



SAN FRANCISCO PLANNING DEPARTMENT

Memo to the Planning Commission

HEARING DATE: MAY 26, 2011
Continued from the May 19, 2011 Hearing

Date: May 19, 2011
Case No.: 2010.0628 C
Project Address: 2740 MISSION STREET
Zoning: Mission Street Neighborhood Commercial Transit District
80-B Height and Bulk District
Block/Lot: 3643/005
Project Sponsor: Ron Wallace
1108 Bryant Street
San Francisco, CA 94103
Staff Contact: Diego R Sánchez – (415) 575-9082
diego.sanchez@sfgov.org
Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

BACKGROUND

The Proposed Project, the establishment of a full service restaurant (d.b.a. Pollo Campero) identified as a formula retail use with an outdoor activity area at the rear of the lot, was heard on March 3, 2011. The Planning Commission moved to continue the case to enable the Project Sponsor to conduct further outreach with the residents of the properties immediately adjacent to the Subject Property, with other affected community groups and with the office of Board of Supervisor David Campos.

The Project Sponsor held an outreach meeting on May 11, 2011 in accordance with the Planning Commission request. Minutes of the meeting taken by the Project Sponsor are included as an attachment.

CURRENT PROPOSAL

The Project Sponsor is proposing alterations to the original proposal that include an extension of the building envelope into the rear of the lot, enclosing what was initially proposed as the outdoor activity area, as well as the addition of a second means of egress at the front of the Subject Property. This new enclosure is approximately 27 feet in depth, extending to the rear property line, and 11 feet in height. The new enclosure spans the entire 50 foot lot width and will be used to provide an additional seating area for patrons of the full service restaurant.

At the May 11, 2011 outreach meeting a number of residents from Bartlett Street were present, in addition to representatives of CARECEN, an affected community group identified at the March 3, 2011 Planning Commission Hearing, and Supervisor David Campos.

The concerns and questions of the Bartlett Street residents included the timing of the release of the new proposal, the ability of the new proposal to attenuate light, sound and odor, and the general operation of

the full service restaurant including the handling of trash and alcohol. The Project Sponsor believes that the proposed patio enclosure will address the concerns regarding light, sound and odor. The Project Sponsor has also committed to adequately handle the disposal of trash and will not serve alcoholic beverages.

The concerns of the representatives of CARECEN included the provision and promotion of food that contributes to childhood obesity and plans for local hiring. The Project Sponsor has committed to cooperating with the Mission Hiring Hall, City College of San Francisco and Mission Language and Vocational School to provide employment to local residents. The Project Sponsor has also committed to providing further information regarding nutritional information of the food provided and about how they seek to encourage healthy food choices on site.

Supervisor Campos was in attendance to observe and is neither in support nor in opposition to the proposal.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use authorization to allow for a full service restaurant (d.b.a. Pollo Campero) identified as formula retail in the Mission Street Neighborhood Commercial Transit District. Please note that Conditional Use authorization is no longer required for the proposed outdoor activity area at the rear of the lot as the project is proposing an extension of the building envelope to enclose the rear of the lot.

BASIS FOR RECOMMENDATION

- The proposed Project will occupy a currently vacant storefront.
- The proposed Project will create up to 70 new employment opportunities in the Mission District, many of which will be open to workers of lesser skill sets, in addition to the construction employment necessary for the tenant improvement.
- The Project Sponsor will implement measures to attenuate light, sound and odor, the chief concerns of adjacent neighbors.
- The proposed Project is a neighborhood serving use, and more importantly, a use that will serve the significant and expanding Latin American immigrant community.
- The proposed Project will add to the diversity of Latin American fare within the Mission District, an area known as the heart of Latino life in San Francisco.
- The proposed Project meets all applicable requirements of the Planning Code.
- The Planning Department believes the proposal meets the criteria for Formula Retail uses as specified by Planning Code Section 303(i).
- The last legal use of the tenant space, Payless Shoe Source, was a retail use identified as formula retail and the proposed project would not add a net new formula retail use in the Mission Street Neighborhood Commercial Transit District.
- Opportunities for businesses to locate on Mission Street are still plentiful, as there are a significant number of vacant storefronts on Mission Street and within the Mission Street Neighborhood Commercial Transit District.

RECOMMENDATION: Approve with Conditions

Attachments:

Revised Draft Motion

Revised Plans

Project Sponsor Minutes of May 11, 2011 Outreach Meeting

Letters in support / in opposition to the proposed Project



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other |

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Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303 AND 703.4 OF THE PLANNING CODE TO ALLOW A FULL-SERVICE RESTAURANT (D.B.A. POLLO CAMPERO) IDENTIFIED AS A FORMULA RETAIL USE WITHIN THE MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT AND AN 80-B HEIGHT AND BULK DISTRICT.

PREAMBLE

On July 29, 2010 Ron Wallace (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Section 703.3 and 736.24 of the Planning Code to allow a full-service restaurant (d.b.a. Pollo Campero) identified as a Formula Retail Use within the Mission Street Neighborhood Commercial Transit District and an 80-B Height and Bulk District.

On May 26, 2011, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.0628C.

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

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2010.0628C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the west side of Mission Street, between 23rd and 24th Streets, Lot 005 in Assessor Block 3643. The property is located within the Mission Street Neighborhood Commercial Transit District and the 80-B Height and Bulk district. The lot provides 50 feet of street frontage along Mission Street and has an irregular depth in that the northern half is 125 feet deep while the southern half is 140 feet, extending an additional 15 feet to the west and providing an additional buffer between it and the properties immediately adjacent to the rear. The lot is 6,750 square feet. The property is improved with a single story retail / commercial building with two commercial spaces. One space is occupied by an establishment selling toys, gifts, clothes and other like goods, while the proposed Project intends to occupy the other tenant space. The last use of the space into which the project proposes to occupy was Payless Shoe Source, a retail establishment also identified as a Formula Retail use.
3. **Surrounding Properties and Neighborhood.** The project site is located within the Mission District, the heart of San Francisco's Latin community and home to immigrant communities from Mexico, Central and South America and the Caribbean. The uses in the area include eating and drinking establishments, personal service uses, retail uses, medical and dental uses and residential uses. The area is very well served by public transit, as the 24th-Mission Street BART station is on the adjacent block and the 14, 14L, 49 and 67 MUNI lines also run in front of the subject property or have stops at the end of the block. The surrounding properties are located within the RTO-M (Residential Transit Oriented, Mission) and P (Public Use) Districts.
4. **Project Description.** The project proposes to establish a full service restaurant d.b.a. Pollo Campero. Pollo Campero is an eating establishment originating in Guatemala that specializes in chicken prepared to appeal to the Latin American palate. Meal accompaniments, including sides, beverages and desserts, are also aimed at the Latin American consumer. The project proposes to expand the existing building envelope into the rear patio to provide further seating and to enlarge the structure to accommodate a walk in cooler, freezer and utility area. This area will be fully enclosed. While the typical Pollo Campero establishment within the USA is akin to a large fast food establishment, the proposal for the subject property follows the original Central American business model of a full service restaurant. However, given the similarity of other

features to the Pollo Campero chain, the proposal is identified as a Formula Retail use. Up to 70 employees will be hired, on full and part time bases, and at a variety of skill levels. It is assumed, given the location and proximity to transit, that most employees will commute by bus, BART, bicycle or foot.

5. **Public Comment.** The Department has received multiple telephone calls, written letters and email messages regarding the proposed Project. Those in opposition to the project are concerned about the effect of the proposed project upon adjacent residences and of the appropriateness of another formula retail use within the Mission Street NCT. Those in support view the project as an important source of employment for the Mission neighborhood. The Commission finds that the Project Sponsor's measures to address the concerns are adequate.
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. **Hours of Operation.** Planning Code Section 736.27 indicates that there are no limits to the hours of operation within the Mission Street Neighborhood Commercial Transit District.

While there are no limits to the hours of operation, the Project Sponsor proposes to limit the operation of the proposed full service restaurant to hours between 10 am and 10 pm.

- B. **Rear Yard Requirement in the Mission Street NCT.** Planning Code Section 134 indicates that a rear yard must be provided at the lowest story containing a dwelling unit and at each succeeding level or story of the building

Because there are no dwelling units on the subject property the Planning Code does not require a rear yard. However, the last 15 feet of depth at the southern half of the lot will remain unimproved.

- C. **Parking.** Planning Section 151.1 of the Planning Code does not require a minimum number of off-street parking for uses within the Mission Street NCT.

There is no off-street parking proposed by the Project which complies Planning Code Section 151.1.

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 proposed Project is necessary and desirable as it occupies a storefront currently vacant and intends to operate within an entirely enclosed space thereby attenuating any potential noise disturbances. The proposed location is consistent with the intent of the Mission Street Neighborhood Commercial Transit

District in that it seeks to locate an eating and drinking establishment along the street frontage. It is compatible with the neighborhood and community, given implementation of sound and odor attenuating measures, as it contributes to the mixed use character of the area and will contribute to the variety of goods available in the District. Furthermore the proposed Project will contribute to the economic vitality of the area and provide employment opportunities.

- 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 proposed project will provide a setback at the rear southern half of the lot, offering a buffer between it and the adjacent residential buildings and will implement measures to attenuate sound and odor. Taken together these measures will help to blunt any potential impacts from the proposed full service restaurant upon nearby uses.

- 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 off-street parking or loading for the use. The proposed use is intended to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide as the use is very well served by public transportation, including BART and MUNI.

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

The proposed use is subject to the conditions of approval as outlined in Exhibit A. Conditions 3, 4, 5, 7, 8, 9 and 10 specifically obligate the Project Sponsor to prevent the emission of noxious or offensive noise, odor and debris.

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

The proposed full service restaurant will provide appropriate lighting at entrances.

- 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, on balance, 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 purpose of Mission Street Neighborhood Commercial Transit District because the use is located at the ground floor, will provide a compatible convenience service for the immediately surrounding neighborhoods and increases the variety of goods available in the District.

8. **Planning Code Section 303(i)** establishes criteria for the Planning Commission to consider when reviewing applications for Formula Retail Uses in Neighborhood Commercial Districts.

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

A survey of the Mission Street Neighborhood Commercial Transit District found a total of 23 formula retail uses within the 1.37 mile long District. Formula Retail uses include AT&T, Burger King, Footlocker, Game Stop, McDonalds, Metro PCS, Payless Shoes Source, Popeyes, Quickly, Radio Shack, Rent a Center, Sketchers, Sprint, T Mobile, Verizon and Walgreens.

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

While there are two other restaurants that serve Guatemalan cuisine within the Mission Street NCT, there are no other eating establishments specializing in chicken prepared particularly to the Latin American palette. While multiple eating establishments offering Latin American fare are found within the Mission Street NCT, because the District is the heart of the Latin Community in San Francisco it is expected that there be many establishments of the like. The addition of another like restaurant, irrespective of its formula retail nature, does not create an undue burden upon existing independent restaurants as the menu of the proposed project is very specialized.

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

The changes proposed to the façade are sensitive to the existing architecture and in a contemporary style. The renovations will repair an aging and deteriorating façade, helping to provide a polished look to the 2700 block of Mission Street.

- D. The existing retail vacancy rates within the Neighborhood Commercial District.

The survey of the area found 20 lots with vacant storefronts in the Mission Street NCT. The number of vacant retail storefronts provides ample opportunities for independently owned restaurants or other commercial establishments to locate within the District.

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

The proposed full service restaurant will not negatively affect the balance between Citywide-serving retail and neighborhood serving retail found within the Mission Street NCT as the use will serve both areas.

9. **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.

The proposed development will provide desirable goods and services to the neighborhood that are currently unavailable and will provide resident employment opportunities to those in the community. The project is situated within the Mission Street Neighborhood Commercial Transit District, an area where restaurant uses are intended. The project is subject to standard Conditions of Approval (Exhibit A) for restaurants.

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.

Policy 2.3:

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

The proposed Project is a new commercial activity to San Francisco and contributes to the cultural variety found in the Mission District.

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 Project will hire up to 70 new employees; many of these employment opportunities will be available for unskilled and semi-skilled workers.

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.

