



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: OCTOBER 20, 2011
CONSENT CALENDAR

Date: October 13, 2011
Case No.: 2011.0701C
Project Address: 545 IRVING STREET
Zoning: Inner Sunset Neighborhood Commercial District (NCD)
40-X Height and Bulk District
Block/Lot: 1761/041
Project Sponsors: John Nettesheim (applicant) Marsha Garland (agent)
2027 - 17th Avenue 535 Green Street
San Francisco, CA 94116 San Francisco, CA 94133
Denis Francis and Phillip McCarthy (property owners)
Sunset Cross, LLC
2118 - 26th Avenue
San Francisco, CA 94116
Staff Contact: Sharon M. Young – (415) 558-6346
sharon.m.young@sfgov.org
Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The proposal is for Conditional Use authorization pursuant to Planning Code Sections 178(e)(2) and 303 to modify the conditions of a prior Conditional Use authorization under Case No. 2009.1048C (Motion No. 18014) to extend the hours of operation of an existing wine bar (d.b.a. InnerFog) in the Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District.

Currently, the permitted hours of operation of the wine bar, as approved under Motion No. 18014, are 11 a.m. to midnight Sunday through Thursday, and 11 a.m. to 1 a.m. on Friday and Saturday. The proposal is to extend the permitted hours of operation of the wine bar from 10 a.m. to 2 a.m., seven days a week. The existing wine bar with approximately 900 square feet of floor area consists of a bar and seating areas for approximately 49 persons, office/storeroom area, and restrooms. The proposal will not involve any tenant improvements to the existing ground floor commercial space. There will be no expansion of the existing building envelope.

SITE DESCRIPTION AND PRESENT USE

The Project Site at 545 Irving Street is on the southeast corner of Irving Street and 7th Avenue; Assessor's Block 1761; Lot 041. It is located within the Inner Sunset Neighborhood Commercial Zoning District and a 40-X Height and Bulk District. The subject lot is 7,125 square-feet (95 feet wide by 75 feet deep) in size and is occupied by a four-story commercial and residential building. Currently, the wine bar occupies one of three ground floor commercial tenant spaces. There are eight residential units on the 2nd through 4th floor levels of the building.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The Project Site is located within the Inner Sunset Neighborhood. The surrounding development consists of a variety of commercial, residential, and mixed-use buildings. The scale of development in the area consists primarily of one- to four-story structures. The shopping area within the neighborhood contains a variety of small-scale convenience businesses which primarily include a mix of cafés, restaurants, specialty stores, variety merchandise stores, financial institutions, and personal service establishments. Some of the existing commercial establishments on the subject and opposite blocks include The Yellow Submarine, Hahn’s Hibachi, Baan Thai House & Wine Bar, Loving Hut Vegan Cuisine, Surreal You, La Avenida, and Lavash Persian Cuisine. On 6th and 7th Avenues running north and south of the project site, there are one- to two-family dwellings, a few multi-family dwellings, and Newcomer High School located within the RH-1 (Residential House, One-Family) and RH-1 (Residential House, Two-Family) Zoning Districts.

ENVIRONMENTAL REVIEW

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

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	September 30, 2011	September 28, 2011	22 days
Posted Notice	20 days	September 30, 2011	September 30, 2011	20 days
Mailed Notice	20 days	September 30, 2011	September 29, 2011	21 days

PUBLIC COMMENT

- As of October 12, 2011, the Department has not received any letters or phone calls in opposition to the project. The project sponsor has submitted four letters to the Planning Department and intends to submit a petition at the Planning Commission hearing with approximately 600 signatures in support of the proposed project.

REQUIRED COMMISSION ACTION

The proposal is for **Conditional Use** authorization pursuant to Planning Code Sections 178(e)(2) and 303 to modify the conditions of a prior Conditional Use authorization under Case No. 2009.1048C (Motion No. 18014) to extend the hours of operation of an existing wine bar (d.b.a. InnerFog) in the Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District. Currently, the permitted hours of operation of the wine bar, as approved under Motion No. 18014, are 11 a.m. to midnight Sunday through Thursday, and 11 a.m. to 1 a.m. on Friday and Saturday. The proposal is to extend the permitted hours of operation of the wine bar from 10 a.m. to 2 a.m., seven days a week.

ISSUES AND CONSIDERATIONS

- According to the project sponsor, Inner Fog operates as a wine bar specializing in serving small production wines from around the world. The wine bar is independently owned and is not considered a formula retail use under Section 703.3 of the Planning Code.

- The current hours of operation of the wine bar are 4 p.m. to 10 p.m. Monday, 4 p.m. to 11 p.m. Tuesday through Thursday, 4 p.m. to midnight Friday and Saturday, and 3 p.m. to 10 p.m. Sunday. The project sponsor had limited the wine bar's closing hours of operation to midnight to comply with the permitted hours of operation approved by the Department of Alcohol Beverage Control under its liquor license (ABC License Type 42). According to the project sponsor, extending the permitted hours of operation for serving alcohol under its liquor license is contingent upon receiving Conditional Use approval for extending the permitted hours of operation of the wine bar to 2 a.m.

BASIS FOR RECOMMENDATION

- The proposed project will promote the continued operation of an established, locally-owned business and contribute to the viability of the overall Inner Sunset NCD. The proposed project will continue to provide job opportunities to the City by employing four people. The proposed project meets all applicable requirements of the Planning Code.
- The proposed project will not result in a net change in the number of eating and drinking establishments within the Inner Sunset NCD or displace an existing retail tenant providing convenience goods and services to the neighborhood, and
- The Department believes that this project is necessary and/or desirable for the following reasons:
 - a) The proposed project will enhance the economic diversity of the neighborhood encouraging an existing business to remain in the area.
 - b) The proposed project is a neighborhood-serving use which residents can access by walking or taking public transit.
 - c) The proposed project will be consistent with the mixed commercial-residential character of this portion of the Inner Sunset NCD.

RECOMMENDATION: Approval with Conditions
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- Attachments:**
Zoning District Map
Parcel Map
Sanborn Map
Aerial Photographs
Site and Context Photographs
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 checked="" type="checkbox"/> Project sponsor's support letters |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Motion No. 18014 (Conditional Use Case No. 2009.1048C) |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Site Photos | <input type="checkbox"/> |

SMY

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

Planner's Initials

SMY: C:\545 Irving Sreet summary-smy.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Inclusionary Housing (Sec. 315)
- Jobs Housing Linkage Program (Sec. 313)
- Downtown Park Fee (Sec. 139)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 314)
- Other

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Planning Commission Motion No. XXXXX

HEARING DATE: OCTOBER 20, 2011

Date: October 13, 2011
Case No.: 2011.0701C
Project Address: 545 IRVING STREET (FORMERLY 555 IRVING STREET 'RETAIL #1')
Zoning: Inner Sunset Neighborhood Commercial District (NCD)
 40-X Height and Bulk District
Block/Lot: 1761/041
Project Sponsors: John Nettesheim (applicant) Marsha Garland (agent)
 2027 - 17th Avenue 535 Green Street
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Staff Contact: Sharon M. Young – (415) 558-6346
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Recommendation: **Approval with Conditions**

ADOPTING FINDINGS RELATED TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION UNDER PLANNING CODE SECTIONS 178(e)(2) AND 303 TO MODIFY THE CONDITIONS OF A PRIOR CONDITIONAL USE AUTHORIZATION UNDER CASE NO. 2009.1048C (MOTION NO. 18014) TO EXTEND THE HOURS OF OPERATION OF AN EXISTING WINE BAR (D.B.A. INNERFOG) LOCATED AT 545 IRVING STREET IN THE INNER SUNSET NEIGHBORHOOD COMMERCIAL DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On July 5, 2011, Marsha Garland, acting agent on behalf of John Nettesheim (hereinafter "Project Sponsors") made an application for Conditional Use authorization for the property at **545 Irving Street, Lot 041 in Assessor's Block 1761** (hereinafter "Subject Property"), pursuant to Planning Code Sections 178(e)(2) and 303 to modify the conditions of a prior conditional use authorization under Case No. (Motion No. 18014) to extend the hours of operation of an existing wine bar (d.b.a. InnerFog) in the Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District, in general conformity with plans dated November 12, 2009, and labeled "Exhibit B" (hereinafter "Project").

On **October 20, 2011**, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on **Conditional Use Application No. 2011.0701C**. Currently, the permitted hours of operation of the wine bar under Motion No. 18014 are 11 a.m. to midnight Sunday through Thursday, and 11 a.m. to 1 a.m. on Friday and Saturday. The proposal is to extend the permitted hours of operation of the wine bar from 10 a.m. to 2 a.m., seven days a week.

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. 2011.0701C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the recitals 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 at 545 Irving Street is on the southeast corner of Irving Street and 7th Avenue; Assessor's Block 1761; Lot 041. It is located within the Inner Sunset Neighborhood Commercial Zoning District and a 40-X Height and Bulk District. The subject lot is 7,125 square-feet (95 feet wide by 75 feet deep) in size and is occupied by a four-story commercial and residential building. Currently, the wine bar occupies one of three ground floor commercial tenant spaces. There are eight residential units on the 2nd through 4th floor levels of the building.
3. **Surrounding Properties and Neighborhood.** The Project Site is located within the Inner Sunset Neighborhood. The surrounding development consists of a variety of commercial, residential, and mixed-use buildings. The scale of development in the area consists primarily of one- to four-story structures. The shopping area within the neighborhood contains a variety of small-scale convenience businesses which primarily include a mix of cafés, restaurants, specialty stores, variety merchandise stores, financial institutions, and personal service establishments. Some of the existing commercial establishments on the subject and opposite blocks include The Yellow Submarine, Hahn's Hibachi, Baan Thai House & Wine Bar, Loving Hut Vegan Cuisine, Surreal You, La Avenida, and Lavash Persian Cuisine. On 6th and 7th Avenues running north and south of the project site, there are one- to two-family dwellings, a few multi-family dwellings, and Newcomer High School located within the RH-1 (Residential House, One-Family) and RH-1 (Residential House, Two-Family) Zoning Districts.

4. **Project Description.** The proposal is for Conditional Use authorization pursuant to Planning Code Sections 178(e)(2) and 303 to modify the conditions of a prior Conditional Use authorization under Case No. 2009.1048C (Motion No. 18014) to extend the hours of operation of an existing wine bar (d.b.a. InnerFog) in the Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District.

Currently, the permitted hours of operation of the wine bar, as approved under Motion No. 18014, are 11 a.m. to midnight Sunday through Thursday, and 11 a.m. to 1 a.m. on Friday and Saturday. The proposal is to extend the permitted hours of operation of the wine bar from 10 a.m. to 2 a.m., seven days a week. The existing wine bar with approximately 900 square feet of floor area consists of a bar and seating areas for approximately 49 persons, office/storeroom area, and restrooms. The proposal will not involve any tenant improvements to the existing ground floor commercial space. There will be no expansion of the existing building envelope.

