



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Conditional Use

HEARING DATE: AUGUST 4, 2011

### CONSENT CALENDAR

*Date:* July 28, 2011  
*Case No.:* **2011.0394 C**  
*Project Address:* **2966 MISSION STREET**  
*Zoning:* Mission Street NCT (Neighborhood Commercial Transit)  
Mission Alcoholic Beverage Special Use Subdistrict  
65/45-X Height and Bulk District  
*Block/Lot:* 6529/006  
*Project Sponsor:* Hipolito Espinoza  
3440 20<sup>th</sup> Street  
San Francisco, CA 94110  
*Staff Contact:* Corey Teague – (415) 575-9081  
[corey.teague@sfgov.org](mailto:corey.teague@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**

### PROJECT DESCRIPTION

The proposal is to establish an approximately 987 square foot small self-service restaurant (d.b.a Hot Press SF, Inc) in the existing one-story building. The commercial space previously housed the Ana Dollar Store. The proposed restaurant is an independent neighborhood-serving use that is locally owned, which is encouraged throughout San Francisco. The proposed operation consists of up to three employees. Hours of operation will be 10:00am to 10:00pm daily. The proposal does not include any outdoor seating. The subject site is well served by public transit so that potential customers should not adversely affect traffic. Trash will be picked up Monday through Saturday at the rear of the site along Osage Alley. Deliveries will be made on various days between 9:00am and 10:00am.

### SITE DESCRIPTION AND PRESENT USE

The project site is a 1,250 square foot lot located on the west side of Mission Street between 25<sup>th</sup> and 26<sup>th</sup> Streets. The property backs onto Osage Alley, which is approximately 15 feet wide and does not include sidewalks. The property is developed with a one-story building that is only 40 feet deep and previously housed the Ana Dollar Store. The building is currently vacant. The remaining 60 feet of the property that fronts on Osage Alley is used for parking and is enclosed by a chain-link fence.

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The project site is located in the Mission Street NCT corridor, which includes a variety of neighborhood-serving uses. A mixture of food establishments, personal services, and small retail establishments defines the District. Additionally, the project site is less than two blocks away from the 24<sup>th</sup> Street corridor, which also provides a similar variety of neighborhood-serving uses. The properties behind the project site that also front onto Osage Alley fall in the RTO-Mission Zoning District and are primarily two-family homes.

## **ENVIRONMENTAL REVIEW**

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

## **HEARING NOTIFICATION**

| <b>TYPE</b>        | <b>REQUIRED PERIOD</b> | <b>REQUIRED NOTICE DATE</b> | <b>ACTUAL NOTICE DATE</b> | <b>ACTUAL PERIOD</b> |
|--------------------|------------------------|-----------------------------|---------------------------|----------------------|
| Classified News Ad | 20 days                | July 13, 2011               | July 15, 2011             | 22 days              |
| Posted Notice      | 20 days                | July 15, 2011               | July 15, 2011             | 20 days              |
| Mailed Notice      | 20 days                | July 15, 2011               | July 15, 2011             | 20 days              |

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

## **PUBLIC COMMENT**

- The Department received no public comment for this project.

## **ISSUES AND OTHER CONSIDERATIONS**

- 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% of the total occupied commercial frontage.” Planning staff analysis of the Mission Street NCT District indicates that only 8 percent of the properties in the Mission NCT contain eating and drinking establishments, which results in far less than 20 percent of the district’s street frontage.

## **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant conditional use authorization to allow the establishment small self-service restaurant pursuant to Planning Code Sections 303 and 736.44.

**BASIS FOR RECOMMENDATION**

- The project is a small business that will occupy a currently vacant building with a locally-owned neighborhood-serving use that will contribute to the viability of the overall Mission Street NCT District.
- The project will not displace an existing retail tenant providing convenience goods and services to the neighborhood.
- The project will not result in an overpopulation of restaurants in the Mission Street NCT District.
- The project will create three or more jobs for neighborhood residents.
- The project is consistent with the Mission NCT Zoning District, Planning Code, Mission Area Plan, and General Plan.
- The project is desirable for, and compatible with the surrounding neighborhood.

|  |
|--|
| <b>RECOMMENDATION:</b> <b>Approval with Conditions</b> |
|--|

- Attachments:**  
Block Book Map  
Sanborn Map  
Aerial Photographs  
Zoning Map  
Site Photograph  
Reduced Plans

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"/> Zoning District Map | Drawings: <u>Proposed Project</u>   |
| <input type="checkbox"/> Height & Bulk Map              | <input checked="" type="checkbox"/> Check for legibility                                      |
| <input checked="" type="checkbox"/> Parcel Map          | <input type="checkbox"/> Health Dept. review of RF levels                                     |
| <input checked="" type="checkbox"/> Sanborn Map         | <input type="checkbox"/> RF Report  |
| <input checked="" type="checkbox"/> Aerial Photo        | <input type="checkbox"/> Community Meeting Notice   |
| <input checked="" type="checkbox"/> Context Photos      | <input type="checkbox"/> Inclusionary Affordable Housing Program:<br>Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos         |   |

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

\_\_\_\_\_  
Planner's Initials

*CT: G:\Documents\CI\2011\2966 Mission St\Executive Summary.doc*



# SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

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

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Fax:  
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## Planning Commission Draft Motion

HEARING DATE: AUGUST 4, 2011

*Date:* July 28, 2011  
*Case No.:* **2011.0394 C**  
*Project Address:* **2966 MISSION STREET**  
*Zoning:* Mission Street NCT (Neighborhood Commercial Transit)  
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[corey.teague@sfgov.org](mailto:corey.teague@sfgov.org)

**ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303 AND 736.44 OF THE PLANNING CODE TO ALLOW A 987 SQUARE FOOT SMALL SELF-SERVICE RESTAURANT (D.B.A. HOT PRESS SE, INC) WITHIN THE MISSION STREET NCT (NEIGHBORHOOD COMMERCIAL TRANSIT) DISTRICT, MISSION ALCOHOLIC BEVERAGE SPECIAL USE SUBDISTRICT, AND A 65/45-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On April 20, 2011 Hipolito Espinoza (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303 and 736.44 to allow an approximately 987 square foot "Small Self-service Restaurant" in the Mission Street NCT (Neighborhood Commercial Transit) Zoning District, 45-X/65-B Height and Bulk District, and the Mission Alcoholic Beverage Special Use District.

On August 4, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.0394C.

