



EXECUTIVE SUMMARY CONDITIONAL USE AUTHORIZATION

HEARING DATE: September 9, 2021

Record No.: Project Address:	2021-001859CUA 3800 24th Street
Zoning:	24th Street—Noe Valley Neighborhood Commercial District (NCD) Zoning District
zoning.	40-X Height and Bulk District
Block/Lot:	3651/014
Project Sponsor:	Sharon Cox
	Plinth Architecture
	58 West Portal Ave #328
	San Francisco, CA 94127
Property Owner:	Dominic Maionchi
	250 Avila Street
	San Francisco, CA 94127
Staff Contact:	Jeff Horn – (628) 652-7366
	Jeffrey.Horn@sfgov.org

Recommendation: Approval with Conditions

Project Description

The Project proposes the establishment of a Formula Retail Gym Use (d.b.a. Pure Barre) within a vacant 2,045 square foot retail space within a one-story commercial building. The Project includes non-structural tenant improvements to the interior and an enlargement of the storefront windows. New signage will be processed under a separate sign permit.

Required Commission Action

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 303, 303.1, and 728 to allow the establishment of a Formula Retail use within the 24th Street-Noe Valley Neighborhood Commercial Zoning District.

Issues and Other Considerations

- Public Comment & Outreach.
 - **Support/Opposition:** The Department has received a petition in support with 18 signatures from local merchants The Department has not received any letters of opposition.
 - **Outreach**: The Sponsor hosted one Pre-Application meeting within the community on February 21, 2021.
- Tenant History:
 - The space is currently vacant and the last tenant, a Formula Retail Gym Use "Fit Lite by 24 Hour Fitness," closed on June 15, 2020.
- Hours of Operation.
 - The tentative hours of operation are from 6 a.m. to 7 p.m. on weekdays and from 7 a.m. to 12 p.m. on weekends.

Environmental Review

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

Basis for Recommendation

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan. Although the Project will increase the concentration and linear frontage of storefronts dedicated to Formula Retail, the Project will offer a specialized, daily need-serving use and occupy an existing vacant storefront. 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 with Conditions of Approval Exhibit B – Plans and Elevations Exhibit C – Land Use Data Exhibit D – Maps and Context Photos Exhibit E – Project Sponsor Brief





PLANNING COMMISSION DRAFT MOTION

HEARING DATE: SEPTEMBER 09, 2021

Record No.: Project Address: Zoning:	2021-001859CUA 3800 24th Street 24th Street—Noe Valley Neighborhood Commercial District (NCD) Zoning District 40-X Height and Bulk District
Block/Lot:	3651/014
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 303, 303.1, AND 728 TO ALLOW THE ESTABLISHMENT OF A FORMULA RETAIL USE AT 3800 24th STREET, LOT 014 IN ASSESSOR'S BLOCK 3651, WITHIN THE 24TH STREET—NOE VALLEY NEIGHBORHOOD COMMMERCIAL ZONING DISTRICT, AND 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 8, 2021, Sharon Cox of Plinth Architecture (hereinafter "Project Sponsor") filed Application No. **2021-001859CUA** (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish a new Formula Retail Use in the vacant retail space, measuring approximately 2,045 square feet, within an existing one-story commercial building (hereinafter "Project") at 3800 24th Street, Block 3651 Lot 014 (hereinafter "Project Site").

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

On September 9, 2021, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2021-001859CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2021-001859CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

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. 2021-001859CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:



FINDINGS

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

- 1. The above recitals are accurate and constitute findings of this Commission.
- 2. **Project Description.** The Project proposes the establishment of a Formula Retail Gym, A Retail and Services Use (d.b.a. Pure Barre), within a vacant 2,045 square foot retail space within a one-story commercial building. The Project includes non-structural tenant improvements to the interior and an enlargement of the storefront windows. New signage will be processed under a separate sign permit.
- 3. Site Description and Present Use. The Project is located on the north side of 24th Street between Church and Vicksburg Streets, Lot 014 of Assessor's Block 3651. The Project Site is located within the 24th Street— Noe Valley Neighborhood Commercial Zoning District (NCD) and a 40-X Height and Bulk District. The corner lot has a width of 50 feet along 24th Street and a depth of 114 feet along Church Street, for a total lot area of 5,700 square feet. The property is developed as a one-story, 85-foot long commercial building with two retail storefronts on Church Street constructed in 1975. The corner storefront is occupied by "Sterling Bank & Trust" and the subject storefront is currently vacant and was last occupied by a gym use, "Fit Lite by 24-Hour Fitness."
- 4. Surrounding Properties and Neighborhood. The area surrounding the project site is mixed-use in character. A variety of commercial establishments are located within ground floor storefronts in the 24th Street—Noe Valley NCD, including restaurants, bars, apparel stores, and other types of retailers. Buildings in the vicinity typically range from one to three stories in height. Upper floors of buildings are generally occupied by residential units.
- 5. Public Outreach and Comments. The Sponsor hosted one Pre-Application meeting with the community on February 26, 2021. The Department has received a petition in support with 18 signatures from local merchants. The Department has not received any letters of opposition.
- **6. Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. Use. Planning Code Section 728 states that Formula Retail Uses require Conditional Use Authorization in the 24th Street—Noe Valley Neighborhood Commercial Zoning District.