No commercial tenant would be displaced by the proposed Project as the existing tenant space is currently vacant and was formerly occupied by another formula retail use, Payless Shoe Source. The project will add to the diversity of the Mission District by providing a specialized Latin American fare that is generally not found elsewhere in San Francisco.

MISSION AREA PLAN

Objectives and Policies

OBJECTIVE 1.5

MINIMIZE THE IMPACT OF NOISE ON AFFECTED AREAS AND ENSURE GENERAL PLAN NOISE REQUIREMENTS ARE MET.

Policy 1.5.1

Reduce potential land use conflicts by providing accurate background noise-level data for planning.

Policy 1.5.2

Reduce potential land use conflicts by carefully considering the location and design of both noise generating uses and sensitive uses in the Mission.

The Project Sponsor will operate the full service restaurant within an enclosed building, thereby addressing any noise generation issues and providing compatibility with surrounding uses.

OBJECTIVE 1.8

MAINTAIN AND STRENGTHEN THE MISSION'S NEIGHBORHOOD COMMERCIAL AREAS

Policy 1.8.2

Ensure that the Mission's neighborhood commercial districts continue to serve the needs of residents, including immigrant and low-income households.

The proposed Project aims to serve, in large part, the Latin American immigrant community through providing chicken and other specialized fare that is common throughout many parts of Latin America and familiar to many immigrants in the Mission District. It will also provide multiple employment opportunities for immigrant and low income households.

OBJECTIVE 7.3

REINFORCE THE IMPORTANCE OF THE MISSION AS THE CENTER OF LATINO LIFE IN SAN FRANCISCO

Policy 7.3.3

Protect and support Latino and other culturally significant local business, structures, property and institutions in the Mission.

Because the proposed Project will provide specialized Latin American fare it is likely to become a culturally significant business in the Mission District, adding to Latin life in the Mission District.

10. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

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

The proposal would enhance the district by establishing a full-service restaurant providing a specialized menu in an area that does not yet feature such cuisine. The business would create up to 70 employment opportunities for the neighborhood residents.

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 neighborhood character will be conserved as the area is a mixed use neighborhood where retail and residential uses coexist and the project is a full service restaurant in the vicinity of other retail and residential uses.

- 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 Mission Street and is well served by transit. It is presumable that the employees would commute by transit thereby mitigating possible impacts on on-street parking. The site is within walking distance from the 24th Street-Mission BART station as well as the 14, 14L, 49 and 67 MUNI bus lines

- 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.

A preservation technical specialist reviewed the proposal and deemed the changes appropriate.

- 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.

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 Application No. 2010.0628C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 12, 2011, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on May 26, 2011.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 26, 2011

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a Full Service Restaurant (d.b.a. Pollo Campero) identified as a Formula Retail Use located at 2740 Mission Street (Lot 005 in Assessor Block 3643) pursuant to Planning Code Section(s) 703.3 within the Mission Street Neighborhood Commercial Transit District and an 80-B Height and Bulk District; in general conformance with plans, dated May 12, 2011, and stamped "EXHIBIT B" included in the docket for Case No. 2010.0628 and subject to conditions of approval reviewed and approved by the Commission on **May 26, 2011** 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 26, 2011** 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 and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. 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. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

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

DESIGN

3. **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 architectural addenda. 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.

4. **Noise.** Plans submitted with the building permit application for the approved project shall incorporate acoustical insulation and other sound proofing measures to control noise.

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

5. **Odor Control.** Plans submitted with the building permit application for the approved project shall incorporate odor control ducting which shall not be applied to the primary façade of the building.

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

MONITORING

6. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

7. **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/>*
8. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.
For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org.
For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, www.sfdbi.org.
For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-1012 or 415-5530123, www.sf-police.org
9. **Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed and maintained to prevent any significant noxious or offensive odors from escaping the premises. The building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans.
For information about compliance with odor or other chemical air pollutants emission standards and air quality regulations contact the Bay Area Air Quality Management District,(BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
10. **Hours of Operation.** The subject establishment is limited to the following hours of operation: seven days a week 10:00a.m. to 10:00p.m.

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

11. **Community Liaison.** Prior to issuance of a building permit application 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 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

2740 MISSION STREET

SAN FRANCISCO, CA 94110

SCOPE OF WORK:

CREATE NEW RESTAURANT IN EXISTING COMMERCIAL SPACE. FULLY SPRINKLER THE ENTIRE BUILDING.

PROJECT DATA:

ADDRESS 2740 MISSION ST.
 BLOCK/LOT 3643 / 005
 ZONING NC3
 LOT AREA 6,621 SF
 TYPE OF CONSTRUCTION MASONRY OR CONCRETE
 YEAR BUILT 1927

APPLICABLE CODES

2007 C.B.C. (AS AMENDED BY THE CITY OF SAN FRANCISCO)
 2007 C.M.C. (AS AMENDED BY THE CITY OF SAN FRANCISCO)
 2007 C.E.C. (AS AMENDED BY THE CITY OF SAN FRANCISCO)
 2007 C.P.C. (AS AMENDED BY THE CITY OF SAN FRANCISCO)
 2007 C.F.C. (AS AMENDED BY THE CITY OF SAN FRANCISCO)
 2005 TITLE 24 ENERGY STANDARDS
 THE CALIFORNIA BUILDING 2007 UBC, 2008 UMC, 2008 UPC, AND 2008 NEC.
 2007 NFPA 72 (FIRE ALARMS)
 2007 NFPA 13/13R (SPRINKLERS)

LEGEND

(E)- EXISTING
 (N)- NEW

LOCATION MAP:



GENERAL NOTES:

1. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS WITH CONDITIONS AT THE JOB SITE BEFORE PROCEEDING WITH ANY WORK. CONDITIONS AT INDIVIDUAL DETAILS MAY VARY. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS IN THE FIELD PRIOR TO FABRICATION AND INSTALLATION OF THE NEW WORK.
2. DO NOT SCALE THE DRAWINGS. LOCATE ONLY BY WRITTEN DIMENSION, SITE VERIFICATION, OR WRITTEN CLARIFICATION.
3. ALL DIMENSIONS WHEN SHOWN IN PLAN, ARE TO FACE OF FINISH UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS WHEN SHOWN IN SECTION OR ELEVATION, ARE TO TOP OF FINISH FLOOR UNLESS OTHERWISE NOTED.
5. ANY ERRORS, OMISSION, OR CONFLICTS FOUND IN THE VARIOUS PARTS OF THE CONSTRUCTION DOCUMENTS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT IN WRITING AND THE CONTRACTOR SHALL RECEIVE WRITTEN CLARIFICATION FROM THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.
6. DETAILS SHOWN ARE TYPICAL UNLESS OTHERWISE NOTED, SIMILAR DETAILS APPLY IN SIMILAR CONDITIONS.
7. CONTRACTOR SHALL VERIFY ALL DETAILS WITH THE LANDSCAPE, UTILITY AND SHOP DRAWINGS BEFORE THE ORDERING OF, OR INSTALLATION OF ANY ITEM OF THE WORK.
8. VERIFY ADEQUACY OF CLEARANCES, AND POINTS OF CONNECTION FOR PIPES WITH PLUMBING CONTRACTOR.
9. ALL WORK SHALL BE DONE WITHOUT CAUSING UNDUE INCONVENIENCE TO ADJACENT SITE IMPROVEMENTS.
10. TRADE NAMES USED ARE DESIGNED TO ESTABLISH QUALITY DESIRED. ANY SUBSTITUTIONS DESIRED BY THE CONTRACTOR SHALL ACCORD WITH SUBSTITUTION PROCEDURES AND FORMAT AS DESCRIBED IN SPECIFICATIONS.
11. ALL WORK SHALL BE DONE IN A SAFE, ORDERLY MANNER WITHOUT DAMAGE TO OTHER PARTS OF THE PREMISES OR ADJACENT PROPERTIES. ANY RESULTING DAMAGE OR LOSS SHALL BE CORRECTED OR REPLACED BY CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER, AND WITHOUT TIME EXTENSION TO THE CONTRACT PERIOD.
12. DESIGNS REPRESENTED BY THESE DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND WERE DEVELOPED FOR THE USE OF THIS PROJECT ONLY. REUSE WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT IS PROHIBITED.
13. MAINTAIN WORK AREAS CLEAN AND FREE FROM UNDUE ENCUMBRANCES AT ALL TIMES. REMOVE SURPLUS MATERIALS AND WASTE AS THE WORK PROGRESSES.
14. IN CASE OF AN INCONSISTENCY BETWEEN DRAWINGS AND SPECIFICATIONS OR WITHIN OTHER CONTRACT DOCUMENTS NOT CLARIFIED BY ADDENDUM, PROVIDE BETTER QUALITY OR GREATER QUANTITY OF WORK IN ACCORDANCE WITH ARCHITECT'S INTERPRETATION.
15. IN CASE OF DISCREPANCIES, LARGER SCALE DRAWINGS TAKE PRECEDENCE OVER SMALLER SCALE DRAWINGS.
16. NO PLASTIC PLUMBING PIPE IS ALLOWED FOR DOMESTIC WATER SUPPLY AND SANITARY WASTE SYSTEM (AS PER DCMC 15.20.040 & 15.20.090).
17. CONTRACTOR SHALL COMPLY WITH THE REQUIREMENTS OF C.B.C. SECTIONS 709.6 AND 709.7 FOR PENETRATIONS THROUGH ALL FIRE-RATED MEMBRANES AND/OR ASSEMBLIES.

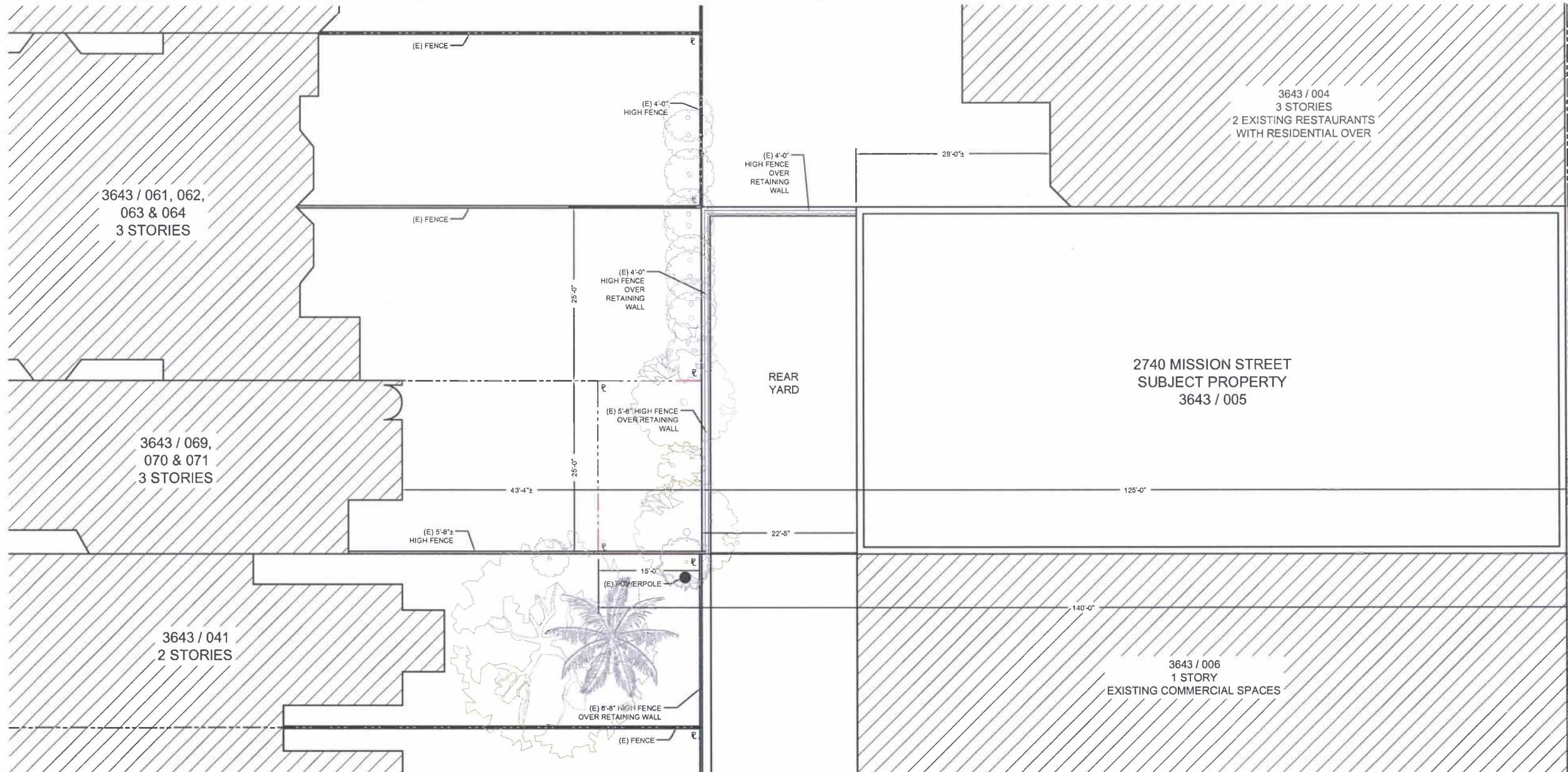
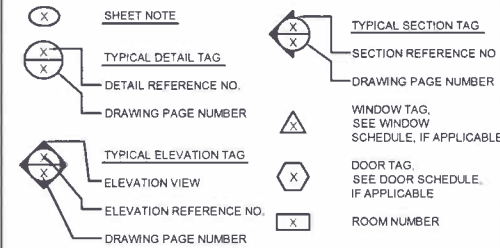
ABBREVIATIONS:

NOTE: PLEASE SEE LEGEND(S) FOR ADDITIONAL ABBREVIATIONS NOT SHOWN HERE.

