



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary

Conditional Use

HEARING DATE: MAY 12, 2011

CONSENT CALENDAR

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: May 5, 2011
Case No.: **2010.1114C**
Project Address: **1796 UNION STREET**
Zoning: Union Street Neighborhood Commercial District
40-X Height and Bulk District
Block/Lot: 0529/014
Project Sponsor: Lite Bite
c/o Techi Carreon
2440 Van Ness Avenue, #18
San Francisco, CA 94109
Staff Contact: Mary Woods – (415) 558-6315
mary.woods@sfgov.org
Recommendation: **Approval with Conditions**

PROJECT DESCRIPTION

The project sponsor proposes to convert a vacant retail clothing store (formerly occupied by “Dantone”) to a small self-service restaurant (d.b.a. “Lite Bite”). The proposed small self-service restaurant will occupy a portion of the ground floor level. It will contain approximately 950 square feet, and provide seating for up to 10 persons. It is proposed that the restaurant would be open daily from 7:00 a.m. to 7:00 p.m. The proposal involves primarily interior remodeling work. It will not involve any expansion of the existing building envelope or changes to the façade, other than new signage. The existing building has one off-street parking space. No loading space is provided and none is required or proposed. The proposed commercial use is less than 5,000 square feet in size, so there is not an on-site parking requirement.

SITE DESCRIPTION AND PRESENT USE

The project is located at the northeast corner at Octavia and Union Streets; Assessor’s Block 0529, Lot 014. The lot area of the site is approximately 2,900 square feet, measuring approximately 34 feet wide by 85 feet deep. The property is developed with a three-story building with two commercial spaces on the ground floor and seven dwelling units above. The project sponsor proposes to occupy the vacant space fronting on Union Street, which was previously a clothing store (d.b.a. “Dantone”). The property is located within the Union Street Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located near the eastern edge of the Union Street NCD in the Marina neighborhood. This neighborhood contains a variety of neighborhood-serving uses, including a mixture of food establishments, personal services, and small retail establishments. The food service establishments are primarily full-service restaurants. Two blocks north of the Project Site is the Lombard Street commercial corridor. Land uses in the project vicinity consist of two- and three-story tourist-oriented lodging facilities, multiple-unit residential buildings, restaurants, and neighborhood-serving retail businesses. Buildings on the subject block and the facing block range from two to four stories tall.

ENVIRONMENTAL REVIEW

The project was determined by the Department to be categorically exempt from the California Environmental Quality Act ("CEQA") as a Class 1, Section 15301 - Existing Facilities exemption under CEQA Guidelines.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	April 20, 2011	April 20, 2011	22 days
Posted Notice	20 days	April 22, 2011	April 20, 2011	22 days
Mailed Notice	20 days	April 22, 2011	April 22, 2011	20 days

PUBLIC COMMENT

- Department staff has not received any letters in opposition to the proposal. Staff received one request for plans; three letters in support of the proposal; one petition containing 9 signatures supporting the proposal, and one telephone call in support of the proposal from the Marina-Cow Hollow Neighbors and Merchants Association.

ISSUES AND OTHER CONSIDERATIONS

- The General Plan encourages the retention and provision of neighborhood-serving goods and services in the City's neighborhood commercial districts in order to enhance an diverse economic base.
- The proposed use is an independent use and locally owned, which has been encouraged throughout San Francisco. The proposed use is not a Formula Retail use. The proposal is considered a change of use and requires Section 312-neighborhood notification that was conducted in conjunction with the Conditional Use authorization notification process.
- In January of 2009, the Board of Supervisors adopted legislation that permits 12 new small self-service restaurants and/or self-service specialty food establishments in the Union Street NCD. The proposed project is the second small self-service restaurant to apply under the new legislation since it was approved.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization to allow a small self-service restaurant (d.b.a. "Lite Bite") within the Union Street Neighborhood Commercial District.

BASIS FOR RECOMMENDATION

The Department believes that this project is necessary and/or desirable for the following reasons:


- The project site has housed continuous commercial/retail activities, and the proposed change of use would not be expected to affect existing traffic patterns.
- The project site is well-served by public transit. Several MUNI transit lines run directly in front of or near the site. Transit lines serving the site area include the 45-Union, 22-Fillmore, 30-Stockton, and 28-19th Avenue. There are on-street metered and non-metered parking spaces as well as a public parking garage one block away at Union and Laguna Streets.
- The project will preserve and enhance the cultural and economic diversity of the neighborhood commercial character of the Union Street NCD.

RECOMMENDATION: Approval with Conditions
--

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | Drawings: <u>Proposed Project</u> |
| <input type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Existing Site Photos |
| <input checked="" type="checkbox"/> Aerial photo | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Zoning District Map | <input type="checkbox"/> |
| <input type="checkbox"/> Existing Site Photo | |
| <input type="checkbox"/> Proposed Site Photos | |

Exhibits above marked with an "X" are included in this packet



Planner's Initials

mw\g:\documents\cu\1796 Union St exesum



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Inclusionary Housing (Sec. 315) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 313) | <input type="checkbox"/> Child Care Requirement (Sec. 314) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 139) | <input type="checkbox"/> Other |

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Draft Motion

HEARING DATE: MAY 12, 2011

Date: May 5, 2011
Case No.: 2010.1114C
Project Address: 1796 UNION STREET
Zoning: Union Street Neighborhood Commercial District
40-X Height and Bulk District
Block/Lot: 0529/014
Project Sponsor: Lite Bite
c/o Techi Carreon
2440 Van Ness Avenue, #18
San Francisco, CA 94109
Staff Contact: Mary Woods – (415) 558-6315
mary.woods@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303(C) AND 725.44 OF THE PLANNING CODE TO ALLOW THE ESTABLISHMENT OF AN APPROXIMATELY 950 SQUARE-FOOT SMALL SELF-SERVICE RESTAURANT (D.B.A. LITE BITE) WITHIN THE UNION STREET NEIGHBORHOOD COMMERCIAL DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On December 14, 2010, Lite Bite (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303(c) and 725.44 to allow a small self-service restaurant (d.b.a. Lite Bite) within the Union Street Neighborhood Commercial District and a 40-X Height and Bulk District.

On May 12, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.1114C.

The Project was determined by the Department to be categorically exempt from the California Environmental Quality Act ("CEQA") as a Class 1, Section 15301 - Existing Facilities exemption under CEQA Guidelines. The Commission has reviewed and concurs with said determination.