The Project is seeking a Conditional Use Authorization to establish a Formula Retail Limited Restaurant Use within the 24th Street—Noe Valley NCD. The proposed gym, a Retail Sales and Services use, is principally permitted at the ground floor commercial space.

B. Use Size. Planning Code Section 728 principally permits non-residential uses up to 2,499 square feet in the 24th Street—Noe Valley Neighborhood Commercial District. Non-residential uses 2,500 square feet or larger require Conditional Use Authorization.



The Project proposes to establish a Formula Retail Use of approximately 2,045 square feet. No enlargement of the space is proposed.

C. Hours of Operation. Planning Code Section 728 states that the principally permitted hours of operation in the 24th Street—Noe Valley Neighborhood Commercial Zoning District are from 6 a.m. to 2 a.m.

The subject establishment will operate within the principally permitted hours of operation within the 24th Street—Noe Valley NCD. The tentative hours of operation are from 6 a.m. to 7 p.m. on weekdays and from 7 a.m. to 12 p.m. on weekends.

D. 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 23 feet 3 inches of frontage on 24th Street and would provide 17 feet 3 inches (74 percent) of this street frontage dedicated to windows and the main entry. The storefront windows and entry are clear and unobstructed. The first 25 feet of the ground floor is comprised of active uses.

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

The size of the proposed Formula Retail use is in keeping with other storefronts on the block face. The 24th Street--Noe Valley NCD is a daytime-oriented, multi-purpose commercial district that provides a mixture of convenience and comparison shopping goods and services to a predominantly local market area. The Pure Barre fitness studio will be 2,045 square feet in size, well below the maximum use size and will be in scale with the neighborhood commercial district. The Project will activate the currently vacant ground floor retail space and will provide a desirable neighborhood serving amenity.



The proposed use will not impact traffic or parking in the neighborhood and will provide a convenient and walkable location for those living in the neighborhood. This will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood.

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

The height and bulk of the existing building will remain the same and will not alter the existing appearance or character of the site. The proposed work will not affect the building envelope and the Project's storefront would be in scale with the adjacent retail storefronts.

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

The Planning Code does not require parking or loading for a 2,045 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.

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

The proposed project will not generate any offensive odor, noxious fumes, glare, noise, or dust.

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

The existing building has no front yard, parking, loading or service area and none are proposed or required. Signs will require a permit and must comply with the requirements of Article 6 of the Planning Code and the Formula Retail sign guidelines.

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

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

D. That use or feature as proposed will provide development that is in conformity with the stated



purpose of the applicable Use District.

The Project is consistent with the stated purpose of the 24th Street—Noe Valley NCD in that the intended use is located at the ground floor and will provide a specialized, but compatible, Citywide-serving retail use for the immediately surrounding neighborhoods during daytime hours.

- **8.** Formula Retail Findings. In addition to the criteria of Section 303(c) of this Code, the Commission shall consider the extent to which the following criteria are met:
 - A. The existing concentration of Formula Retail uses within the District.

Within the 300-foot radius of 3800 24th Street, there are approximately 30 commercial business storefronts on the ground floor. Three (3) businesses are Formula Retail which is a concentration of 10%. Of approximately 1,102 linear feet of commercial storefront within the 300-foot radius, 214 linear feet is Formula Retail which is a concentration of 19%.

If approved, the Project would increase the concentration of Formula Retail uses in the 300-foot radius to 13% while the concentration of lot frontage devoted to Formula Retail uses would increase to 21%. Although the project would replace a vacant commercial storefront with a formula retail use, the last use of the commercial space was a Formula Retail gym use.

