Executive Summary Conditional Use

Consent Calendar

HEARING DATE: June 26, 2014

 Date:
 June 5, 2014

 Case No.:
 2014.0225C

 Project Address:
 1998 Polk Street

Zoning: Polk Street Neighborhood Commercial District

65-A Height and Bulk District

Block/Lot: 0596/024
Project Sponsor: Talia Dillman

65 Webster St. Oakland, CA 94607

Staff Contact: Carly Grob – (415) 558-6372

carly.grob@sfgov.org

Recommendation: Approval with Conditions

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PROJECT DESCRIPTION

The proposal is a request for Conditional Use Authorization pursuant to Planning Code Sections 303 and 723.44 for a change of use from Limited Restaurant with accessory Specialty Grocery to a Restaurant with accessory Specialty Grocery (d.b.a. Belcampo Meat Company). The Project is proposed at the ground floor of a five-story mixed-use building within the Polk Street Neighborhood Commercial District and 65-A Height and Bulk District. The applicant plans to open and operate in the 2,470 square foot storefront as a Limited Restaurant and butcher counter while pursuing Conditional Use approval. The tenant space is comprised of a butcher preparation and service area, dining room, kitchen cook line, kitchen preparation space, walk-in cooler, office, restroom, and dry storage on the mezzanine. No exterior modifications or expansion to the existing building envelope are proposed.

The sponsor plans to open daily, operating between the hours of 11:00 a.m. and 10:00 p.m. Sunday-Thursday and from 11:00 a.m. to 11:00 p.m. on Friday and Saturday. Belcampo Meat Co. currently operates six stores in California. Three of these locations are in the Bay Area, but the Polk Street location is the only Belcampo Meat Co. in the city of San Francisco. Belcampo Meat Company is committed to selling and serving meat from humanely raised animals. The menu is made up primarily of entrees, sandwiches, salads, and side dishes that showcase the meats available for purchase from the butcher counter that is also located within the tenant space.

Hearing Date: June 12,2014 1998 Polk Street

SITE DESCRIPTION AND PRESENT USE

The Project site is located at 1998 Polk Street, on the ground floor of a five-story mixed use building with 41 dwelling units on the southeast corner of the intersection of Pacific Avenue and Polk Street. The property is located at Assessor's Block 0596, Lot 024 within the Polk Street Neighborhood Commercial District (NCD), 65-A Height and Bulk District. Belcampo Meat Company was approved pursuant to Planning Code Section 312 to operate as a Limited Restaurant in one of two commercial tenant spaces at the ground floor of the building while pursuing Conditional Use approval to operate as a Restaurant. Belcampo Meat Co. also operates a butcher counter within the tenant space, which is considered an accessory Specialty Grocery use and is principally permitted in the Polk Street NCD. This accessory use would continue if the Restaurant use is conditionally approved. The adjacent tenant space fronting Polk Street remains vacant.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Project site is located in the Nob Hill neighborhood, where surrounding development contains a variety of residential, commercial, and mixed use buildings, many of which feature residential uses above ground floor commercial establishments. Several buildings in the immediate vicinity of the Project site serve single retail uses that occupy large portions of the block, such as Lombardi Sports and The Jug Shop. However, many of the commercial spaces that characterize Middle Polk Street include a more fine-grained mix of personal service establishments, restaurants, cafes, galleries, shops, and specialty groceries. The scale of development consists of a mix of two to four story buildings built between the Victorian era and present day. The surrounding zoning is primarily the Polk and Pacific Neighborhood Commercial Districts, with an RC-4 District to the west of the Project site.

Some 23,700 people live within a one-quarter mile radius of the Middle Polk Street neighborhood commercial corridor. Its population is younger than San Francisco's overall, with most of the population between 18 and 59 years old; children make up just 7% of the population. The Middle Polk commercial corridor is largely white, with less than a third Asians and very few black residents; Latinos make up 8% of the population, which is smaller than the City overall. There are about 5,340 housing units in the area surrounding Middle Polk, predominantly in multi-family structures with 10 units or more; residential density in the Middle Polk area is twice that of the City's. Most of the households in Middle Polk are renters; only 14% are homeowners. Household sizes are smaller; single-person households make up 60% of all households and families, 27%. Middle Polk household incomes are lower than citywide averages but per capita incomes are higher.1

ENVIRONMENTAL REVIEW

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

SAN FRANCISCO
PLANNING DEPARTMENT 2

¹ Middle Polk Street Invest in Neighborhoods San Francisco Neighborhood Profile, prepared by the Mayor's Office of Economic and Workforce Development and the Planning Department and included in the Exhibits of this document.

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HEARING NOTIFICATION

Туре	Required Notice Period	Required Notice Date	Actual Notice Date	Actual Notice Period
Classified News Ad	20 days	June 5, 2014	May 21, 2014	34 days
Mailed Notice	20 days	June 5, 2014	May 21, 2014	34 days
Posted Notice	20 days	June 5, 2014	June 1, 2014	25 days

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

PUBLIC COMMENT

• No public comment has been received at this time.

ISSUES AND OTHER CONSIDERATION

- The existing concentration of eating and drinking uses in the area does not exceed 25% of the total commercial frontage within the immediate area, defined as properties located within 300 feet of the subject property and also located within the same zoning district. Eating and Drinking uses within 300 feet of the subject property include:
 - o TaiChi Restaurant, 2031 Polk, Restaurant
 - o Cheese Plus, 2001 Polk, Limited Restaurant
 - o The Bell Tower: 1900 Polk, Restaurant
- The subject property was newly constructed and completed in 2013. The existing Limited Restaurant and accessory Specialty Grocery, d.b.a. Belcampo Meat Company, is the first commercial tenant in the space and was administratively approved by building permit #2013.0612.9363. Project sponsors hope to open as a Limited Restaurant and butcher in the second week of June, 2014.
- The existing limited restaurant currently provides butcher and food service and has the
 equipment necessary to function as a restaurant. No additional tenant improvements will be
 required to implement the service of beer and wine.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant Conditional Use Authorization to allow a change of use from Limited Restaurant with accessory specialty grocery to a restaurant with accessory specialty grocery pursuant to Planning Code Section 723.44.

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Hearing Date: June 12,2014

1998 Polk Street

BASIS FOR RECOMMENDATION

- One of the challenges included in the Middle Polk Invest in Neighborhoods report is that the perception of crime is a deterrent for visitors, and that public safety is a concern for both merchants and residents. Additionally, the report highlighted the intersection of Polk and Pacific as a hotspot for criminal activity. By approving use as a Restaurant in conjunction with the accessory Specialty Grocery use, Belcampo Meat Co. would offer a more extensive food and drink menu. Offering an expanded selection of food and drink for onsite consumption will strengthen the diversity of goods offered within the area, contribute to a more active street frontage throughout the day, and enhance to the economic vitality of the neighborhood.
- Belcampo would provide food and drink to restaurant patrons as well as a neighborhoodserving butcher for local residents.
- The Project sponsor has conducted substantial neighborhood outreach by communicating with neighboring businesses, engaging with members of the Middle Polk Neighborhood Association, and participating in a monthly neighborhood cleanup.
- The Project meets all applicable requirements of the Planning Code.
- The Project is desirable for, and compatible with the surrounding neighborhood.
- The business is not a Formula Retail use and would serve the immediate neighborhood.