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 project sponsor, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2010.1114C, 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 at the northeast corner at Octavia and Union Streets; Assessor's Block 0529, Lot 014. The lot area of the site is approximately 2,900 square feet, measuring approximately 34 feet wide by 85 feet deep. The property is developed with a three-story building with two commercial spaces on the ground floor and seven dwelling units above. The Project Sponsor proposes to occupy the vacant space fronting on Union Street, which was previously a clothing store (d.b.a. "Dantone"). The property is located within the Union Street Neighborhood Commercial District (NCD) and a 40-X Height and Bulk District.
3. **Surrounding Properties and Neighborhood.** The Project Site is located near the eastern edge of the Union Street NCD in the Marina neighborhood. This neighborhood contains a variety of neighborhood-serving uses, including a mixture of food establishments, personal services, and small retail establishments. The food service establishments are primarily full-service restaurants. Two blocks north of the Project Site is the Lombard Street commercial corridor. Land uses in the project vicinity consist of two- and three-story tourist-oriented lodging facilities, multiple-unit residential buildings, restaurants, and neighborhood-serving retail businesses. Buildings on the subject block and the facing block range from two to four stories tall.

Lombard Street (also serving as Highway 101) is a major vehicular and pedestrian thoroughfare, and the City's primary link to the North Bay via the Golden Gate Bridge. Transit lines serving San Francisco and Marin County are nearby and are within walking distance of the site. The Project Site is also well-served by public transit. Several MUNI transit lines run directly in front of or near the site on Union Street.

To the west of the Union Street NCD at Union and Lyon Streets, are the Golden Gate National Recreation Area, the Presidio, and the Golden Gate Bridge. Northwest of the Union Street NCD are the Palace of Fine Arts and the Exploratorium; to the northeast is Fisherman's Wharf and Pier 39.

Land use controls in the neighborhood commercial districts are designed to promote development compatible with the surrounding neighborhood and maintain a harmony of uses

that supports the district's vitality. The Union Street NCD is located in northern San Francisco between the Marina and Pacific Heights neighborhoods. The district lies along Union Street between Van Ness Avenue and Steiner, including an arm extending north on Fillmore Street to Lombard. The shopping area provides limited convenience goods for the residents of sections of the Cow Hollow, Golden Gate Valley, and Pacific Heights neighborhoods immediately surrounding the street. Important aspects of Union Street's business activity are eating and drinking establishments and specialty shops whose clientele comes from a wide trade area. There are also a significant number of professional, realty, and business offices. Many restaurants and bars are open into the evening hours, and on weekends the street's clothing, antique stores and galleries do a vigorous business.

The Union Street NCD controls are designed to provide sufficient growth opportunities for commercial development that is in keeping with the existing scale and character, promote continuous retail frontage, and protect adjacent residential livability. Small-scale buildings and neighborhood-serving uses are promoted, and rear yards above the ground story and at all residential levels are protected. Most commercial development is permitted at the first two stories of new buildings, while retail service uses are monitored at the third story and above. Controls are necessary to preserve the remaining convenience businesses and to reduce the cumulative impacts which the growth of certain uses may have on neighborhood residents. Such controls prohibit additional drinking establishments and limit additional eating establishments and entertainment and financial service uses. In January of 2009, the Board of Supervisors adopted legislation that permits 12 new small self-service restaurants and/or self-service specialty food establishments in the Union Street NCD. The proposed Project is the second small self-service restaurant to apply under the new legislation since it was approved.

4. **Project Description.** The proposal involves the change of use of a vacant retail space (formerly "Dantone") to a small self-service restaurant (d.b.a. "Lite Bite"). The proposed small self-service restaurant will occupy a portion of the ground floor level. It will contain approximately 950 square feet, and provide seating for up to 10 persons. The proposal involves primarily interior remodeling work. It will not involve any expansion of the existing building envelope or changes to the façade, other than new signage. The existing building has one off-street parking space. No loading space is provided and none is required or proposed. The proposed commercial use is under 5,000 square feet in size, so there is not an on-site parking requirement.

The proposed use is an independent use and locally-owned, which are characteristics that are encouraged throughout San Francisco, particularly in neighborhood commercial districts. The proposed use is not a Formula Retail use as defined by Section 703.3 of the Planning Code. The proposal is considered a change of use and requires Section 312-neighborhood notification that was conducted in conjunction with the Conditional Use Authorization notification process. The proposed use is a neighborhood-serving use.

5. **Public Comment.** Department staff has not received any letters in opposition to the proposal. Staff received one request for plans; three letters in support of the proposal; one petition

containing 9 signatures supporting the proposal, and one telephone call in support of the proposal from the Marina-Cow Hollow Neighbors and Merchants Association.

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. **Small Self-Service Restaurant Use.** Planning Code Section 725.44 states that a Conditional Use Authorization is required for a small self-service restaurant on the ground floor level, as defined by Planning Code Section 790.91.

The Project Sponsor intends to establish a new small self-service restaurant pursuant to legislation adopted in 2009 that permits 12 new small self-service restaurants and/or self-service specialty food establishments in the Union Street Neighborhood Commercial District. The proposed Project is the second restaurant to apply under the legislation since it was approved in January of 2009.

- B. **Hours of Operation.** Planning Code Section 725.27 states that a Conditional Use Authorization is required for maintaining hours of operation from 2 a.m. to 6 a.m., as defined by Planning Code Section 790.48.

The proposed hours of operation for the new small self-service restaurant are from 7:00 a.m. to 7:00 p.m., seven days a week. As such, the Project does not require Conditional Use authorization for the proposed hours of operation.

- C. **Parking.** Planning Section 151 of the Planning Code requires off-street parking for every 200 square-feet of occupied floor area, where the occupied floor area exceeds 5,000 square-feet. Section 152 requires one off-street freight loading space for retail stores between 10,001 and 60,000 gross square feet of structure or use.

The proposed Project contains approximately 950 square feet of area, and thus does not require any off-street parking or freight loading spaces.

- D. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that NC Districts containing specific uses, including large fast-food restaurants, have at least ½ the total width of the new or altered structure at the commercial street frontage devoted to entrances to commercially used space, windows or display space at the pedestrian eye-level. Such windows shall use clear, un-tinted glass, except for decorative or architectural accent. Any decorative railings or decorated grille work, other than wire mesh, which is placed in front or behind such windows, shall be at least 75 percent open to perpendicular view and no more than six feet in height above grade.