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

Of the 30 occupied retail storefronts within 300 feet of the Project Site, one (1) is occupied by similar gym or fitness use, which would be equal to 3% of businesses in the vicinity. The proposed use will serve the neighborhood, in whole or in significant part.

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

The Project will provide a ground floor amenity consistent with the aesthetic character of the building and the scale of the business is in scale with the typical neighborhood business. The Project proposed façade alterations to increase the size, and therefore the transparency, of the storefront to better meet Planning guidelines for storefronts. Storefront transparency guidelines are met, with greater than 60% of the ground floor street frontage transparent. The Project proposes signage alterations to the front façade. Any sign alterations will require a Building Permit Application and comply with the requirements of both the Planning Code and Commission Guide for Formula Retail. As such, the Project is compatible within, and will have no adverse effect on, the architectural and aesthetic characters of the District.

D. The existing vacancy rates within the District.

Six (6) vacant retail storefronts were noted in the vicinity which results in a vacancy rate of 20%. Of approximately 1,102 linear feet of commercial storefront within the 300-foot radius, 215 linear feet is vacant which is a vacancy rate of 20%. The Project is replacing an existing vacant storefront, will would reduce the vacancy rates within the District to 17% of storefronts and 18% of linear feet.



E. The existing mix of Citywide-serving retail uses, and daily needs-serving retail uses within the District.

Non-vacant business locations serve 54% of the daily needs of the District. Of non-vacant commercial ground floor storefront, 57% is currently devoted to daily needs uses. 11 businesses primarily target a citywide clientele which is 46% of non-vacant business locations. 43% of the non-vacant frontage is occupied by these citywide serving uses.

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

COMMERCE AND INDUSTRY

Objectives and Policies

OBJECTIVE 1

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

Policy 1.1

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

Policy 1.2

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

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

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 attract new such activity to the city.

OBJECTIVE 6

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

POLICY 6.7 Promote high quality urban design on commercial streets.



POLICY 6.9

Regulate uses so that traffic impacts and parking problems are minimized.

The Project would provide a daily-needs serving use and promotes an active storefront, thereby ensuring the surrounding neighborhood is economically vital. The Project is located along public transportation routes and thus, will not impede traffic and minimizes parking issues.

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 proposes the establishment of a Formula Retail Gym Use (d.b.a Pure Barre). The proposed use is Formula Retail but will provide desirable services to the neighborhood and will provide resident employment opportunities to those in the community. Additionally, the Project will preserve an existing commercial storefront and will bring additional pedestrian traffic into the area. The proposal includes some tenant interior improvements and an expansion of the storefront glazing, increasing transparency and visibility into the commercial space. The Project will provide signage to reflect the change in name of the business that is compliant with the Planning Code and the Commission Guide for Formula Retail. On balance, the Project is consistent with the Objectives and Policies of the General Plan.

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

The Project is located within a currently vacant commercial space. The Project proposes a gym use, which is the same of the last operator that occupied the retail space. The Project would enhance the District by establishing a new gym and fitness use which supports the viability of other businesses in the area. The Project will provide desirable services and will provide employment opportunities to those in the community.

B. That existing housing and neighborhood character be conserved and protected in order to



preserve the cultural and economic diversity of our neighborhoods.

The Project is not anticipated to adversely affect the character or diversity of the neighborhood. The project would increase the transparency into the storefront and signage would be replaced. The Project would not impact the existing housing stock in the neighborhood, as the Project Site is currently a retail sales and services use with no residential use.

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

The Project will not impact the City's supply of affordable housing.

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

The Project will not adversely affect public transit or place a burden on the existing supply of parking in the neighborhood. The Project Site is in a location well-served by transit including the 48-24th Street, 24-Divisadero, and the J-Church MUNI Metro lines. The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide.

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

The Project does not include commercial office development. The Project will not displace or adversely affect any service sector or industrial business, or any related employment opportunities.

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

The Project does not involve structural and seismic improvements and will thus not impact the property's ability to withstand an earthquake.

G. That landmarks and historic buildings be preserved.

The Project Site does not contain any City Landmarks. The subject property has a Planning Department Historic Resource Status of 'B - eligible resource", due to the age of the building. The project will increase the size of the storefront glazing in a manner that will not impact the integrity of the existing building.

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

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



- **11.** The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- **12.** The Commission hereby finds that approval of the Conditional Use 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. 2021-001859CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated June 29, 2021, 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 September 9, 2021.