RECOMMENDATION: Approval with Conditions

Attachments:

Block Book Map
Sanborn Map
Aerial Photographs
Zoning Map
Site Photograph
Reduced Floor Plans
Project Sponsor Submittal
Public Correspondence

GC: Document3

SAN FRANCISCO
PLANNING DEPARTMENT

Executive Summary

Hearing Date: June 12,2014

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Attachment Checklist

	Executive Summary		Project sponsor submittal
	Draft Motion		Drawings: Existing Conditions
	Environmental Determination		Check for legibility
	Zoning District Map		Drawings: Proposed Project
	Height & Bulk Map		Check for legibility
	Parcel Map		3-D Renderings (new construction or significant addition)
	Sanborn Map		Check for legibility
\boxtimes	Aerial Photo		Wireless Telecommunications Materials
	Context Photos		☐ Health Dept. review of RF levels
\boxtimes	Site Photos		RF Report
			Community Meeting Notice
			Housing Documents
			☐ Inclusionary Affordable Housing Program: Affidavit for Compliance
			Residential Pipeline
	Exhibits above marked with an "X" a	re ind	cluded in this packetCG
			Planner's Initials

Planning Commission Draft Motion Conditional Use

HEARING DATE: June 12, 2014

 Date:
 April 24, 2014

 Case No.:
 2014.0225C

 Project Address:
 1998 Polk

Zoning: Polk Street Neighborhood Commercial District

65-A Height and Bulk District

Block/Lot: 0596/024
Project Sponsor: Talia Dillman
65 Webster St.

AND A 65-A HEIGHT AND BULK DISTRICT.

Oakland, CA 94607

Staff Contact: Carly Grob – (415) 558-6372

carly.grob@sfgov.org

Recommendation: Approval with Conditions

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303 AND 723.44 OF THE PLANNING CODE FOR A CHANGE OF USE FROM A LIMITED RESTAURANT TO A RESTAURANT (D.B.A. BELCAMPO) WITHIN THE POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT

PREAMBLE

On February 12, 2014, Talia Dillman (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303 and 723 for a change of use from a Limited Restaurant with accessory Specialty Grocery to a Restaurant with accessory Specialty Grocery within the Polk Street Neighborhood Commercial District and a 65-A Height and Bulk District.

On June 12, 2014 the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2014.0225C.

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

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.

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MOVED that the Commission hereby authorizes the Conditional Use requested in Application No. 2014.0225C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

- 1. The above recitals are accurate and constitute findings of this Commission.
- 2. **Site Description and Present Use.** The project site is located at 1998 Polk Street, on the ground floor of a five-story mixed use building with 41 dwelling units on the southeast corner of the intersection of Pacific Avenue and Polk Street. The property is located at Assessor's Block 0596, Lot 024 within the Polk Street Neighborhood Commercial District (NCD), 65-A Height and Bulk District. Belcampo Meat Co. was approved to operate as a Limited Restaurant in one of two commercial tenant spaces at the ground floor of the building while pursuing Conditional Use Authorization to operate as a Restaurant. Belcampo Meat Co. also operates a butcher counter within the tenant space, which is considered an accessory Specialty Grocery use and is principally permitted in the Polk Street NCD. This accessory use would continue if Restaurant use is conditionally auhorized. The adjacent tenant space fronting Polk Street remains vacant.
- 3. Surrounding Properties and Neighborhood. The Project site is located in the Nob Hill neighborhood, where surrounding development contains a variety of residential, commercial, and mixed use buildings, many of which feature residential uses above ground floor commercial establishments. Several buildings in the immediate vicinity of the Project site serve single retail uses that occupy large portions of the block, such as Lombardi Sports and The Jug Shop. However, many of the commercial spaces that characterize Middle Polk Street include a more fine-grained mix of personal service establishments, restaurants, cafes, galleries, shops, and specialty groceries. The scale of development consists of a mix of two to four story buildings built between the Victorian era and present day. The surrounding zoning is primarily the Polk and Pacific Neighborhood Commercial Districts with an RC-4 District to the west of the Project site.

Some 23,700 people live within a one-quarter mile radius of the Middle Polk Street neighborhood commercial corridor. Its population is younger than San Francisco's overall, with most of the population between 18 and 59 years old; children make up just 7% of the population. The Middle Polk commercial corridor is largely white, with less than a third Asians and very few black residents; Latinos make up 8% of the population, which is smaller than the City overall. There are about 5,340 housing units in the area surrounding Middle Polk, predominantly in multi-family structures with 10 units or more; residential density in the Middle Polk area is twice that of the City's. Most of the households in Middle Polk are renters; only 14% are homeowners. Household sizes are smaller; single-person households make up 60% of all households and families, 27%.

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Middle Polk household incomes are lower than citywide averages but per capita incomes are higher.¹

4. **Project Description.** The proposal is a request for Conditional Use Authorization pursuant to Planning Code Sections 303 and 723.44 for a change of use from Limited Restaurant with accessory Specialty Grocery use to a Restaurant with accessory Specialty Grocery use (d.b.a. Belcampo Meat Co.). The Project is proposed on the ground floor of a five-story mixed-use building within the Polk Street Neighborhood Commercial District and 65-A Height and Bulk District. The applicant plans to open and operate in the 2,470 square foot storefront as a Limited Restaurant and butcher while pursuing Conditional Use Authorization. The tenant space is comprised of a butcher preparation and service area, dining room, kitchen cook line, kitchen preparation space, walk in cooler, office, restroom, and dry storage on the mezzanine. No exterior modifications or expansion to the existing building envelope are proposed.

The sponsor plans to open daily, operating between the hours of Noon and 10:00 p.m. Monday-Thursday and from 8:00 a.m. to 1:00 a.m. on Friday and Saturday with up to 75 clients per day. Belcampo Meat Co. currently operates six stores in California. Three of these locations are in the Bay Area, but the Polk Street location is the only Belcampo in the city of San Francisco. Belcampo Meat Company is committed to selling and serving meat from humanely raised animals. The menu is made up primarily of entrees, sandwiches, salads, and side dishes that showcase the meats they currently have available to purchase from the butcher counter that is also located in the same tenant space.

- 5. **Public Comment.** To date, the Department has received no public comment regarding this Conditional Use Application.
- 6. **Planning Code Compliance.** The commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - a. **Change of Use.** Restaurants are conditionally permitted in the Polk Street Neighborhood Commercial District per Section 723.44, and may only add ABC license Types 47, 49, or 75 at the ground floor if the restaurant is operating as a bona fide eating place.

The operation is currently permitted to operate as a Limited Restaurant and Project sponsors are applying for a Conditional Use Authorization to convert the business to a Restaurant, which is conditionally permitted on the ground floor in the Polk Street NCD. Restaurants are defined by Planning Code Section 790.91 as retail eating or drinking uses that serve food to customers for consumption on or off the premises and which has seating. It may provide on-site beer, wine, and/or liquor sales for drinking on the premises. However, if alcohol is offered, the business must operate as a Bona Fide Eating Place per Section 790.142. The Project sponsors have applied for an ABC license Type 41, on-sale beer and wine for a bona fide eating place.

b. **Accessory Use.** An accessory uses are defined by Planning Code Section 204 as a related minor use which is either (a) necessary to the operation and enjoyment of

¹ Middle Polk Street Invest in Neighborhoods San Francisco Neighborhood Profile, prepared by the Mayor's Office of Economic and Workforce Development and the Planning Department and included in the Exhibits of this document.

a lawful principal use or conditional use, or (b) appropriate, incidental and subordinate to any such use.