5. **Issues and Other Considerations.**

- According to the project sponsor, Inner Fog operates as a wine bar specializing in serving small production wines from around the world. The wine bar is independently owned and is not considered a formula retail use under Section 703.3 of the Planning Code.
- The current hours of operation of the wine bar are 4 p.m. to 10 p.m. Monday, 4 p.m. to 11 p.m. Tuesday through Thursday, 4 p.m. to midnight Friday and Saturday, and 3 p.m. to 10 p.m. Sunday. The project sponsor had limited the wine bar's closing hours of operation up to midnight to comply with the permitted hours of operation approved by the Department of Alcohol Beverage Control under its liquor license (ABC License Type 42). According to the project sponsor, extending the permitted hours of operation for serving alcohol under its liquor license is contingent upon receiving Conditional Use approval for extending the permitted hours of operation of the wine bar to 2 a.m.

6. **Public Comment.** As of October 12, 2011, the Department has not received any letters or phone calls in opposition to the project. The project sponsor has submitted four letters to the Planning Department and intends to submit a petition at the Planning Commission hearing with approximately 600 signatures in support of the proposed project.
7. **Use District.** The project site is within the Inner Sunset Neighborhood Commercial District (NCD). The Inner Sunset NCD is located in the Inner Sunset neighborhood, consisting of the NC-2 district bounded by Lincoln Way on the north, Fifth Avenue on the east, Kirkham Street on the south, and Nineteenth Avenue on the west. The shopping area provides convenience goods and services to local Inner Sunset residents, as well as comparison shopping goods and services to a larger market area. The commercial district is also frequented by users of Golden Gate Park on weekends and by City residents for its eating, drinking, and entertainment places. Numerous housing units establish the district's mixed residential-commercial character.
8. **Planning Code Compliance:** The Commission finds that the project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Bar Use in the Inner Sunset NCD.** Planning Code Section 730.41 allows a bar use on the 1st (ground) floor in the Inner Sunset Neighborhood Commercial Zoning District with Conditional Use authorization, as defined by Planning Code Section 790.22.

On January 21, 2010, the Planning Commission authorized Conditional Use under Motion No. 18014 (Case No. 2009.1048C) for the establishment of the existing wine bar on the 1st (ground) floor.

A bar is defined under Planning Code Section 790.22 as a retail use which provides on-site alcoholic beverage sales for drinking on the premises, including bars serving beer, wine and/or liquor to the customer where no person under 21 years of age is admitted (with Alcohol Beverage Control [ABC] licenses 42, 48, or 61) and drinking establishments serving liquor (with ABC licenses 47 or 49) in conjunction with other uses which admit minors, such as restaurants, movie theaters, and other entertainment.

- B. **Modification of Prior Conditional Use Authorization & Hours of Operation.** Planning Code Section 178(e)(2) allows a permitted use to be changed to another use upon approval of a new conditional use application. Within the Inner Sunset NCD, Planning Code Section 730.27 allows hours of operation from 6 a.m. until 2 a.m. as of right and requires Conditional Use authorization to operate between the hours of 2 a.m. and 6 a.m.

Under Motion No. 18014 (Case No. 2009.1048C), the wine bar was granted Conditional Use authorization to operation between the hours of 11 a.m. to midnight Sunday through Thursday, and 11 a.m. to 1 a.m. on Friday and Saturday. The current proposal is to modify the conditions of the prior Conditional Use authorization to extend the permitted hours of operation of the wine bar from 10 a.m. to 2 a.m., seven days a week.

- C. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 requires that NC Districts containing specific uses, including retail stores, 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 20 feet of frontage on Irving Street with glass frontage devoted to either the entrance or window space.

- D. **Off-Street Parking and Loading.** Section 151 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 loading space for retail stores between 10,001 and 60,000 gross square feet.

The subject commercial tenant space, with approximately 900 square feet in floor area, does not require any off-street or loading parking spaces.

E. **Signage.** Any existing and proposed signage will be subject to the review and approval of the Planning Department and must comply with Article 6 of the Planning Code.

9. **Section 303(c)** 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:

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

The proposed project is to modify the conditions of approval from a prior Conditional Use authorization approved under Motion No. 18014 (Case No. 2009.1048C) to extend the permitted hours of operation of the wine bar from 10 a.m. to 2 a.m., seven days a week. The proposal will not involve any tenant improvements to the existing ground floor commercial space.

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

- (A) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The size and shape of the site and the arrangement of the structures on the site are adequate for the proposed project. There will be no physical expansion of the existing building.

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

Existing traffic patterns will not be significantly affected by the proposed project. Public transit that is in close proximity to the proposed wine bar includes Muni Line N-Judah within walking distance of the project site. There is on-street parking in front of the subject property and in the surrounding neighborhood.

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

No noxious or offensive emissions such as glare, dust, or odor are expected to be produced by the proposed project.

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

The proposed project does not propose any exterior alterations to the building. There will be no addition of parking spaces, loading facilities, open space or service areas. All project signage and projections will be consistent with the controls of the Planning Code.

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

The proposed 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.

- ii. 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 Inner Sunset NCD in that the intended use is a neighborhood-serving business.

10. **General Plan Compliance.** The project is consistent with the Objectives and Policies of the General Plan in that:

COMMERCE AND INDUSTRY ELEMENT

GENERAL/CITYWIDE

OBJECTIVE 1:

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

Policy 1:

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

The existing wine bar continues to be compatible and complimentary with the types of uses characterizing this portion of the Inner Sunset NCD, which include a mixture of cafés, restaurants, specialty stores, variety merchandise stores, financial institutions, and personal service establishments.

Policy 3:

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of affordable housing and the needed expansion of commercial activity.

Approval of the proposed project would be consistent with the mixed commercial-residential character of the Inner Sunset NCD. The proposed project would not adversely affect any affordable housing resources in the neighborhood.

OBJECTIVE 3:

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 1:

Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

The proposed project will continue to provide enhanced opportunities for employment by employing four people.

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 6:

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

Policy 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 existing commercial tenant will be displaced. The proposed project will not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood since the proposal is modify the permitted hours of operation of an existing wine bar.

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

Policy 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. This is not a Formula Retail Use.

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.

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 current proposal to modify the conditions of the prior Conditional Use authorization to extend the permitted hours of operation of the existing wine bar will not result in a net change in the number of existing eating and drinking establishments within the Inner Sunset NCD.

Policy 4:

Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

The proposed project will continue to provide a bar use which is accessible to all residents in this portion of the Inner Sunset NCD.

Policy 9:

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

The proposed project would not adversely impact public transit or place a burden on the existing supply of parking in the neighborhood. Many patrons would be able to walk from their residences or places of employment, and the project is well served by public transportation. There is on-street parking in front of the subject property and in the surrounding neighborhood.

URBAN DESIGN ELEMENT

CITY PATTERN

Objectives and Policies

OBJECTIVE 1:

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

Policy 3:

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

The project's design would preserve the existing neighborhood character since the proposal does not include any facade and exterior changes.

NEIGHBORHOOD ENVIRONMENT

Objectives and Policies

OBJECTIVE 4:

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 15:

Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

The proposed project would improve the neighborhood environment by increasing safety during the daytime through the continued occupancy of the ground floor commercial tenant space.

11. **Section 101.1(b)** establishes eight priority planning policies and requires the review of permits that authorize changes of use for consistency with said policies:

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

The proposed project will preserve and enhance the existing neighborhood-serving retail uses by continuing to occupy a commercial space. The proposed project will not significantly alter the existing diverse mix of commercial establishments within the immediate neighborhood. The proposed project will continue to provide job opportunities to the City by employing approximately four people.

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

The proposed project will preserve and enhance the cultural and economic diversity of the neighborhood by helping to retain an existing business in the area. Existing housing will not be significantly affected by the proposed project.

- (3) That the City's supply of affordable housing be preserved and enhanced.

The proposed project will not displace any affordable housing.

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

The proposed project will not significantly increase the automobile traffic congestion and parking problems in the neighborhood. The proposal is a neighborhood-serving use which residents can access by walking or taking public transit.

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

There is no commercial office development associated with the proposed project and there will be no displacement of any existing industrial or service businesses in the area.

- (6) That the City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The proposed project will comply with all applicable earthquake safety standards and built to the current standards of the California Building Code.

- (7) That landmark and historic buildings be preserved.

The proposed project will not significantly affect any landmarks or historic buildings.

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

The proposed project will not affect any city-owned park or open space.

12. The project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

13. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2011.0701C** subject to the following conditions attached hereto as "EXHIBIT A" 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 October 20, 2011.

Linda Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use to modify the conditions of a prior Conditional Use authorization, approved under Case No. 2009.1048C (Motion No. 18014) to extend the hours of operation of an existing wine bar (d.b.a. InnerFog) on the 1st (ground) floor of a four-story commercial and residential building located at 545 Irving Street (formerly 555 Irving Street 'Retail #1') in Assessor's Block 1761, Lot 041, pursuant to Planning Code Sections 178(e)(2) and 303 within the Inner Sunset Neighborhood Commercial District and a 40-X Height and Bulk District; in general conformance with plans, dated November 12, 2009, and stamped "EXHIBIT B" included in the docket for Case No. 2011.0701C and subject to conditions of approval reviewed and approved by the Commission on October 20, 2011, under Motion No. XXXXX. This authorization and the conditions contained herein run with the property and not with a particular project sponsor, business, or operator. Currently, the permitted hours of operation of the wine bar, as approved under Motion No. 18014, are 11 a.m. to midnight Sunday through Thursday, and 11 a.m. to 1 a.m. on Friday and Saturday. The proposal is to extend the permitted hours of operation of the wine bar from 10 a.m. to 2 a.m., seven days a week.

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 October 20, 2011 under Motion No. XXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXX shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the project. Once a site or building permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. The Commission may also consider revoking the approvals if a permit for the project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

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

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

DESIGN – COMPLIANCE AT PLAN STAGE

3. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

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

4. **Signage.** All existing and proposed exterior signage shall be designed to compliment, not compete with, the existing architectural character and architectural features of the building and shall be consistent with the controls of Article 6 of the Planning Code. Project signage shall be reviewed and approved by the Planning Department. A Building Permit from the Department of Building Inspection must be obtained for all exterior proposed project signage.

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

MONITORING - AFTER ENTITLEMENT

5. **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

6. **Monitoring.** The project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.