Jonas P. Ionin Commission Secretary

AYES: NAYS: ABSENT:

RECUSE:

ADOPTED: September 9, 2021



EXHIBIT A

Authorization

This authorization is for a conditional use to allow a Formula Retail Limited Restaurant use (d.b.a. **Pure Barre**) located at 3800 24th Street, Lot 014 of Block 3651 pursuant to Planning Code Sections 303, 303.1, and 728 within the **24th Street—Noe Valley Neighborhood Commercial** Zoning District and a **40-X** Height and Bulk District; in general conformance with plans, dated **June 29, 2021**, and stamped "EXHIBIT B" included in the docket for Record No. **2021-001859CUA** and subject to conditions of approval reviewed and approved by the Commission on **September 9, 2021** under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Recordation of Conditions Of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **September 9, 2021** 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 628.652.7463, <u>www.sfplanning.org</u>

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, <u>www.sfplanning.org</u>

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, <u>www.sfplanning.org</u>

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, <u>www.sfplanning.org</u>

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463,



www.sfplanning.org

Design – Compliance at Plan Stage

6. Garbage, Composting and Recycling Storage. Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the 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 628.652.7366, <u>www.sfplanning.org</u>

7. Signage. The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff before submitting any building permits for construction of the Project. All subsequent sign permits shall conform to the approved signage program. Once approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to complement, not compete with, the existing architectural character and architectural features of the building.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7366, <u>www.sfplanning.org</u>

Monitoring - After Entitlement

8. 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 628.652.7463, <u>www.sfplanning.org</u>

9. 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 628.652.7463, <u>www.sfplanning.org</u>

Operation

10. Sidewalk Maintenance. The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department



of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 628.271.2000, <u>www.sfpublicworks.org</u>

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

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, <u>www.sfplanning.org</u>



APPLICATION FOR CONDITIONAL USE AUTHORIZATION FOR **PURE BARRE**

3800 24th Street San Francisco, CA 94114

1 March 2021 29 JUNE 2021 Revised

VICINITY MAP



DRAWING INDEX

- 0.0 COVER SHEET
- 0.1 SITE / ROOF PLAN
- 0.2 SITE PHOTOS
- **EXISTING STOREFRONT** 1
- 2 PROPOSED STOREFRONT
- 3 **EXISTING FLOOR PLAN**
- PROPOSED FLOOR PLAN 4

SCOPE OF EXTERIOR MODIFICATIONS

NEW STOREFRONT AND PAINT INTERNALLY ILLUMINATED CHANNEL LETTERS WALL SIGN (SIGNAGE UNDER SEPARATE PERMIT) Project:

PURE BARRE Conditional Use Application 3800 24th Street San Francisco, CA 94114

Sheet Title: COVER SHEET

Date: 1 March 2021 29 JUNE 2021

Issued For: CU Submission REVISION

Scale: N.A. File Project: 21PUR

Ref North:

Checked By: SC Sheet No: $O_{-}O$



ELIZABETH STREET

CHURCH STREET

Project:

PURE BARRE Conditional Use Application 3800 24th Street San Francisco, CA 94114

Sheet Title: SITE / ROOF PLAN

Date: 1 March 2021

lssued For: CU Submission

Scale: 1/32" = 1'-0" @ 11X17 File: Project: 21PUR

Ref North:



Checked By: SC Sheet No:



PROPERTY



CHURCH STREET EXISTING CONTEXT



1

2

N.T.S.

1



CHURCH STREET

Project:

PURE BARRE **Conditional Use** Application 3800 24th Street San Francisco, CA 94114



ELIZABETH STREET

Sheet Title: SITE CONTEXT PHOTOS

Date: 1 March 2021

Issued For: CU Submission

Scale: NTS @ 11X17 File: Project: 21PUR

Ref North:

Checked By: SC Sheet No: 0.2



PURE BARRE-SAN FRANCISCO

3800 24TH ST SAN FRANCISCO, CA 94114





15974 N 77TH ST SUITE 100 SCOTTSDALE ARIZONA 85260 T 480-397-0046



DATE: 02-24-21 JOB NO.: 21-028

SHEET NO.



3800 24TH ST, SUITE # 2 SAN FRANCISCO, CA 94114

SCALE: 3/16" = 1'-0"

PROPOSED STOREFRONT ELEVATION 2





15974 N 77TH ST SUITE 100 SCOTTSDALE ARIZONA 85260 T 480-397-0046



2







ADJACENT

SHEET NO.