The subject commercial space has approximately 34 feet of frontage on Union Street, which is almost entirely devoted to either entrance or window space, and approximately 32 feet of frontage on Octavia Street which is almost entirely a blank wall with one fixed window at the Union Street corner. The windows are clear and unobstructed.

- E. **Signage.** Article 6 of the Planning Code regulates new signs.

Any proposed signage will be subject to the review and approval of the Planning Department and must be consistent with Article 6 of the Planning Code.

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 will occupy a vacant storefront that was previously occupied by a clothing store (d.b.a. "Dantone"). At approximately, 950 square feet, the size of the proposed use is in keeping with other storefronts on the block face. According to a use survey conducted by the Project Sponsor, there are 584 businesses within the Union Street NCD. Of which, 44 businesses are food-related/restaurants. Within the existing 44 restaurants, four are small self-service restaurants. Upon completion, the proposed small self-service restaurant would be one of five in the neighborhood.

The Project will compliment the mix of goods and services currently available in the Union Street NCD. The proposed Project will provide fresh, gourmet, healthy meals to patrons in a convenient way, either for dining in or take-out. It will also contribute to the economic vitality of the neighborhood by removing a vacant storefront space that was formerly a clothing store. The Project Sponsor proposes seating to accommodate up to 10 patrons. The Project will employ 3 to 4 full-time and part-time employees. The proposed hours of operation are from 7:00 a.m. to 7:00 p.m., seven days a week.

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

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

The height and bulk of the existing building will remain the same. The Project proposes to occupy an existing retail space. It will not alter the existing appearance or character of the Project vicinity.

- 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 a 950 square-foot small self-service restaurant. The Project Site is well-served by public transit. Several MUNI transit lines

run directly in front of or near the site. Transit lines serving the site area include the 45-Union, 22-Fillmore, 30-Stockton, and 28-19th Avenue. There are on-street metered and non-metered parking spaces as well as a public parking garage one block away at Union and Laguna Streets.

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 area or Citywide.

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

The proposed use is subject to the standard Conditions of Approval for restaurants as outlined in Exhibit A of this Motion. The Project Sponsor will use a single-deck electric convection oven for the purposes of on-site warming of foods and the preparation of baked cookies. The electric convection oven will be located beneath a Type II (non-grease) canopy hood for the removal of heat and odor through a duct system routed from the hood to the building's light well area and continue up to the roof level where the exhaust fan will be located. Since the Project does not have any open flame cooking or frying, a Type I grease hood will not be required.

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

Deliveries to the Project Site are proposed to occur once daily during early morning hours. The Project Sponsor has a commissary nearby thus reducing the need for prep space and eliminating some delivery items. All existing exterior lighting will remain. Any new signage will comply with Article 6 of the Planning Code.

- 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 of the Planning Code and is consistent with the 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 the Union Street Neighborhood Commercial District in that the intended use is located at the ground floor, and will provide a compatible convenience service for the immediately surrounding neighborhoods.

- 8. **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 Project will provide desirable goods and services to the neighborhood and will provide resident employment opportunities to those in the community. The Project will employ 3 to 4 people. The Project Site is located within a Neighborhood Commercial District and is thus consistent with activities in the commercial land use plan.

OBJECTIVE 2:

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

Policy 2.1:

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

The Project will occupy a retail storefront that has been vacant since 2010. It will enhance the diverse economic base of the City.

OBJECTIVE 6:

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

Policy 6.1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

No commercial tenant would be displaced and the Project would not prevent the Union Street NCD from achieving optimal diversity in the types of goods and services available in the neighborhood.

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

Eating and Drinking Establishments

Eating and drinking establishments include bars, sit-down restaurants, fast food restaurants, self-service restaurants, and take-out food. Associated uses, which can serve similar functions and create similar land use impacts, include ice cream stores, bakeries and cookie stores. Guidelines for eating and drinking establishments are needed to achieve the following purposes:

- Regulate the distribution and proliferation of eating and drinking establishments, especially in districts experiencing increased commercial activity;
- Control nuisances associated with their proliferation;
- Preserve storefronts for other types of local-serving businesses; and
- Maintain a balanced mix of commercial goods and services.
- The regulation of eating and drinking establishments should consider the following:
 - Balance of retail sales and services;
 - Current inventory and composition of eating and drinking establishments;
 - Total occupied commercial linear frontage, relative to the total district frontage;
 - Uses on surrounding properties;
 - Available parking facilities, both existing and proposed;
 - Existing traffic and parking congestion; and
 - Potential impacts on the surrounding community.

There is a concern with the potential over-concentration of food-service establishments in Neighborhood Commercial Districts. The Commerce and Industry Element of the General Plan contains Guidelines for Specific Uses. For eating and drinking establishments, the Guidelines state, "the balance of commercial uses may be threatened when eating and drinking establishments occupy more than 20 percent of the total occupied commercial frontage." The Project Sponsor has performed a use survey of the Union Street Neighborhood Commercial District (NCD) which contains the proposed new restaurant. With the proposed restaurant use, approximately 8 percent of the frontage in the NCD would be occupied by eating and drinking establishments.

Policy 6.2:

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

An independent entrepreneur is sponsoring the proposal. The proposed use is a neighborhood-serving use. It is not a Formula Retail use.

9. **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 occupying a vacant retail space that was formerly a clothing store. The business would be locally owned. The Project will employ approximately 3 to 4 people.

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

No housing is proposed by the Project. The proposed alterations are within the existing building footprint.

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

No housing is removed by this Project.

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

The Project Site is well-served by public transit. Several MUNI transit lines run directly in front of or near the site. Transit lines serving the site area include the 45-Union, 22-Fillmore, 30-Stockton, and 28-19th Avenue. There are on-street metered and non-metered parking spaces as well as a public parking garage a few blocks away on Union Street.

- 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 industrial establishments. 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 will 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 landmark or historic building does not occupy the Project Site.

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

The Project will have no negative impact on existing parks and open spaces.

10. 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.