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

7. **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

8. **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>

9. **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>

10. **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

11. **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 and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

12. **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

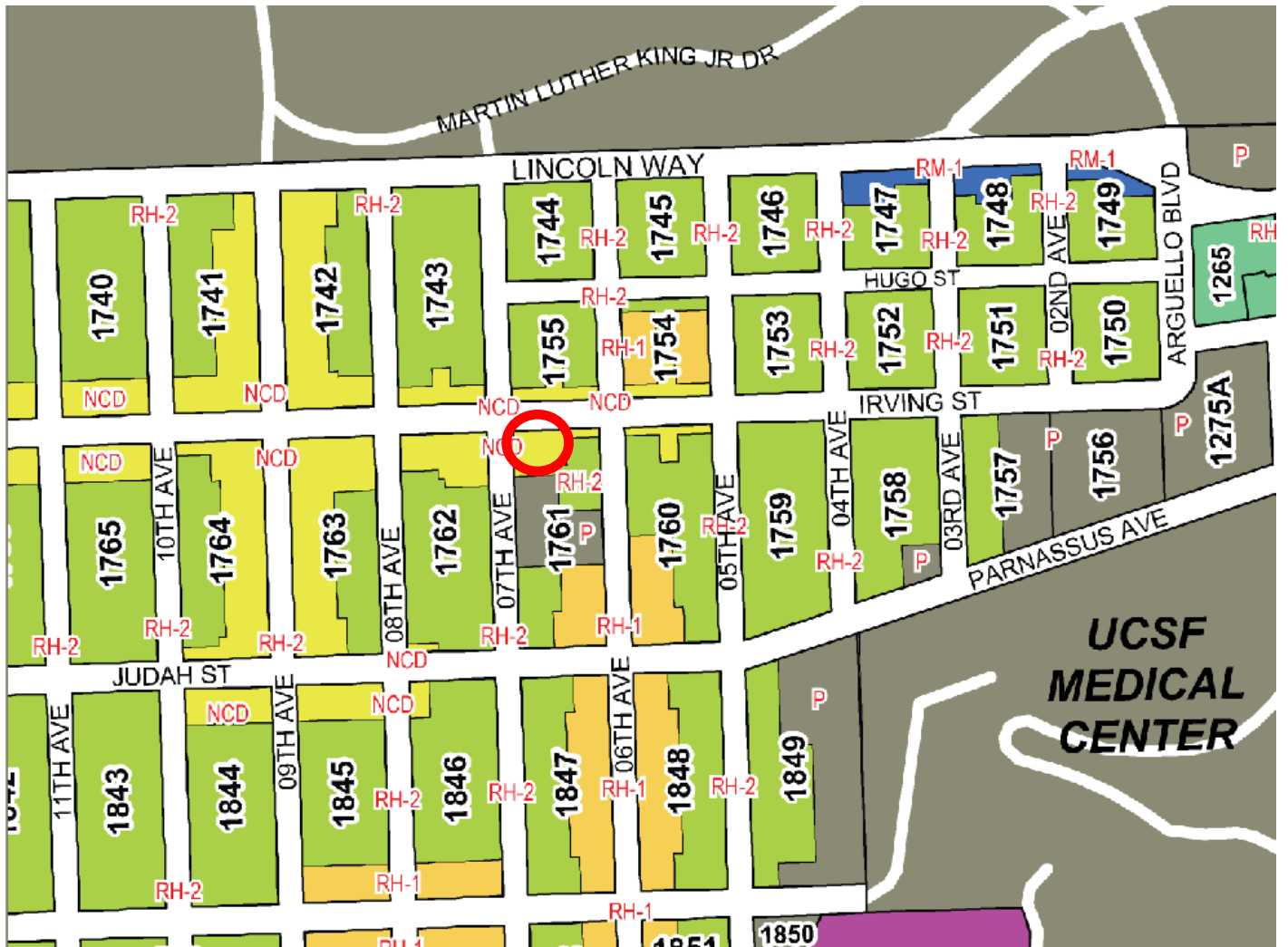
13. **Lighting.** All project lighting shall be directed onto the project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

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

14. **'Bar Use' - Hours of Operation.** Under the subject Conditional Use authorization, the permitted hours of operation of the wine bar is 10 a.m. to 2 a.m., seven days a week.

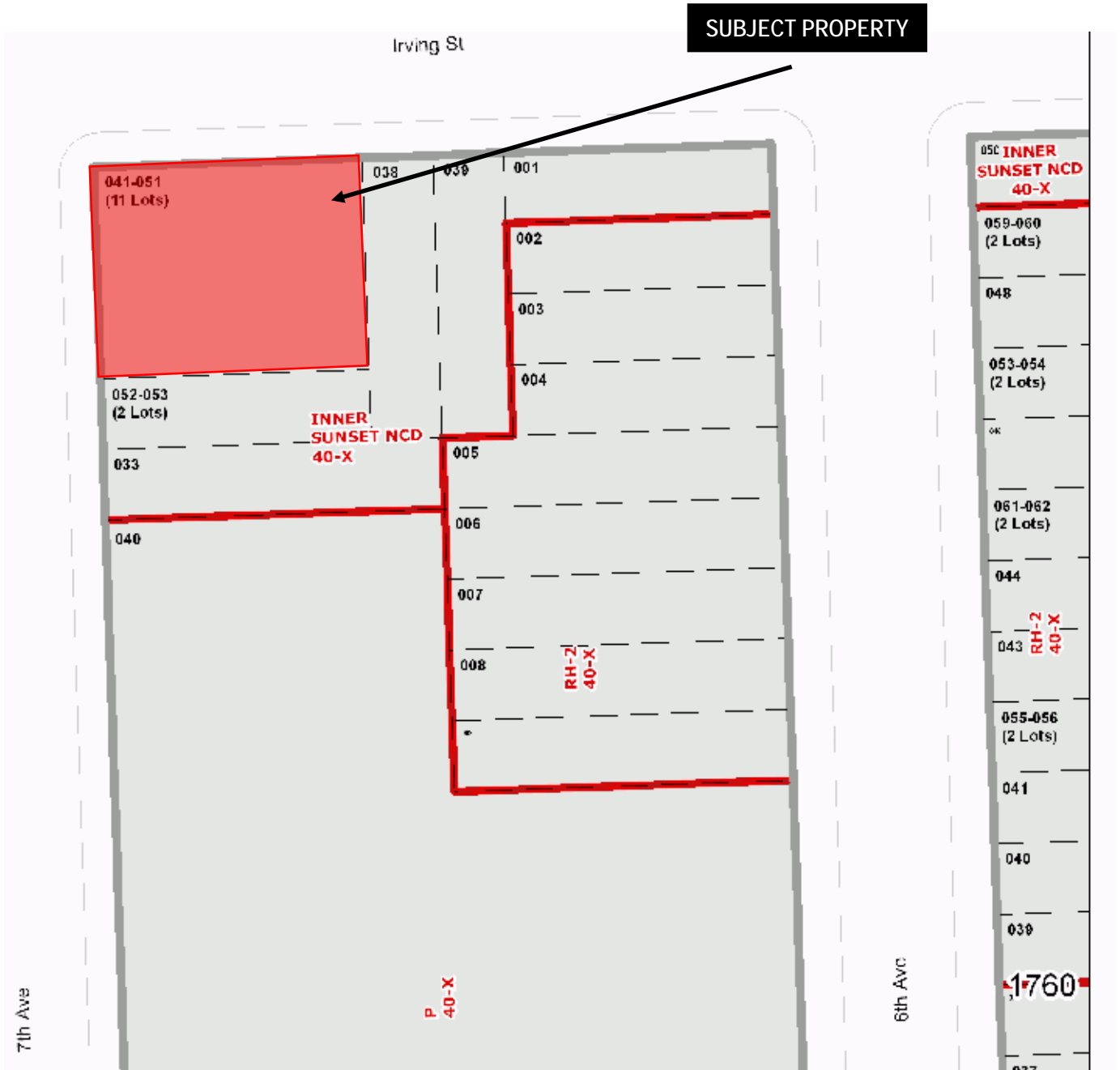
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Zoning Map

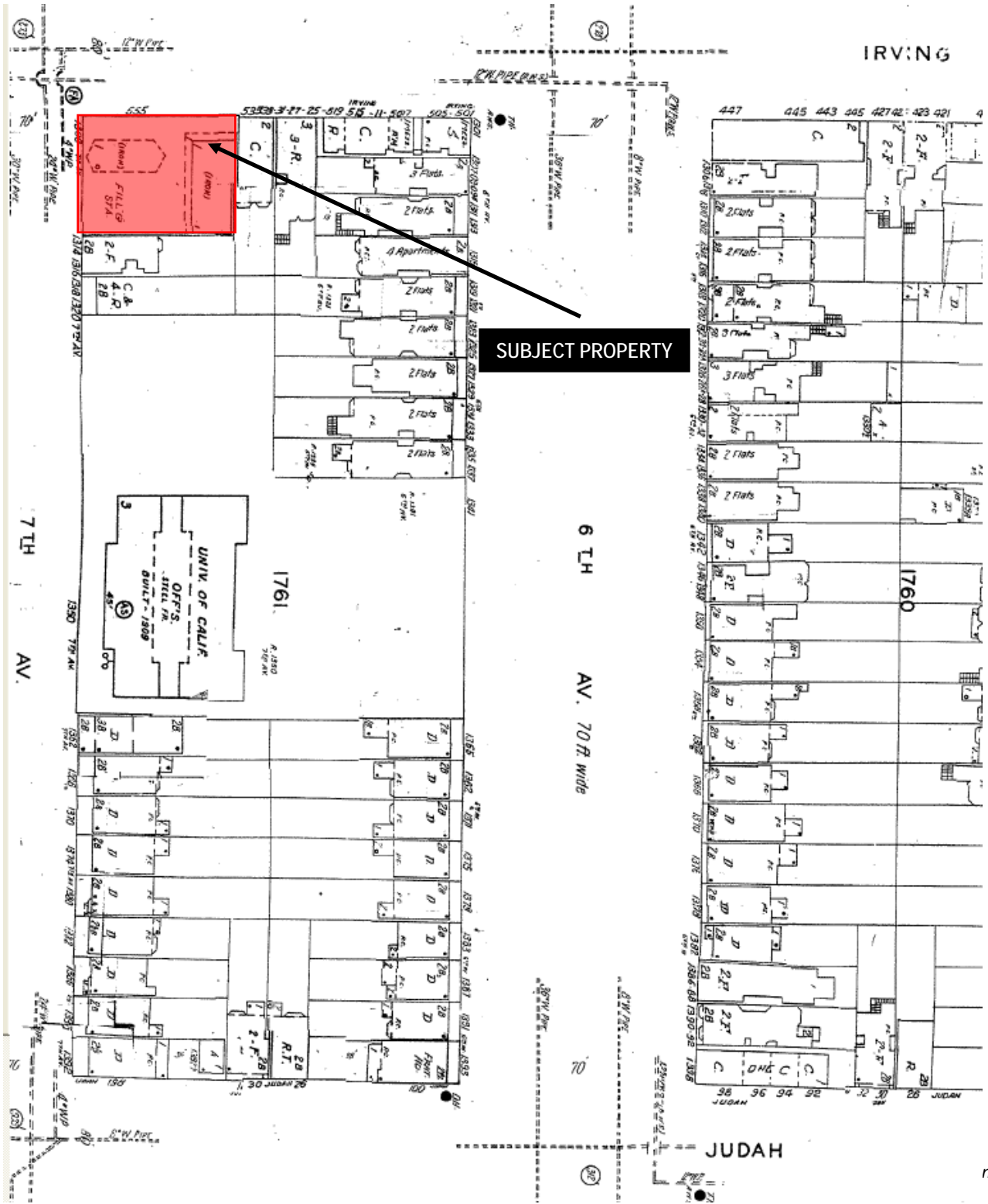


Conditional Use Hearing
Case Number 2011.0701C
545 Irving Street
D.B.A. Inner Fog