±	APPROXIMATELY	LB	FOUND
@	DIAMETER	LC	LINEAR FEET
Ø	DIAMETER	LTG	LIGHTING
#	NUMBER OR POUND	LVL	LEVEL
P	PROPERTY LINE	MAS	MASONRY
C	CENTERLINE	M.D.	MECHANICAL DRAWINGS
		MET	METAL
AFF	ABOVE FINISHED FLOOR	N/A	NOT APPLICABLE
BLDG	BUILDING	NEG	NEGATIVE
BP	BUILDING PAPER	NIC	NOT IN CONTRACT
CLKG	CAULKING	PB	POST BASE
C.D.	CIVIL DRAWINGS	PERIM	PERIMETER
CL	CLOSET	PERP	PERPENDICULAR
CLR	CLEAR	PL	PLATE
CNR	CORNER	PLY	PLYWOOD
DEMO	DEMOLITION	R	RISER
DN	DOWN	RAD	RADIUS
DW	DISHWASHER	REF	REFRIGERATOR
DWG	DRAWING	RELOC	RELOCATE(D)
E.D.	ELECTRICAL DRAWINGS	REM	REMOVE(D)
EQ	EQUAL	REQD	REQUIRED
EQUIP	EQUIPMENT	SCHED	SCHEDULE
FE	FIRE EXTINGUISHER	SOG	SLAB-ON-GRADE
FF	FINISHED FLOOR	SQ	SQUARE
FDTN	FOUNDATION	S.D.	STRUCTURAL DRAWINGS
FURN	FURNACE	T	TREAD
GA	GUAGE	TP	TOILET PAPER
GALV	GALVANIZED	T&B	TOP AND BOTTOM
GAL	GALLON	VERT	VERTICAL
GND	GROUND	VIF	VERIFY IN FIELD
GRD	GRADE	W	WIDTH
GRD BM	GRADE BEAM	WH	WATER HEATER
H	HIGH	W	WITH
JH	JOIST HANGER	W/O	WITHOUT

GENERAL LEGEND:

(TYPICAL OF ALL ARCHITECTURAL DRAWINGS)



MISSION STREET



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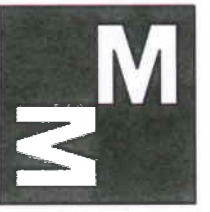
BLOCK: 3643 LOT: 005
 LESEE: POLLO CAMPERO

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PROJECT NUMBER: 10013.00
 PRINT DATE: 05-12-11
 DRAWING SCALE: SEE DWG

TITLE SHEET

A0.0



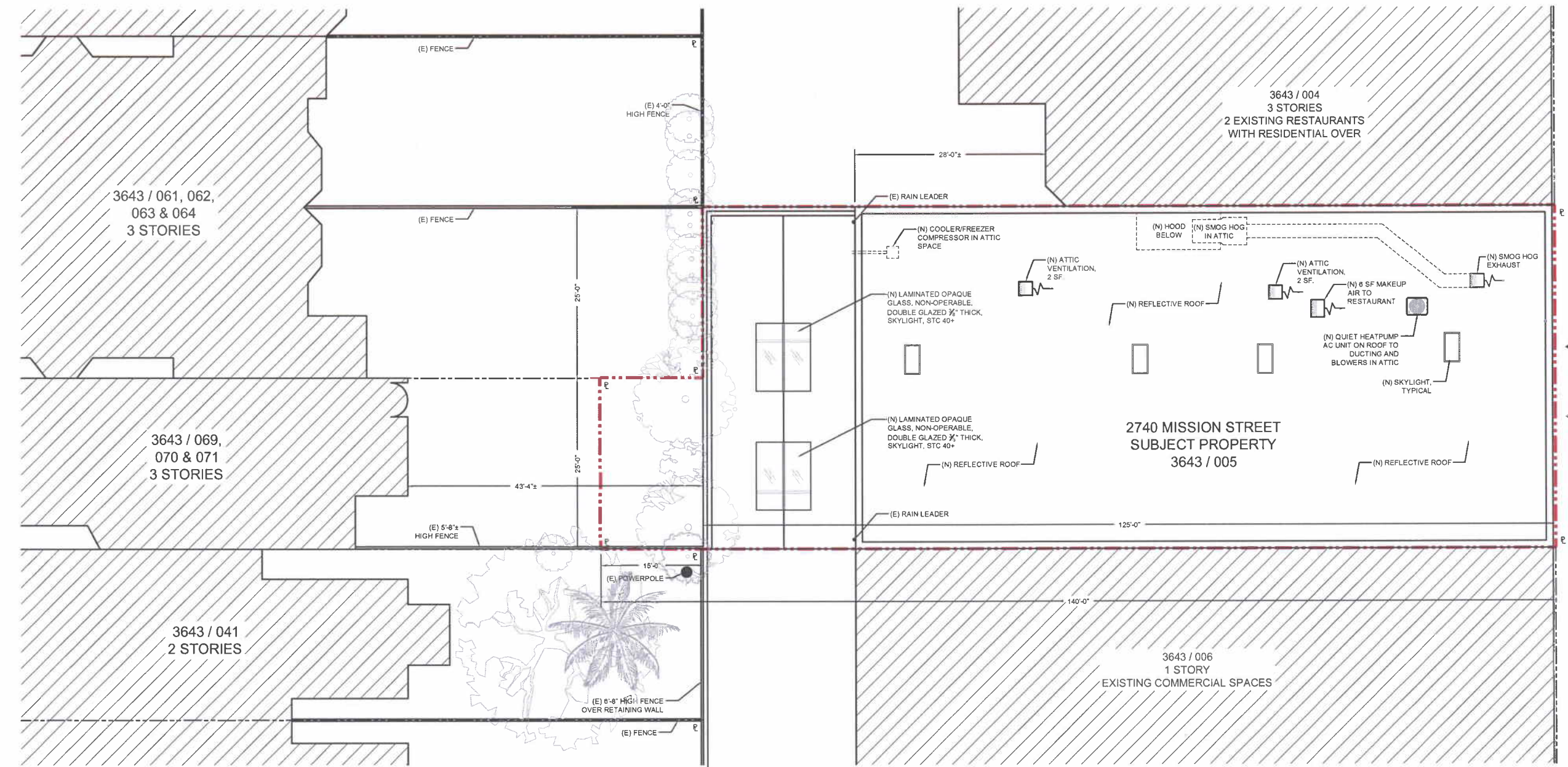
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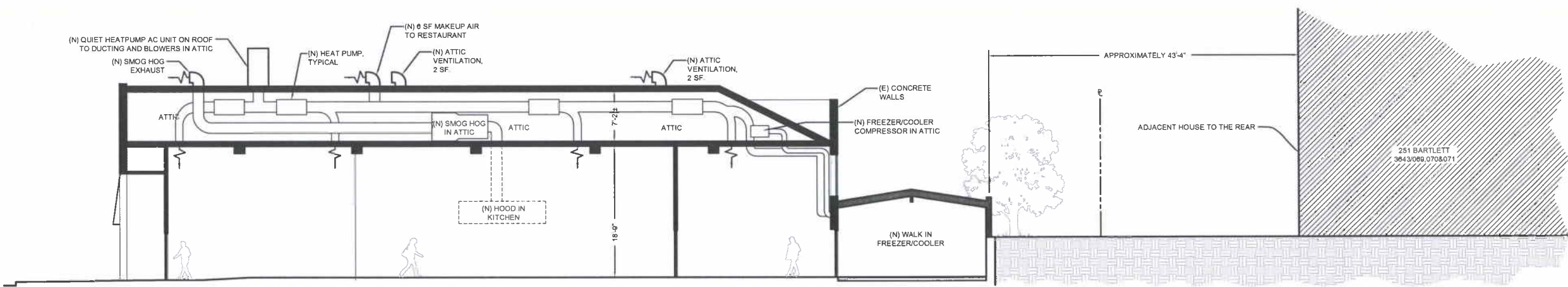
LEGEND	
(E)- EXISTING	
(N)- NEW	
(E) WALL	
DEMO - TO BE REMOVED	
(N) WALL - 2x8 @ 16" O.C., TYPE X GYP BD BOTH SIDES	
(N) PARTIAL HT. NON-RATED WALL	
ACCESSIBLE PATH OF TRAVEL	
(N) SIGNAGE, SEE SCHEDULE	

MISSION STREET



PROPOSED MECHANICAL ROOF/SITE PLAN
 SCALE: 1/8" = 1'-0"

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



1 PROPOSED MECHANICAL BUILDING/SITE SECTION
 SCALE: 1/8" = 1'-0"

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PROPOSED SITE PLAN

A0.1



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LEGEND

- (E)- EXISTING
- (N)- NEW
- (E) WALL
- DEMOS - TO BE REMOVED
- (N) WALL - 2x'S @ 16" O.C.
 TYPE X GYP BD BOTH SIDES
- (N) PARTIAL HT. NON-RATED WALL
- ACCESSIBLE PATH OF TRAVEL
- (N) SIGNAGE, SEE SCHEDULE

SQUARE FOOTAGE

EXISTING	2,386 SQ.FT.
PROPOSED	2,362 SQ.FT.
ADDITION	205 SQ.FT.
REAR PATIO	2,386 SQ.FT.
TOTAL	798 SQ.FT.