11. 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 Project Sponsor, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearing, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2010.1114C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans filed with the Application, dated May 2, 2011 and labeled "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. _____. 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 12, 2011.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 12, 2011

Exhibit A

Conditions of Approval

AUTHORIZATION

This authorization is for a Conditional Use Authorization to allow a small self-service restaurant (d.b.a. Lite Bite) located at 1796 Union Street, Assessor's Block 0529, Lot 014, pursuant to Planning Code Sections 303(c) and 725.44, within the Union Street Neighborhood Commercial District and 40-X Height and Bulk District; in general conformance with plans dated May 2, 2011 and labeled "EXHIBIT B" included in the docket for Case No. 2010.1114C and subject to conditions of approval reviewed and approved by the Commission on May 12, 2011 under Motion No. _____. 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 Application 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 12, 2011 under Motion No. _____.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the "Exhibit A" of this Planning Commission Motion No. _____ 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. The 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 (3) years from the effective date of the Motion. A Building Permit Application 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. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the Building Permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

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

MONITORING - AFTER ENTITLEMENT

4. **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.

5. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

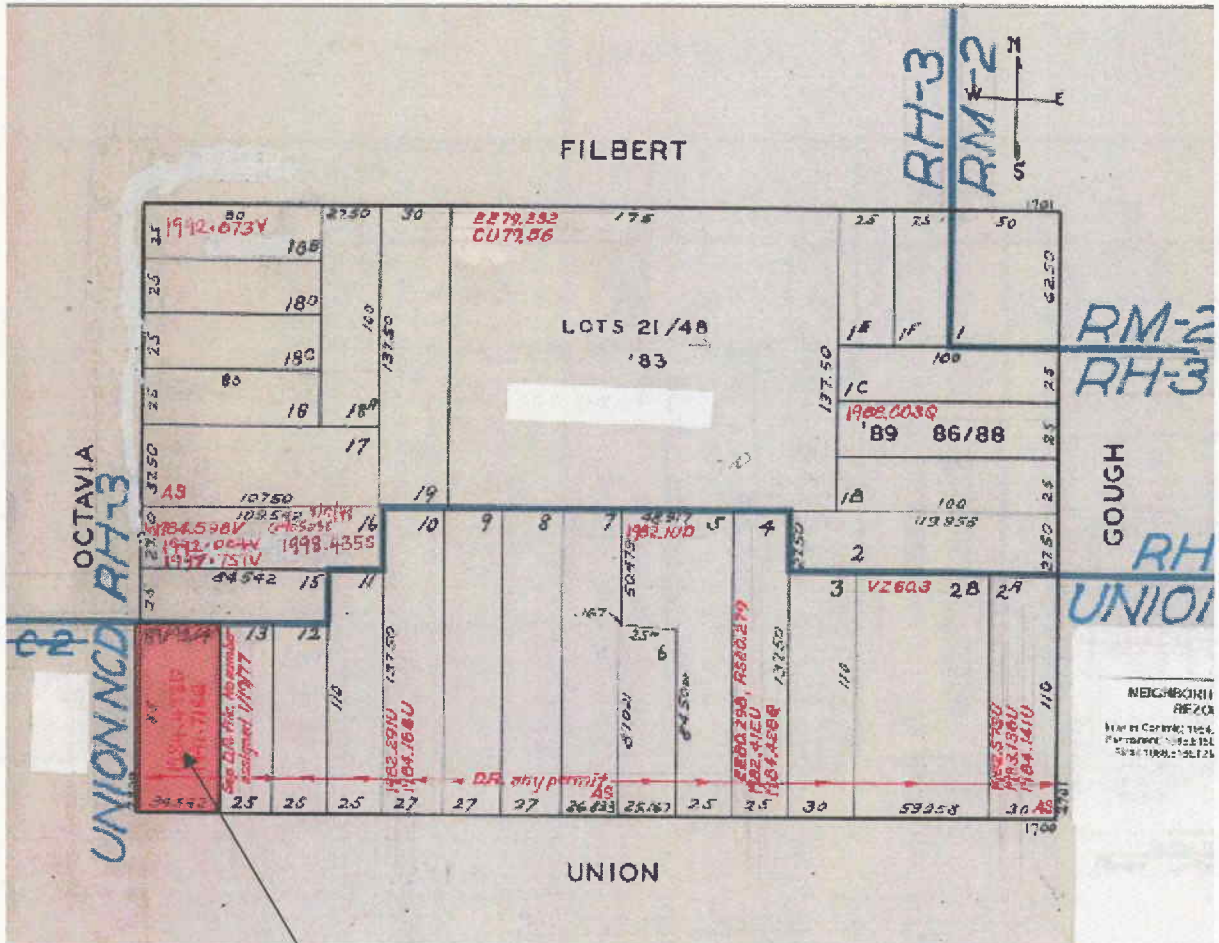
OPERATION

6. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed off pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org/>.
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 detectible 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. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

Zoning / Parcel Map



SUBJECT PROPERTY

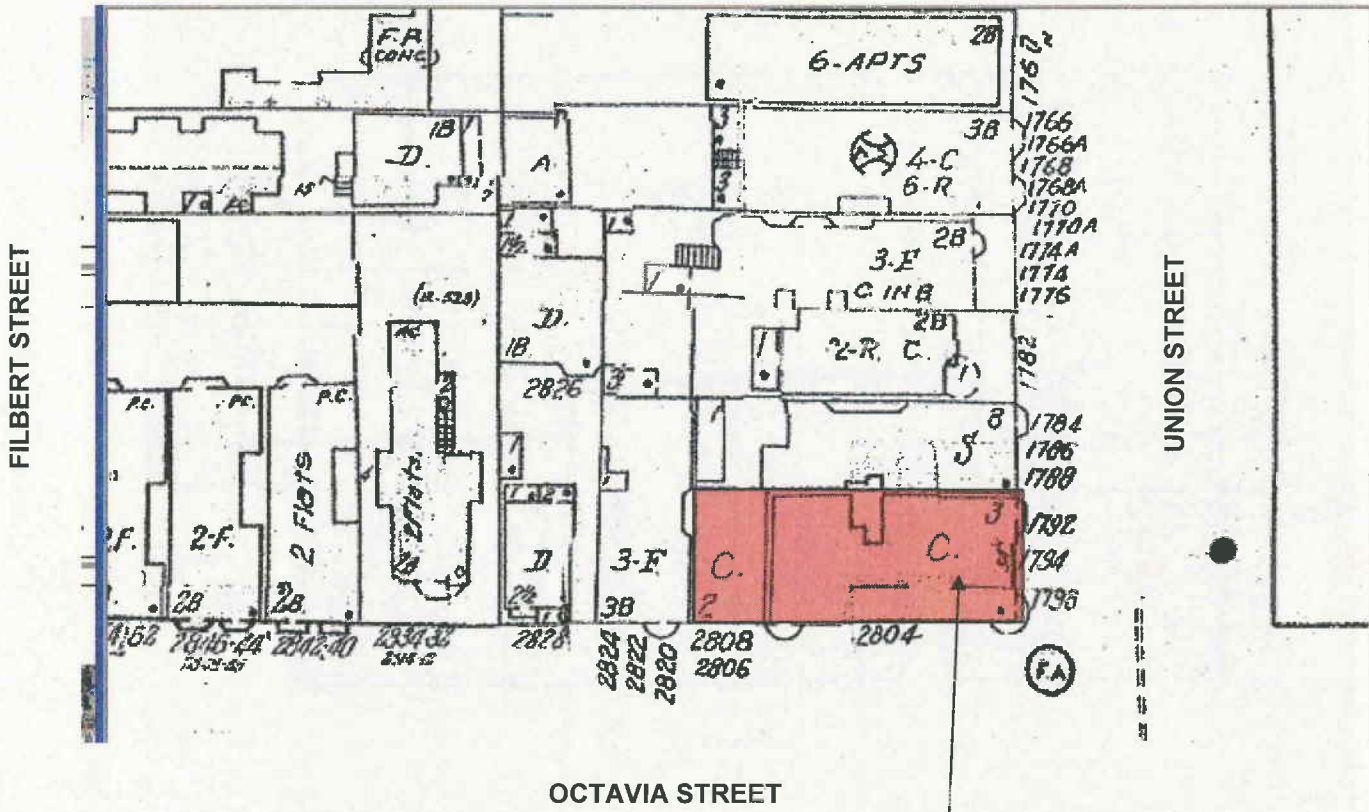


Conditional Use Hearing
Case Number 2010.1114C
1796 Union Street

Sanborn Map*

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

GOUGH STREET



OCTAVIA STREET

SUBJECT PROPERTY

Conditional Use Hearing
Case Number 2010.1114C
1796 Union Street

Aerial Photo



SUBJECT PROPERTY



Zoning District Map



ZONING USE DISTRICTS

RESIDENTIAL, HOUSE DISTRICTS

RH-1(D) RH-1 RH-1(S) RH-2 RH-3

RESIDENTIAL, MIXED (APARTMENTS & HOUSES) DISTRICTS

RM-1 RM-2 RM-3 RM-4

NEIGHBORHOOD COMMERCIAL DISTRICTS

NC-1 NC-2 NC-3 NCD NC-S

SOUTH OF MARKET MIXED USE DISTRICTS

SPD RED RSD SLR SLI SSO

COMMERCIAL DISTRICTS

C-2 C-3-S C-3-G C-3-R C-3-O C-3-O(SD)

INDUSTRIAL DISTRICTS

C-M M-1 M-2

CHINATOWN MIXED USE DISTRICTS

CRNC CVR CCB

RESIDENTIAL-COMMERCIAL DISTRICTS

RC-3 RC-4

REDEVELOPMENT AGENCY DISTRICTS

MB-RA HP-RA

DOWNTOWN RESIDENTIAL DISTRICTS

RH-DTR TB-DTR

MISSION BAY DISTRICTS

MB-OS MB-O

PUBLIC DISTRICT

P

PROJECT SITE



Conditional Use Hearing
Case Number 2010.114C
1796 Union Street

1796 UNION STREET

Proposed Small Self Service Restaurant

BUILDING DATA:

OCCUPANCY CLASS: R-2 / B
 CONSTRUCTION TYPE: V-B
 STORIES: 3

BUILDING USE: RESIDENTIAL / COMMERCIAL (GROUND FLOOR ONLY)

COMMERCIAL AREA SQUARE FOOTAGE: 952.0 1796 UNION - VACANT TENANT SPACE - NO CHANGE
 COMMERCIAL AREA SQUARE FOOTAGE: 724.0 - 2806 OCTAVIA (EXISTING NAIL SALON)
 RESIDENTIAL AREA SQUARE FOOTAGE: 4052.0
 GARAGE AREA: 190.0
 TOTAL BLDG. SQUARE FOOTAGE: 5918.0

LOT AREA: 2935.9

CURRENT COMMERCIAL USE: RETAIL
 PROPOSED COMMERCIAL USE: SMALL SELF SERVICE RESTAURANT

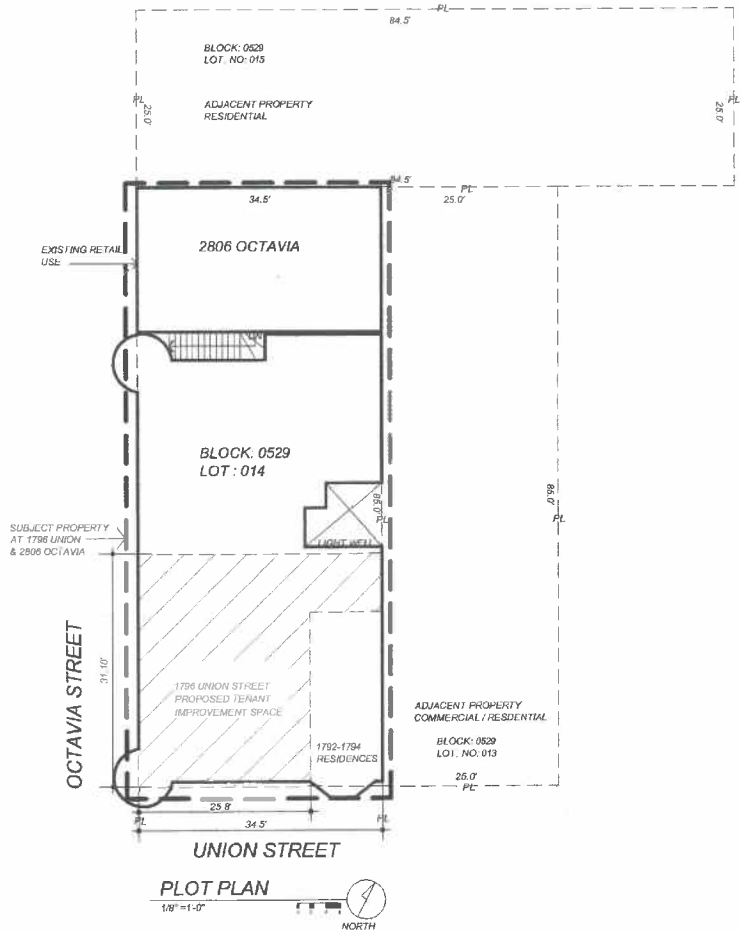
TENANT:
 LITE BITE
 ANGELO FERRARI
 415 572 7176