A specialty grocery is principally permitted in the Polk NCD, and butcher service is an appropriate and incidental subordinate use to both the approved Limited Restaurant and proposed Restaurant.

c. **Hours of Operation.** Planning Code Section 723.27 states that the principally permitted hours of operation for the Polk Street Neighborhood Commercial District are from 6:00 a.m. to 2:00 a.m. Hours of operation are defined by Planning Code Section 790.48 as the permitted hours during which any commercial establishment may be open.

The proposed Restaurant would operate from 11:00 a.m. to 10:00 p.m. Sunday thru Thursday, and from 11:00 a.m. to 11:00 p.m. on Friday and Saturday. The Project would operate within the principally permitted hours of operation.

d. **Use Size.** Planning Code Sections 121.2 limits nonresidential uses in the Polk Street Neighborhood Commercial District to 2,500 square feet of gross floor area.

The proposed Project would occupy 1,998 square feet on the ground floor with 472 square feet of storage on the mezzanine. The total gross area, 2,470 square feet, is within the principally permitted use size.

- e. **Signage.** Belcampo Meat Co. has been permitted to erect an electrified wall sign at the entry per building permit no. 2014.05.23.6671. The approved signage complies with requirements described in Planning Code Section 607.1. The change of use from Limited Restaurant to Restaurant would not have an effect on the approved signage, and any newly proposed signage will be subject to review by the Planning Department.
- Street Frontage. Planning Code Section 145.1 requires that within NC districts, space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any façade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building façade.

The subject commercial tenant space has approximately 73 feet of linear street frontage along Polk Street and 30.5 feet of frontage along Pacific Street for a total of 103.5 feet. Approximately 54 feet is currently devoted to either transparent windows or doorways, which amounts to 52% percent of the total street frontage. Since the Project involves a

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change of use in an existing commercial space approved by motion no. 17813 for Planning Commission Case 2006.0826CV, and the deficit in transparent windows and doorways will not be increased, additional fenestration will not be required.

- 7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use Authorization. The Project complies with said criteria in that:
 - a. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or community.
 - The proposed use would not increase the size or intensity of the existing commercial space, and there would be no exterior alterations to the building. The Project would convert the existing Limited Restaurant to a Restaurant to expand the selection of food and drink, while also continuing butcher services through accessory use as a Specialty Grocery. Offering an expanded selection of food and drink for onsite consumption will strengthen the diversity of goods offered within the area, contribute to a more active street frontage throughout the day, and enhance to the economic vitality of the neighborhood.
 - b. The proposed Project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the Project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:
 - i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - The limited size and shape of the proposed Restaurant is compatible with the pattern of development in the area, and the Project does not include any alterations that will modify the existing building envelope.
 - ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
 - The Planning Code does not require parking or loading for a 2,470 square-foot Restaurant. The proposed change of use is intended to extend service to existing patrons from within the neighborhood and to attract pedestrian foot traffic from the areas immediately surrounding the Polk Street Corridor. Traffic patterns will remain unaltered by the Project because patrons would have ample walking, bicycling, taxi and public transit options. Polk Street is well served by MUNI, as there are eight lines within one block of the intersection of Polk and Pacific, including express routes.
 - iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - The Project would not create substantial emissions and Conditions of Approval would require compliance with applicable City codes to control noise, dust and odor associated with butchery and food and beverage preparation activities.

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

The Project does not require any additional landscaping or screening. One electrified wall sign was reviewed by staff at the Planning Information Counter and approved per building permit no. 2014.05.23.6671.

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

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

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

The Polk Street NCD functions as a neighborhood serving marketplace, providing convenience and specialty goods and services to residents in the Polk Gulch, Nob Hill, Russian Hill, and Pacific Heights areas. Further described in Section 723.1, commercial uses include many apparel and specialty stores, broader serving automobile uses, and offices, as well as commercial establishments like bars and restaurants that "keep the district active into the evening." The Polk Street district controls are designed to encourage neighborhood serving businesses while limiting additional parking congestion or other nuisances.

Belcampo is a neighborhood serving Limited Restaurant and accessory Specialty Grocery. Operating as a Restaurant and providing an expanded selection of food and drink would activate the intersection of Polk Street and Pacific Avenue into the evening. The area is well served by MUNI and bicycle infrastructure, and the change of use from Limited Restaurant to Restaurant will have little effect on traffic patterns.

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

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

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

The Project would convert an existing Limited Restaurant to Restaurant with continued accessory use as a Specialty Grocery that would provide desirable goods and services to the neighborhood as well as resident employment to those in the community. The proposed Restaurant would adhere to and operate under the standards set forth by the Department of Public Health, Department of Building Inspection, City Planning Department, and other regulatory agencies.

OBJECTIVE 2:

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

Policy 2.1:

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

The Project will convert the existing Limited Restaurant and accessory Specialty Grocery to a Restaurant with accessory Specialty Grocery, which could generate additional pedestrian activity in the immediate neighborhood throughout the day and into the evening. The expanded selection of food and drink would improve the viability of the business and contribute to the diverse economic base of the City.

OBJECTIVE 3:

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

Policy 3.1:

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

The change of use from a Limited Restaurant to a Restaurant and continuation of accessory Specialty Grocery would improve the viability of the business and help retain the employment opportunities currently provided by the business owner.

OBJECTIVE 6:

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

Policy 6.1:

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

No commercial tenant would be displaced and the Project would not prevent the district from enhancing the diversity in the types of goods and services available in the neighborhood. The proposed change of use would enhance meal service at Belcampo Meat Co., and the continuation of accessory specialty grocery use as a butcher would complement nearby retailers.

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.

In order to prevent oversaturation of eating and drinking uses within the Neighborhood Commercial District, Section 303 of the Planning Code limits the concentration of such businesses to 25% of the total commercial frontage as within 300 linear feet of the subject site and within the same zoning district. Planning staff have performed a site survey of the Polk Street NC District. There are three eating and drinking establishments nearby that make up 14% of the commercial street frontage within 300 linear feet of the property.

Policy 6.2:

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

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

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

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

This Project enhances the neighborhood-serving retail by expanding the existing Limited Restaurant and accessory Specialty Grocery, which currently provides butcher services and meal service to their patrons, to include a selection of beer and wine. A Restaurant use compliments the existing surrounding retail uses, and would promote activity at the intersection by instigating more foot traffic from the surrounding areas.

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

The change in use from Limited Restaurant to Restaurant and continued accessory Specialty Grocery use would not have a significant impact on the existing neighborhood character.

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

The proposed change in use would not affect affordable housing.

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

The Project includes a change of use for an existing commercial use that does not include any expansion and therefore would not result in a significant increase in any type of traffic or parking associated with the use. The intersection of Polk and Pacific is also well-served by MUNI.

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

This Project does not involve any commercial office development, and would have no effect on the industrial sector. The restaurant would continue to provide opportunities for employment in the food service sector.

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

The existing Limited Restaurant and accessory Specialty Grocery occupy a storefront that was completed in 2013 and was built in compliance with current building codes. The proposed change of use to a Restaurant and continuation of the accessory butcher service does not include any exterior or structural alterations.