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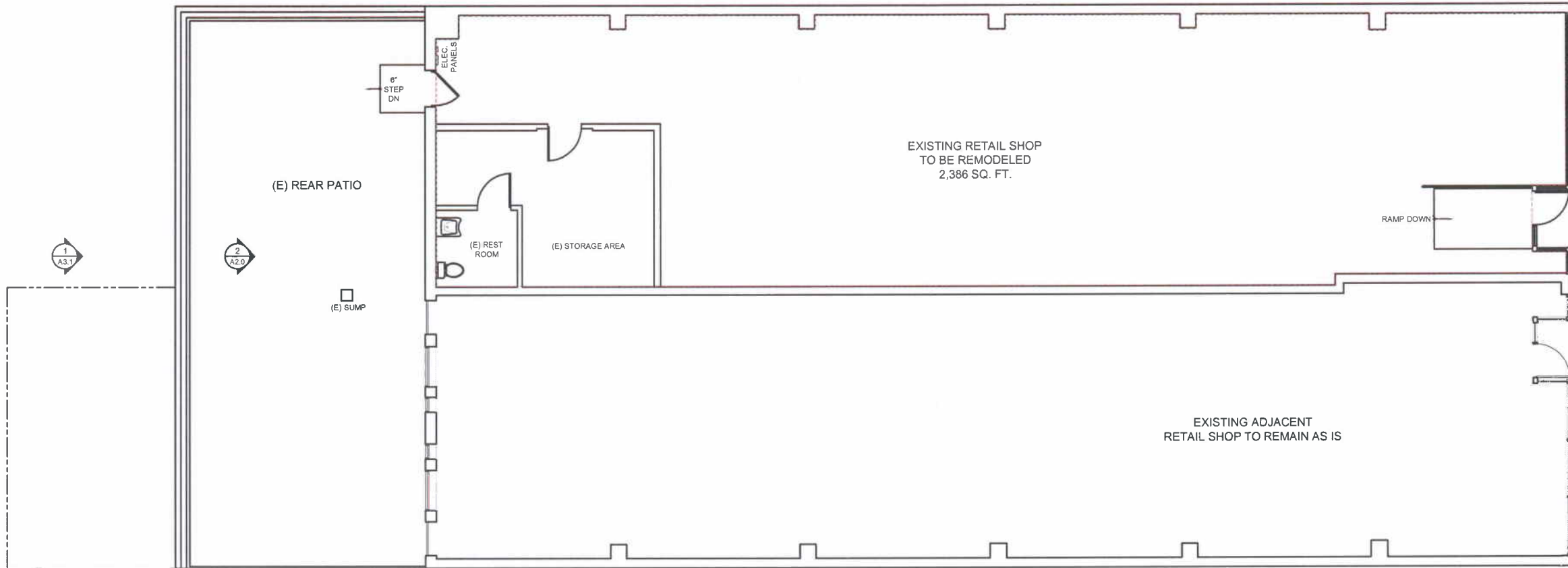
PROJECT NUMBER: 10013.00

PRINT DATE: 05-12-11

DRAWING SCALE: SEE DWG

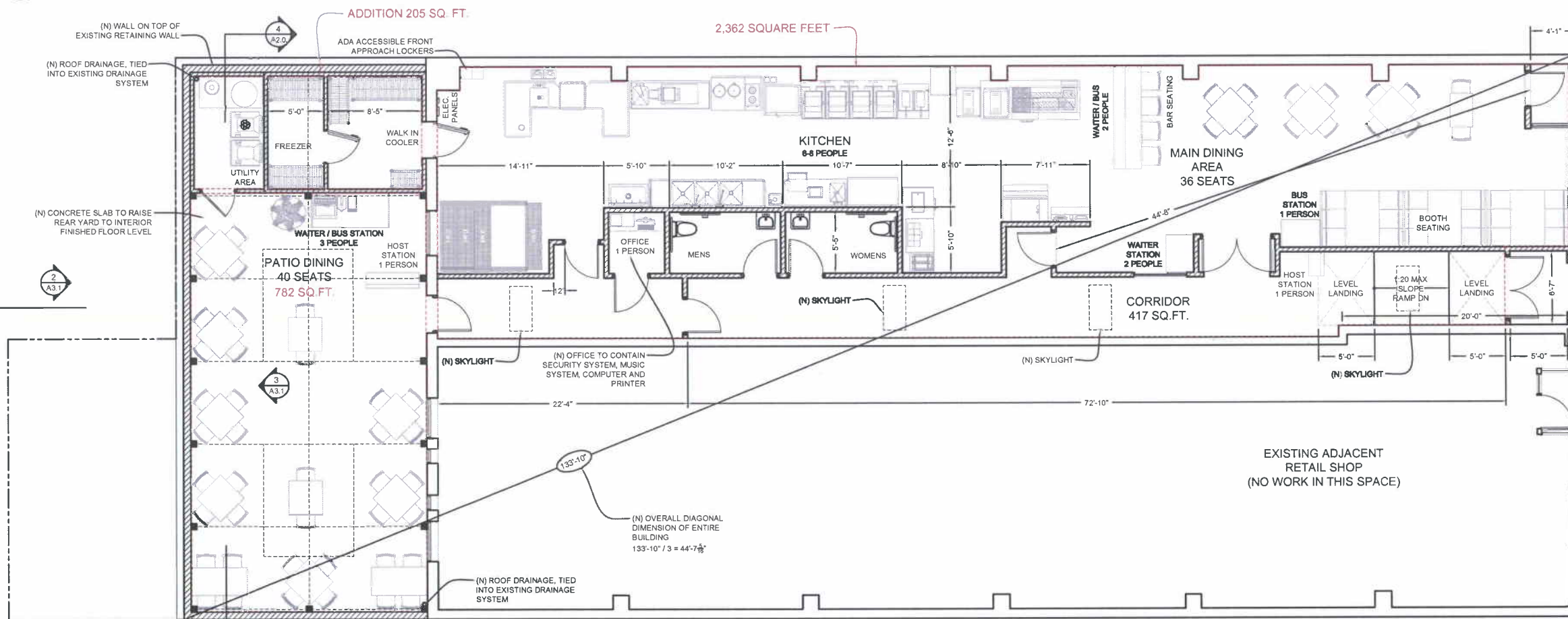
EXISTING AND PROPOSED FLOOR PLANS

A1.0



EXISTING/DEMOLITION FLOOR PLAN

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



PROPOSED FLOOR PLAN

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



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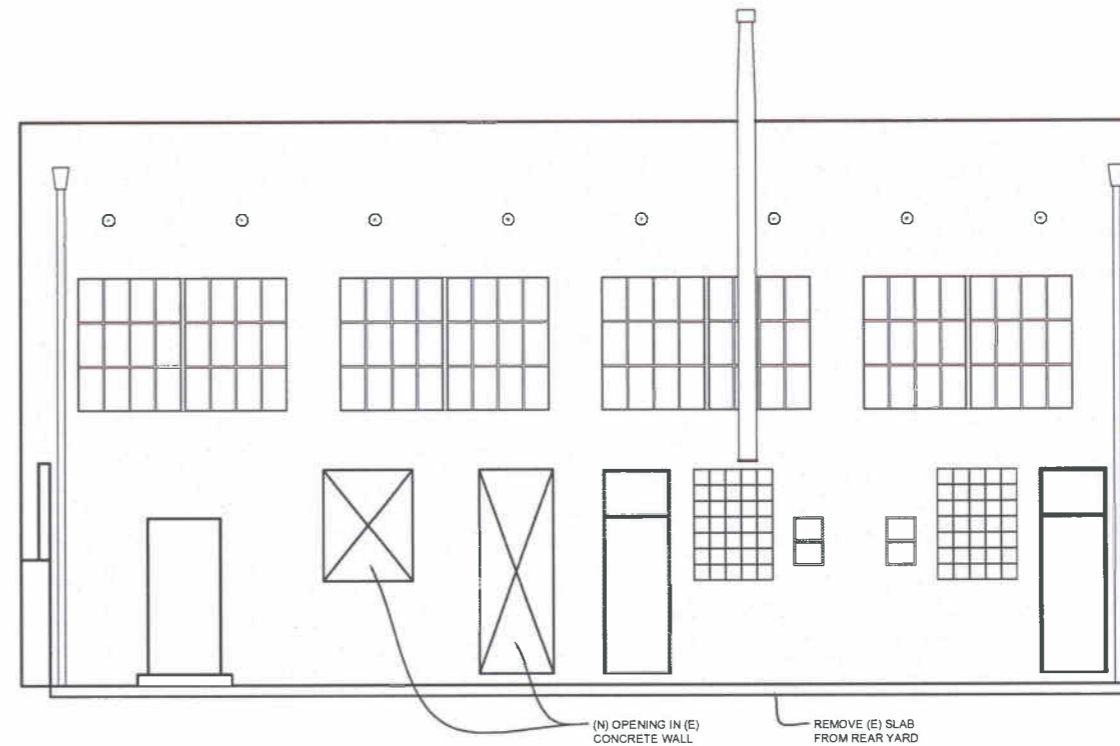
LEGEND

(E)- EXISTING	
(N)- NEW	
(E) WALL	
DEMO - TO BE REMOVED	
(N) WALL - 2xS @ 16" O.C., 5/8" TYPE X GYP BD BOTH SIDES	
(N) PARTIAL HT. NON-RATED WALL	
ACCESSIBLE PATH OF TRAVEL	
(N) SIGNAGE, SEE SCHEDULE	



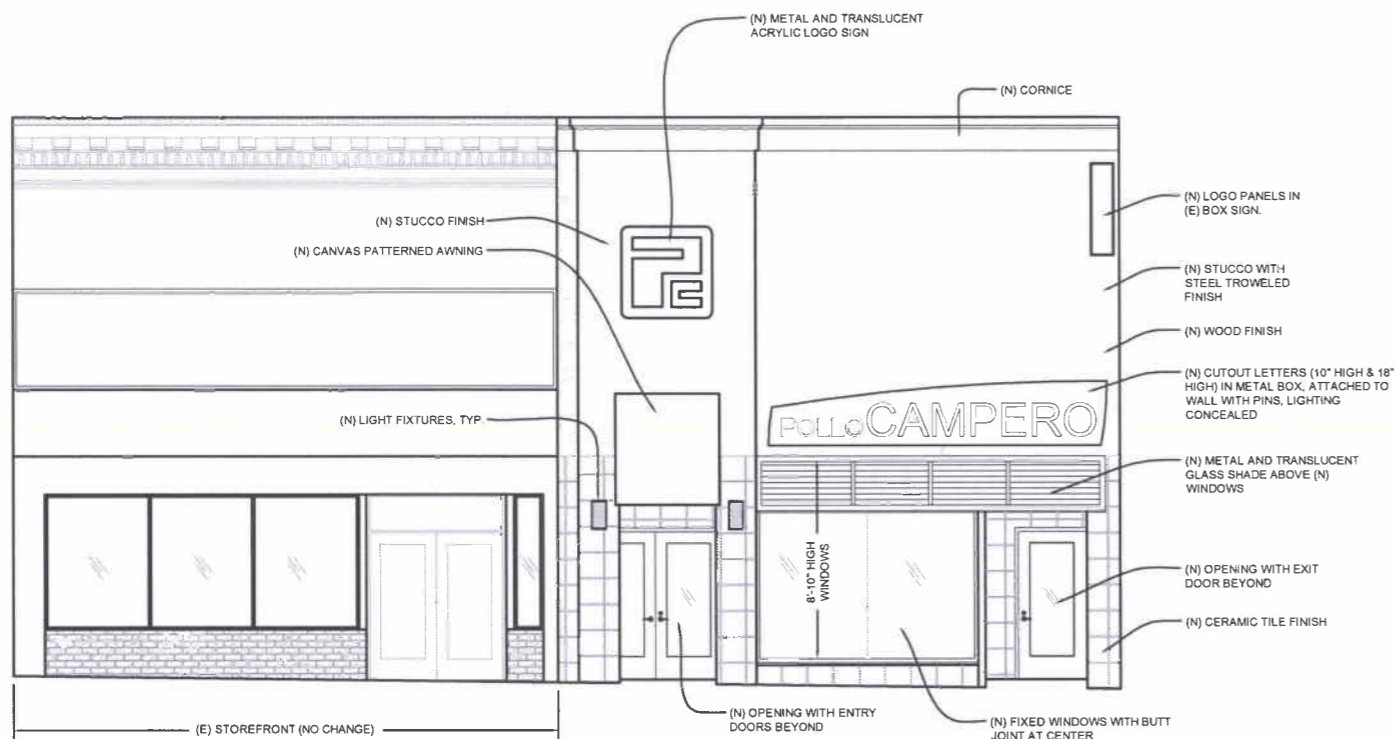
1 EXISTING FRONT ELEVATION

SCALE: X' = 1'-0"