3



3800 24TH ST, SUITE # 2 SAN FRANCISCO, CA 94114

SCALE: 1/8" = 1'-0" APPROX. ±2,068SF

1 PROPOSED FLOOR PLAN





15974 N 77TH ST SUITE 100 SCOTTSDALE ARIZONA 85260 T 480-397-0046

DATE: 06-29-21

JOB NO.: 21-028



SHEET NO.

4





CEQA Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)			
3800 24TH ST		3651014			
Case No.		Permit No.			
2021-001859PRJ					
Addition/	Demolition (requires HRE for	New			
Alteration	Category B Building)	Construction			
Project description for	Planning Department approval.				
The Project proposes a	2,045 sf fitness studio in an existing ground floor r	etail space, DBA, Pure Barre. A			
Conditional Use Authorization for Formula Retail is requested.					

STEP 1: EXEMPTION TYPE

The project has been determined to be exempt under the California Environmental Quality Act (CEQA).			
	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.		
	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.		
	 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. 		
	Other		
	Common Sense Exemption (CEQA Guidelines section 15061(b)(3)). It can be seen with certainty that there is no possibility of a significant effect on the environment.		

STEP 2: ENVIRONMENTAL SCREENING ASSESSMENT TO BE COMPLETED BY PROJECT PLANNER

	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. use of diesel construction equipment, backup diesel generators, heavy industry, diesel trucks, etc.)? (<i>refer to the Environmental</i>		
	Hazardous Materials: Maher or Cortese Is the project site located within the Maher area or on a site containing potential subsurface soil or groundwater contamination and would it involve ground disturbance of at least 50 cubic yards or a change of use from an industrial use to a residential or institutional use? Is the project site located on a Cortese site or would the project involve work on a site with an existing or former gas station, parking lot, auto repair, dry cleaners, or heavy manufacturing use, or a site with current or former underground storage tanks? <i>if Maher box is checked, note below whether the applicant has enrolled in or received a waiver from the San</i> Francisco Department of Public Health (DPH) Maher program, or <i>if Environmental Planning staff has</i> determined that hazardous material effects would be less than significant. Note that a categorical exemption shall not be issued for a project located on the Cortese List		
	Transportation: Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? 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? Would the project involve the intensification of or a substantial increase in vehicle trips at the project site or elsewhere in the region due to autonomous vehicle or for-hire vehicle fleet maintenance, operations or		
	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? If yes, archeology review is required.		
	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? (<i>refer to the Environmental Information tab on</i> <i>https://sfplanninggis.org/PIM/</i>) If box is checked. Environmental Planning must issue the exemption.		
	Average Slope of Parcel = or > 25%, or site is in Edgehill Slope Protection Area or Northwest Mt. Sutro Slope Protection Area: Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, or (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area? (<i>refer to the Environmental Information tab on https://sfplanninggis.org/PIM/</i>) If box is checked, a geotechnical report is likely required and Environmental Planning must issue the exemption.		
	Seismic Hazard: Landslide or Liquefaction Hazard Zone: Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area, or (4) grading performed at a site in the landslide hazard zone? (refer to the Environmental Information tab on https://sfplanninggis.org/PIM/) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.		
Com	Comments and Planner Signature (optional): Jeffrey Horn		

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

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

STEP 4: PROPOSED WORK CHECKLIST

TO BE COMPLETED BY PROJECT PLANNER

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

STEP 5: ADVANCED HISTORICAL REVIEW

TO BE COMPLETED BY PRESERVATION PLANNER

Check all that apply to the project.				
	1. Reclassification of property status. (Attach HRER Part I)	1. Reclassification of property status. (Attach HRER Part I)		
	Reclassify to Category A Reclassify to Category C			
	a. Per HRER	(No further historic review)		
	b. Other <i>(specify)</i> :			
	 Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4. 			
	 Interior alterations to publicly accessible spaces that do not remove, alter, or obscure character defining features. 			
	4. Window replacement of original/historic windows that are not "in-ki existing historic character.	 Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character. 		
	5. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.			