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- g. That landmarks and historic buildings be preserved.
 - The Project occupies an existing tenant space in a non-historic building. No alterations are proposed.
- h. That our parks and open space and their access to sunlight and vistas be protected from development.
 - The Project does not include any changes to the existing building envelope and will have no negative impact on existing parks and open spaces.
- 10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 11. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the 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. 2014.0225C subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated January 22, 2014, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives NOTICE that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not recommence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on June 12, 2014.

Jonas P. Ionin Commission Secretary

AYES: NAYS: ABSENT: ADOPTED:

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the change of use from a Limited Restaurant to a restaurant (d.b.a. Belcampo Meat Company) located at 1998 Polk Street, Lot 024 in Assessor's Block 0596 pursuant to Planning Code Section(s) 303 and 723 within the Polk Street Neighborhood Commercial District and a 65-A Height and Bulk District and subject to conditions of approval reviewed and approved by the Commission on June 12, 2014 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the Project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on June 12, 2014 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

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

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

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

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

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

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

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

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

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

Case No. 2014.0225C 1998 Polk Street

Draft Motion Hearing Date: June 12, 2014

MONITORING - AFTER ENTITLEMENT

6. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

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

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

 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

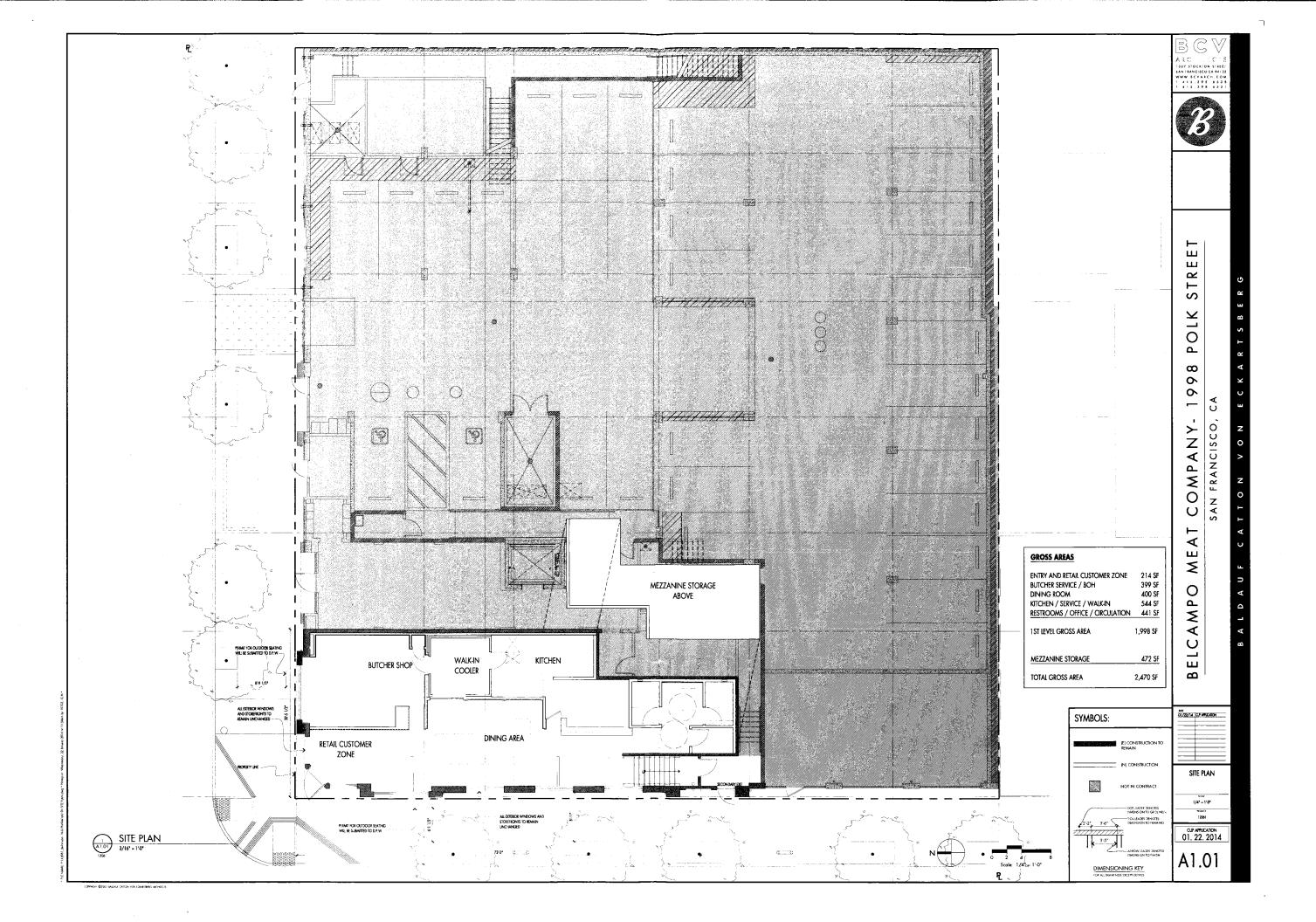
Case No. 2014.0225C 1998 Polk Street

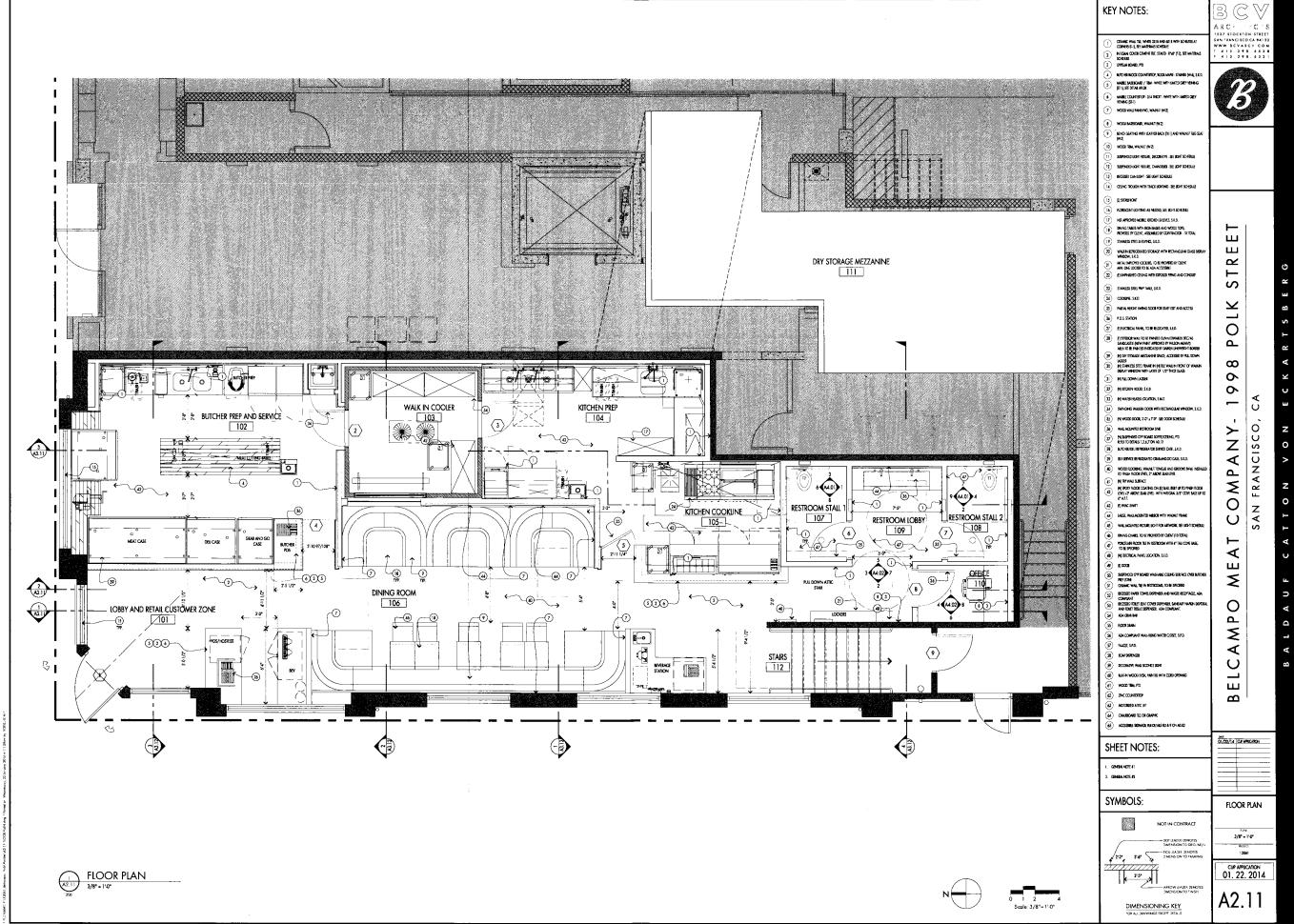
For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, <u>www.sfdbi.org</u>