Parcel Map



Sanborn Map*



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



Conditional Use Hearing
 Case Number 2011.0701C
 545 Irving Street
 D.B.A. Inner Fog

Aerial Photo*



**The Aerial Maps reflect existing conditions in March 2009*

SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2011.0701C
545 Irving Street
D.B.A. Inner Fog

Aerial Photo*



**The Aerial Maps reflect existing conditions in March 2009*

SUBJECT PROPERTY



Site Photo



SUBJECT PROPERTY

Conditional Use Hearing
Case Number 2011.0701C
545 Irving Street
D.B.A. Inner Fog

Site Photo

Subject Block



SUBJECT PROPERTY

Conditional Use Hearing
Case Number 2011.0701C
545 Irving Street
D.B.A. Inner Fog

Site Photo

Opposite Block



Conditional Use Hearing
Case Number 2011.0701C
545 Irving Street
D.B.A. Inner Fog

Site Photo

Exterior storefront of existing wine bar



545 Irving

SUBJECT PROPERTY

Conditional Use Hearing
Case Number 2011.0701C
545 Irving Street
D.B.A. Inner Fog

Site Photo

Interior of existing wine bar



Conditional Use Hearing
Case Number 2011.0701C
545 Irving Street
D.B.A. Inner Fog

September 16, 2011

San Francisco Planning Commission
1650 Mission St., Ste 400
San Francisco, Ca 94103

RE: InnerFog Wine Bar, 545 Irving Street., San Francisco, Ca 94122

Dear Planning Commissioners

I, John D. Nettesheim, the owner of InnerFog wine bar, am asking for you to approve my Conditional Use Permit Application to extend my business hours from 10 am – 2 am seven days per week. I have been established now for over a year and the neighborhood has welcomed us. Our business is doing well but being able to stay open until 2 am will give us the opportunity to stay in business for many years to come.

With this letter I am attaching ^{four}~~three~~ letters of support. We also have over 560 signatures on a petition, which I am not attaching but which I will bring to my hearing on October 20th. We felt it was a waste of paper to make 20 sets of copies. If for any reason one of you would like copies of it, I will be glad to mail them to you.

There is one letter from the HOA Board members of 555 Irving Street Home Owners Association, who live directly above me in the 8 condominium units. They are in full support of us staying open until 2 am.

There is one letter from the Inner Sunset Merchants Association, which is in full support of our success in the neighborhood

And there is one e-mail from John Newlin, who happens to be the President of the Entertainment Commission and a customer of InnerFog wine bar.

If for any reason you have other questions, please don't hesitate to call me. I thank you for your time and your look forward to seeing you on October 20th.

Sincerely

John D Nettesheim
InnerFog Wine Bar
545 Irving St
San Francisco, Ca 94122
415-722-1688

August 15, 2011

ISMA Support Letter

San Francisco, CA 94122

Re: InnerFog a wine bar, Located at 545 Irving Street, San Francisco, Ca 94122

To Whom It May Concern:

I am submitting this letter of support on behalf of the Inner Sunset Merchants Association Board of Directors in support of InnerFog's request to extend its hours of operation to 2 a.m. seven days a week. Since InnerFog opened in early July of 2010, this neighborhood wine bar, owned and operated by John Nettesheim, has established itself as a thriving business and an asset to the Inner Sunset neighborhood. Mr. Nettesheim has proved to be a responsible business owner, who cares about his neighbors and community.

Extending InnerFog's business hours will allow Mr. Nettesheim, an upstanding and responsible small business owner, to have a better chance of staying in business for years to come.

The Inner Sunset Merchants Association Board of Directors supports this request and urges the San Francisco Police Department and Alcohol Beverage Control to support this small business by extending InnerFog's hours of operation.

Sincerely,

Tracy M. Lopez
Board of Directors
Inner Sunset Merchants Association
1032 Irving Street, Suite 711
San Francisco, CA 94122
P: (415) 378-2488
E: tmichiele@gmail.com

August 3, 2011

555 Irving St. HOA

San Francisco, CA 94122

Re: InnerFog a wine bar, Located at 545 Irving Street, San Francisco, Ca 94122

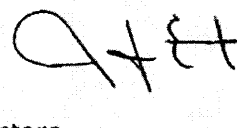
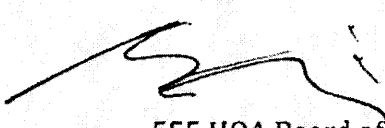
To Whom It May Concern:

We are writing in support of InnerFog's request to extend its hours of operation to 2 a.m. Seven days a week. Since InnerFog opened in early July of 2010, this neighborhood wine bar, owned and operated by John Nettesheim, has established itself as a thriving business and an asset to the Inner Sunset neighborhood. Mr. Nettesheim has proved to be a responsible business owner, who cares about his neighbors and community.

Extending InnerFog's business hours will allow Mr. Nettesheim, an upstanding and responsible small business owner, to have a better chance of staying in business for years to come.

I urge the San Francisco Police Department and Alcohol Beverage Control to support this small business by extending InnerFog's hours of operation.

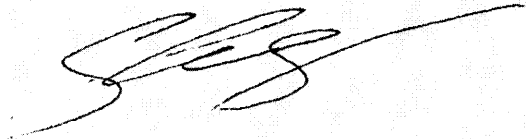
Sincerely,



555 HOA Board of Directors

Brian Mitchell
President

Jennifer Estes
Secretary



Shawn Seamans
Treasurer

Subject: extended hours for innerfog at 545 Irving

Date: Thursday, September 15, 2011 2:54 PM

From: newlini@aol.com

To: <c_olaque@yahoo.com>, John D Nettesheim <john@innerfogsf.com>

Dear President Olaque:

I am writing to support the extension of hours for the InnerFog wine bar at 545 Irving. I am a resident of the neighborhood, retired Captain from the SFPD and currently president of the SF Entertainment Commission. This business is a tremendous asset to the community and its operation is extremely professional. Please share this with your fellow commissioners or forward it if this is not the appropriate place for review. Sincerely John Newlin 26 Hugo St 94122, 830-1146(415)

Member, Board of Supervisors
District 5



City and County of San Francisco

ROSS MIRKARIMI

September 27, 2011

To: California Department Alcohol, Beverage Control

Re: InnerFog Wine Bar; 545 Irving Street, San Francisco, Ca 94122

To Whom It May Concern:


I am writing in support of InnerFog's request to extend its hours of operation to 2 AM in accordance with the time frames set forth in its conditional use permit, scheduled to be held on October 20, 2011.

Since InnerFog opened July 1, 2010 this neighborhood wine bar, owned and operated by John Nettesheim, has established itself as a thriving business and an asset to the Inner Sunset neighborhood. John is an integral part of this community. He employs three residents of the Inner Sunset. He also is part of the, "Community Police Advisory Board" (CPAB) for Park Police Station.

Mr. Nettesheim has provided us with all the needed out-reach information. He has almost Six hundred signatures on petition. A letter of support from the HOA Board Members of "555 Irving Street Home Owners Association," who live directly above InnerFog. A letter of support from the Inner Sunset Merchants Association and one letter of support, from John Newlin, President of the Entertainment Commission, who is a resident of the neighborhood and a customer.

I urge the Alcohol Beverage Control, San Francisco Police Department and the San Francisco Planning Commissioners to support InnerFog's business by extending InnerFog's hours of operation to 2 AM.

Sincerely,


Ross Mirkarimi



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Inclusionary Housing (Sec. 315)
- Jobs Housing Linkage Program (Sec. 313)
- Downtown Park Fee (Sec. 139)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 314)
- 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 Motion No. 18014

HEARING DATE: JANUARY 21, 2010

Date: January 21, 2010
Case No.: **2009.1048C**
Project Address: **555 IRVING STREET ('RETAIL #1')**
Zoning: Inner Sunset Neighborhood Commercial District (NCD)
 40-X Height and Bulk District
Block/Lot: 1761/041
Project Sponsor: John Nettesheim
 Simplicity, LLC
 2027 - 17th Avenue
 San Francisco, CA 94116
Staff Contact: Sharon M. Young – (415) 558-6346
sharon.m.young@sfgov.org

ADOPTING FINDINGS RELATED TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION UNDER PLANNING CODE SECTIONS 730.41 AND 303 TO CONVERT AN APPROXIMATELY 900 SQUARE FOOT VACANT COMMERCIAL TENANT SPACE INTO A WINE BAR DBA INNERFOG AT 555 IRVING STREET ('RETAIL #1'), ON ASSESSOR'S BLOCK 1761, LOT 041 WITHIN THE INNER SUNSET NEIGHBORHOOD COMMERCIAL ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On November 4, 2009, John Nettesheim (hereinafter "Project Sponsor") made an application for Conditional Use authorization for the property at **555 Irving Street ('Retail #1'), Lot 041 in Assessor's Block 1761** (hereinafter "Property"), to convert a vacant commercial tenant space with approximately 900 square feet of floor area into a wine bar (dba InnerFog) on the ground floor of a four-story commercial and residential building within the Inner Sunset Neighborhood Commercial Zoning District and a 40-X Height and Bulk District, in general conformity with plans dated November 12, 2009 and labeled "Exhibit B" (hereinafter "Project").

On **January 21, 2010**, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on **Conditional Use Application No. 2009.1048C**. Under Sections 730.41 and 303 of the Planning Code, Conditional Use authorization is required to convert the ground floor (previously occupied by a retail clothing store dba Crossroads

Trading Co.) into a wine bar dba InnerFog within the Inner Sunset Neighborhood Commercial Zoning District and a 40-X Height and Bulk District.

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (hereinafter "CEQA"), the Planning Department of the City and County of San Francisco (hereinafter "Department") determined that the proposed Conditional Use Application was categorically exempt from the environmental review process under Class 1(a) of the State CEQA Guidelines, Section 15301, pursuant to Title 14 of the California Administrative Code. 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 applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2009.1048C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the recitals 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 at 555 Irving Street is on the southeast corner of Irving Street and 7th Avenue; Assessor's Block 1761; Lot 041. It is located within the Inner Sunset Neighborhood Commercial Zoning District and a 40-X Height and Bulk District. The subject lot is 7,125 square-feet (95 feet wide by 75 feet deep) in size and is occupied by a four-story commercial and residential building. The proposed wine bar will occupy one of three vacant ground floor commercial tenant spaces ('Retail #1', adjacent to 535 Irving Street) in the building.
3. **Surrounding Properties and Neighborhood.** The Project Site is located within the Inner Sunset Neighborhood. The surrounding development consists of a variety of commercial, residential, and mixed-use buildings. The scale of development in the area consists primarily of one- to four-story structures. The shopping area within the neighborhood contains a variety of small-scale convenience businesses which primarily include a mix of cafés, restaurants, specialty stores, variety merchandise stores, financial institutions, and personal service establishments. Some of the existing commercial establishments on the subject and opposite blocks include The Yellow Submarine, Iris Flowers and Gifts, Hahn's Hibachi, Minh Tri Authentic Vietnamese Cuisine, and Ten Japanese Cuisine. On 6th and 7th Avenues running north and south of the project site, there are one- to two-family dwellings, a few multi-family dwellings, and Newcomer High School

located within the RH-1 (Residential House, One-Family) and RH-1 (Residential House, Two-Family) Zoning Districts.

4. **Project Description.** The proposal is to convert a vacant ground floor commercial tenant space with approximately 900 square feet in floor area (previously occupied by a retail clothing store dba Crossroads Trading Co.) into a wine bar dba InnerFog. The proposed wine bar will consist of a bar and seating areas for approximately 45 persons, office/storeroom area, and restrooms. The proposal will involve tenant improvements to the ground floor commercial tenant space, with no expansion of the existing building envelope. The proposed hours of operation of the wine bar are 11 a.m. to midnight Sunday through Thursday, and 11 a.m. to 1 a.m. on Friday and Saturday.

According to the project sponsor, Inner Fog will operate as a wine bar specializing in serving and educating the community about California and globally sourced wines, as well as some micro-brews and "other epicurean delights". Inner Fog will provide a long list of small production wines from around the world and will focus on wines that are reasonably priced. InnerFog will also serve appetizers, such as local cheeses, breads, chocolates and nuts to accompany the wine.

5. **Issues and Other Considerations.**

- The proposed wine bar dba InnerFog will be independently owned and is not considered a formula retail use under Section 703.3 of the Planning Code. The project sponsor, John Nettesheim, has indicated that he is a resident of the Inner Sunset neighborhood who is also a customer at other commercial establishments in the area.
- The project sponsor has indicated that InnerFog will benefit the community in several important ways by providing employment, tax revenue, and an expanded sense of community by enhancing the draw of the local shopping/dining scene within the Inner Sunset area. The new business will employ people from the area for the construction and renovations of the space and once opened will employ up to three people from the community. In addition to the benefits and opportunities brought by job creation, InnerFog will expand the local tax base with anticipated annual revenues of about \$400K that will impact sales and income tax revenues for the City. The local community will benefit as there is no establishment like this in the surrounding area and its operation would enhance the neighborhood.
- The project sponsor has indicated that InnerFog will deliver these benefits through local/community ownership and control, "Green" building materials and appliances where possible, and certain innovative community outreach projects. The construction and equipment will be reduced to the best size for the application, and reused and recycled from earlier lives, where possible. InnerFog will also reach out to the community by bringing works of emerging artists, providing community appreciation discounts to employees from other local establishments, and through innovative joint marketing arrangements with other local stores (such as a local food retailer).

- Public transit that is in close proximity to the proposed wine bar includes Muni Line N-Judah (on the corner of 7th Avenue and Irving Street) within walking distance of the project site. There is on-street parking in front of the subject property and in the surrounding neighborhood.
6. **Public Comment.** As of January 13, 2010, the Department has not received any letters or phone calls in opposition to the project. The Planning Department has received two letters and a petition from the project sponsor with approximately 350 signatures (comprised of local business owners within a 2.5 block radius of the Project Site from residents who live in the subject building which has eight residential units, the immediate vicinity, and broader areas within the Inner Sunset neighborhood). The letter in support was from the co-president of the Inner Sunset Park Neighbors, a neighborhood advocacy group who indicated that in her correspondence with 1,000+ neighbors in the Inner Sunset, there has been unwavering support for InnerFog, people are excited about the concept of having a wine bar in the neighborhood, and they plan to patronize the establishment (i.e. neighbors are planning to have parties there, book clubs... or just have a nice, upscale place to sip a glass of wine with friends - something currently lacking in the neighborhood). Another letter in support was from Supervisor Ross Mirkarimi indicating his support of the proposed wine bar within his district (District 5). At the January 21 Planning Commission hearing, the project sponsor submitted to Planning Department staff a support letter from the Board of 555 Irving Street Home Owners Association (HOA) and a petition with 12 additional signatures in support of the proposed wine bar.
 7. **Use District.** For the purposes of this action, the project site is within the Inner Sunset Neighborhood Commercial District (NCD). The Inner Sunset NCD is located in the Inner Sunset neighborhood, consisting of the NC-2 district bounded by Lincoln Way on the north, Fifth Avenue on the east, Kirkham Street on the south, and Nineteenth Avenue on the west. The shopping area provides convenience goods and services to local Inner Sunset residents, as well as comparison shopping goods and services to a larger market area. The commercial district is also frequented by users of Golden Gate Park on weekends and by City residents for its eating, drinking, and entertainment places. Numerous housing units establish the district's mixed residential-commercial character.
 8. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Section 101.1(b)** establishes eight priority planning policies and requires the review of permits that authorize changes of use for consistency with said policies:
 - (1) That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.

The proposed Project will preserve and enhance existing commercial uses by providing a new commercial establishment (wine bar), which will be complimentary to the existing commercial establishments within the immediate neighborhood. The proposed Project will provide new job opportunities to the City by employing approximately three people.

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

The proposed Project will preserve and enhance the cultural and economic diversity of the neighborhood by bringing a new business to the area. Existing housing will not be significantly affected by the proposed Project.

- (3) That the City's supply of affordable housing be preserved and enhanced.

The proposed Project will not displace any affordable housing.

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

The proposed Project would not significantly increase the automobile traffic congestion and parking problems in the neighborhood. The proposal is a neighborhood-serving use to which residents can access by walking or taking public transit.

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

A bar use (wine bar) will replace a retail use (retail clothing store dba Crossroads Trading Co.) which has vacated the subject commercial space and relocated one block from the Project Site. There would be no displacement of any existing industrial or service businesses in the area.

- (6) That the City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The proposed Project will comply with all applicable earthquake safety standards and built to the current standards of the California Building Code.

- (7) That landmark and historic buildings be preserved.

The proposed Project will not significantly affect any landmarks or historic buildings.

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

The proposed Project will not affect any city-owned park or open space.

B. **Section 303(c)** 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:

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

The proposed Project is to allow for the establishment of a wine bar on the ground floor of the building. There will be tenant improvements made to the existing commercial space with no expansion of the existing building envelope.

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

- (A) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The size and shape of the site and the size, and the arrangement of the structures on the site are adequate for the proposed Project. There will be no physical expansion of the existing building.

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

Existing traffic patterns will not be significantly affected by the proposed Project. Public transit that is in close proximity to the proposed dental office includes Muni Line N-Judah within walking distance of the project site. There is on-street parking in front of the subject property and in the surrounding neighborhood.

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

No noxious or offensive emissions such as glare, dust, or odor are expected to be produced by the proposed Project.

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

The proposed wine bar does not propose any exterior alterations to the building. There will be no addition of parking spaces, loading facilities, open space or service areas. All Project signage and projections will be consistent with the controls of the Planning Code.

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

The proposed 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.

- ii. 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 Inner Sunset NCD in that the intended use is a neighborhood-serving business.

- C. **Section 730.1** sets forth provisions applicable in the Inner Sunset Neighborhood Commercial Zoning District. The Inner Sunset NCD controls are designed to protect the existing building scale and promote new mixed-use development which is in character with adjacent buildings. The building standards regulate large-lot and use development and protect rear yards above the ground story and at residential levels. To promote the prevailing mixed use character, most commercial uses are directed primarily to the ground story with some upper-story restrictions in new buildings. In order to maintain the balanced mix and variety of neighborhood-serving commercial uses and regulate the more intensive commercial uses which can generate congestion and nuisance problems, special controls prohibit additional eating and drinking uses, restrict expansion and intensification of existing eating and drinking establishments, and limit entertainment and tourist hotels. Prohibitions of most automobile and drive-up uses protect the district's continuous retail frontage. Housing development in new buildings is encouraged above the ground story. Existing residential units are protected by prohibition of upper-story conversions and limitations on demolitions.
- D. **Section 730.27** allows hours of operation from 6 a.m. until 2 a.m. as of right and requires Conditional Use authorization to operate between the hours of 2 a.m. and 6 a.m.

The proposed hours of operation of the wine bar are 11 a.m. to midnight Sunday through Thursday, and 11 a.m. to 1 a.m. on Friday and Saturday.

- E. **Section 730.41** allows a bar use on the 1st (ground) floor in the Inner Sunset Neighborhood Commercial Zoning District with Conditional Use authorization.

The proposed wine bar is located on the 1st (ground) floor.

- F. **Section 790.22** defines a bar as a retail use which provides on-site alcoholic beverage sales for drinking on the premises, including bars serving beer, wine and/or liquor to the customer where no person under 21 years of age is admitted (with Alcohol Beverage Control [ABC] licenses 42, 48, or 61) and drinking establishments serving liquor (with ABC licenses 47 or 49) in conjunction with other uses which admit minors, such as restaurants, movie theaters, and other entertainment.

- 9. **General Plan Compliance.** The Project is consistent with the Objectives and Policies of the General Plan in that:

COMMERCE AND INDUSTRY ELEMENT

GENERAL/CITYWIDE

OBJECTIVE 1:

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

Policy 1:

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

The proposed wine bar would be compatible and complimentary with the types of uses characterizing this portion of the Inner Sunset NCD, which include a mixture of cafés, restaurants, specialty stores, variety merchandise stores, financial institutions, and personal service establishments.

Policy 3:

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of affordable housing and the needed expansion of commercial activity.

Approval of the proposed Project would be consistent with the mixed commercial-residential character of the Inner Sunset NCD. The proposed Project would not adversely impact any affordable housing resources in the neighborhood.

OBJECTIVE 3:

PROVIDE EXPANDED EMPLOYMENT OPPORTNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 1:

Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

The proposed Project would provide enhanced opportunities for employment of neighborhood residents.

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 6:

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

Policy 4:

Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

The proposed Project will provide a new bar use which is accessible to all residents in this portion of the Inner Sunset NCD.

Policy 9:

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

The proposed Project would not adversely impact public transit or place a burden on the existing supply of parking in the neighborhood. Many patrons would be able to walk from their residences or places of employment, and the project is well served by public transportation. There is on-street parking in front of the subject property and in the surrounding neighborhood.

URBAN DESIGN ELEMENT

CITY PATTERN

Objectives and Policies

OBJECTIVE 1:

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

Policy 3:

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

The Project's design would preserve the existing neighborhood character since the proposal does not include any major facade and exterior changes.

NEIGHBORHOOD ENVIRONMENT

Objectives and Policies

OBJECTIVE 4:

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 15:

Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

The proposed Project would improve the neighborhood environment by increasing safety during the daytime through the occupancy of the vacant commercial tenant space.

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. 2009.1048C** subject to the following conditions attached hereto as "EXHIBIT A" 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. 18014. 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 January 21, 2010.

Linda Avery
Commission Secretary

AYES: Miguel, Olague, Borden, Moore, Sugaya, Antonini

NAYS: None

ABSENT: Lee

ADOPTED: January 21, 2010

Exhibit A

Conditions of Approval

APPROVED USE CONDITIONS

1. This Conditional Use approval is to allow the conversion of vacant ground floor commercial space with approximately 900 square feet of floor area (previously occupied by a retail clothing store dba Crossroads Trading Co.) into a wine bar (dba InnerFog) within the Inner Sunset Neighborhood Commercial Zoning District and a 40-X Height and Bulk District, in general conformity with Plans on file with the Department in the docket for **Case No. 2009.1048C** (labeled EXHIBIT B), reviewed and approved by the Commission on January 21, 2010 under Motion No. 18014.
2. Pursuant to Sections 730.41 and 303 of the Planning Code, this Conditional Use approval will allow for the establishment of a bar use on the 1st (ground) floor of the four-story residential and commercial building. The proposed wine bar will occupy one of three vacant commercial tenant spaces ('Retail #1', adjacent to 535 Irving Street) in the building. The proposed wine bar will consist of a bar and seating areas for approximately 45 persons, office/storeroom area, and restrooms. The proposal will involve tenant improvements to the ground floor commercial tenant space, with no expansion of the existing building envelope.
3. The proposed hours of operation of the wine bar are 11 a.m. to midnight Sunday through Thursday, and 11 a.m. to 1 a.m. on Friday and Saturday.
4. The property owner shall maintain the main entrance to the building and all sidewalks abutting the Subject Property in a clean condition. Such maintenance shall include, at a minimum, daily litter pickup and disposal, and washing or steam cleaning of the main entrance and abutting sidewalks at least once each week.
5. Noise and odors shall be contained within the proposed wine bar premises so as not to be a nuisance to nearby residences and businesses.
6. Signs and exterior lighting for the business shall be reviewed and approved by the Planning Department before they are installed.

STANDARD CONDITIONS

7. VALIDITY, EXPIRATION, AND EXTENSION

This Conditional Use approval is **valid for three years** from the effective date of the Motion No. 18014 authorizing the proposed wine bar use and shall automatically expire on January 21, 2013. This authorization is just an approval of the proposed use and is NOT a permit to implement the approved use. This authorization and right vested by virtue of this action shall be deemed void and cancelled if a Building Permit from the Department of Building Inspection to implement the approved use has not been obtained prior to the expiration of this Conditional Use approval. The validity of this Conditional Use approval may be extended at the discretion of the Zoning Administrator only if the failure to issue a Building Permit by the Department of Building Inspection is delayed by the city, state, or federal agency or by appeal of the issuance of such

Building Permit. However, the extension must be requested prior to the expiration of this Conditional Use approval.

8. MAJOR AND MINOR CHANGES AND MODIFICATIONS OF CONDITIONS

Minor changes to the approved plans may be approved administratively by the Zoning Administrator. Major changes and modifications of conditions shall be subject to review and approval by the Planning Commission requiring a new Conditional Use approval or amendment to this Conditional Use approval as determined by the Zoning Administrator. Such changes must be requested prior to the expiration of this Conditional Use approval.

9. RECORDING OF CONDITIONS OF APPROVAL

Prior to the issuance of a Building Permit Application for the proposed wine bar use, the project sponsor or the responsible party shall record a Notice of Special Restrictions as approved by the Zoning Administrator in the Official Records of the Recorder of City and County of San Francisco for the premises (Assessor's 1761, Lot 041), which notice shall state that the proposed use has been authorized by Motion No. 18014 and is subject to the conditions of approval of this Motion.

10. BUILDING PERMIT TO IMPLEMENT THE APPROVED PROJECT

A Building Permit from the Department of Building Inspection must be obtained to implement the approved use within three years from the effective date of Motion No. 18014 approving the proposed wine bar use. The Building Permit Application shall include plans in conformance with the plans on file with the Department in the docket for **2009.1048C** (labeled EXHIBIT B), reviewed and approved by the Planning Commission on January 21, 2010 under the **Motion No. 18014**. The plans are required to record the approved use of the premises even if there is no new construction or minor interior changes. The conditions of approval shall be reproduced on the Index Sheet of the plans submitted with the Building Permit Application. The Index Sheet of the plans shall reference to this Conditional Use Authorization and any subsequent amendments or modifications.

The project shall also comply with all other applicable city codes as required by other city departments. Additionally, no change in the character of occupancy or change to a different group of occupancy as described under the Building Code shall be made without first obtaining a Certificate of Occupancy from the Department of Building Inspection and approval from Planning and other city departments as necessary.

11. COMPLETION OF BUILDING PERMIT

The completion of Building Permit with a final inspection and/or issuance of a Certificate of Final Completion and Certificate of Occupancy from the Department of Building Inspection for the approved use under this project shall be deemed acceptance and agreement to fully comply with all of the conditions of approval of this Conditional Use approval. The project sponsor or the responsible party must ensure that the Building Permit Application has attained a 'complete' stage within the time frame required by the Department of Building Inspection. If the Building Permit is allowed to expire for more than one year, the renewal of such Building Permit thereafter will be subject to review by the Planning Department. Prior to filing of a renewal of the expired permit, the project sponsor or the responsible party shall notify the Planning Department.

12. REPORTING

The Project Sponsor or the subsequent responsible party for the project shall submit to the Zoning Administrator two copies of a written report describing the status of compliance with the conditions of approval contained within the Motion No. 18014 within six months from the date of implementation of the proposed use. Thereafter, the submittal of the report shall be on an annual basis. This requirement shall lapse when the Zoning Administrator determines that all the conditions of approval have been satisfied or that the report is no longer required for other reasons.

13. REVOCATION

During the Building Permit Application process phase of the project, the Zoning Administrator may place an order to stop work, suspend, or revoke a Building Permit if the proposal carried out on the site is not in conformance with the plans approved under this Conditional Use approval and subsequent Building Permit. The Zoning Administrator may also recommend the Planning Commission to consider revocation of this Conditional Use approval in a public hearing for non-compliance with any of the conditions of approval.

14. ENFORCEMENT

After commencement of the approved use, violation of any of the planning conditions of approval contained in the Motion No. 18014 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, whichever applicable for each day a violation continues or is allowed to continue. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

15. MONITORING

If the project requires monitoring of the conditions of approval contained in Exhibit A of Motion No. 18014, the project sponsor or the subsequent responsible parties for the project shall pay fees as established under Planning Code Section 351(e)(1) and work with the Planning Department to ensure compliance.

16. NEIGHBORHOOD CONCERNS

The Project Sponsor shall appoint a Community Liaison Officer to address issues of concern to neighbors related to the operation of this Project. The Project Sponsor shall report the name and telephone number of this Officer to the Zoning Administrator and the neighborhood for reference. The Project Sponsor shall keep the above parties apprised should a different staff liaison be designated.

17. SEVERABILITY

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 of the remaining provisions, clauses,

sentences, or sections of these conditions. It is hereby declared to be the intent of the Planning Commission that these conditions of approval would have been adopted had such invalid sentence, clause, or section or part thereof not been included herein.

CASE NO. 2011.0701C
 545 IRVING ST
 REFERENCE PLANS APPROVED
 UNDER BPA NO.200911161288

Munro Technical Graphics
 5167 Terry Court
 Castro Valley, CA 94546
 510-247-1983

GENERAL CONTRACTOR
WEBB
 DESIGN / BUILD
 415-339-9595
 71 GLEN DRIVE
 SAUSALITO, CA 94965

INNERFOG
 555 IRVING STREET
 SAN FRANCISCO, CALIFORNIA

SITE PLAN
 FIRE SPRINKLER PLAN

DATE: 11-12-04
 Permit: XX-XX-XX
 SCALE: NOTED
 DRAWN BY: LMM

SHEET NO.

A PROJECT DATA

OWNER

MR. & MRS. JOHN NETTESHEIM
 2027 17th AVENUE
 SAN FRANCISCO, CA 94116
 TEL. 415-722-1688 / 707-636-4227

CONTRACTOR

DENNIS WEBB CONSTRUCTION
 71 GLEN DRIVE
 SAUSALITO, CA 94965
 LIC: 821554
 TEL. 415-339-9595 FAX: 415-339-9597

DESIGNER

MUNRO TECHNICAL GRAPHICS
 3167 TERRY CT.
 CASTRO VALLEY, CA 94546
 TEL. 510-247-1983
 CONTACT: MICHELE MUNRO

AREA ANALYSIS

TOTAL AREA = 892 SQ. FT.
 STORAGE AREA = 223 LI. FT.

EGRESS

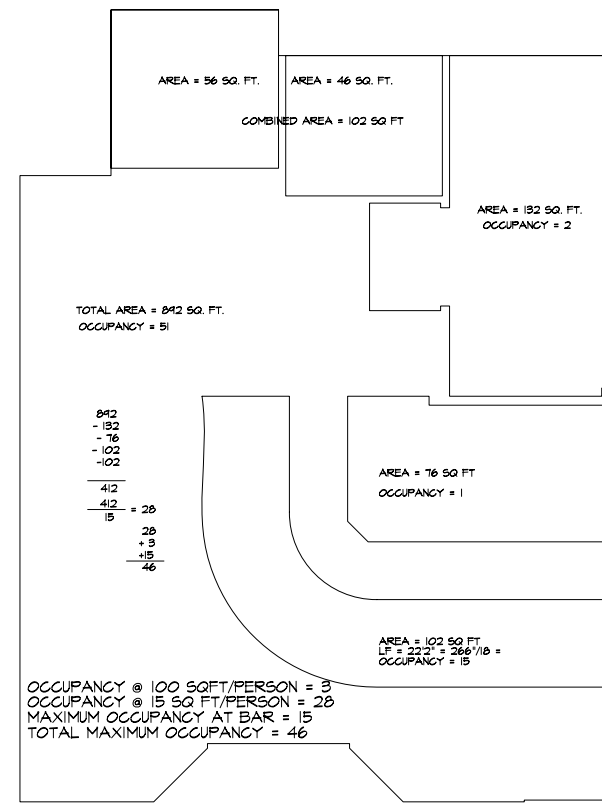
OCCUPANCY @ 15 SQ FT/PERSON = 46
 OCCUPANCY @ 200 SQ FT/PERSON = 1
 OCCUPANCY @ 300 SQ FT/PERSON = 1
 TOTAL MAX. OCCUPANCY = 48

SCOPE OF WORK

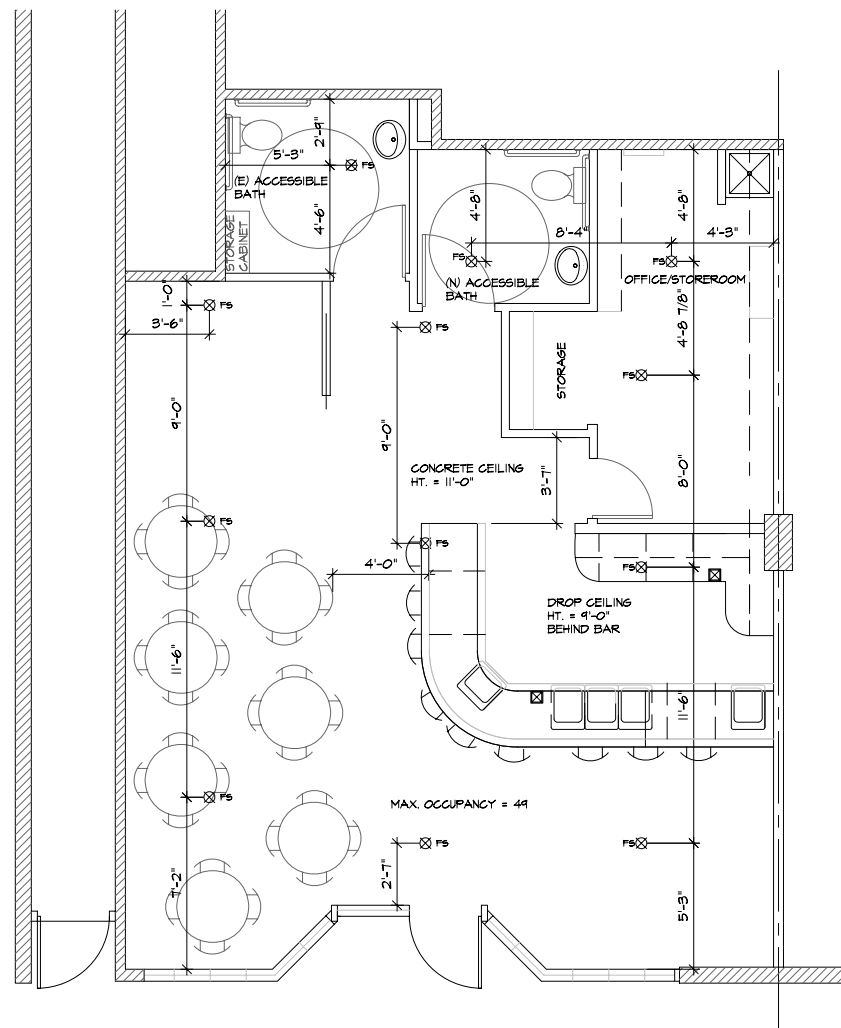
TENANT IMPROVEMENT, INCLUDING INSTALLATION OF WINE BAR WITH APPLIANCES AND FIXTURES AS NEEDED. PROVIDE 1 ADDITIONAL ACCESSIBLE BATHROOM, STORAGE AREA & OFFICE. INSTALLATION OF ADA APPROVED SIGNAGE. ELECTRICAL AND PLUMBING AS REQUIRED FOR NEW FIXTURES.

CODES:

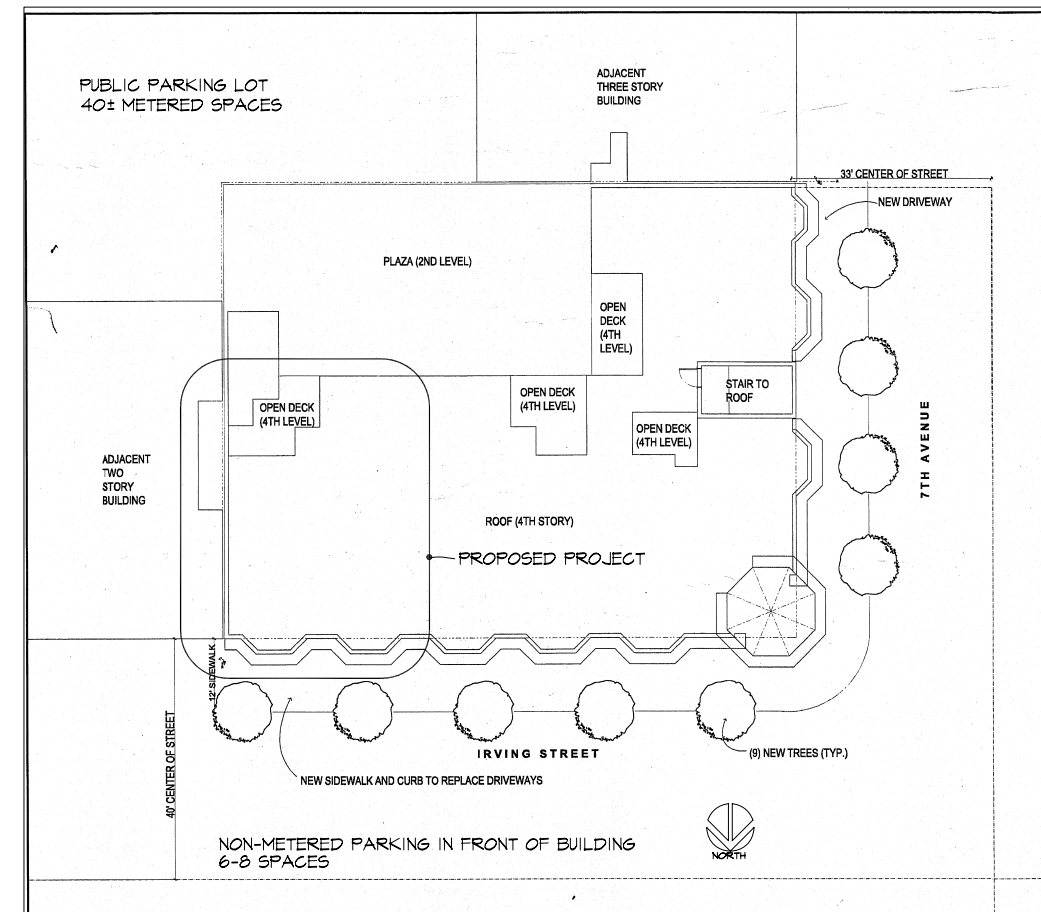
ALL CONSTRUCTION AND MATERIALS SHALL COMPLY WITH THE MOST RESTRICTIVE REQUIREMENTS OF APPLICABLE CODES INCLUDING BUT NOT LIMITED TO TITLE 24 C.A.C., THE LATEST ADOPTED EDITION OF THE U.B.C., LOCAL CODES AND AUTHORITIES. ALL CODES REFERRED TO IN THESE DOCUMENTS SHALL BE UNDERSTOOD TO MEAN THE LATEST ADOPTED EDITION.