	 Raising the building in a manner that does not re features. 	move, alter, or obscure character-defining		
	7. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.			
	8. Work consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties (Analysis required):			
	9. Work compatible with a historic district (Analysis	required):		
	10. Work that would not materially impair a historic	c resource (Attach HRER Part II).		
	Note: If ANY box in STEP 5 above is check	red, a Preservation Planner MUST sign below.		
	Project can proceed with exemption review. The project has been reviewed by the Preservation Planner and can proceed with exemption review. GO TO STEP 6.			
Comm	ents (optional):			
	se to storefront glazing. Review by Stephanie Cisneros			
Preser	vation Planner Signature: Jeffrey Horn			
STE	P 6: EXEMPTION DETERMINATION			
TOE	BE COMPLETED BY PROJECT PLANNER			
	No further environmental review is required. The project is exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.			
	Project Approval Action:	Signature:		
	Planning Commission Hearing	Jeffrey Horn		
		09/01/2021		
	Supporting documents are available for review on the San Frenci	Property Information Man, which can be accessed at		
	Supporting documents are available for review on the San Francisco Property Information Map, which can be accessed at https://sfplanninggis.org/PIM/. Individual files can be viewed by clicking on the Planning Applications link, clicking the "More			
	Details" link under the project's environmental record number (ENV) and then clicking on the "Related Documents" link. Once signed or stamped and dated, this document constitutes an 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 to the Board of Supervisors can only be filed within 30 days of the project receiving the approval action.



49 South Van Ness Avenue, Suite 1400 San Francisco, CA 94103 628.652.7600 www.sfplanning.org

LAND USE INFORMATION

PROJECT ADDRESS: 3800 24TH ST RECORD NO.: 2021-001859CUA

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF	0	0	0
Residential GSF	0	0	0
Retail/Commercial GSF	2,045	2,045	0
Office GSF	0	0	0
Industrial/PDR GSF Production, Distribution, & Repair	0	0	0
Medical GSF	0	0	0
Visitor GSF	0	0	0
CIE GSF	0	0	0
Usable Open Space	0	0	0
Public Open Space	0	0	0
Other ()	0	0	0
TOTAL GSF	2,045	2,045	0
	EXISTING	NET NEW	TOTALS
	PROJECT FEATURES	(Units or Amounts)	
Dwelling Units - Affordable	0	0	0
Dwelling Units - Market Rate	0	0	0
Dwelling Units - Total	0	0	0
Hotel Rooms	0	0	0
Number of Buildings	1	0	1
Number of Stories	1	0	1
Parking Spaces	0	0	0
Loading Spaces	0	0	0
Bicycle Spaces	0	0	0
Car Share Spaces	0	0	0
Other ()	0	0	0

Parcel Map



Sanborn Map*



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



Aerial Photo – View 1



SUBJECT PROPERTY



Aerial Photo – View 2



SUBJECT PROPERTY



Aerial Photo – View 3



SUBJECT PROPERTY



Zoning Map





Site Photo



Site Photo



Noe Valley Merchants Support Pure Barre

Yes, I support bringing a new Pure Barre studio to 3800 24th Street!

As a manager/business owner in the Noe Valley neighborhood, I strongly support Pure Barre's efforts to bring a new studio to the neighborhood. Pure Barre provides the kind of health and fitness service that residents and shoppers want most, and I believe their presence in the area will be a benefit to the entire merchant corridor.

Business Contact Name Address Emoil 3800 24 th ST SF, CA NDEMOPOULOS @ STERLINGDANKCOM Sterling BANKE TRUST NICK DEMODOULOS Shufat Market 3505 29* St SF, CA Tind mistans & gmail. Com Flexa USL 3848 24th St SF. CA Chury Powell soo cherge Alexa-use.com 3870 29th St, SF (A Flor cancino 31 29mail.com Urban Remody flor cancing La Boulanderie ESPINDERWING2RGIMAILG 3989 24TH ST., SF, CA HEWIN ESPINO 4th ST. Cheese Co. 24th 57 Cheese CO. KA Ellen Grangeloulian INA.SE HaysTACK 3881 247L ST Haussael

pure barre[®]

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Dure barre

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Business Contact Name Address Email BILLINGSGATE Rstebung billingsgatest.com JOSH 24th 3859 St HAPPY DONNALLIC RATHA ryth ST 3801 415 285 5890 Compass Victoria 3850 24th Street Vickimmerrill@gmail.com Maitha's bross 3868 24H 415-641-4433 Upper Hand ALESANDRO ROCHA 3834 24Th ST. 707-533-5577 MAthnasidy nowe 3813244 51 415657 2332 304 Vicksburg nell janello U (Nelhos

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Business	Contact Name	Address	Email
Baew	Shari	3913 24H SA.	
Folio Books	Alissa	3957 24th St.	
Small Frys	Azia	3985 24t St.	
Valley Taven	Zirri	405424 ⁶ St	
Valley wan	TARI		