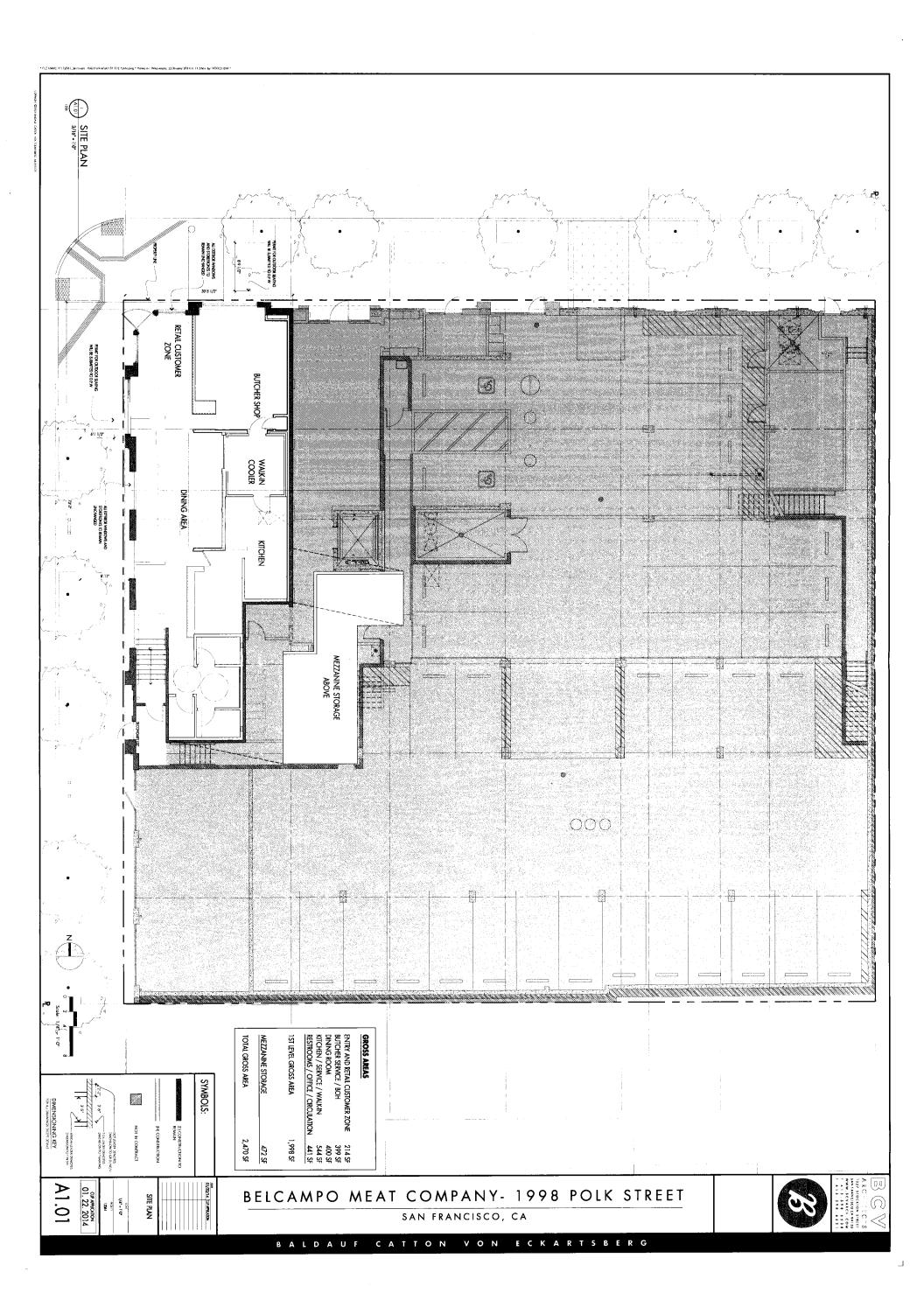
For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-0123, www.sf-police.org

11. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator 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.

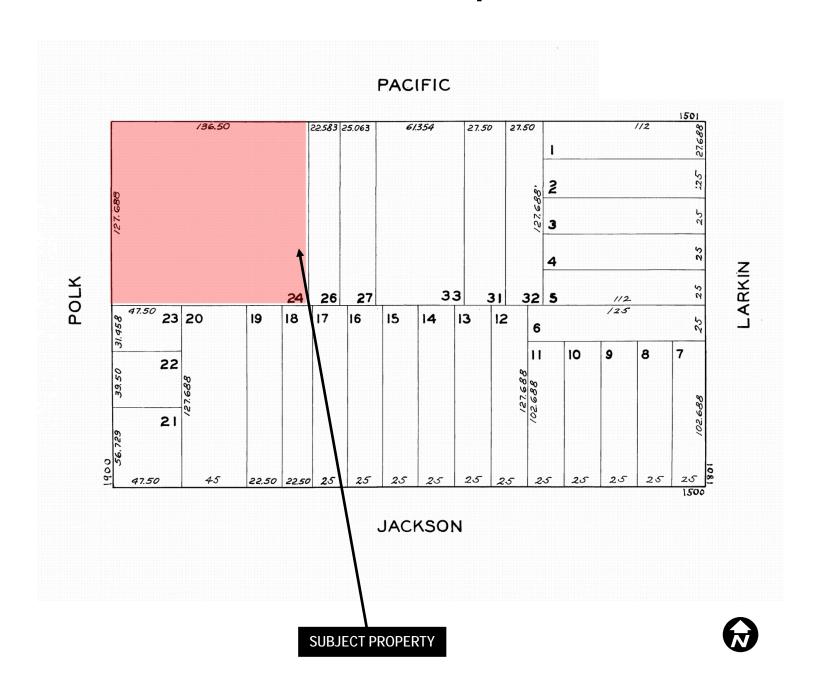
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org