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. 2011.0394C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project site is a 1,250 square foot lot located on the west side of Mission Street between 25<sup>th</sup> and 26<sup>th</sup> Streets. The property backs onto Osage Alley, which is approximately 15 feet wide and does not include sidewalks. The property is developed with a one-story building that is only 40 feet deep and previously housed the Ana Dollar Store. The building is currently vacant. The remaining 60 feet of the property that fronts on Osage Alley is used for parking and is enclosed by a chain-link fence.
3. **Surrounding Properties and Neighborhood.** The project site is located in the Mission Street NCT corridor, which includes a variety of neighborhood-serving uses. A mixture of food establishments, personal services, and small retail establishments defines the District. Additionally, the project site is less than two blocks away from the 24<sup>th</sup> Street corridor, which also provides a similar variety of neighborhood-serving uses. The properties behind the project site that also front onto Osage Alley fall in the RTO-Mission Zoning District and are primarily two-family homes.
4. **Project Description.** The proposal is to establish an approximately 987 square foot small self-service restaurant (d.b.a Hot Press SF, Inc) in the existing one-story building. The commercial space previously housed the Ana Dollar Store. The proposed restaurant is an independent neighborhood-serving use that is locally owned, which is encouraged throughout San Francisco. The proposed operation consists of up to three employees. Hours of operation will be 10:00am to 10:00pm daily. The proposal does not include any outdoor seating. The subject site is well served by public transit so that potential customers should not adversely affect traffic. Trash will be picked up Monday through Saturday at the rear of the site along Osage Alley. Deliveries will be made on various days between 9:00am and 10:00am.
5. **Public Comment.** The Department received no public comment for this project.

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.** Planning Code Section 736.44 requires a Conditional Use Authorization for a small self-service restaurant.

*The Project is a small self-service restaurant of approximately 987 square feet. The project is seeking the required Conditional Use Authorization.*

B. **Outdoor Activity Area.** Outdoor activity area is permitted as of right in the Mission NCT District as long as it is located in the front of the commercial use.

*The proposal includes sidewalk seating in the front of the restaurant consisting of two tables and six chairs.*

C. **Hours of Operation.** Hours of operation are not limited in the Mission NCT District.

*The proposed restaurant will operate from 10:00a.m. to 10:00p.m. daily.*

D. **Floor Area Ratio.** Planning Code Section 124 sets the maximum floor area ratio in the Valencia Street NCT District at 3.6 to 1.

*The floor area ratio of the proposal is less than 1 to 1.*

E. **Required Ground Floor Commercial Uses.** Planning Code Section 145.4 requires that ground floor in certain corridors contain active commercial uses. The entirety of Mission Street within the Mission NCT District is one such corridor.

*The proposed restaurant will provide an active commercial use on the ground floor as required.*

F. **Parking.** Planning Section 151.1 of the Planning Code does not require off-street parking for any use in the Mission Street NCT District, and provides maximums for specific uses.

*The project will retain the existing off-street parking located at the rear of the subject property along Osage Alley.*

G. **Mission Alcoholic Beverage Special Use Subdistrict.** Planning Code Section 781.8 strictly limits the opening of new establishments selling alcoholic beverages. An exception is granted for a bar within a bona fide restaurant, which is defined as a place which is regularly used and kept open for the service of meals to guests for compensation and which has (1) suitable kitchen facilities for the cooking of an assortment of foods which may be required for meals, (2) a primary use of sit-down service to patrons, (3) adequate seating arrangements for sit-down patrons provided on the premises, (4) take-out service that is only incidental to the primary sit-down use, (5) alcoholic beverages which are sold or dispensed for consumption on the premises only when served at tables or sit-down counters by employees of the

restaurant, and (6) a minimum of 51 percent of the restaurant's gross receipts shall be from the sale of meals.

*The proposed restaurant will not sell alcohol.*

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 use will not increase the size or intensity of uses in the existing building, which is quite small for the area and was previously used as retail space. Filling the now vacant building with a locally owned neighborhood-serving use is necessary and desirable in this neighborhood.*

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

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

*The existing building is only one-story tall and covers less than half of the lot, making it a very small development for the area.*

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

*The Planning Code does not require parking or loading in the Mission Street NCT District, and the subject property will not add any additional parking. Traffic patterns for the proposed restaurant will not be significantly different than those of the previous retail use. Patrons of the restaurant have ample walking, bicycling, and public transit options through MUNI and BART.*

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

*The proposed restaurant will not create substantial emissions. Conditions of approval will require compliance with applicable City codes to control exhaust emissions associated with the kitchen.*

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



*The proposed restaurant does not require any additional landscaping or screening, and the Department shall review all lighting and signs proposed for the new business under separate building permit.*

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

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

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

*The proposed project is consistent with the stated description and purposed of the Mission Street NCT District in that the district includes a "selection of goods serving the day-to-day needs of the residents of the Mission District," and "Eating and drinking establishments contribute to the street's mixed-use character and activity in the evening hours."*

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

## COMMERCE AND INDUSTRY

### Objectives and Policies

#### **OBJECTIVE 1:**

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

#### **Policy 1.1:**

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

#### **Policy 1.2:**

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

*The proposed development will use an existing vacant space to provide desirable goods and services to the neighborhood and will provide resident employment opportunities to those in the community. As such, it will enhance the living and working environment of the Mission Street corridor.*

#### **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 district 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 City Planning Commission approval. Pertinent guidelines may be applied as conditions of approval of individual permit applications. In general, uses should be encouraged which meet the guidelines; conversely, uses should be discouraged which do not.

**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% of the total occupied commercial frontage." Planning staff analysis of the Mission Street NCT District indicates that only 8 percent of the properties in the Mission NCT contain eating and drinking establishments, which results in far less than 20 percent of the district's street frontage.*

**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.

*The proposed restaurant is not a Formula Retail use and is locally-owned.*

## MISSION AREA PLAN

### Objectives and Policies

#### **OBJECTIVE 1.1:**

STRENGTHEN THE MISSION'S EXISTING MIXED USE CHARACTER, WHILE MAINTAINING THE NEIGHBORHOOD AS A PLACE TO LIVE AND WORK.

#### **Policy 1.1.6:**

Permit and encourage small and moderate size retail establishments in neighborhood commercial areas of the Mission, while allowing larger retail in the formerly industrial areas when part of a mixed-use development.

*The proposal is a small sized retail establishment in the Mission NCT District that will occupy a currently vacant building that was previously occupied by a different 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 enhances the district by occupying the existing vacant commercial unit with a locally-owned restaurant that will provide 3 or more job opportunities for 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 proposed restaurant will occupy an existing building that previously contained a retail use, and therefore will preserve the neighborhood character of the space. The building contains no residential uses, and it will not be altered.*

- 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 proposed restaurant is replacing a retail use in the same space. Therefore, there will be no significant increase in any type of traffic or parking associated with this use. Additionally, the project site is located on a heavily used bicycle and pedestrian corridor, and it has good access to MUNI and BART nearby.*

- 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 minimal work included in the proposal 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 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. The Project does not have an impact on 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 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. 2011.0394C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated July 27, 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 August 4, 2011.

Linda D. Avery  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: August 4, 2011

## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use to allow a self-service restaurant (d.b.a. **Hot Press SF, Inc**) located at 2966 Mission Street, Block 6529, Lot 006, pursuant to Planning Code Section(s) 303, and 736.44 within the **Mission Street** NCT District and a **65/45-X** Height and Bulk District; in general conformance with plans, dated **July 27, 2011**, and stamped "EXHIBIT B" included in the docket for Case No. **2011.0394C** and subject to conditions of approval reviewed and approved by the Commission on **August 4, 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 **August 4, 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](http://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](http://www.sf-planning.org)*

### MONITORING

3. **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](http://www.sf-planning.org)*

4. **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](http://www.sf-planning.org)*

## OPERATION

5. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.  
*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>*
6. **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/>*
7. **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](http://www.sf-planning.org)*
8. **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 in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.  
*For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), [www.baaqmd.gov](http://www.baaqmd.gov) and Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
9. **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](http://www.sfdph.org)  
For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, [www.sfdbi.org](http://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](http://www.sf-police.org)*



# Parcel Map

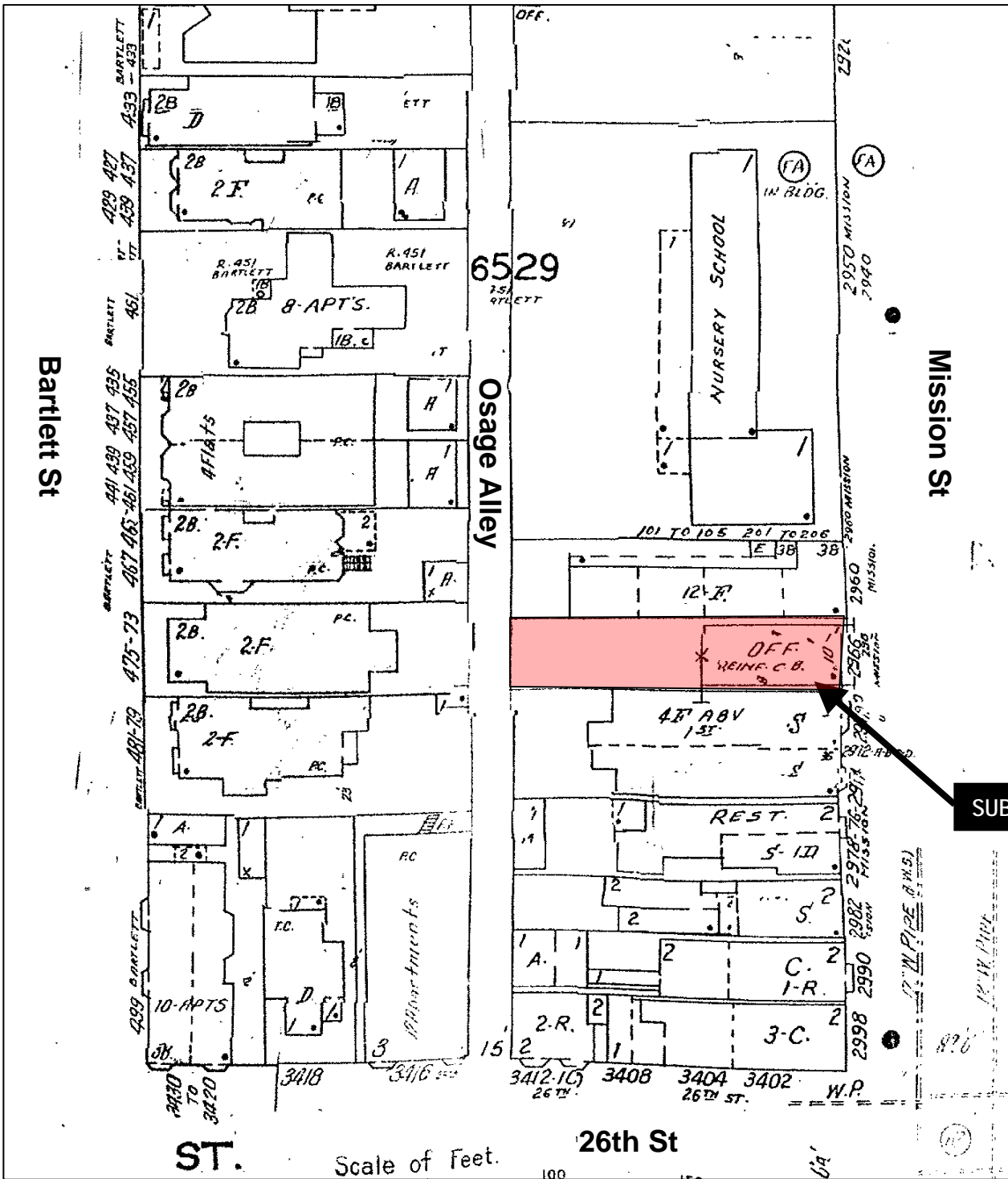


**SUBJECT PROPERTY**



Conditional Use Hearing  
**Case Number 2011.0394C**  
Small Self-Service Restaurant  
2966 Mission Street

# Sanborn Map\*



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



Conditional Use Hearing  
 Case Number 2011.0394C  
 Small Self-Service Restaurant  
 2966 Mission Street

# Aerial Photo



SUBJECT PROPERTY



Conditional Use Hearing  
Case Number 2011.0394C  
Small Self-Service Restaurant  
2966 Mission Street

# Aerial Photo



SUBJECT PROPERTY



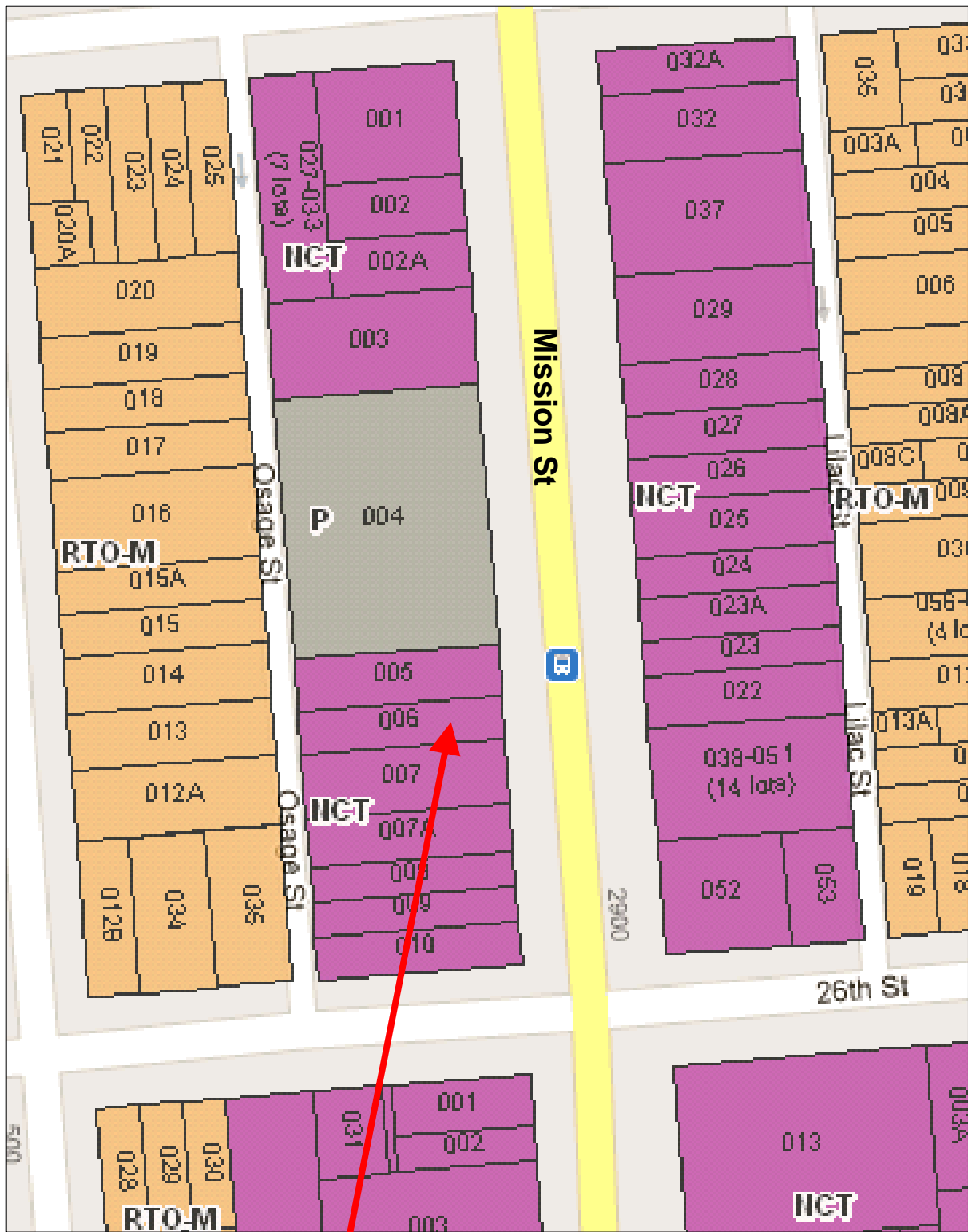
Conditional Use Hearing  
Case Number 2011.0394C  
Small Self-Service Restaurant  
2966 Mission Street

# Site Photo



Conditional Use Hearing  
Case Number 2011.0394C  
Small Self-Service Restaurant  
2966 Mission Street

# Zoning Map



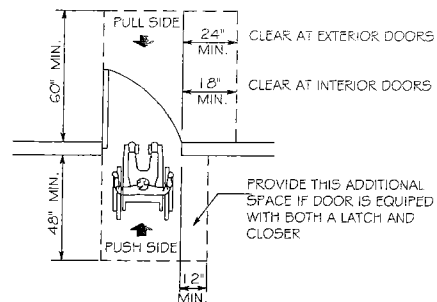
**SUBJECT PROPERTY**



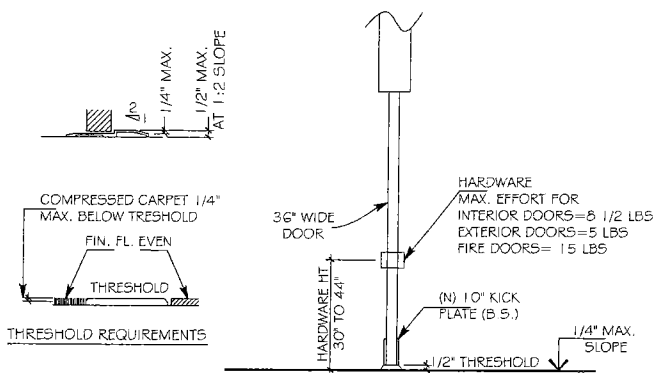
Conditional Use Hearing  
Case Number 2011.0394C  
Small Self-Service Restaurant  
2966 Mission Street

# TENANT IMPROVEMENTS FOR: 2966 MISSION STREET SAN FRANCISCO, CALIFORNIA.

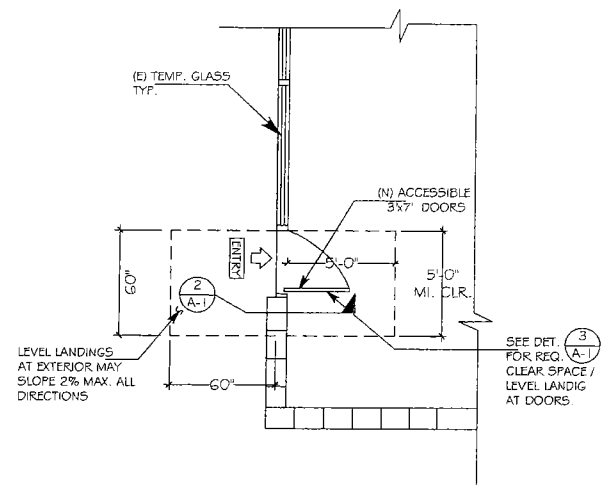
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**3** LEVEL MANEUVERING CLEARANCE N.T.S.



**2** ENTRANCE SECTION N.T.S.



**1** ENLARGED PLAN AT ENTRANCE SCALE: 1/4"=1'-0"

### PROJECT DIRECTORY

APPLICANT :  
MR. NAEL KHAIL  
2966 MISSION ST.  
SAN FRANCISCO, CALIFORNIA  
tel : (415) 844-0229

### CODE SUMMARY

BUILDING CODE :  
CALIFORNIA BUILDING  
CODE, 2010 EDITION

APN :  
LOT SIZE : ±2,500 SQ. FT.  
BUILDING SQ. FT. : ± 987 SQ. FT.  
ZONING : COMMERCIAL  
CONSTRUCTION : III-1 HR., NOT SPRINKLERED

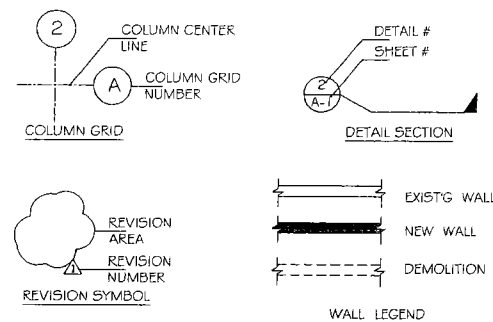
### SCOPE OF CONSTRUCTION

ALTERATIONS  
THE SCOPE OF WORK FOR THIS PROJECT  
IS TENANT IMPROVEMENTS (INTERIOR REMODELING).

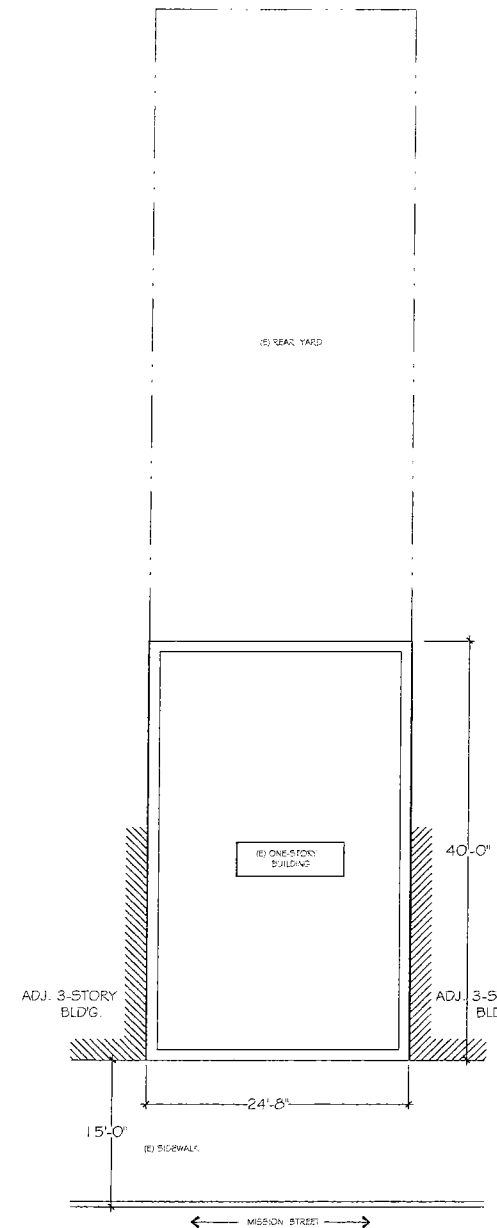
SEPARATE PERMIT FOR ELECTRICAL & MECHANICAL

|        |                    |       |             |
|--------|--------------------|-------|-------------|
| #      | AND                | DBL.  | DOUBLE      |
| L      | ANGLE              | DIA.  | DIAMETER    |
| @      | AT                 | DN.   | DOWN        |
| CL     | CENTER LINE        | EA.   | EACH        |
| Ø      | DIAMETER           | ELEC. | ELECTRICAL  |
| (E)    | EXISTING           | ELEV. | ELEVATION   |
| (N)    | NEW                | EQ.   | EQUAL       |
| ACOUS. | ACOUSTIC           | F.D.  | FOOR DRAIN  |
| ADJ.   | ADJACENT           | FND.  | FOUNDATION  |
| ARCH.  | ARCHITECTURAL      | FN.   | FINISH      |
| A.F.F. | ABOVE FINISH FLOOR | FL.   | FLOOR       |
| BLDG.  | BUILDING           | GA.   | GAGE        |
| BLK.   | BLOCK              | GRD.  | GROUND      |
| BOT.   | BOTTOM             | GYP.  | GYPNUM      |
| CAB.   | CABINET            | HB.   | HOSE BIB    |
| CLG.   | CEILING            | HC.   | HOLLOW CORE |
| CTR.   | CENTER             | HR.   | HOUR        |

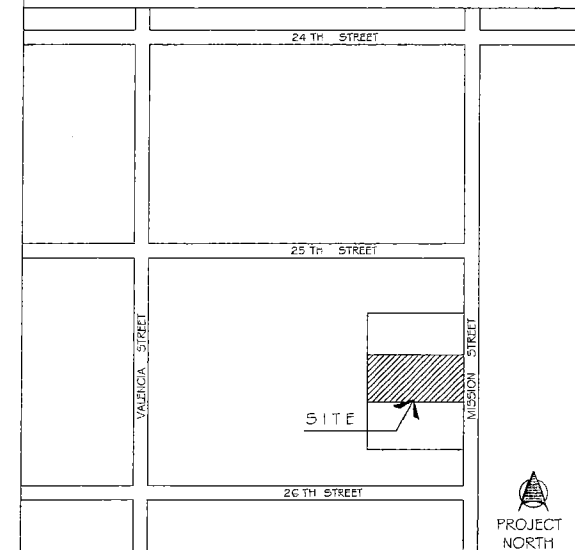
### ABBREVIATIONS



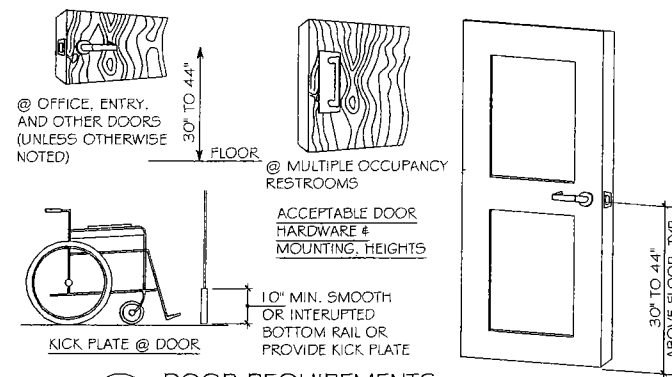
### LEGEND / ANNOTATIONS



**SITE PLAN** SCALE: 1/8"=1'-0"



**VICINITY MAP**



**4** DOOR REQUIREMENTS N.T.S.

### SHEET INDEX

ARCHITECTURAL DRAWINGS  
A-1 TITLE SHEET  
A-2 EXISTING & PROPOSED FLOOR PLAN  
A-3 ELEVATION & DETAILS

**PROJECT:**  
HOT PRESS DELI  
2966 MISSION STREET  
SAN FRANCISCO, CALIFORNIA.

**SHEET TITLE:** TITLE SHEET, SITE PLAN  
**SCOPE OF WORK:** TENANT IMPROVEMENTS

|          |             |
|----------|-------------|
| Date:    | MAR-01-2011 |
| Scale:   | AS SHOWN    |
| Drawn:   |             |
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| Checked: |             |
| Sheet:   | A-1         |
| of       | 3 Sheets    |

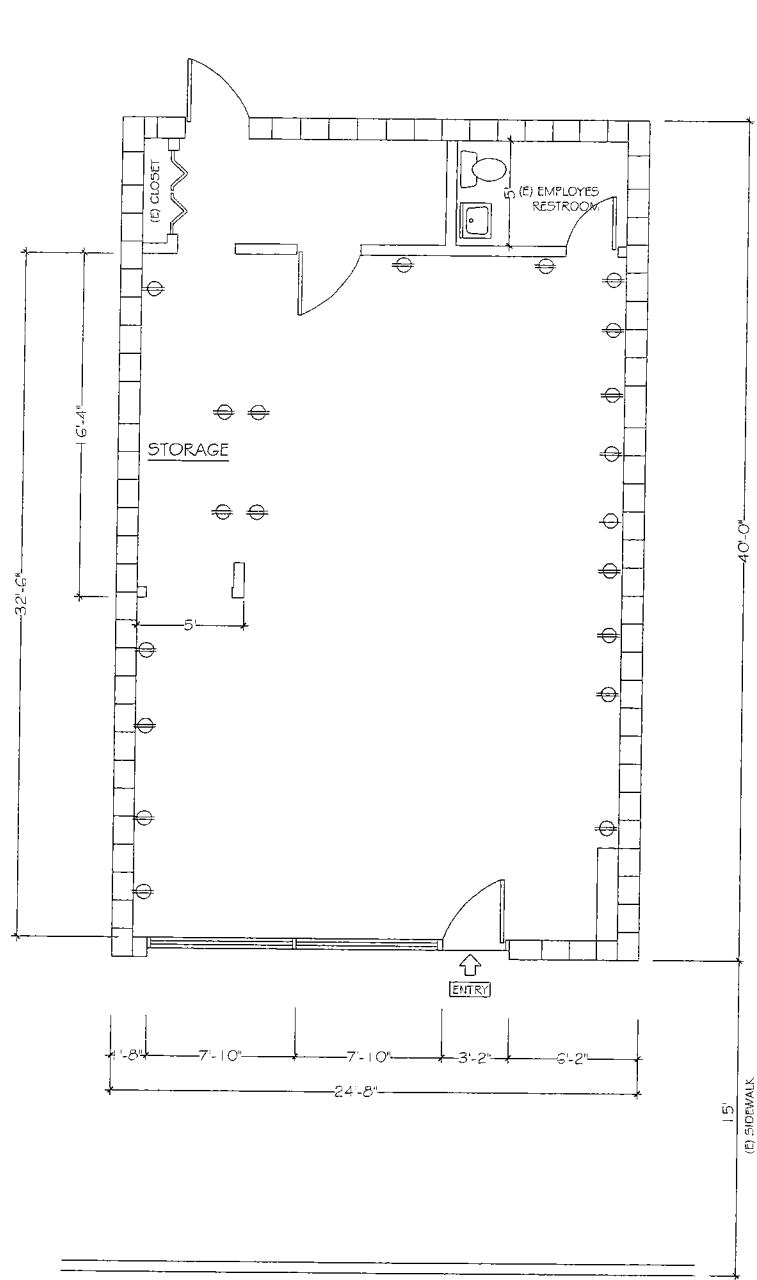
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**PROJECT:**  
**HOT PRESS DELI**  
 2966 MISSION STREET  
 SAN FRANCISCO, CALIFORNIA.

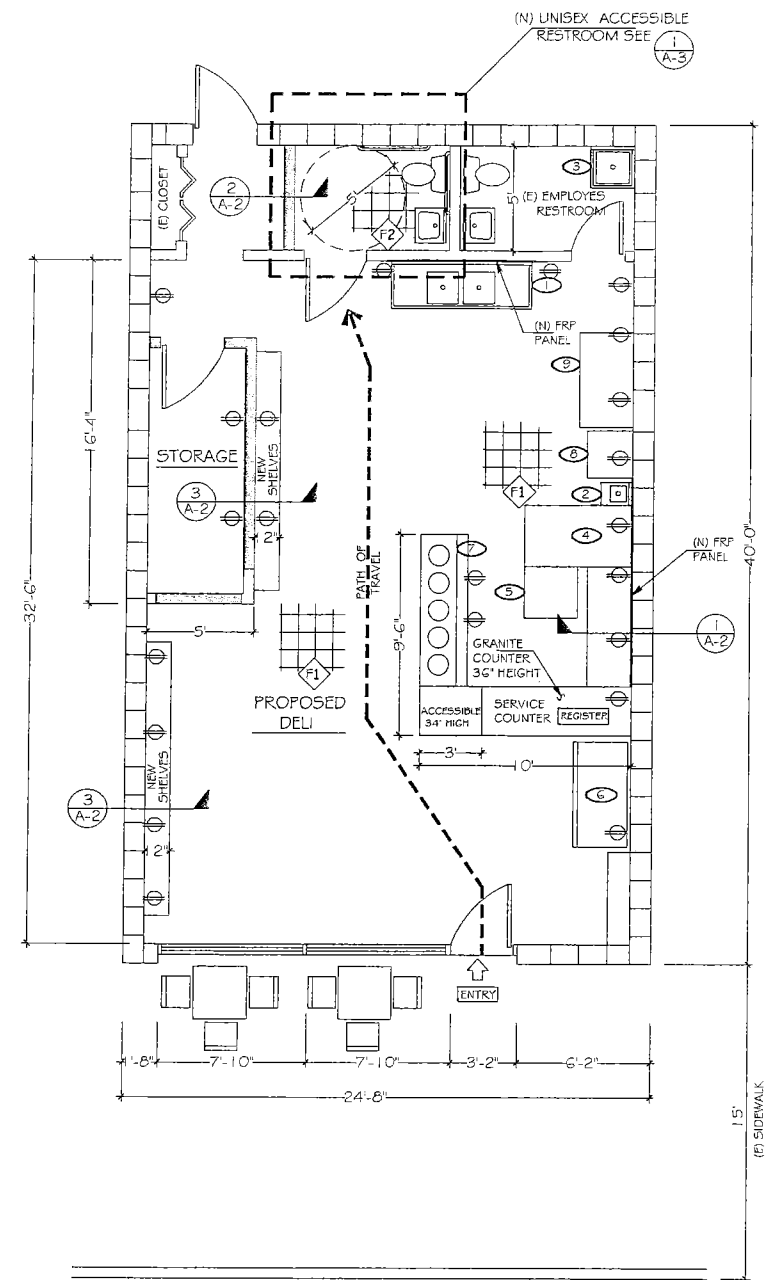
**SHEET TITLE:** EXISTING & PROPOSED FLOOR PLAN & DETAILS  
**SCOPE OF WORK:** TENANT IMPROVEMENTS

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| Date    | MAR-01-2011 |
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| of      | Sheets      |

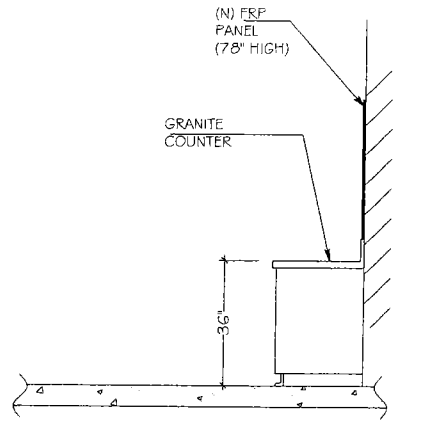
| EQUIPMENT LIST |                            |                  |                        |
|----------------|----------------------------|------------------|------------------------|
| No.            | FIXTURE                    | SIZE             | REMARKS                |
| 1              | TWO COMP. SINK             | 81"x27"          |                        |
| 2              | HAND SINK w/ FAUCET        | 15"x17"          | STAINLESS STEEL        |
| 3              | MOP SINK                   | 24"x24"          |                        |
| 4              | SANDWICH PREP. TABLE       | 60 3/8"x35 1/8"  | STAINLESS STEEL        |
| 5              | STEAM TABLE                | 30 3/8"x29 7/16" |                        |
| 6              | REACH IN DOOR REFRIGERATOR |                  |                        |
| 7              | ICE CREAM FREEZER          | 66 5/8"x27 3/8"  | CAPACITY: 27.9 CU. FT. |
| 8              | REACH IN FREEZER DOOR      | 27"x24 1/2"      |                        |
| 9              | REACH IN DOOR REFRIGERATOR | 29 1/2"x 54"     |                        |
|                |                            |                  |                        |
|                |                            |                  |                        |
|                |                            |                  |                        |
|                |                            |                  |                        |



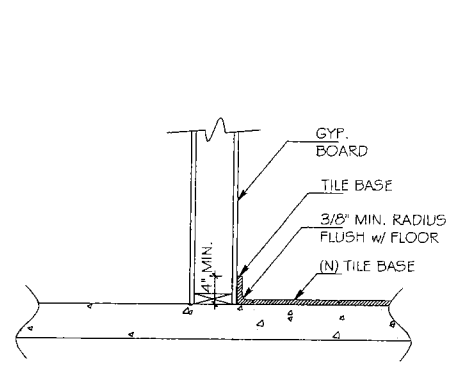
EXISTING FLOOR PLAN  
 Scale: 1/4" = 1'-0"



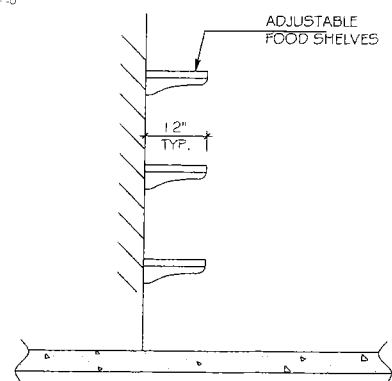
PROPOSED FLOOR PLAN  
 Scale: 1/4" = 1'-0"



SECTION THROUGH COUNTER  
 Scale: 1/2" = 1'-0"



QUARRY TILE COVE BASE  
 Scale: 1/2" = 1'-0"



SHELVES SECTION  
 Scale: 1/2" = 1'-0"

**LEGEND:**

|  |             |
|--|-------------|
|  | EXISTG WALL |
|  | NEW WALL    |
|  | DEMOLITION  |

- FLOOR FINISHES:**
- LINOLEUM FLOORING
  - TILE FLOORING



HANDICAPPED BATHROOM

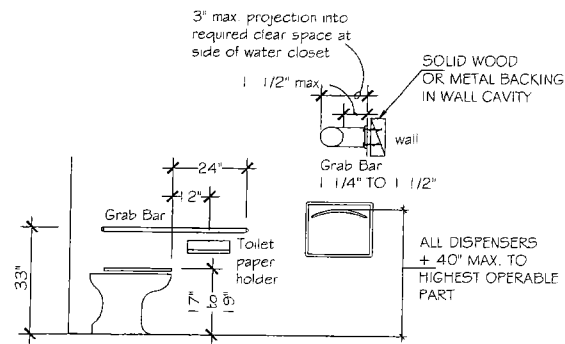
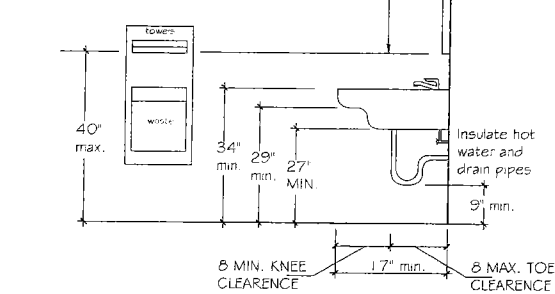
SANITARY FACILITIES

- ALL DOORWAYS LEADING TO SANITARY FACILITIES SHALL HAVE 32" CLEAR UNOBSTRUCTED OPENINGS.
- PROVIDE RESTROOM DOOR SIGNAGE.
- PROVIDE A CLEAR SPACE 60" IN DIAMETER OR 56"x63" WITHIN THE TOILET ROOM, DOORS OTHER THAN HANDICAPPED TOILET STALL DOORS WAY ENDOACH 12" INTO THIS SPACE.
- WATER CLOSET COMPARTMENT SHALL BE:
  - MINIMUM 28" WIDE CLEAR SPACE FROM A FIXTURE TO SIDE OF TOILET.
  - MINIMUM 32" WIDE CLEAR SPACE FROM A WALL TO SIDE OF TOILET.
  - MINIMUM 48" LONG CLEAR SPACE IN FRONT OF TOILET WHEN COMPARTMENT HAS END OPENING DOOR.
  - MINIMUM 60" LONG CLEAR SPACE IN FRONT OF TOILET WHEN COMPARTMENT HAS DOOR AT SIDE.
  - SELF CLOSING, (32") (34") CLEAR WIDTH WATER CLOSET COMPARTMENT DOORS.
- FOR SINGLE ACCOMMODATION TOILET FACILITIES PROVIDE:
  - 28" WIDE CLEAR SPACE FROM A FIXTURE.
  - 32" WIDE CLEAR SPACE FROM A WALL AT ONE SIDE OF THE TOILET.
  - 48" SPACE IN FRONT OF THE TOILET.
  - 30"x 48" LONG SPACE IN FRONT OF TOILET AND WITHIN THE TOILET ROOM THAT ALLOWS THE DOOR TO CLOSE.
- GRAB BARS SHALL BE:
  - LOCATED ON SIDE OR ONE SIDE AND ONE BACK OF WATER CLOSET.
  - 1-1/2" TO 1-1/4" CROSS SECTION MOUNTED 33" ABOVE THE FLOOR.
  - AT THE SIDE AT LEAST 42" LONG AND POSITIONED SO THAT THEY EXTEND 24" BEYOND THE FRONT OF THE TOILET.
  - AT BACK 36" LONG.
  - NON-ROTATING HAVING 1/8" MINIMUM EDGE RADIUS.
  - NOT PROJECTING MORE THAN 3" INTO REQUIRED CLEAR SPACES.

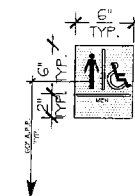
TOILET ROOM FIXTURES AND ACCESSORIES

- WATER CLOSET SHALL BE 17" MINIMUM HEIGHT, MAXIMUM 19" TO TOP OF SEAT, OSCILLATING FLUSH CONTROL HANDLE OPERATING AT 3" LBS FORCE AND WITHOUT EXCESSIVE BODY MOVEMENT.
- WHERE URINALS ARE PROVIDED, AT LEAST ONE SHALL HAVE A CLEAR SPACE 30" WIDE x 48" LONG IN FRONT OF THE URINAL.
- PROVIDE AT LEAST ONE LAVATORY WITH 30" x 48" CLEAR SPACE IN FRONT OF LAVATORY.

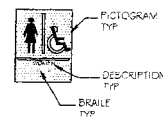
The bottom of all mirrors and at least one towel dispenser, sanitary napkin dispenser, waste receptacle and similar dispensing and disposal fixtures shall be mounted with all operable parts within 40 inches of the floor.



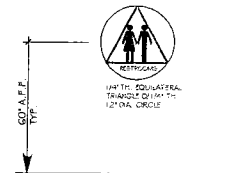
3 ACCESSIBLE RESTROOM NOTES & SECTIONS N.T.S.



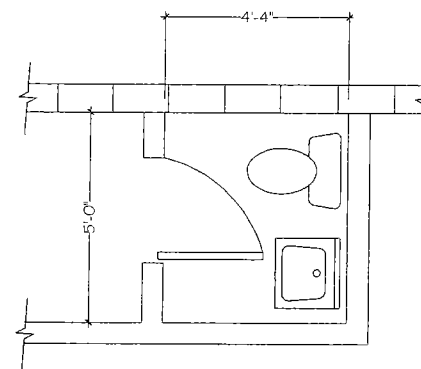
3A



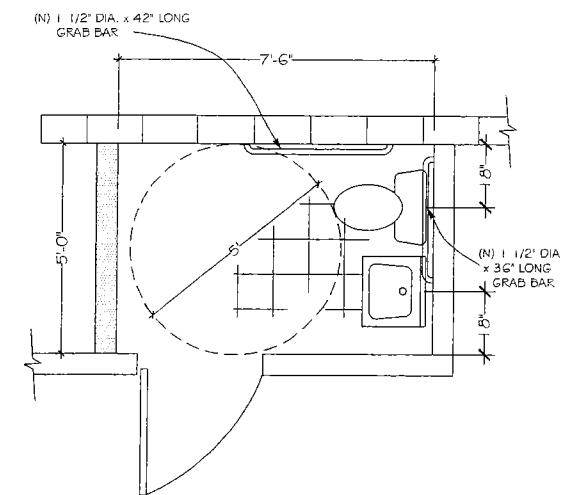
NOTES:  
 1. SIGNS SHALL BE MOUNTED ON THE DOORS CENTERED 50" ABOVE THE FLOOR & SHALL BE DISTINCTLY DIFFERENT FROM THE DOOR IN COLOR & CONTRAST.  
 2. TEXT SHALL BE OF 1/2" RAISED LETTERS & ACCOMPANIED BY GRADE 2 BRAILLE.



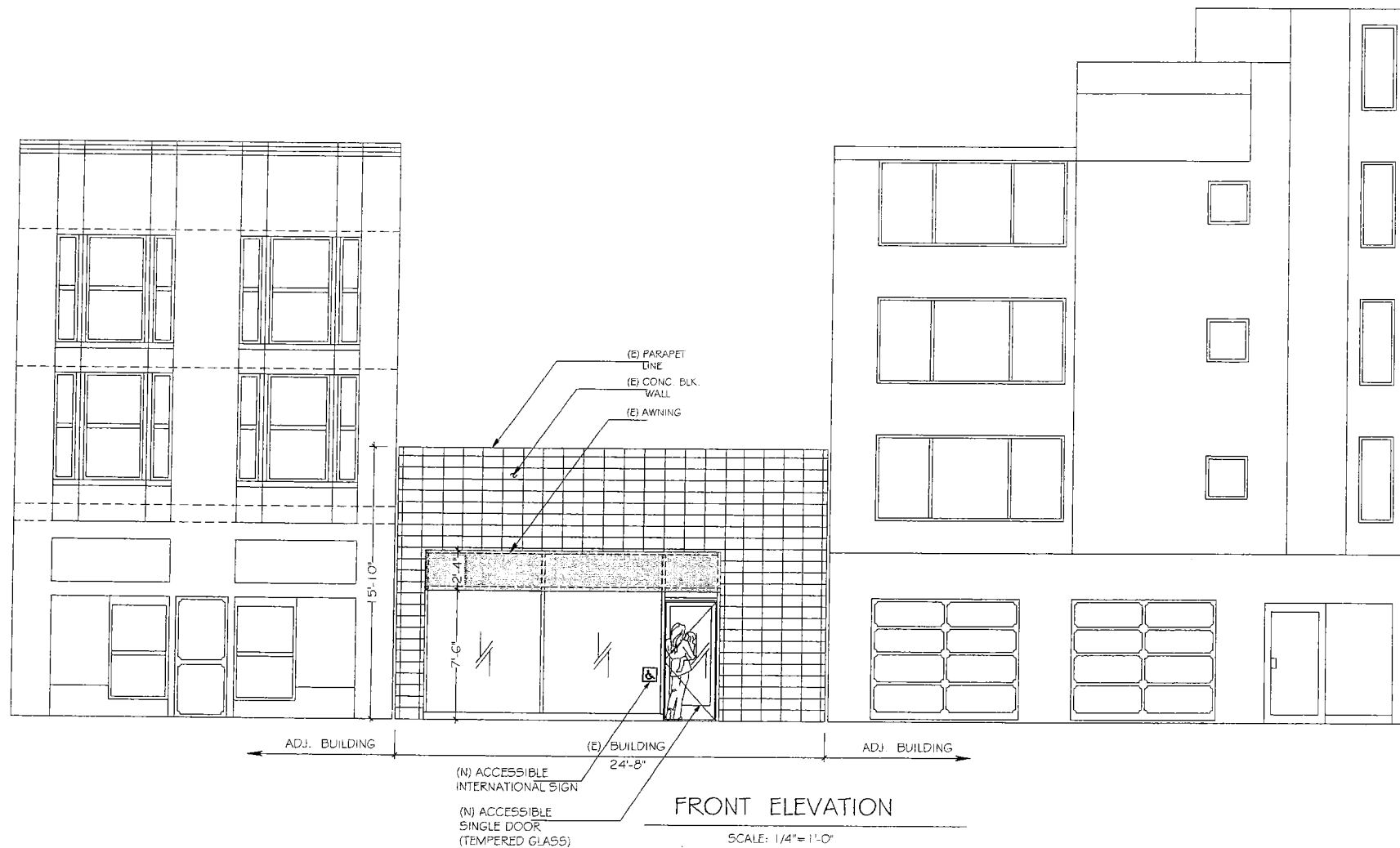
3B



2 EXISTING RESTROOM SCALE: 1/2" = 1'-0"



1 PROPOSED ACCESSIBLE RESTROOM SCALE: 1/2" = 1'-0"



FRONT ELEVATION

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|           |    |

**PROJECT:**  
 HOT PRESS DELI  
 2966 MISSION STREET  
 SAN FRANCISCO, CALIFORNIA.

**SHEET TITLE:**  
 ELEVATION & RESTROOM DETAILS  
**SCOPE OF WORK:** TENANT IMPROVEMENTS

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| Date:    | MAR-01-2011 |
| Scale:   | AS SHOWN    |
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| of:      | 5 sheets    |