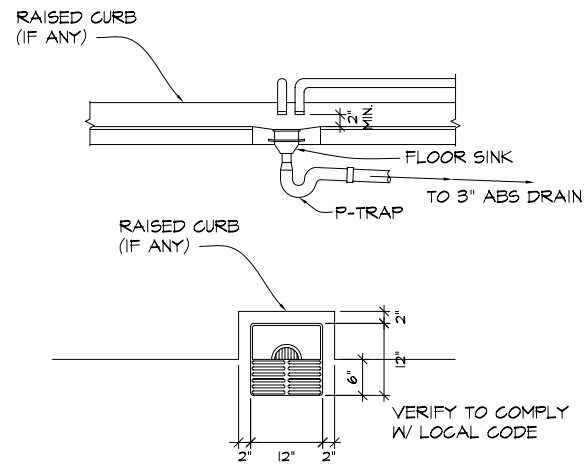
3 FIRE DEPT. OCCUPANCY
 NTS



2 FIRE SPRINKLER PLAN
 1/4" = 1'-0"

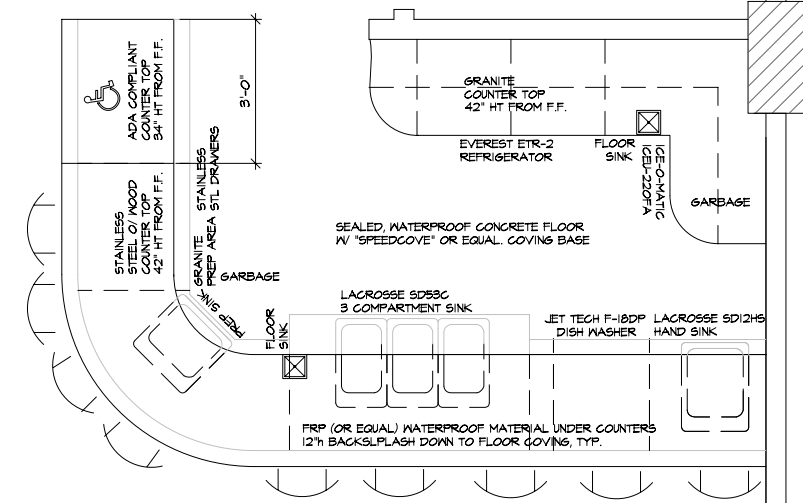


1 EXISTING SITE PLAN
 NTS

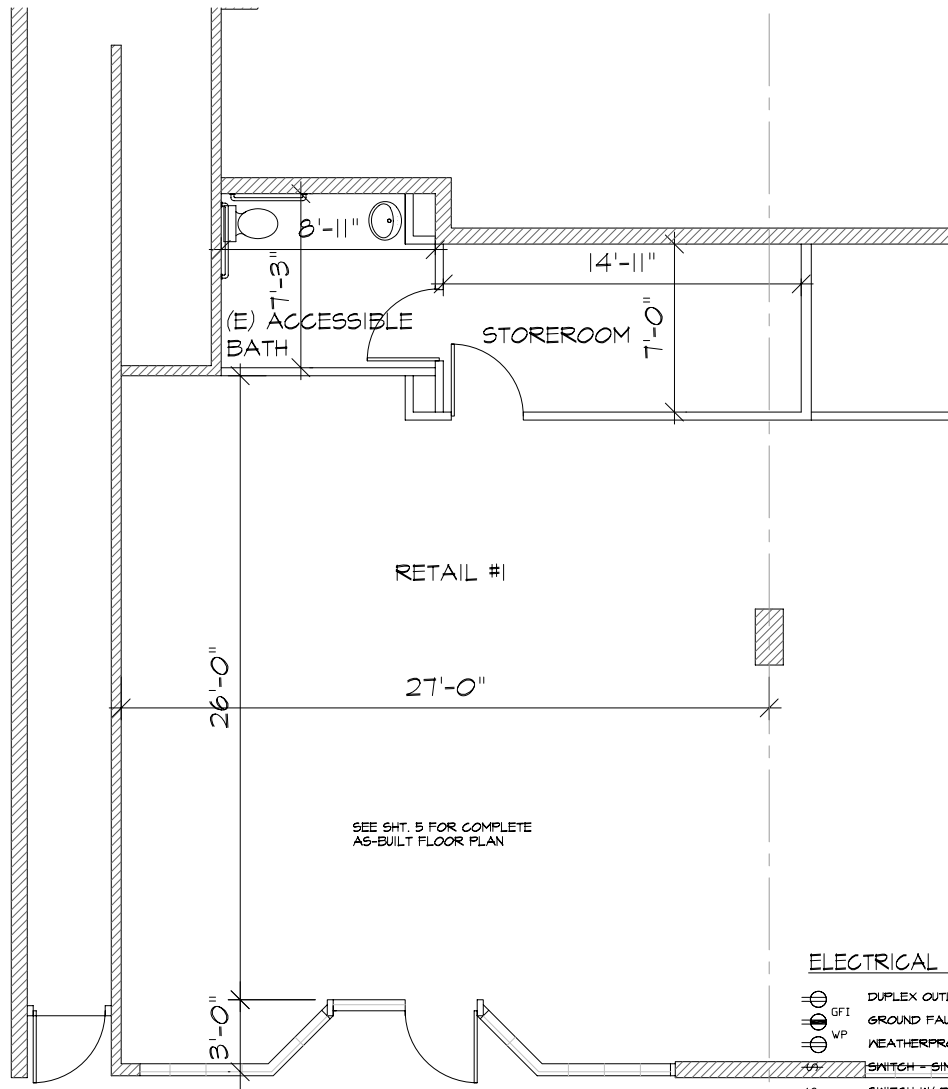


CONDENSATE DRAINS FROM COOLERS AND REFRIGERATED EQUIPMENT SHALL HAVE INDIRECT WASTE PIPING TERMINATING OVER FLOOR SINK WITH P-TRAP AND A MIN. OF 1" AIR GAP.

4 TYPICAL FLOOR SINK
3/4" = 1'-0"



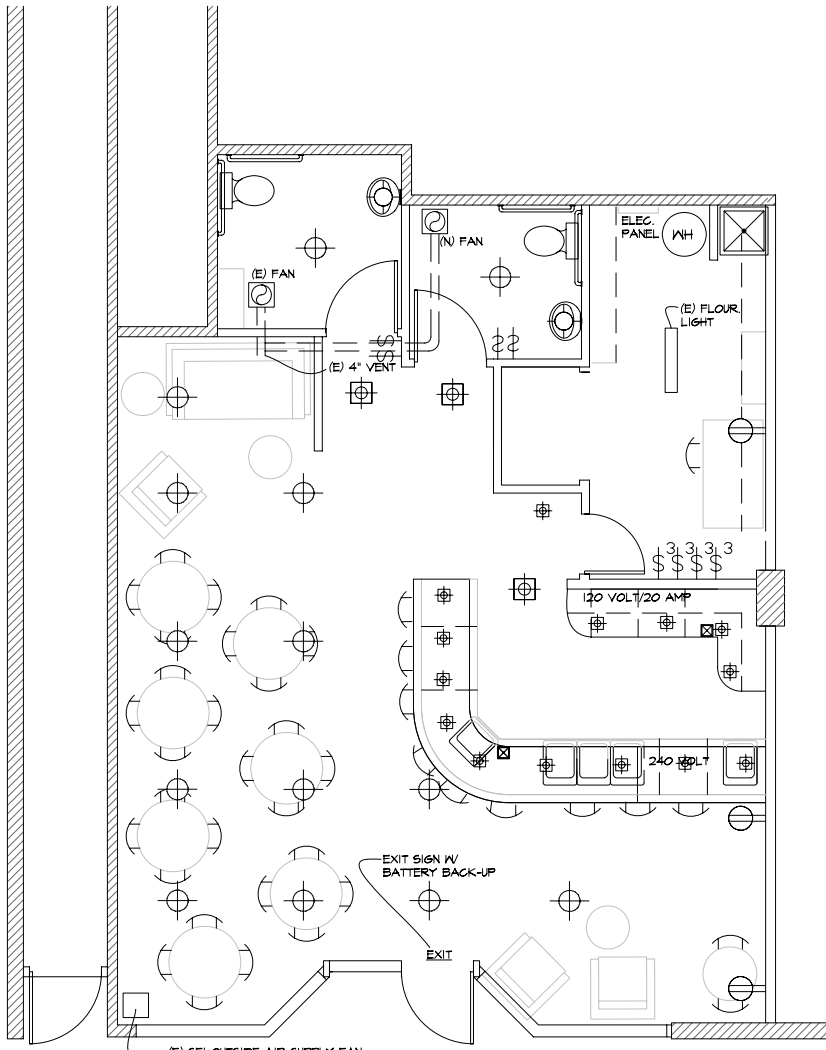
2 BAR FIXTURE PLAN
1/2" = 1'-0"



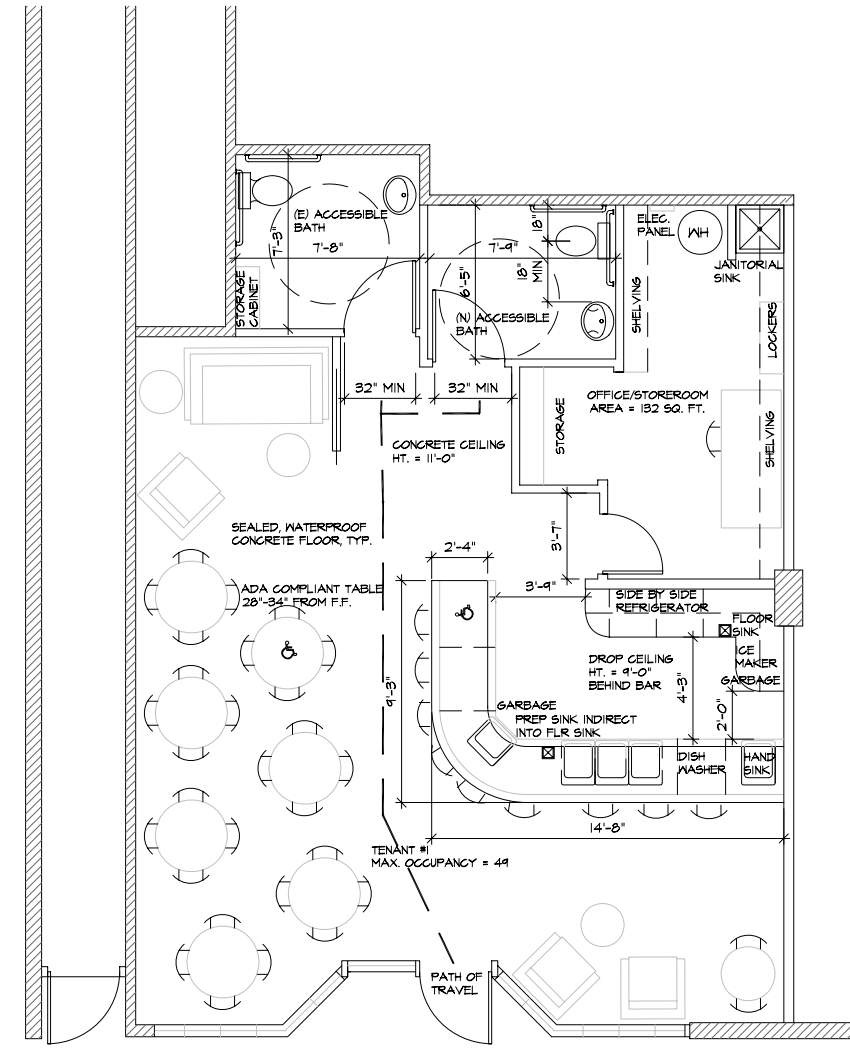
5 AS-BUILT PLAN
1/4" = 1'-0"

ELECTRICAL LEGEND

- DUPLICATION
- GFI
- VP
- WEATHERPROOF
- SWITCH - SINGLE POLE
- SWITCH w/ DIMMER
- SWITCH - 3 WAY
- FAN CONTROL SWITCH
- SURFACE FIXTURE - CEILING MOUNT
- SURFACE FIXTURE - WALL MOUNT
- RECESSED CEILING FIXTURE
- RECESSED COMPACT FLUORESCENT FIXTURE
- BATH FAN w/cfm NOTED
- TELEPHONE
- 2 INCH RECESSED LIGHTING (LOW VOLTAGE)



3 REFLECTED CEILING PLAN
1/4" = 1'-0"



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

WALL SCHEDULE

---	EXISTING CONCRETE MASONRY
---	NEW METAL STUD WALL w/ 8"VP. BD.

SEE SHT. 5 FOR WALL SECTION



1 EXISTING NORTH ELEVATION
NTS

Munro Technical Graphics
567 Terry Court
Castro Valley, CA 94546
510-241-1985

GENERAL CONTRACTOR
WEBB
DESIGN / BUILD
415-339-9595
71 GLEN DRIVE
SAUSALITO, CA 94965

INNERFOG
555 IRVING STREET
SAN FRANCISCO, CALIFORNIA

EXISTING NORTH
ELEVATION

DATE: 11-12-04
Permit: XX-XX-XX
SCALE: NOTED
DRAWN BY: LMM

SHEET NO.

3
OF 4