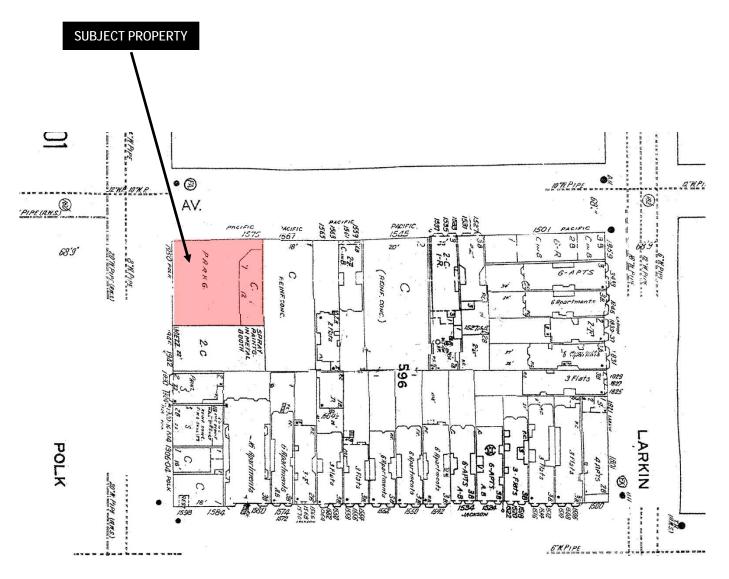




Parcel Map



Sanborn Map*



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



SFMTA Transit Map

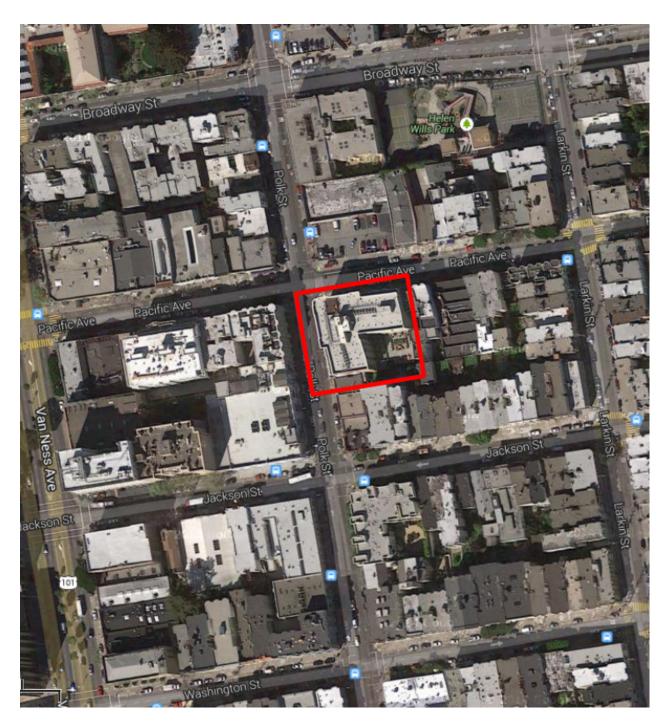




Zoning Map



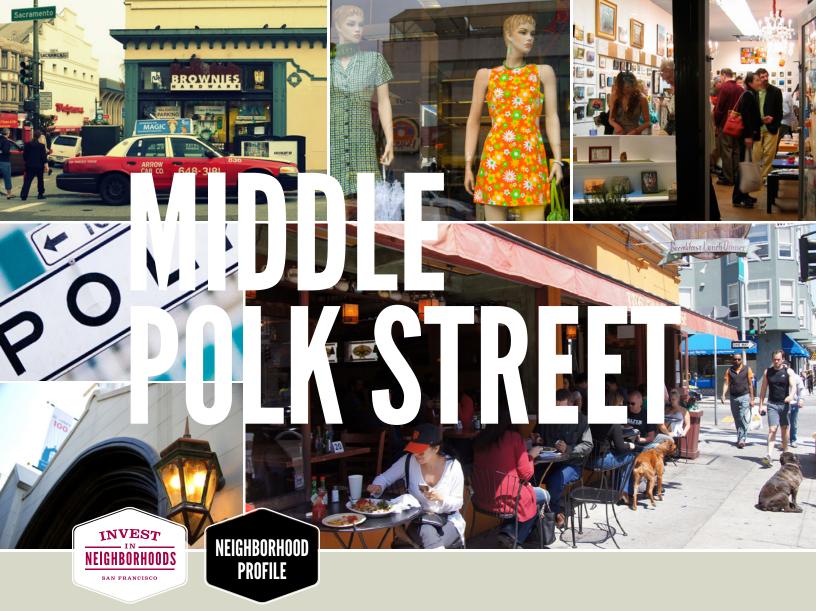
Aerial Photo





Site Photo







POLK STREET FROM CALIFORNIA TO BROADWAY STREETS



MIDDLE POLK STREET SUMMARY

Neighborhood Features

SEE MORE ON PAGE 3

Middle Polk is a thriving commercial district that features a mix of neighborhoodserving retail, locally-owned restaurants, cafes, and specialty stores. Polk Street from California to Broadway serves a number of adjacent residential neighborhoods including Russian Hill, Nob Hill, and the Tenderloin. The district is currently undergoing significant development with new condo towers attracting empty-nesters, young couples and families into the area.

Middle Polk boasts a number of active neighborhood groups. Its resident association – the Middle Polk Neighborhood Association – meets monthly and hosts regular activities, including a monthly clean-up. The Polk District Merchants Association also represents the area. As of spring 2013 two groups – Save Polk Street and Folks for Polk – have formed to conduct advocacy related to the Municipal Transportation Agency's Polk Street Improvement Project.

Middle Polk is served by the 19-Polk Muni bus route.

Commercial District Health

SEE MORE ON PAGE 4

Middle Polk is a hub for home goods, coffee shops, bars and restaurants. The retail vacancy rate is stable and consistently below 10%. From 2006 to 2012 sales tax captured in the district grew by 19%, compared with 17% growth Citywide over the same period. The corridor features a high number of drinking and food establishments, with opportunities for growth in general merchandise, specialty foods and clothing and apparel.

Public safety in Middle Polk is a concern for merchants and residents. From November 2011 to October 2012 criminal incidents were relatively dispersed throughout the corridor, although minor hotspots of activity occur at Broadway, Pacific, and California. (Source: SFPD incidents data, November 2009-October 2012) Merchants and advocates express concern about sex crimes, disorderly conduct, and assaults.

Demographics

SEE MORE ON PAGE 7

Some 23,700 people live within a one-quarter mile radius of the Middle Polk Street neighborhood commercial corridor. Its population is younger than San Francisco's overall, with most of the population between 18 and 59 years old; children make up just 7% of the population. The Middle Polk commercial corridor is largely white, with less than a third Asians and very few black residents; Latinos make up 8% of the population, which is smaller than the City overall. There are about 5,340 housing units in the area surrounding Middle Polk, predominantly in multi-family structures with 10 units or more; residential density in the Middle Polk area is twice that of the City's. Most of the households in Middle Polk are renters; only 14% are homeowners. Household sizes are smaller; single-person households make up 60% of all households and families, 27%. Middle Polk household incomes are lower than Citywide averages but per capita incomes are higher.