SCOPE OF WORK:
 INSTALL FOODSERVICE EQUIPMENT FOR SELF SERVICE RESTAURANT
 UP GRADE RESTROOM TO ADA ACCESSIBLE

CODE SUMMARY:
 CBC 2010, CPC 2010, CEC 2010, CMC 2010, CEC TITLE 24 2007
 SFBC 2010, SF ENVIRONMENTAL HEALTH, SF PUC

SHEET INDEX

- A-0 - SITE PLAN , BUILDING DATA
- A-1 - EXISTING FLOOR PLAN
- A-2 - PROPOSED FLOOR PLAN
- A-3 - EXTERIOR BUILDING ELEVATIONS
- A-4 - ROOF PLAN , DUCT ROUTE ELEVATION



VICINITY MAP

REV#	DATE	DESCRIPTION

Jerry Brown Design
 619 27th # A Street
 Oakland, CA
 94612
 tel: 415-810-3703
 email: JBD@JBD3D@gmail.com




PROJ. NO.:
 1796 UNION STREET
 PROPOSED SMALL SELF-SERVICE RESTAURANT
 SAN FRANCISCO, CA 94123

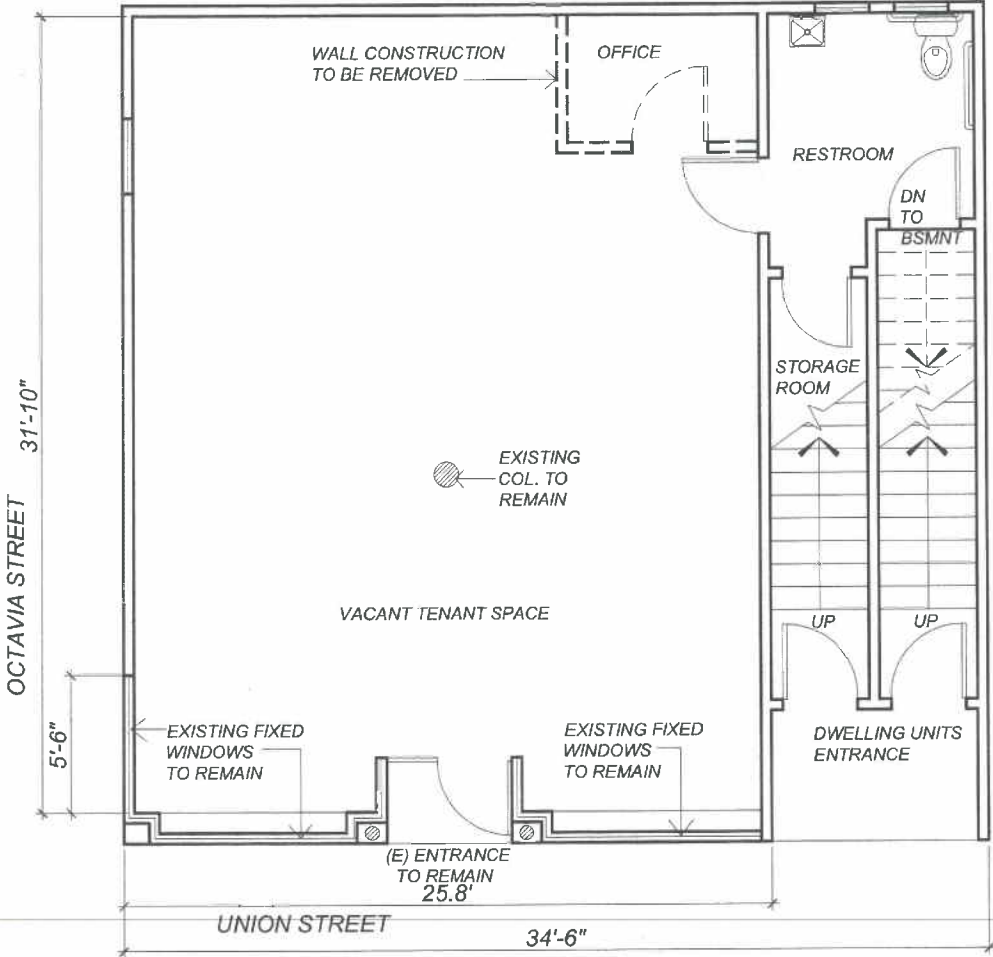
SHEET TITLE
 SITE PLAN
 BUILDING DATA

DATE: 05. 02. 2013
 DRAWN BY: J.B.
 SHEET No.

EXHIBIT "B" A.0

WALL LEGEND

-  WALL CONSTRUCTION TO BE REMOVED
-  EXISTING WALL CONSTRUCTION
-  NEW WALL CONSTRUCTION



EXISTING FLOOR PLAN

1/4" = 1'-0" 952 GROSS SQUARE FEET



JERRY BROWN DESIGN
 619 27TH ST.
 OAKLAND, CA 94612
 415 810 3703
 JBDSGN329@GMAIL.COM

PROJECT NAME
 1796 UNION STREET
 PROPOSED SMALL SELF SERVICE RESTAURANT
 GROUND FLOOR

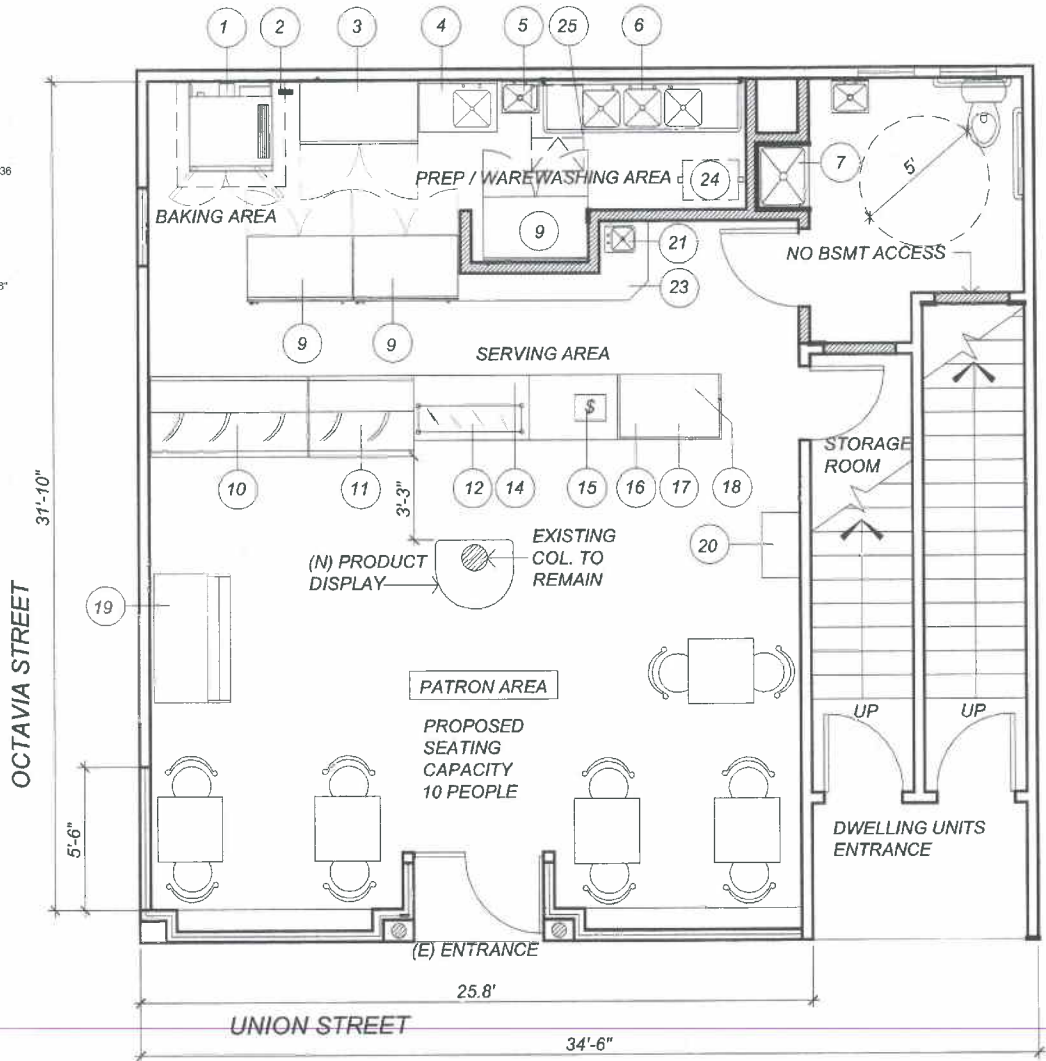
DATE: MAY 2, 2011

SHEET NUMBER

A-1

EQUIPMENT SCHEDULE

ITEM NO	QUANTITY	DESCRIPTION	MANUFACTURER	MODEL NUMBER
1	1	CONVECTION OVEN - SINGLE DECK	MONTAGUE	SLEK11-15
2	1	TYPE II EXHAUST CANOPY	CAPTIVE AIR	TDB
3	1	2 DOOR REACH IN REFRIG.	TRUE	T-49
4	1	FOOD PERP SINK	WEST STAR IND	2436
5	1	HAND WASH SINK	ADVANCE	7-PS-50
6	1	THREE COMPARTMENT SINK	WEST STAR IND	3NSF17172D18
7	1	JANITORS SINK	ADVANCE	9-0P-S
8	0	SPARE NUMBER		
9	3	WORK TOP REFRIGERATOR	TRUE	WT-48
10	1	DISPLAY CASE	FEDERAL	SN6-CD
11	1	DISPLAY CASE	FEDERAL	SN4-CD
12	1	TWO TIER GLASS DISPLAY SHELF	CUSTOM	GLASS/ ST/STL BRKT 48"
13	0	SPARE NUMBER		
14	1	SERVICE COUNTER	MILLWORK	BY GC
15	1	POS	BY OWNER	BY GC
16	1	BEVERAGE COUNTER	MILLWORK	BY GC
17	EACH	COFFEE SERVICE	BY OWNER	
18	1	UNDERCOUNTER ICE MAKER	MANTOWOC	TDB
19	1	SELF SERVICE MERCHANDISER	FEDERAL	RSSM-560SC
20	1	CONDIMENT COUNTER	MILLWORK	BY GC
21	1	DROP IN HAND SINK	ADVANCE	DI-1-10
22	0	SPARE NUMBER		
23	1	BACK COUNTER	MILLWORK	BY GC
24	1	GREASE TRAP	MIFAB	35 GPM
25	1	UNDER COUNTER DISHWASHER	HOBART	LX SERIES



PROPOSED FLOOR PLAN

1/4" = 1'-0" 952 GROSS SQUARE FEET



JERRY BROWN DESIGN
619 27TH ST.
OAKLAND, CA 94612
415 810 3703
JBD.SGN328@GMAIL.COM

PROJECT NAME
1796 UNION STREET
PROPOSED SMALL SELF SERVICE RESTAURANT
GROUND FLOOR

DATE: MAY 2, 2011

SHEET NUMBER

A-2

JERRY BROWN DESIGN
619 27TH ST.
OAKLAND, CA 94612
415 810 3703
JBD.SGN328@GMAIL.COM

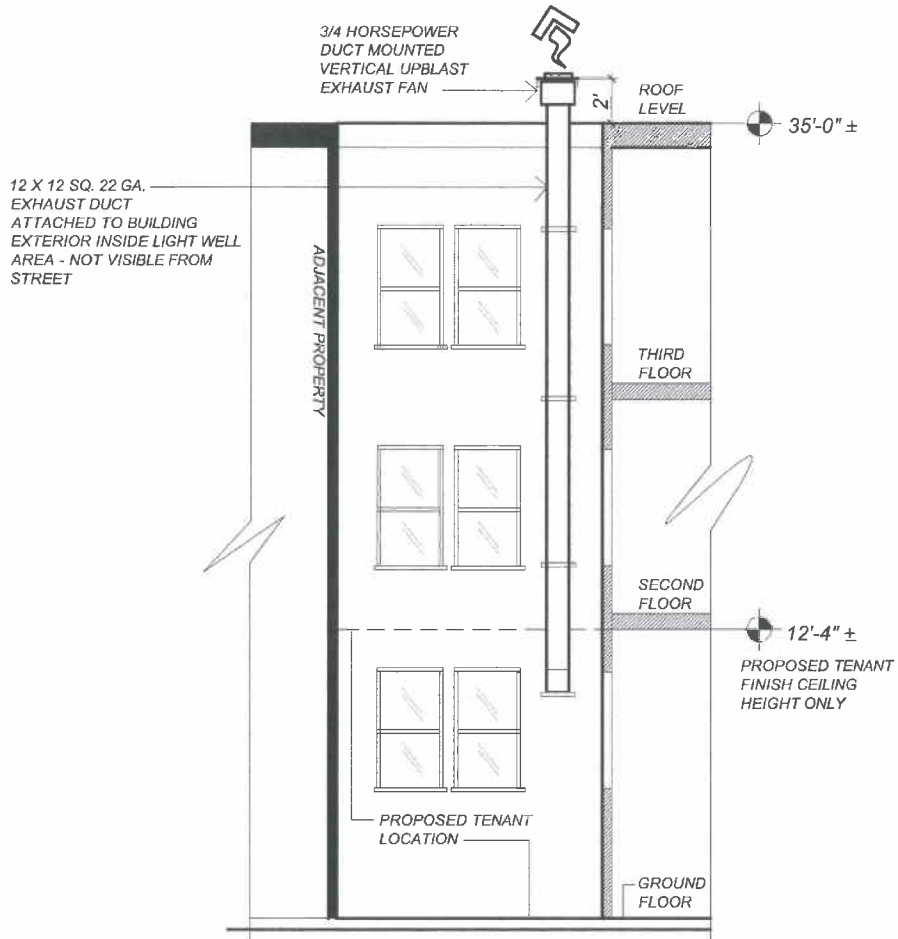


PROJECT NAME
**1796 UNION STREET
PROPOSED SMALL SELF SERVICE RESTAURANT
GROUND FLOOR**

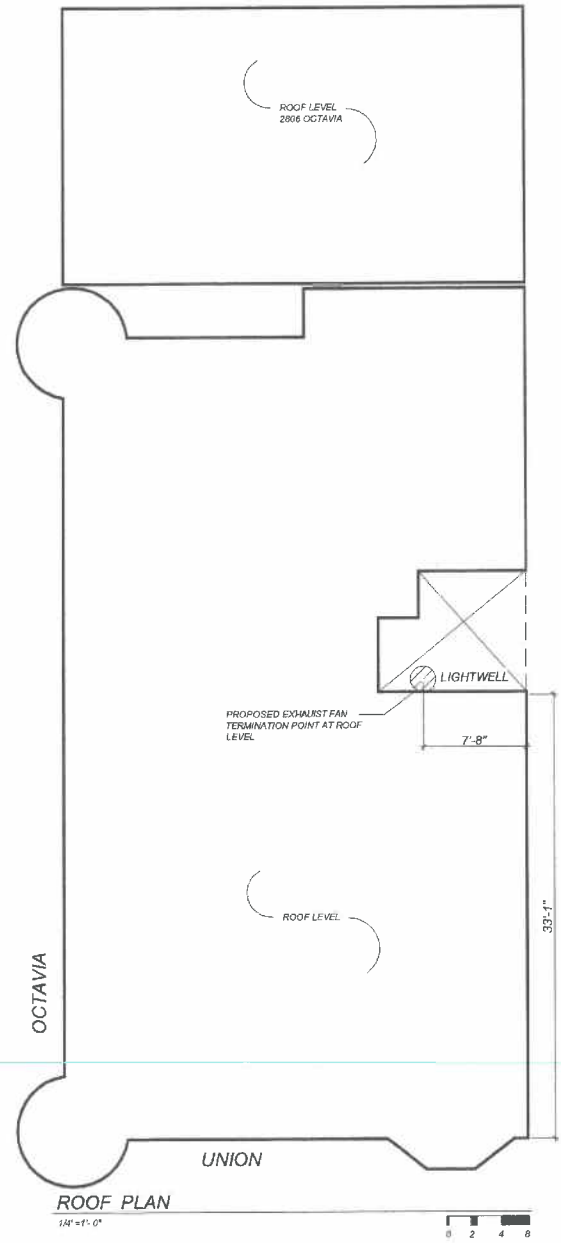
DATE: MAY 2, 2011

SHEET NUMBER

A-3



PROPOSED DUCT ROUTE AT LIGHT WELL
1/4" = 1'-0"
0 2 4 8



JERRY BROWN DESIGN
619 27TH ST.
OAKLAND, CA 94612
415 810 3703
JBDSGN328@GMAIL.COM

PROJECT NAME
1796 UNION STREET
PROPOSED SMALL SELF SERVICE RESTAURANT
GROUND FLOOR

DATE: MAY 2, 2011

SHEET NUMBER

A-4



SOUTH SIDE UNION STREET



NORTH SIDE UNION STREET



PROPOSED LOCATION @ GROUND FLOOR

GOUGH ST.

OCTAVIA ST.

OCTAVIA ST.

GOUGH ST.

JERRY BROWN DESIGN
 619 27TH ST.
 OAKLAND, CA 94612
 415 810 3703
 JBDSGN328@GMAIL.COM

PROJECT NAME
 1796 UNION STREET
 PROPOSED SMALL SELF SERVICE RESTAURANT
 GROUND FLOOR

DATE: MAY 2, 2011

SHEET NUMBER

PHOTOGRAPHS

FILBERT ST.



UNION ST

EAST SIDE OCTAVIA STREET PROPOSED LOCATION @ GROUND FLOOR

ERRY BROWN DESIGN
619 27TH ST.
OAKLAND, CA 94612
415 810 3703
JBDSGN328@GMAIL.COM

UNION ST.



FILBERT ST

WEST SIDE OCTAVIA STREET

PROJECT NAME

1796 UNION STREET
PROPOSED SMALL SELF SERVICE RESTAURANT
GROUND FLOOR

DATE: MAY 2, 2011

SHEET NUMBER

PHOTOGRAPHS