica \(CPC\)](#)
Cc: [Dennis Richards](#); shawna@msasf.com
Subject: 2280 Market Conditional User Authorization
Date: Monday, April 16, 2018 2:24:00 PM

To whom it may concern:

As a resident of Beaver St. since 2000, I have seen many changes and evolutions in the neighborhood. In response to the notice I received for 2280 Market Street (Barry's Bootcamp), I would like to suggest that the Planning Department **approves the request for a Conditional Use Authorization**. Please consider the following:

- There is a glut of retail space in the Castro and more coming online as larger mixed use projects are completed (eg: 2175 Market) and existing are abandoned (former Pottery Barn Space at Market & Castro).
- The space in question is not conducive to a small (non-formula) business due to its size (big) and location (poor).
- There is a long history of vacancies attracting overnight "visitors" which detract from the cleanliness and vibrancy of the neighborhood (and increase crime rates) — this is an issue at this location (Noe St. Side) and having an occupant is imperative.
- While there are "plenty of gyms" in the neighborhood, it seems to be a very viable market and it's nobody's place to determine what type of business someone can operate. If they can make it, be successful and bring more folks out of their homes, more power to them.

I firmly believe that the presence of a legitimate tenant at that location does nothing but improve our neighborhood - especially one that operates from 5:30am - 9:30pm. To deny a Conditional Use Authorization says "yes" to another vacant building and further stymie the Castro's ability to grow as a vibrant neighborhood. Frankly, we've been far surpassed by Hayes Valley, Noe Valley, Divisadero, and even the Dogpatch. Without traffic and viable business we just continue to stagnate and become even less relevant.

Please approve the Conditional Use Authorization,

Doug Ridgway
20A Beaver Street

PS: If there are any restrictions that should be imposed, it's signage. The tacky, overbearing signage that dominates Market St. & Castro does very little to improve the neighborhood and goes a long way towards attracting the "wrong" kind of businesses. In many ways it's a bigger impact than the type of business.

DOUG RIDGWAY

Rebecca Overmann, Inc. [»](#)
+1 (415) 466-2992 - ext: 702
+1 (415) 713-5045 - mobile

From: [Brett Browman](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: Barry's Bootcamp @ 2280 Market Street
Date: Monday, April 16, 2018 4:31:36 PM

Hi --

I am a long time SF resident currently living in the Castro I am writing you because I am strongly in support of Barry's plans to open a new studio at the vacant storefront at 2280 Market Street – the former location of CVS Pharmacy. Barry's has changed my life / health and would be an incredible addition to my neighborhood. Thank you.

Brett Browman
4532 17th St
San Francisco, CA 94114

From: [Catherine Courage](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: YES to Barry's in Castro
Date: Monday, April 16, 2018 6:20:04 PM

Dear Veronica,

As a local of the Castro area, I am writing you because I am strongly in support of Barry's plans to open a new studio at the vacant storefront at 2280 Market Street – the former location of CVS Pharmacy.

I think they are a great company and would be a very positive addition to our community.

thanks
Catherine Courage

From: [Thomas Wilson](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: Barry's Castro
Date: Tuesday, April 17, 2018 8:30:56 AM

Hi Veronica,

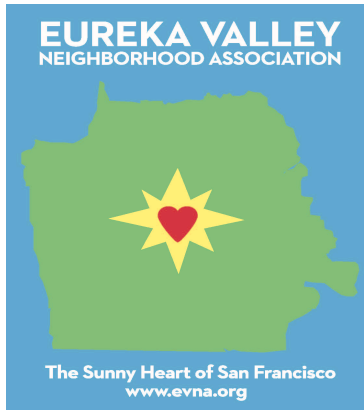
I am writing you because I am strongly in support of Barry's plans to open a new studio at the vacant storefront at 2280 Market Street—the former location of CVS Pharmacy.

We are in need of some higher end exercise facilities, and businesses like Soul Cycle and Equinox are making our community healthier and happier.

I would personally exercise more regularly with this being within walking distance of where I live!

Thank you,

Thomas Wilson
3503 23rd St.



CASTRO/EUREKA VALLEY NEIGHBORHOOD ASSOCIATION

The neighborhood association for the Castro, Upper Market and all of Eureka Valley since 1881

Honorable Members

San Francisco City Planning Commission
1660 Mission Street, 4th Floor
San Francisco, CA 94103
Planner: Veronica Flores

Project: Barry's Boot Camp

Subject: Letter of Support

April 16, 2018

Honorable Commissioners:

The Castro/ Eureka Valley Neighborhood Association (EVNA) is the oldest continuously operating Neighborhood Association in San Francisco, established as Eureka Valley Promotion Association in 1881. For 137 years, our members have been working to make this neighborhood a great place to live, work and play. Today, we strive to preserve the unique character of our diverse neighborhood while maintaining a balance between prospering businesses and residential livability.

On Tuesday April 10th, 2018, the members of the EVNA board of directors voted in favor to support the project. The most recent modifications answered many of the small concerns we had from the original presentation.

The vote was unanimous in favor, and 3 board members were not present for the vote.

Let it be known that Adam Shane and the Barry's Boot Camp team have been very responsive to our suggestions and insights, and have done a wonderful job communicating changes and progress all along the way. We look forward to having Barry's Boot Camp as an engaged and thriving business in the neighborhood.

Sincerely,

Mark D McHale
President

EVNA
PO Box 14137
San Francisco, CA 94114
www.evna.org
Board@EVNA.org

EVNA, a 501 (C)(4) Non-profit,
Tax ID: 51-0141022
Eureka Valley Foundation,
a 501(C)(3) Non-profit,
Tax ID: 26-0831195

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From: [Samantha Holler](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: We need Barry"s in the Castro!
Date: Wednesday, April 18, 2018 10:15:12 AM

Hi there,

I am writing you because I am strongly in support of Barry's plans to open a new studio at the vacant storefront at 2280 Market Street – the former location of CVS Pharmacy.

The project proposal is strongly supported by myself and many local neighbors!

Please help make it happen. Thank you for your consideration!

Samantha Holler
714-454-6533

From: [Heather Dunn](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: Barry's Bootcamp in the Castro - Support for Approval
Date: Wednesday, April 18, 2018 11:33:03 AM

Hi Veronica and the Planning Commission -

I wanted to send a note to encourage approval of Barry's Bootcamp's plans to open a new Castro location at 2280 Market Street.

Run by local owner-operators, Barry's takes great pride in neighborhoods they serve, developing strategic partnerships with local businesses and neighbors alike. The new studio will have a full schedule of morning, mid-day, and evening classes and will include Barry's signature Fuel Bar offering fresh smoothies and grab and go food items for both members and non-members to enjoy.

Thanks for your consideration,
Heather Dunn
650 Alvarado St #307
SF, CA 94114

From: [Brett H](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: Barry's Bootcamp
Date: Wednesday, April 18, 2018 1:28:39 PM

To whom it may concern!

I am so excited to hear Barry's Bootcamp could be coming to the Castro! I love Barry's It's literally the best workout. I used to live over there and don't come back to the Castro often enough. If Barry's was there, I would certainly head there a lot more. Which means my Husband and I will be supporting other stores in the Castro before or after the class. Barry's is a community within the broader SF community. It can only benefit the neighborhood as a whole.

Brett Hanlon
551 Hudson Ave
SF, 94124

From: [Alex Kirschner](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: Castro resident in favor of Barry's Bootcamp Castro!
Date: Wednesday, April 18, 2018 2:16:54 PM

Veronica -

My name is Alex Kirschner and I have been a resident of the Castro since moving to San Francisco in 2006 (not counting the one year I mistakenly tried to give Nob Hill a chance). I'm writing to you because I strongly support the proposed Barry's Bootcamp in the old CVS at 2280 Castro St.

I have been going to Barry's since they opened their first studio in SOMA several years ago. In that time I have seen the lasting impact it has on its clients and the communities within which it puts its studios. In addition to Barry's being the perfect fit for the Castro, the business it would bring to the neighborhood could help offset the disturbing number of empty storefronts I see each day. Not only would this fill one of those empty slots, but would fill it with a thriving and beneficial asset to the Castro and its residents.

I'm aware that the project proposal is strongly supported by local neighbors, merchants and community groups, so I encourage you to vote in favor of the Barry's Castro location.

Best,
Alex Kirschner

From: [Beatrice Leung Lavery](#)
To: [Flores, Veronica \(CPC\)](#)
Subject: Vote YES for Barry's Bootcamp Castro Location
Date: Wednesday, April 18, 2018 9:59:59 PM

Dear Veronica,

I am writing you because I am strongly in support of plans to open a new Barry's Bootcamp studio at the vacant storefront at 2280 Market Street (the former location of CVS Pharmacy).

Run by local owner-operators, Barry's takes great pride in the neighborhoods they serve, developing strategic partnerships with local business and neighbors alike. Barry's is proposing to activate the exterior of the storefront with tables, chairs and planters, creating a welcoming, pedestrian-scale streetscape for neighbors and passersby to enjoy. The new studio will have a full schedule of morning, mid-day and evening classes, and will include a Barry's signature Fuel Bar, offering fresh smoothies and grab-and-go food items for both members and non-members to enjoy.

I am a longtime Castro resident (15+ years) and avid participant in Barry's Bootcamp classes. I am excited about the prospect of walking to classes instead of adding to the city's traffic and parking burden by driving to classes as I currently do. As a mother to two small children, having quick access to fantastic group fitness classes like Barry's allows me to also have a much better work-life balance. Lastly, ensuring that we have highly reputable businesses in the Castro that are passionate about being inclusive and "giving back" to the community are essential, and I believe that Barry's meets those criteria.

I understand that the project proposal is strongly supported by local neighbors like me, merchants and community groups. I truly believe that adding Barry's to the Castro will help the neighborhood continue to thrive.

I highly encourage you to **vote in favor** of Barry's Castro location.

Kind regards,
Bea Lavery
4515 20TH ST, San Francisco, CA 94114
bea_leung@hotmail.com