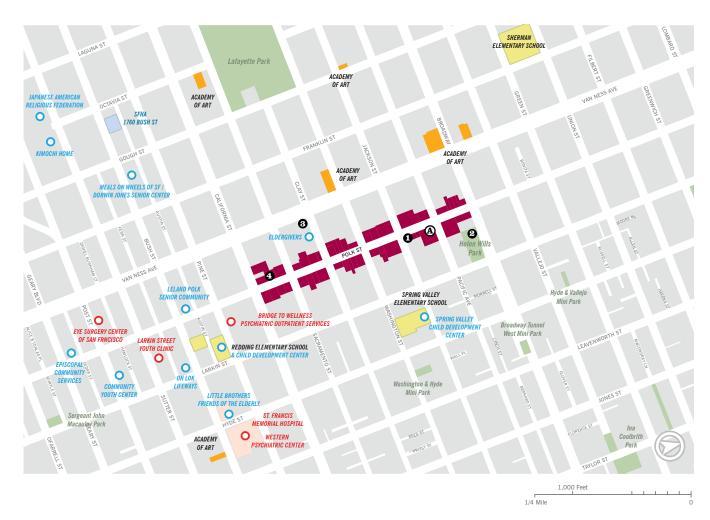
Invest in Neighborhoods is a
City initiative to provide focused,
customized assistance to meet the
specific needs of San Francisco's
neighborhood commercial
corridors.

This assessment is a snapshot of existing conditions in Middle Polk Street as of February 2013. It will help to inform the City's investments in the neighborhood, and provide a resource for neighborhood stakeholders.

Contents include:

- Neighborhood Features
- Commercial District Health
- Kev Takeaways
- Demographics
- Land Use
- Business Mix
- Transportation
- Existing Plans & Interventions

Note: This document includes some subjective descriptions of the neighborhood based on findings gathered through direct observation and interviews with key neighborhood stakeholders.



Notable Places

- Bell Tower
- Helen Wills Park
- 3 St. Luke's Episcopal Church
- Swan Oyster Depot

Cultural Events

- **6** Monthly Community Clean Up
- Spring Fling

Pipeline Projects

A 1946 Polk Street 39 units

Merchant & Resident Groups

Folks for Polk

Middle Polk Neighbors Association

Polk District Merchants Association

Save Polk Street Coalition



















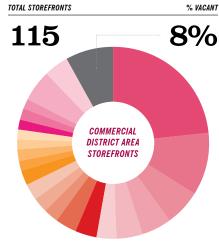










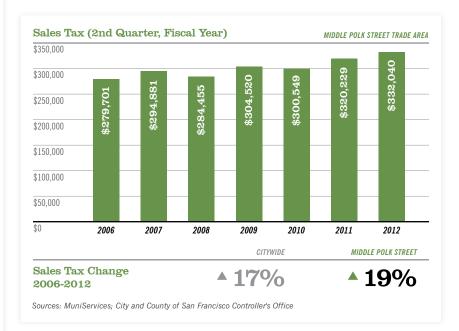


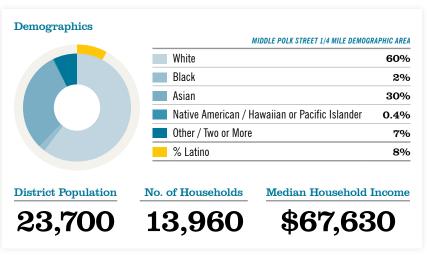
27
12
7
6
5
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6
5

Source: November 2012 parcel inventory within Commercial District Area (see boundary map on page 6) conducted by Planning Department / OEWD.









Recent Accomplishments

Over 400 people attended Middle Polk Neighborhood Association's March 2013 meeting to weigh in on the Polk Street Improvement Project.



STRENGTHS

- Strong sense of community and place.
- Associations of merchants and residents are active and influential.
- Diverse business mix supported by strong foot traffic.
- · Low storefront retail vacancy.
- Centrally located, walkable and reliable public transportation.
- A number of development projects will bring new residents and new retail spaces.

OPPORTUNITIES

- MTA plans to invest in streetscape improvements; leverage investments to improve the environment for all stakeholder groups.
- Develop strategy for business attraction and retail diversification.
- Improve pedestrian environment by making capital improvements such as street trees, hanging flower baskets, pedestrian lighting.
- Address specific eyesore storefronts through outreach, focused cleaning.
- Create public gathering locations and green spaces, e.g., on side streets and/or parklets.
- Conduct preliminary conversations to determine interest in a CBD.

CHALLENGES

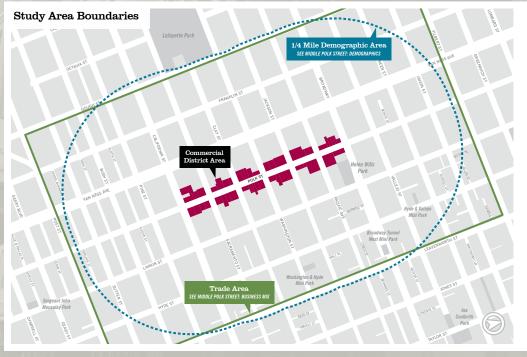
- · Perception of crime is deterrent for visitors.
- Overabundance of foot massage parlors, nail salons/dry cleaners.
- Loitering, public urination detracts from pedestrian environment and retail climate.
- Businesses are reporting more instances of ADA fines.
- High risk corridor for collisions involving automobiles, pedestrians, cyclists.
- Persistent problems with dirty sidewalks, graffiti, illegal dumping on side streets.
- Poor lighting.
- Lack of green space for public gatherings.
- Small business owners are concerned about potential loss of parking spaces.

"Polk Street is funky, it's cool, and it's always changing. Polk just has a way of making you love it."

Neighborhood Advocate



DATA Appendix



NOTE:

Demographic data presented on page 7 represents the area within 1/4 mile of the Middle Polk Street commercial district.

Business mix data presented on page 9 corresponds with the Trade Area indicated on the map.

Middle Polk Street storefronts data presented on page 4 corresponds with the Commercial District Area indicated on the map.

MIDDLE POLK STREET

60%

2%

30%

0.4%

7%

8%

34%

14%

3%

4%

41%

32%

20%

49/51%

CITYWIDE

48%

6%

33%

1%

11%

15%

36%

14%

4%

9%

30%

37%

19%

51/49%

MIDDLE POLK STREET: DEMOGRAPHICS

Population

23,700

vs. 805,240 Citywide

Population Density

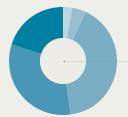
per acre

vs. 27 Citywide



36.0

vs. 38.5 Citywide



% of Households Without a Car

52%

vs. 29% Citywide

Households

Race / Background

Other / Two or More

Linguistic Isolated Households

Native American / Hawaiian or Pacific Islander

White

Black

Asian

% Latino

Male / Female Ratio

Foreign Born

5 to 17

18 to 34

35 to 59

60 and over

Age Under 5

Family Households	44%	27%
Single-Person Households	39%	60%
Non-Family Households	17%	13%
Average Household Size	2.3	1.7
Average Family Household Size	3.1	2.8

No. of Households

13,960 🏟

vs. 345,810 Citywide

Median Household Income

\$67,630

vs. \$71,420 Citywide

Unemployment

5%

vs. 7% Citywide

Income

Median Family Household Income	\$86,670	\$82,060
Per Capita Income	\$45,478	\$60,920
% Poverty	12%	14%
Unemployment	7.0%	5.0%

Education

A higher percentage of college graduates or more.