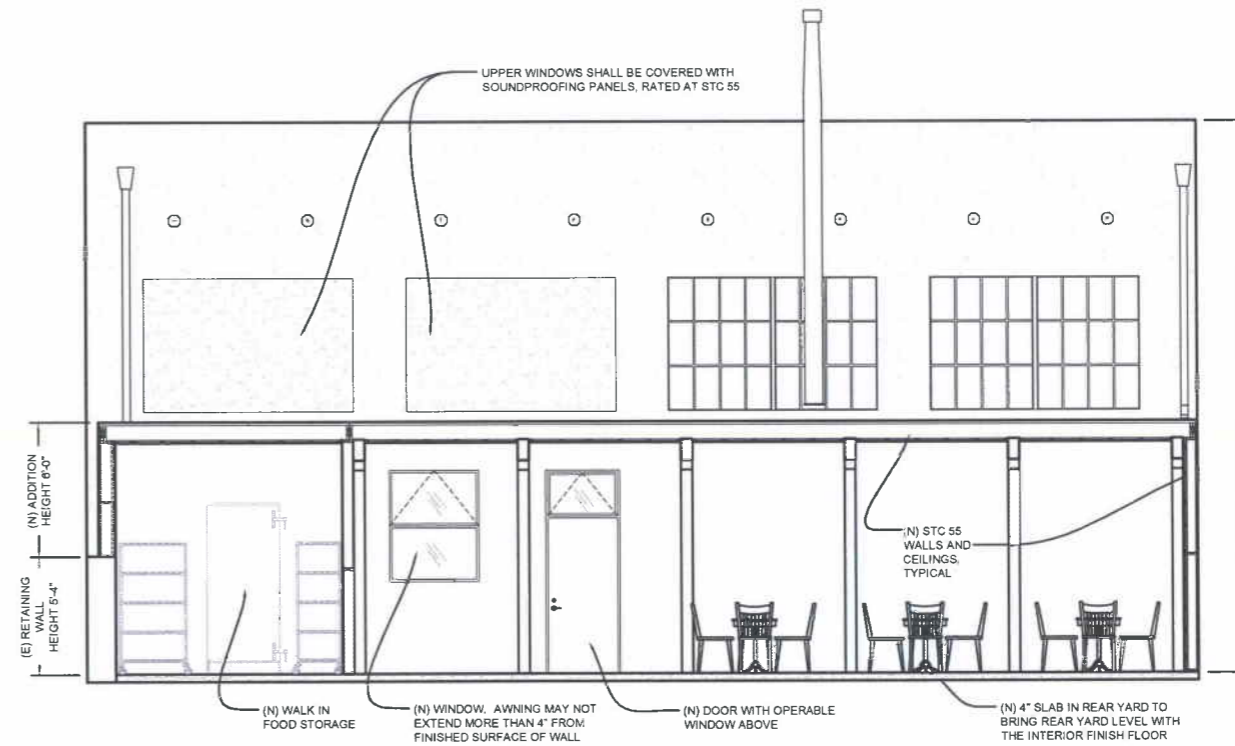
2 EXISTING REAR ELEVATION

SCALE: X' = 1'-0"



3 PROPOSED FRONT ELEVATION

SCALE: X' = 1'-0"



4 PROPOSED REAR ELEVATION

SCALE: X' = 1'-0"

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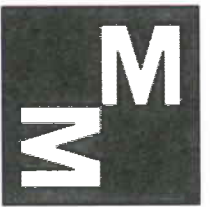
PROJECT NUMBER: 10013.00

PRINT DATE: 05-12-11

DRAWING SCALE: SEE DWG

EXISTING AND PROPOSED ELEVATIONS

A2.0



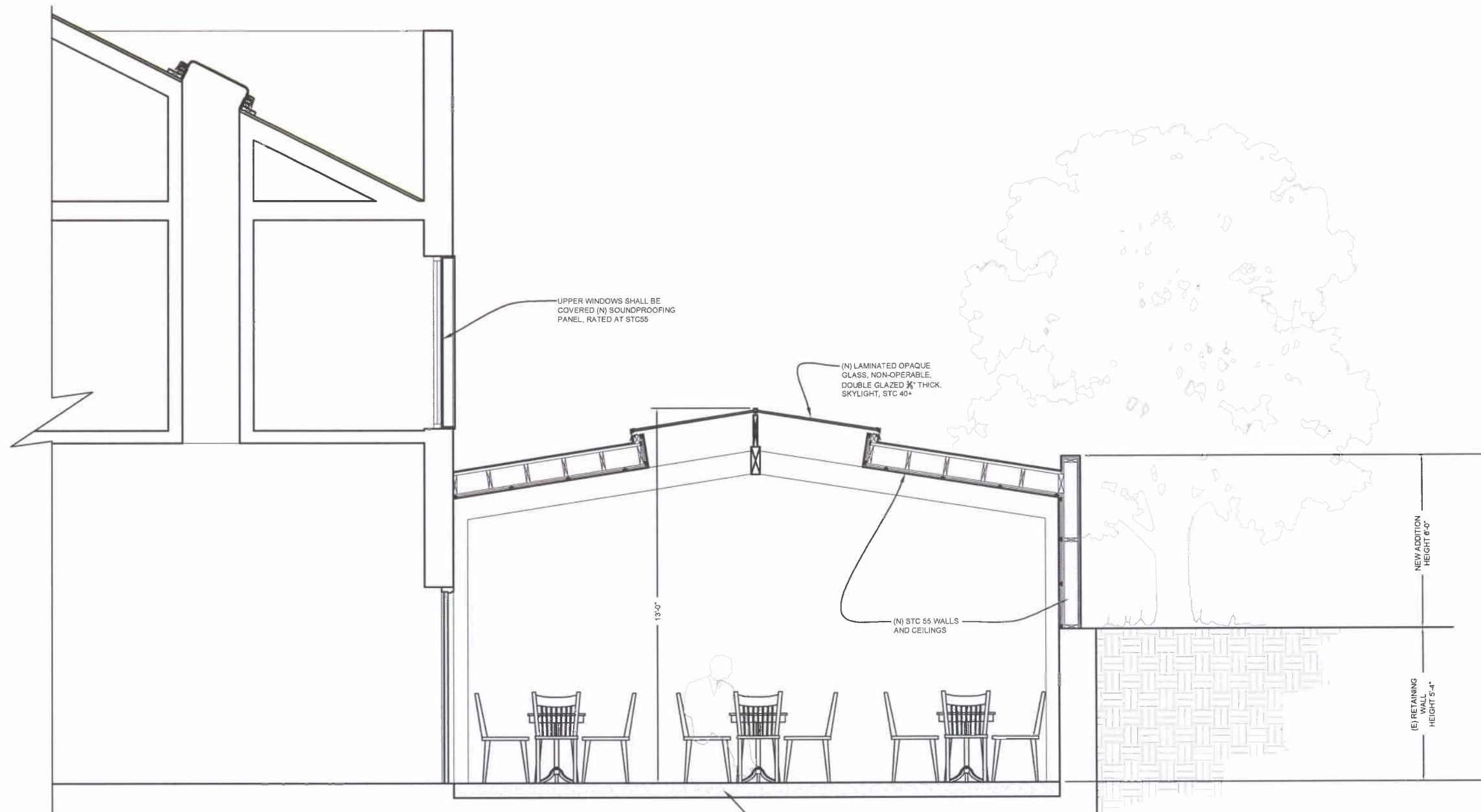
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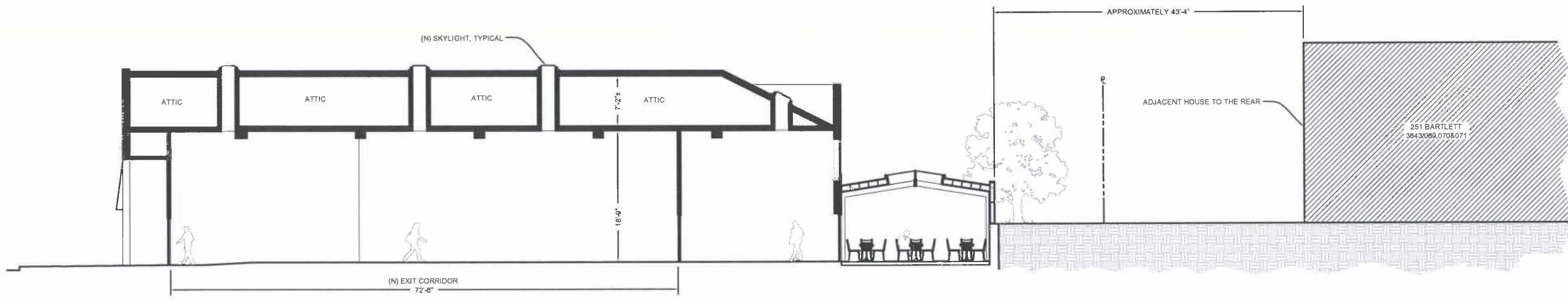


LEGEND

- (E)- EXISTING
- (N)- NEW
- (E) WALL
- DEMO - TO BE REMOVED
- (N) WALL - 2x'S @ 16" O.C. TYPE X GYP BD BOTH SIDES
- (N) PARTIAL HT. NON-RATED WALL
- R
- E
- ACCESSIBLE PATH OF TRAVEL
- (N) SIGNAGE, SEE SCHEDULE



2 ENLARGED SECTION AT NEW ADDITION
 SCALE: 3/4" = 1'-0"



1 PROPOSED SITE SECTION
 SCALE: 1/8" = 1'-0"

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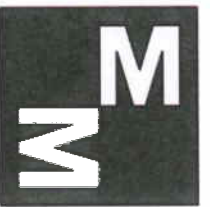
BLOCK: 3643 LOT: 005
 LESEE: POLLO CAMPERO

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PROJECT NUMBER: 10013.00
 PRINT DATE: 05-12-11
 DRAWING SCALE: SEE DWG

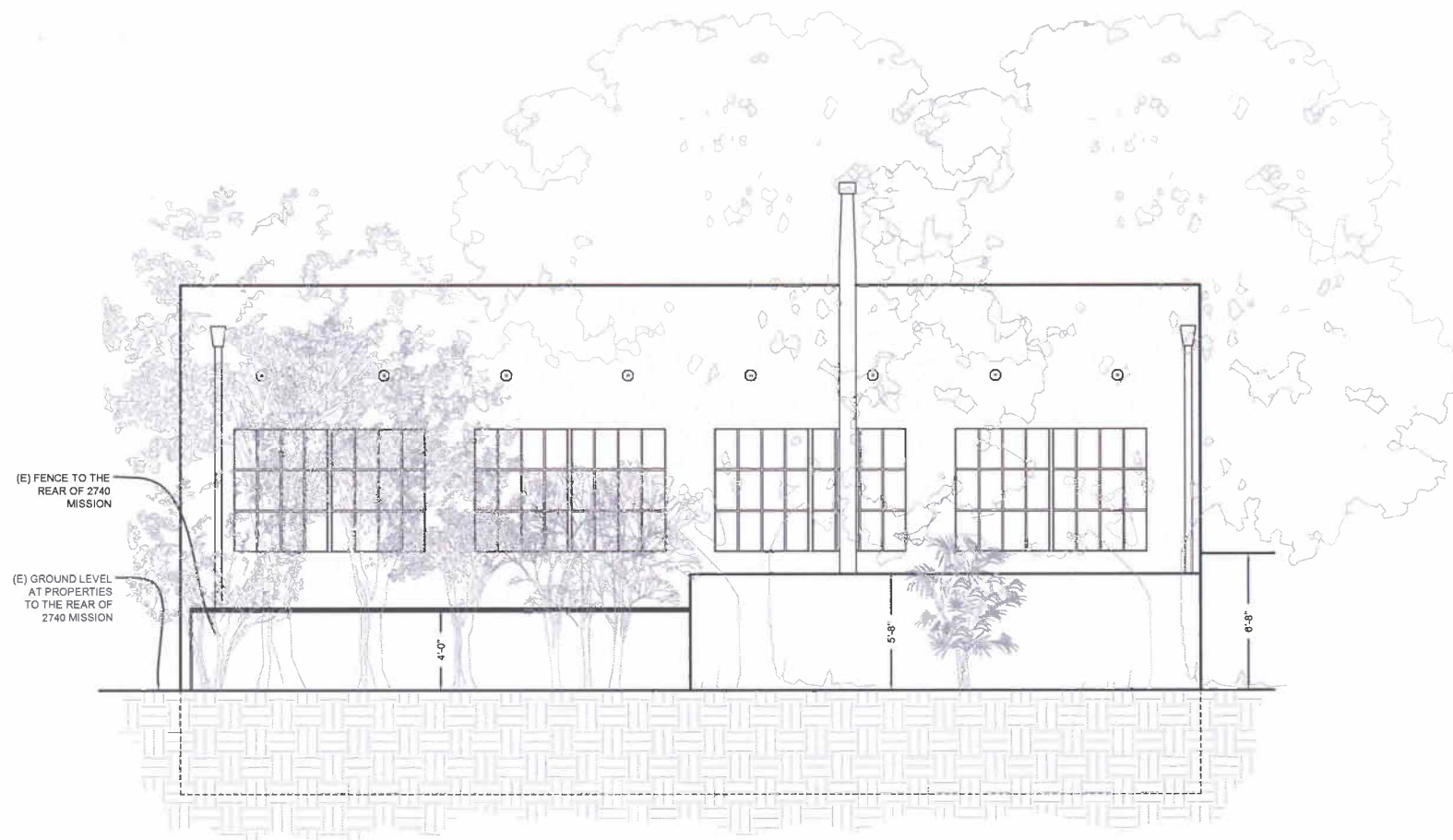
PROPOSED BUILDING SECTION

A3.0

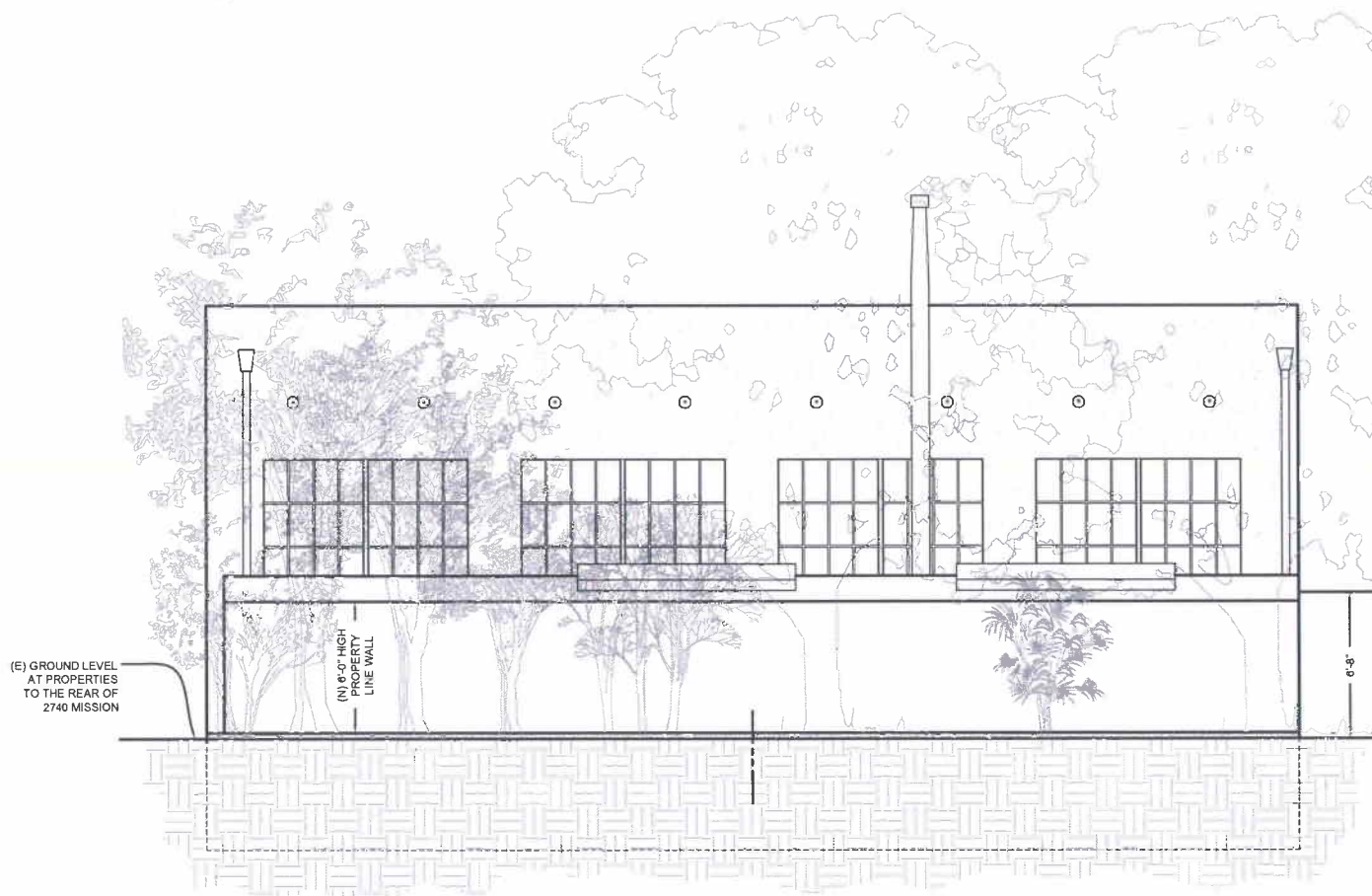


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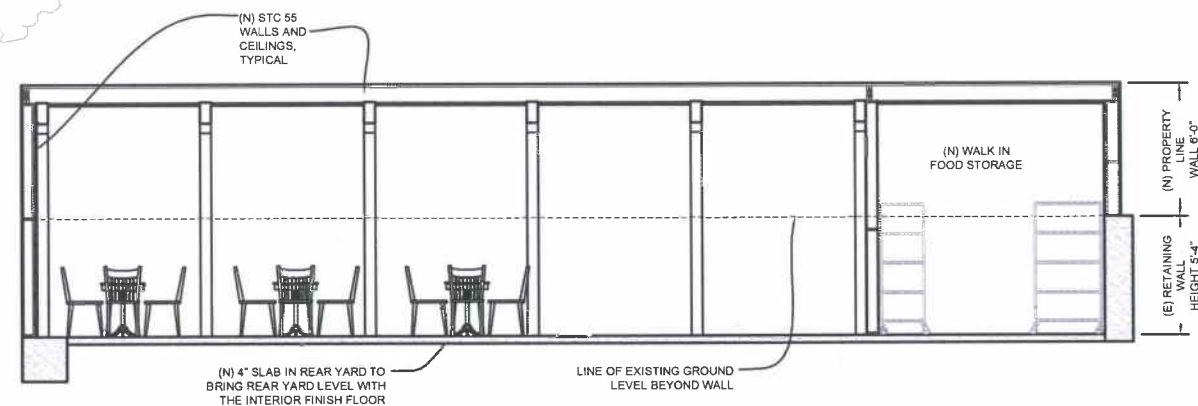
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1 EXISTING REAR ELEVATION - LOOKING FROM NEIGHBOR'S REAR YARDS
SCALE: 1/8" = 1'-0"



2 PROPOSED REAR ELEVATION - LOOKING FROM NEIGHBOR'S REAR YARDS
SCALE: 1/8" = 1'-0"



3 PROPOSED INTERIOR ELEVATION
SCALE: 1/8" = 1'-0"

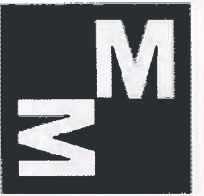
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BLOCK: 3643 LOT: 005
LESEE: POLLO CAMPERO

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PROJECT NUMBER: 10013.00
PRINT DATE: 05-12-11
DRAWING SCALE: SEE DWG

(E)&(N) REAR
ELEVATION AND
PROPOSED INTERIOR
ELEVATION



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PROJECT NUMBER: 10013.00
PRINT DATE:
DRAWING SCALE: SEE DWG

PROPOSED FRONT
ELEVATION

A4.0



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BLOCK: 3643 LOT: 005

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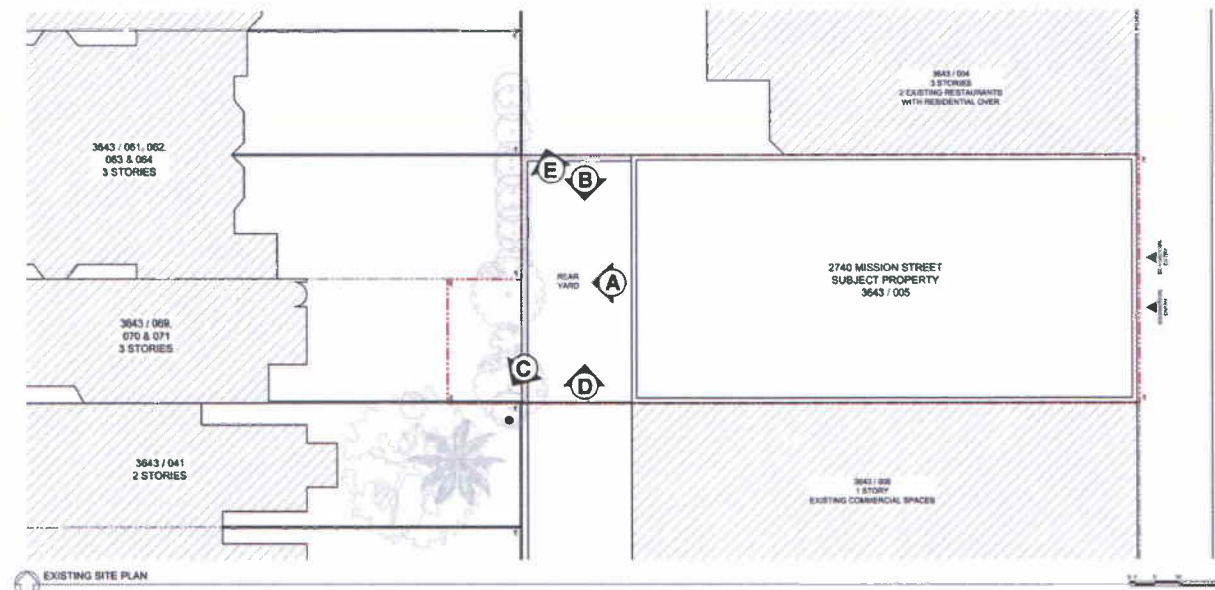
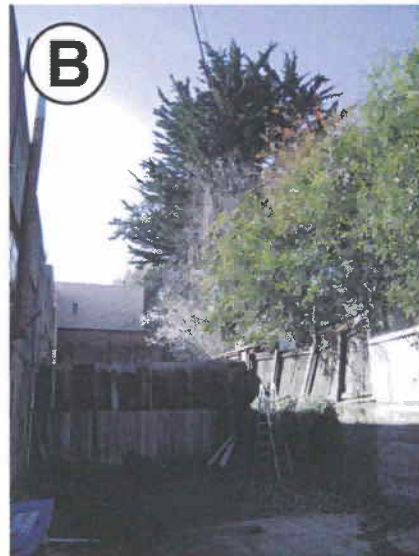
PROJECT NUMBER: 10013.00

PRINT DATE:

DRAWING SCALE: SEE DWG

RENDERING OF
INTERIOR

A4.1



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BLOCK: 3643 LOT: 005

LESEE: POLLO CAMPERO

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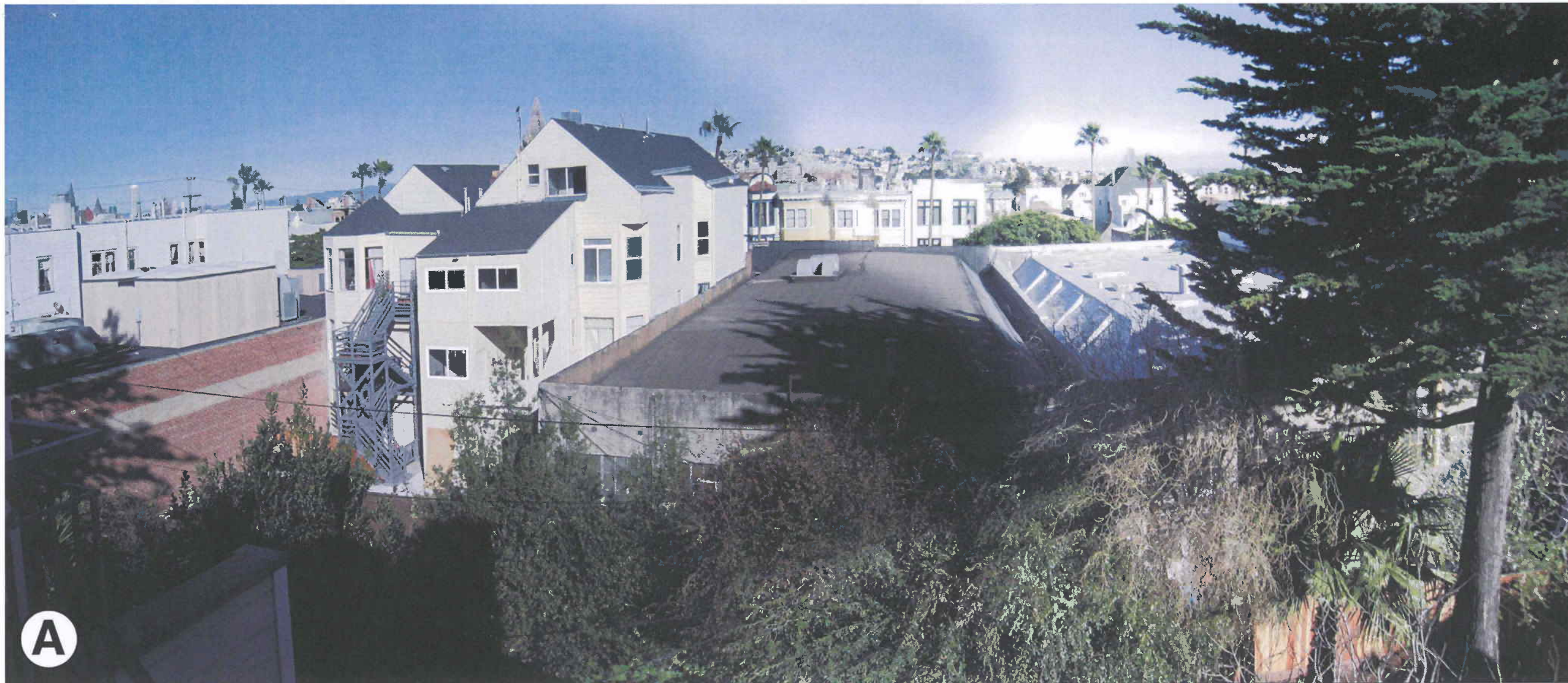
PROJECT NUMBER: 10013.00

PRINT DATE:

DRAWING SCALE: SEE DWG

REAR YARD PHOTOS

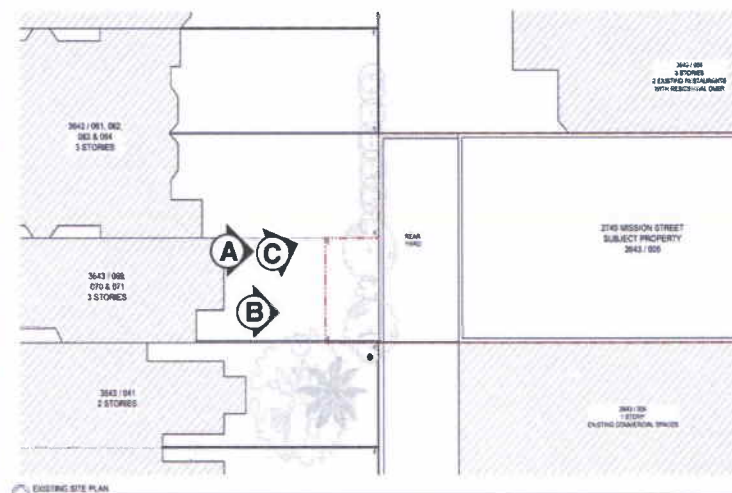
A5.0



A



B



C



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BLOCK: 3643 LOT: 005

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PROJECT NUMBER: 10013.00

PRINT DATE: 02-23-11

DRAWING SCALE: SEE DWG

VIEW FROM
 NEIGHBORS
 PROPERTIES

A5.1



(A) WEST SIDE OF MISSION STREET



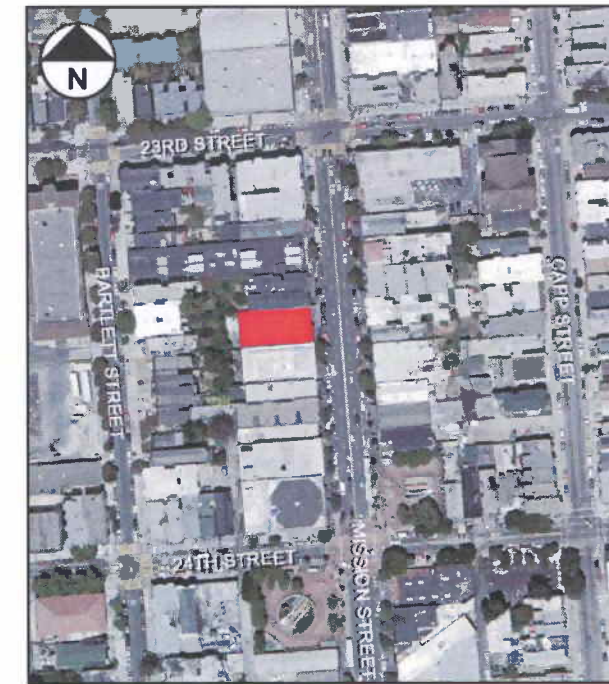
(B) EAST SIDE OF MISSION STREET



(C) FACING NORTH UP MISSION STREET



(D) FACING SOUTH DOWN MISSION STREET



(E) LOCATION MAP



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PROJECT NUMBER: 10013.00
 PRINT DATE: 07.28.10
 DRAWING SCALE: N.T.S.

NEIGHBORHOOD BUSINESS SURVEY

PHOTO SURVEY



"Ron Wallace "
<r.wallace@mockwallace.com>
05/12/2011 12:37 PM

To <Diego.Sanchez@sfgov.org>
cc <Scott.Sanchez@sfgov.org>, <julian.banales@sfgov.org>, <christina.olague@sfgov.org>, <rodney@waxmuseum.com>, <hs.commiss@yadoo.com>, bcc
Subject meeting with neighbors and community group on 5/11/11 for 2740 mission street

Diego and all,

Last night we held a meeting at the site to meet with the Bartlett Street neighbors and any community groups who were interested in attending. Attending the meeting were the following persons and their respective organization or affiliation:

1. David Campos; District Supervisor city of San Francisco
2. Commissioner Michael Antonini; Planning Commissioner
3. Alberto Perez; Caracen, Central American Resource Center
4. Michelle Loya-Talamantes; Caracen, Central American Resource Center
5. Jeffrey Cluett; Bartlett Neighbors
6. Craig Powers; Bartlett Neighbors
7. George Rodgers; Bartlett Neighbors
8. Dennis Thoele; Bartlett Neighbors
9. Ben Calderon; Bartlett Neighbors
10. Zahavah Levine; Bartlett Neighbors
11. Tim Ethridge; Bartlett Neighbors
12. Amir Siddiqi; Adir Restaurants
13. Carlo Divita; Adir restaurants
14. Luis Aguilar; Adir Restaurants
15. Ron Wallace; Mock Wallace Architects
16. Josh Wallace; Mock Wallace Architects
17. Phil Lesser; Mission Street Merchants Association

A brief review of the drawings was conducted at approximately 7pm. Most of the parties were present at that time, although I believe Mr. Campos, Mr. Calderon, Ms. Levine and maybe one other Bartlett Neighbor came to the meeting slightly later. The major item of discussion was to be that the project sponsors in response to patio noise concerns have now fully enclosed the formerly open patio. Also once again, I described how we intend to virtually remove all mechanical equipment noise and odor. This is not a change to our previous

proposal, but is a continuing concern by the Bartlett Neighbors. As described at our March Planning Commission hearing, I once again explained that odors would be removed by installing an odor cleaner called the smog hog. It would be housed in the building attic to contain any sound generated by its operation. Also I described how all the mechanical equipment except the heat pump would be housed in the attic space of the existing building also to contain any sound generated by the motors and fans.

Some brief conversations of minimal substance occurred inside the building between small groups of individuals. Generally, people were chatting with each other and getting comfortable with the setting and the circumstance.

After a short while, most if not all the group moved out to the current rear patio, which is now planned to be covered with sound attenuating walls and roof structure assemblies. The following questions or mini discussions (in no particular order of importance) occurred at the patio:

- A member of the Bartlett neighbors stated that they only received copies of the drawings showing the patio enclosure a short time ago on May 7th, so they hadn't had much time to review them. For most of that group this was their first opportunity to really grasp what we are now proposing to do to resolve the formerly proposed patio sound issues. Of course I explained, by enclosing the patio, we believe we have resolved this major remaining physical issue from the March 3rd Commission Hearing.
- One of the Bartlett group members asked about the sound containment quality of the patio enclosure. I was able to explain that the walls and roof will both be rated at 55 STC, which is better than the California Building Code requirement for walls between condominium units. There should now be no discernible sounds at the Bartlett residences or yards emanating from the now fully enclosed patio. This information is already included on the drawings. They then asked how well sealed the enclosure would be. I responded that the walls and ceiling will all be rated 1 hour, which will require that not only will the wall and roof assembly meet Fire code requirements, they will be fire caulked at any and all joints and electrical penetrations which will further seal the building for sound transmission. The assembly of the structure itself will be designed to prevent sound passage from the patio.
- A question was raised regarding whether the skylights, which are

rated at an STC of 40, will be operable. I responded that this idea had been discussed, but that had been rejected because of the sound issues.

- Questions were raised about roof drainage. I explained that the drainage would be collected by gutters and drained into rain leaders which would then be connected internally to the storm drain system.
- A question arose from Bartlett resident Ben Calderon, who asked what the roof material of the enclosure would be. I responded that it had not really been fully decided yet, but that my general feeling was that most rational material would be composition shingles, which come in a variety of colors. Ben seemed more concerned that we would be installing a metal roof which would make noise during rainy weather. I agreed that it would not be metal and that if he wants to pick the color of the composition shingles, I'd be happy to accommodate.
- Questions from one of the Bartlett neighbors arose relative to music and alcohol. Project sponsor representative Carlo Divita flatly stated that alcohol would not be served and music would not occur at the patio enclosure. Carlo further stated that this will be a family restaurant---just like all their restaurants. Alcohol is not available in any of their restaurants.
- Someone asked if the upper windows of the existing building would be operable. I showed them that the windows in question are not now operable and further that they will be above the ceiling in the attic space of the building. Although I did not say this at the time, I have decided to infill those existing windows with sound attenuating walls. This will be added to the drawings we forward later today.
- One of the Bartlett neighbors questioned how the enclosed patio would be provided with air and heating/cooling. I responded that it would be air-conditioned in the same manner as the existing building utilizing the same system in the main building.
- A question arose regarding light from the patio enclosure which might come through the skylights at night and affect the Bartlett neighbors behind. Project sponsor Amir Siddiqi agreed to install blinds or screens on the skylights which would be activated at dusk.
- Questions arose regarding trash which might be generated by the patrons who visit the restaurant. Commissioner Antonini stated that the Commission quite often makes trash clean-up in the area surrounding a conditionally approved business a requirement of approval. Adir, the project sponsor, stated that this is his restaurant's standard practice---to

clean up around the neighborhood any trash related to their usage at the close of business and before opening each day. He stated that he would agree to hire someone to do this. Supervisor Campos suggested that he should hire a local firm to provide this service, to which Adir agreed to do.

- Zahavah Levine, one of the Bartlett residents, asked if Amir or Carlos, the project sponsors, would be operating the restaurant. They stated that they would not personally be running the day-to-day operations and that there were operations staff in LA who were interested in relocating to San Francisco for this job as manager. Supervisor Campos said that it would be great if they could hire from San Francisco. Amir and Carlo stated that they would keep that in mind and seriously consider it when the restaurant opens. Amir stated that there would certainly be 60 or more staff who would be hired through local community groups or from hiring halls and other sources.

- I believe it was Ms. Levine again who questioned whether the restaurant would be fast food or sit down, and who reviews this and determines that it is or is not fast food. Commissioner Antonini gave a brief description of the planning code relative to this issue. I expanded a bit on this by explaining that fast food is no longer allowed in the Mission District Corridor if the establishment is larger than 800 square feet in size. I explained that from the beginning of this project, the design has focused on it being a full service sit down restaurant like all the restaurants in the Central America who bear the same name.. There won't be a wall-mounted menu board with cashiers taking orders and taking money at a centrally located counter. Waiters and waitresses will provide table service for all parties, take orders and deliver food to the tables and come back at the end of the meal with a dessert menu and ultimately provide a bill which the waitress or waiter will take care of. Ms. Levine persisted in her questioning on this issue. Project sponsor Carlo Divita explained that there is every intention that this restaurant be a family style full service restaurant. He acknowledged that there may be people who call in and ask for food to go or that someone may come in and ask for takeout. But that is not what the restaurant mission is and that it is not designed for take-out and that is not something that the owners will promote.

- The architectural drawings show some glass block window sections on a portion of the wall that faces Bartlett on the south half of the rear yard. At this meeting it was clear that a new 6 foot tall fence was being built

at that location to replace the dilapidated fence. Apparently the building owner David Blatteis and the Bartlett residents directly behind this new fence had reached agreement for the Bartlett residents to use a portion of his property which is behind the fence. Those particular Bartlett owners were not present at the meeting and have apparently withdrawn their objection to the project. Amir Siddiqi the project sponsor told me to remove the windows as they would be blocked by the fence anyway. Those revised drawings without the windows will be forwarded to all parties by email later today, including the attending Bartlett Neighbors.

- Luis Aguilar who is with the sponsor Adir Restaurants spoke at some length with Michelle and Alberto of Caracen. Luis had previously spoken with Anna Perez of Caracen in January of this year. Luis reported to me that Michelle stated Caracen is concerned about childhood obesity and questioned him about the restaurant's plans for advertising and healthier food products. His response was that there is no plan for advertising other than at the point of sale, and that the more healthy products such as skinless baked chicken and other healthier vegetable products will be displayed in an equal manner to those products considered by some as less healthy. They also discussed that the project sponsors don't want to be just restaurant owners, but that they also want to contribute to the success of Mission activities such as Cinco De Mayo, Day of The Dead and Carnavale by participating in those events. Michelle of Caracen at one point stated that she would like to see any agreements with other neighborhood groups and the project sponsor in writing. Luis acknowledged that the project sponsors will make every effort to make this happen as soon as possible and that the restaurant sponsors intend to be good neighbors in the community.

To my knowledge, this email addresses all issues I was able to personally hear. I also was assisted with input from Luis Aguilar, who had a lengthy with Caracen's Alberto Perez and Michelle Loya-Talamantes. This meeting closed at about 8:30 PM.

Respectfully submitted,

Ron Wallace AIA
Mock/Wallace Architects
1108 Bryant Street, Suite B

San Francisco, CA 94103

415.626.6868 phone

415.626.6982 fax

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Wendy Weiden and Yishai Lerner
251 Bartlett St #A
San Francisco, CA 94110
415-601-1120

May 4th, 2011

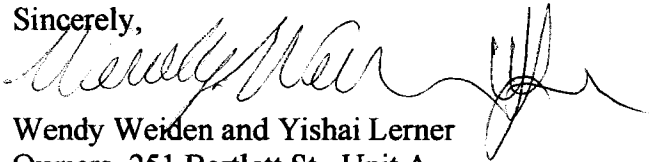
Diego Sanchez, San Francisco Planning Department
Christina Olague, Commission President
Ron Miguel, Commissioner
Michael J. Antonini, Commissioner
Gwyneth Borden, Commissioner
Kathrin Moore, Commissioner
Hisashi Sugaya, Commissioner
Rodney Fong, Commission

RE: Case No 2010.0628C, Pollo Campero Patio Proposal

Dear President Olague and Commissioners,

After negotiating a lease with Mission Blatteis Holdings for the continued use of the fifteen feet of land that is currently being used as part of the 251 Bartlett St yard, we have agreed to withdraw our opposition to Pollo Campero's proposed use of 2740 Mission Street. We are hopeful that this space will provide adequate mitigation of the concerns we previously expressed regarding the patio. While we have not been in contact with the restaurant owners since prior to the March hearing, we trust that they will work together with us going forward, thus we offer our support for the project.

Sincerely,



Wendy Weiden and Yishai Lerner
Owners, 251 Bartlett St., Unit A

203 Bartlett Street, Unit D
San Francisco, CA. 94110

May 9, 2011

Mr. Diego R. Sanchez
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA. 94103

Dear Mr. Sanchez,

This letter is in reference to Case No. 2010.0628C. We are homeowners on the 200 block of Bartlett Street in the Mission District. It has come to our attention at this late date, after having been informed that Pollo Campero was not pursuing the location on Mission Street, that the franchisee intends to go forward with the application for approval to open a fast food franchise.

It is our understanding that city policy does not allow fast food chains to open on this part of Mission Street, as our neighborhood is already overburdened by the many negative impacts they bring. Pollo Campero has made cosmetic changes to their plans to circumvent this policy but their business model clearly requires a significant portion of sales to be take-out, and they have designed a kitchen to support tremendous volumes of take-out fried chicken. We believe that if the name were KFC or Burger King, this application would be dismissed immediately and see no justification for approving it when it so clearly violates the spirit of the city policy.

We would welcome the business if take-out foods were restricted to no more than 5% of sales, indicating that the plan was truly different from the chain's established business model.

Sincerely,



Paul Knudsen



Tim Etheridge

Diego Sanchez
Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

The Powers Family
235 Bartlett Street
San Francisco CA 94110

May 10, 2011

Dear Mr. Sanchez:

I am a resident of the Mission District of San Francisco, and I am writing with tremendous alarm over again having to address the outside dining application made by Pollo Campero at 2740 Mission Street. I understand that the decision is again being considered and I appreciate the opportunity to state my strong objections to this application.

The applicant has been remiss in their obligations toward disclosure and communication throughout this process, and we have nothing but trepidation over their likelihood of being a "good neighbor" or a model business for the Mission District. It appears that the Pollo Campero group feels buoyed by the approval given to Tacolicious, but this application in no way resembles the local business to which they wish to be compared. They are an international chain with a staggering amount of doors open around the world, and should in no way be permitted to creep into line behind the Tacolicious proprietors who reside and raise their children in San Francisco. That they have made every attempt to sneak around or through the zoning limitations by pursuing a physical design that disguises who they are is an indication of their true business character and a telling indication of how they will conduct themselves if permitted to do business on Mission Street.

Pollo Campero's take away following the first session of this application should have been clear: there is significant concern within the community regarding Pollo Campero's intentions. A reputable business with legitimate regard for the multiple neighborhood groups who took time to voice these concerns in session would have begun a community outreach to address each point. Instead:

- The applicant has made no attempt to reach out to myself or my family or make any attempt to find a mutually beneficial way forward.
- My wife and I have not been shown plans outlining their rumored "covered patio" design and yet we are being asked to prepare a response. We have not been shown any evidence which would alleviate our original concerns regarding noise, odor, security and privacy. These concerns remain as true as when we first learned that this application was being submitted.

My wife and I fully support business development in San Francisco and in our neighborhood specifically. As home owners raising and schooling two daughters in this neighborhood, we are very open to embracing new businesses. We would love nothing more than to see deserving businesses given the chance to prosper on Mission street. Conversely, Pollo Campero is in direct conflict in both practice and intent with the nature of businesses that we would support in this community - they have been disingenuous, evasive and cagey throughout this process, and I see no reason to believe that these business practices will change.

It is again our sincere hope that you are able to see this as clearly as we do in your decline of this application.

Sincerely,



Craig and Megan Powers

Calderon Family
245 Bartlett Street
San Francisco, CA 94110

May 11, 2011

Commission President Christina Olague, and Planning Commissioners
1650 Mission Street, Suite 400
San Francisco, CA 94103

Regarding: Case No 2010.0628C – Conditional Use for 2740 Mission St.

Dear Planning Commission,

Our family has learned in the last few days that ADIR Restaurant Corp's plans to move forward with a new design that they have rushed out for seating expansion into the backyard patio of the 2740 and 2744 properties. We are **strongly opposed** to the approval of this conditional use permit and installation of an outdoor patio immediately behind our yard for the following reasons:

- 1) Non-compatible neighbor: The actions of ADIR Restaurants Corp since the March hearing provide every indication that they will be poor neighbors in our community. Although they have a marketing team on staff that tries to portray a positive community image, they have not reached out to the groups and Supervisor Campos's office as specifically requested by your Commission, nor have they responded to repeated inquiries from our 200 Bartlett Street Neighborhood Association. Provided we have been unable to communicate with them in the past 7 weeks or so, we have no reason to believe they will be compatible neighbors in the future.
- 2) Poor location choice. The 2740 Mission Street site has insufficient interior seating space for the operations to provide the return on their investment the operators are seeking when such a large kitchen is installed. There are many other locations that can support interior seating and possibly a street-facing patio that adds to the neighborhood vibe as opposed to angering neighbors. Thus they will use the patio as a primary seating area from 10am to 10pm 7 days a week. This volume of activity is incompatible with our mid block.
- 3) Rushed design may result in excessive noise, odors and light into our yards: The architectural drawings indicate a fence and patio roof structure intended to enclose the patio. However there are insufficient details to understand how the 2 different structures are supposed to seal in noise and odors that come from the high volume activity in the patio area. This is not a building extension, so there is real concern that a rushed design will not address our concerns. Also, with skylights nearly at our eye level in the yard, we should expect light from their operations and nightly cleanup into late hours of the night.

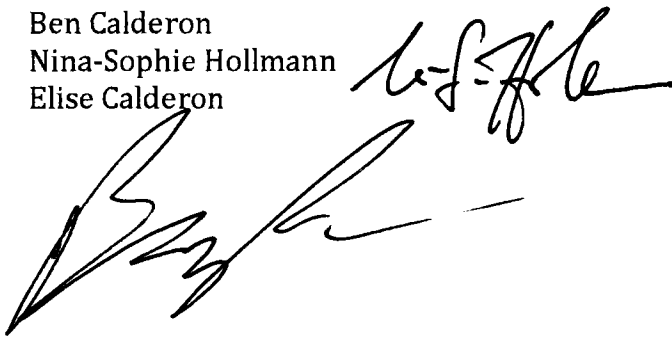
We have not yet had the opportunity to review the plans with the architect or restaurant management even though they have had plenty of time to engage with us as directed. At a minimum we need time to ensure all the precautions to prevent noise, odor and light from impacting our yards and homes. As we and other neighbors have stated previously, we feel our mid block open area is being taken advantage of by this development.

- 4) The kitchen is designed to support high volume take out. All of ADIR Restaurant Corp's Pollo Campero franchises are fast food restaurants and it is clear their kitchen is modeled after this service model. Aside from the seemingly blatant violation of the planning code that is supposed to prevent fast food in this area, we are very concerned about the volume of take out trash that will be generated by patrons of this restaurant. We have a McDonalds and Popeyes in the area and this is enough of a trash burden on our neighborhood. Any references to the sit down service of the Guatemalan chain are misleading since this is not the same ownership or business model that ADIR operates.
- 5) Public Safety Concern: The design that we have received does not show a path for restaurant patron egress in case of a fire. This further indicates that they have chosen the wrong site.

We will reiterate that we firmly believe that the outdoor dining patio aspect of their plans is not compatible with the residents and should be removed from the plans. Again, thank you for reading our letter and considering our views.

Sincerely,

Ben Calderon
Nina-Sophie Hollmann
Elise Calderon

The image shows three handwritten signatures in black ink. The top signature is the most legible and appears to be 'Nina-Sophie Hollmann'. Below it are two more signatures, one of which is very stylized and difficult to read, likely belonging to Ben Calderon or Elise Calderon.