15,340



vs. 376,940 Citywide

Residential Density



vs. 12 Citywide



Education High School or Less 29% 25% Some College / AA Degree 20% **15%** College Degree 31% 41% Post Graduate 20% 20%

Housing

Renting Households	62%	86%
Rental Vacancy Rate	3.4%	5.0%
Median Rent	\$1,260	\$1,270

Housing Type

Single Family Housing	33%	3%
2 - 4 Units	21%	9%
5 - 9 Units	10%	15%
10 units or more	35%	72%

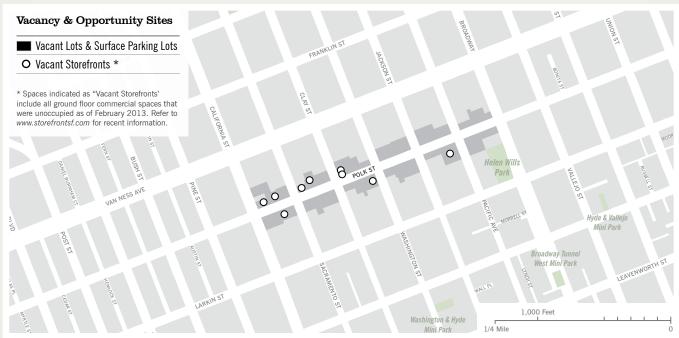
MIDDLE POLK STREET: LAND USE

Neighborhood Zoning

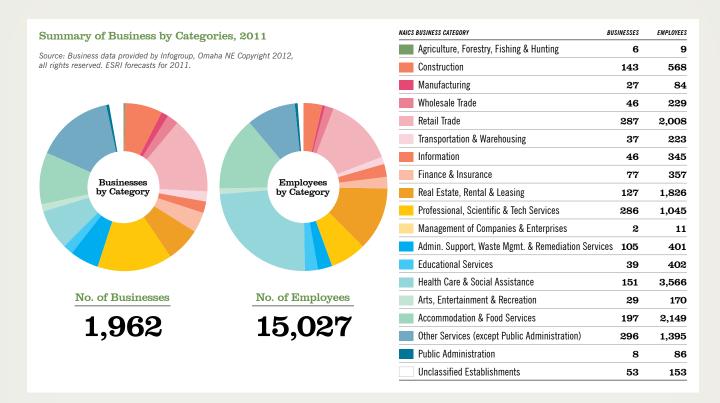
NCD

POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT



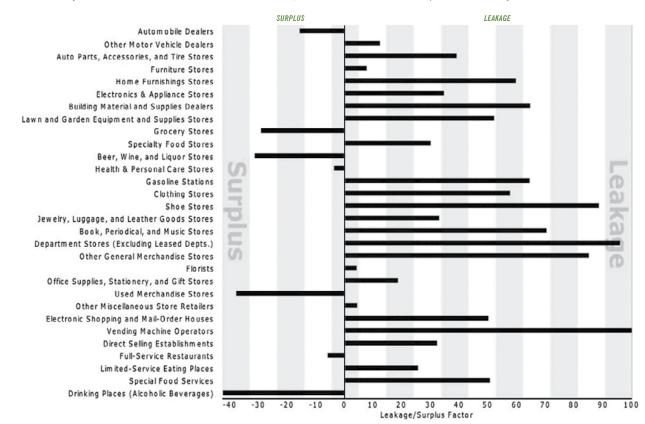


MIDDLE POLK STREET: BUSINESS MIX

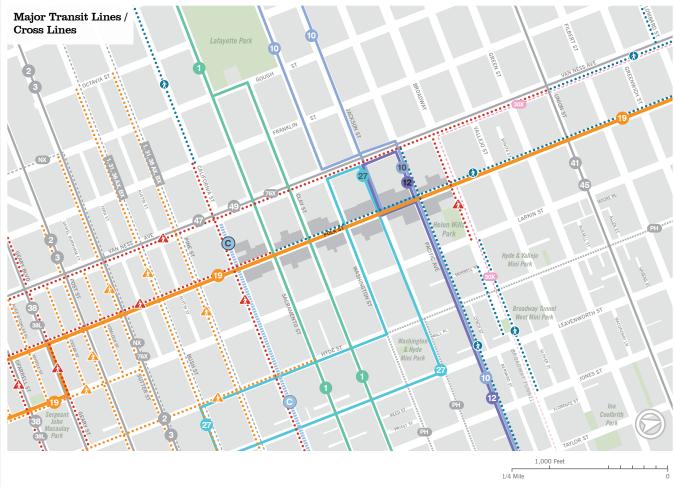


Leakage / Surplus Factor by Industry Group, Middle Polk Street

The Leakage / Surplus Factor summarizes the relationship between supply (retail sales by businesses in the commercial district) and demand (consumer spending by households within a quarter-mile radius of the commercial district). As the Leakage / Surplus Factor trends toward +100, the market is experience leakage, meaning there is less retail activity relative to local demand. As the factor trends toward -100, this means that the market is in surplus and retail activity is in excess of local demand.



MIDDLE POLK STREET: TRANSPORTATION



Major Transit Line (Inbound) on Polk Street

19 Polk



Cross Lines	()
on Sacramento and Clay Streets	1
on Washington and Jackson Streets	27
on Pacific Avenue	10, 12
on Broadway Street	30X
on California Street	Cable Car

Walking		T
Ø	Key Walking Streets	(see map)
···V···	High Priority Segments	(see map)
··· <u>/</u>	High Risk Corridors	(see map)

Parking	
Metered Spaces	164
Unmetered Spaces	10
Bicycling	

Bicycle Racks









24

MIDDLE POLK STREET: EXISTING PLANS & INTERVENTIONS

Polk Street Improvement Project

SUMMARY: The Polk Street Improvement Project seeks to implement aesthetic and safety improvements for all users of Polk Street between McAllister and Union Streets. In accordance with the City's Transit First policy, improvements will primarily be focused on people who walk, use transit and ride a bicycle along Polk Street.

URL: http://www.sfmta.com/projects-planning/projects/polk-street-improvement-project



DPW Community Corridors and Ambassadors Program

DATE:	2009	SOURCE:	SF DPW
SUMMARY:	The San Francisco Department of Public Works' Community Corridors progra Polk Street from California to Vallejo.	m is activ	re on
URL:	http://www.sfdpw.org/index.aspx?page = 352		





Mayor
Edwin M. Lee



District Supervisor

David Chiu, District 3



Board of Supervisors

David Chiu, *President* John Avalos

London Breed David Campos

Malia Cohen

Mark Farrell

Jane Kim

Eric Mar

Katy Tang

Scott Wiener

Norman Yee



To learn more about Invest in Neighborhoods please visit our website at http://oewd.org/IIN.aspx, or contact the Office of Economic and Workforce Development at (415) 554-6969 or moewd@sfgov.org and ask to speak with a member of the Invest in Neighborhoods team.

Land use and business inventory survey for Middle Polk Street corridor conducted by San Francisco State University USP680 Fall 2012 student Amelia Kolokihakaufisi. The *Invest in Neighborhoods* Commercial District Profiles have been brought to you by:



