



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Project Summary and Draft Motion

COMMUNITY BUSINESS PRIORITY PROCESSING PROGRAM

HEARING DATE: MARCH 7, 2019

Date: February 28, 2019
Record No.: 2016-005805CUA
Project Address: 430 Broadway
Zoning: NCD (Broadway Neighborhood Commercial) Zoning District
65-A-1 Height and Bulk District
Block/Lot: 0144/009
Project Sponsor: Rui Xie
825 Front Street #C403
San Francisco, CA 94111
Staff Contact: Gabriela Pantoja- (415) 575-8741
gabriela.pantoja@sfgov.org
Recommendation: **Approval with Conditions**

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

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415.558.6378

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415.558.6409

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Information:
415.558.6377

PROJECT DESCRIPTION

This proposal is for the establishment of a restaurant use (d.b.a. Fondue Chinoise) at an existing 1,850 square-foot tenant space at the ground floor of an existing four-story mixed-use building. Minor interior and exterior alterations of the subject tenant space are proposed. Currently, the subject tenant space is occupied and utilized by the listed business as a limited-restaurant use. This project has qualified to be reviewed under the Community Business Priority Processing Program ("CB3P").

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 303 and 714 for the establishment of a restaurant use within an existing 1,850 square-foot tenant space.

DECISION

Based on information set forth in application materials submitted by the project sponsor and available in the case file (which is incorporated herein by reference as though fully set forth) and based upon the CB3P Checklist and findings below, the Commission hereby **APPROVES Conditional Use Authorization No. 2016-005805CUA** subject to conditions contained in the attached "EXHIBIT A" and in general conformance with plans on file, dated **June 12, 2017**, and stamped "EXHIBIT B."

CB3P CHECKLIST

	Required Criteria			Comments (if any)
	Complete & adequate	Incomplete and / or inadequate	Not required and / or not applicable	
Scaled and/or dimensioned plans	X			See attached, Exhibit B.
Project Sponsor's application	X			See attached, Exhibit C.
CB3P eligibility checklist	X			See attached, Exhibit C.
Planning Code §101.1 findings	X			See application Findings.
Planning Code §303(c) findings	X			See application Findings.
Planning Code §303(o) findings for Eating and Drinking Uses	X			Commercial frontage: concentration is lower than the 25% threshold recommended, increases by approximately one percent.
Photographs of the site and/or context	X			See attached, Exhibit D.
Correspondence	X			See attached, Exhibit E.
Clearance under California Environmental Quality Act ("CEQA")	X			Categorically Exempt. See attached, Exhibit F.
Additional Information				
Notification Period	02/15/2019 – 03/07/2019 (20 days mailing; 20 days newspaper; 20 days posted).			
Number and nature of public comments received	The Department has received seven correspondences in support of the Project and has not received any correspondence in opposition to the Project.			
Number of days between filing and hearing	The Application has remained on-hold since November of 2017, pending direction from the Applicant.			
Generalized Basis for Approval				
<p><i>The Commission finds that this Project is necessary, desirable for, and compatible with the surrounding neighborhood as follows, and as set forth in the Section 101.1, 303(c), and 303(o) findings submitted as part of the application. The Project will provide a service that both enhances and reinforces the neighborhood's existing commercial corridor and will not displace an existing neighborhood serving retail use. Rather, the Project will maintain an existing business (d.b.a. Fondue Chinoise) in the neighborhood and increase the business' ability to compete with similar neighboring businesses. The Project will increase the concentration of eating and drinking uses within 300 linear feet of the subject property and within the Broadway NCD from approximately 19 to 20 percent, which is lower than the 25% threshold recommend by Section 303(o).</i></p>				

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on March 7, 2019.

AYES:

NAYS:

ABSENT:

ADOPTED: March 7, 2019

Jonas P. Ionin
Commission Secretary

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. 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.

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 re-commence the 90-day approval period.

EXHIBIT A

AUTHORIZATION

This authorization is for a **Conditional Use Authorization** pursuant to Planning Code Sections 303 and 714 for the establishment of a restaurant use (d.b.a. Fondue Chinoise) at an existing 1,850 square-foot tenant space at the ground floor of an existing four-story mixed-use building; in general conformance with plans, dated **June 12, 2017**, and stamped "EXHIBIT B" included in the docket for Record No. **2016-005805CUA** and subject to conditions of approval reviewed and approved by the Commission on **March 7, 2019** 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.

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 **March 7, 2019** 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.** 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
5. **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

DESIGN – COMPLIANCE AT PLAN STAGE

6. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the design, including signs and awnings. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
7. **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
8. **Signs and Awnings.** Any signs on the property must have a sign permit and shall comply with the requirements of Article 6 of the Planning Code. Any awnings or canopies must have a permit and shall comply with the requirements of Planning Code Section [136.1](#) and be reviewed by the Department's historic preservation staff for consistency with the [Secretary of the Interior's Standards for the Treatment of Historic Properties](#).
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
9. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the Project is operational, the Building Permit Application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans. Odor control ducting shall not be applied to the primary façade of the building.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

10. **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

11. **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

12. **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>

13. **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>

14. **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

15. **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 415-553-0123, www.sf-police.org

16. **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.

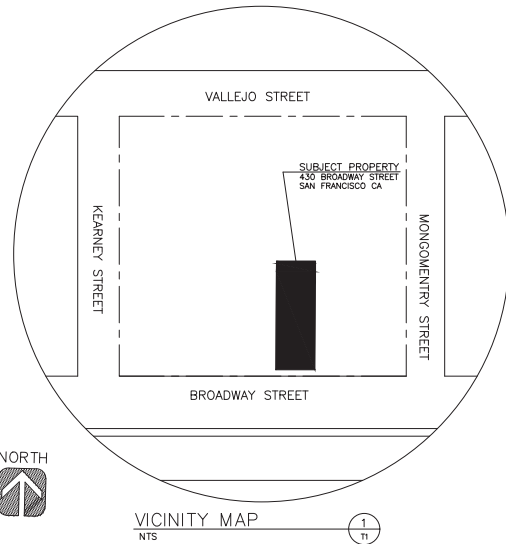
For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

17. **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.

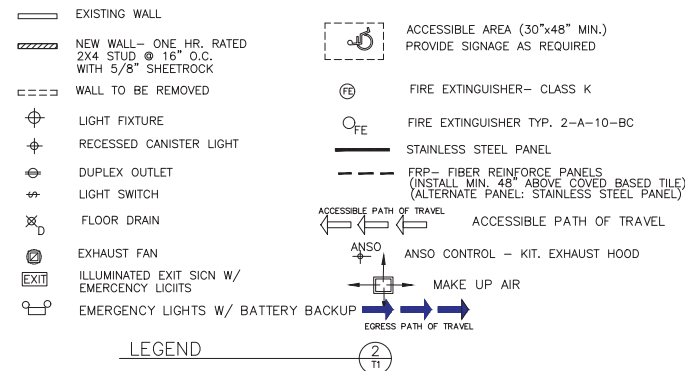
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

430 BROADWAY STREET SAN FRANCISCO, CA 94133

TENANT: FONDUE CHINOISE



BUILDING DESCRIPTION:
ZONING : NCD- BROADWAY NEIGHBORHOOD COMMERCIAL
OCCUPANCY :
BUILDING TYPE : VB **BLOCK/LOT:** 0144/009
STORY(IES) : FOUR
PREVIOUS USE : RESTAURANT
PROPOSED USE : RESTAURANT
OCCUPANT LOAD : 80
SPRINKLER BUILDING
CODE REFERENCE :
 C.B.C. : 2016 C.P.C. : 2016
 C.E.C. : 2016 C.M.C. : 2016
CALIFORNIA TITLE 24 : 2016
LEGEND-TYPICAL



TITLE SHEET

- T-1 VICINITY MAP AND TITLE SHEET
- A-0 SITE PLAN
- A-1 EXISTING GROUND FLR. PLAN
- A-2 PROPOSED GROUND FLR. PLAN
- A-3 EXISTING ELEVATIONS
- A-4 ASSESSOR'S MAP/SITE PLAN & ELEVATION

SCOPE OF WORK

A CHANGE OF USE FROM A 1,850 SQ. FT. LIMITED RESTAURANT TO A NON-FORMULA-RETAIL RESTAURANT AT THE GROUND FLOOR D.B.A. FONDUE CHINOISE.

AREA LOCATION	OCCUPANT LOAD CALCULATION		OCCUPANT LOAD
	SQUARE FOOTAGE	AREA CALCULATION	
DINING AREA (100)	1161 SQ. FT.	⊙ 15 P/S.F.	77
JANITOR ROOM (101)	48 SQ. FT.	⊙ 200 P/S.F.	
DRY STORAGE (102)	36 SQ. FT.	⊙ 200 P/S.F. [111 SQ. FT.]	1
STORAGE (103)	27 SQ. FT.	⊙ 200 P/S.F.	
KITCHEN AREA (104)	216 SQ. FT.	⊙ 200 P/S.F.	
WASH AREA (105)	73 SQ. FT.	⊙ 200 P/S.F. [346 SQ. FT.]	2
PREP AREA (106)	57 SQ. FT.	⊙ 200 P/S.F.	
ACCESSIBLE RESTROOM (107)	45 SQ. FT.	-	
ACCESSIBLE RESTROOM (108)	42 SQ. FT.	-	
HALL (109)	168 SQ. FT.	-	
TOTAL OCCUPANT LOAD			80

NOTE: THERE ARE TO BE FOUR OR FEWER EMPLOYEE.

ARCHITECTURE

- Contractor shall verify location of building on site. Notify Architect at time of staking of there are any discrepancy or inconsistencies found.
- Subcontractors to submit delivery schedules as a part of their bid submittal.
- All warranties due to Owner shall be forwarded in triplicate form to General Contractor upon completion of the job with no exception. Failure to comply with will result in delay in payment to subcontractor.
- Changes in design or materials will NOT be accepted without written authorization from Architect.
- General Contractor shall (2) sets submit as-built drawings to Architect upon completion. (1 set of blue prints and 1 set of sepi)
- All glazing shall conform to federal glazing regulations and chapter 24, 2010 California Building Code.

PLUMBING

- Contractor's work shall include all pipe, valves, fittings, reducers, stops, saddles, etc. required for complete operable sanitary, water and storm drainage.

ELECTRICAL

- Electrical conduits and transformer pad shall be per CITY standards.
- Electrical contractor shall install "UNDER GROUND" at electrical service entrance to building per City details.
- Site fixture shall be wired in approved conduit to electrical house panel.
- City shall supply and install gas meters & gas lines.
All fees shall be paid by Owner.

GENERAL NOTE

- ALL WORK SHALL COMPLY WITH LATEST APPLICABLE CODES AND TRADE STANDARDS WHICH GOVERN EACH PHASE OF WORK, INCLUDING BUT NOT LIMITED TO:
 2016 CALIFORNIA BUILDING CODE
 2016 CALIFORNIA MECHANICAL CODE
 2016 CALIFORNIA PLUMBING CODE
 2016 CALIFORNIA ELECTRICAL CODE
 2016 CALIFORNIA TITLE 24
- ALL WORK SHALL COMPLY WITH LOCAL ORDINANCES AND STATE LAWS.
- ALL CONSTRUCTION SHALL CONFORM TO CURRENT TITLE 24, CALIFORNIA ADMINISTRATIVE CODE ACCESSIBILITY REQUIREMENTS.
- ALL PUBLIC IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE LATEST ADOPTED CITY STANDARDS.
- ALL MECHANICAL, PLUMBING, AND ELECTRICAL EQUIPMENT SHALL BE ANCHORED AND SEISMICALLY BRACED PER CODE.
- DIMENSIONS ON WORKING DRAWINGS GOVERN. DO NO SCALE DRAWINGS.
- ALL TYPICAL DETAILS SHALL APPLY UNLESS NOTED OTHERWISE. THE DETAILS REFLECT THE DESIGN INTENT FOR TYPICAL CONDITIONS. THE CONTRACTOR SHALL VERIFY ALL FIELD CONDITIONS AND SHALL INCLUDE, IN HIS SCOPE, THE COST FOR COMPLETE FINISHED INSTALLATION, INCLUDING ANOMOLIES, OF ALL TRADES.
- ALL CONTRACTORS SHALL THOROUGHLY REVIEW CONTRACT DOCUMENTS AND SITE CONDITIONS PRIOR TO PROCEEDING WITH WORK. PRIOR TO BIDDING, CONTRACTOR SHALL NOTIFY THE OWNER AND ARCHITECT OF ANY CONDITIONS WHICH ARE NOT COVERED IN THE CONTRACT DOCUMENTS. DURING CONSTRUCTION, CONTRACTORS SHALL NOTIFY THE OWNER AND SEEK CLARIFICATION IF ANY DISCREPANCIES ARE FOUND. CONTRACTORS SHALL BE RESPONSIBLE FOR REMEDIAL WORK IF RELATED WORK IS AFTER A DISCREPANCY IS IDENTIFIED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THAT MATERIALS, LABOR, INSTALLATION, ETC., CONFORMS TO THE CODES AND REQUIREMENTS OF LOCAL GOVERNING AGENCIES.
- NO WORK SHALL COMMENCE WITH UNAPPROVED MATERIALS. ANY WORK DONE WITH UNAPPROVED MATERIALS AND EQUIPMENT IS AT THE CONTRACTOR'S RISK.
- CONSTRUCTION MATERIALS STORED ON THE SITE SHALL BE PROPERLY STACKED AND PROTECTED SO AS TO PREVENT DAMAGE OR DETERIORATION UNTIL USED. FAILURE IN THIS REGARD MAY BE CAUSE FOR REJECTION OF MATERIAL AND/OR WORK.
- FINISHED AND CONSTRUCTION SHALL BE PROTECTED BY THE CONTRACTOR FROM POTENTIAL DAMAGE CAUSED BY CONSTRUCTION ACTIVITY. DAMAGE TO FINISHES OR CONSTRUCTION CAUSED IN THIS MANNER SHALL BE REPAIRED OR REPLACED (OWNER'S & ARCHITECT'S DECISION) BY CONTRACTOR WITH IDENTICAL MATERIAL AND/OR FINISHES.
- ALL CONTRACTORS SHALL REMOVE TRASH AND DEBRIS RESULTING FROM THEIR WORK ON A DAILY BASIS. PROJECT SITE SHALL BE MAINTAINED IN A CLEAN AND ORDERLY CONDITION.
- IN ADDITION TO THOSE SHOWN ON DRAWINGS, PROVIDE AND LOCATE ACCESS DOORS OR PANELS IN CEILING AND WALL CONSTRUCTION AS REQUIRED FOR MECHANICAL, PLUMBING, AND ELECTRICAL WORK.
- PROVIDE BACKING FOR ALL EQUIPMENT AND ACCESSORIES.
- CONTRACTOR TO FIELD VERIFY "AS-BUILT" CONDITIONS AND NOTIFY THE ARCHITECT IF THEY VARY SUBSTANTIALLY FROM THOSE SHOWN.

FIRE PROTECTION NOTES:

- ALL PORTION OF THE BUILDING SHALL BE WITHIN 75 FEET OF A FIRE EXTINGUISHER. THE MIN. SIZE OF THE EXTINGUISHER SHALL BE 2-A-10-BC
- PROVIDE A CLASS K FIRE EXTINGUISHER IN THE KITCHEN AREA IF OPEN FLAME EQUIPMENT PRESENT.
- FIRE SUPPRESSION SYSTEM UNDER KITCHEN HOOD SHALL BE UNDER SEPERATE PERMIT SUBMITTAL.

REVISIONS:	
1	
2	
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4	
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**SJA DEVELOPMENT-
LLC
DESIGN DIVISION**
 562 BRYANT STREET TEL (415) 684-0632
 SAN FRANCISCO, CA 94107



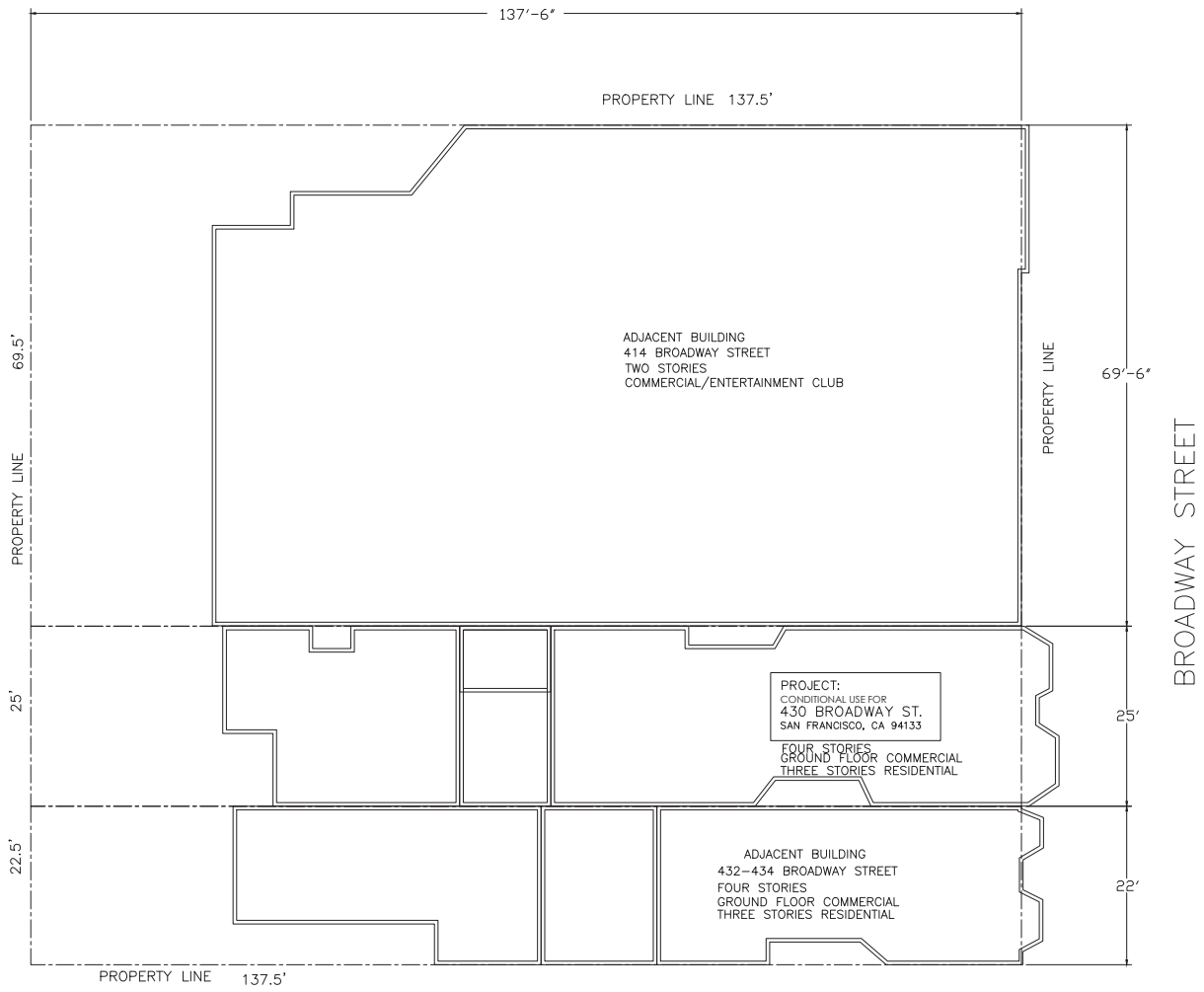
**CONDITIONAL USE AUTHORIZATION
FONDUE CHINOISE
RESTAURANT**
 430 BROADWAY STREET, S.F., CA 94133
 TEL: (415) 217-8888

VICINITY MAP
AND
TITLE SHEET

DATE: 6/12/17
 SCALE: AS SHOWN
 DRAWN BY: WILSON NG

SHEET NO.
T-1

DATE OF SHEETS



SITE PLAN

1/8" = 1'-0"

1
A0

REVISIONS:	
1	
2	
3	
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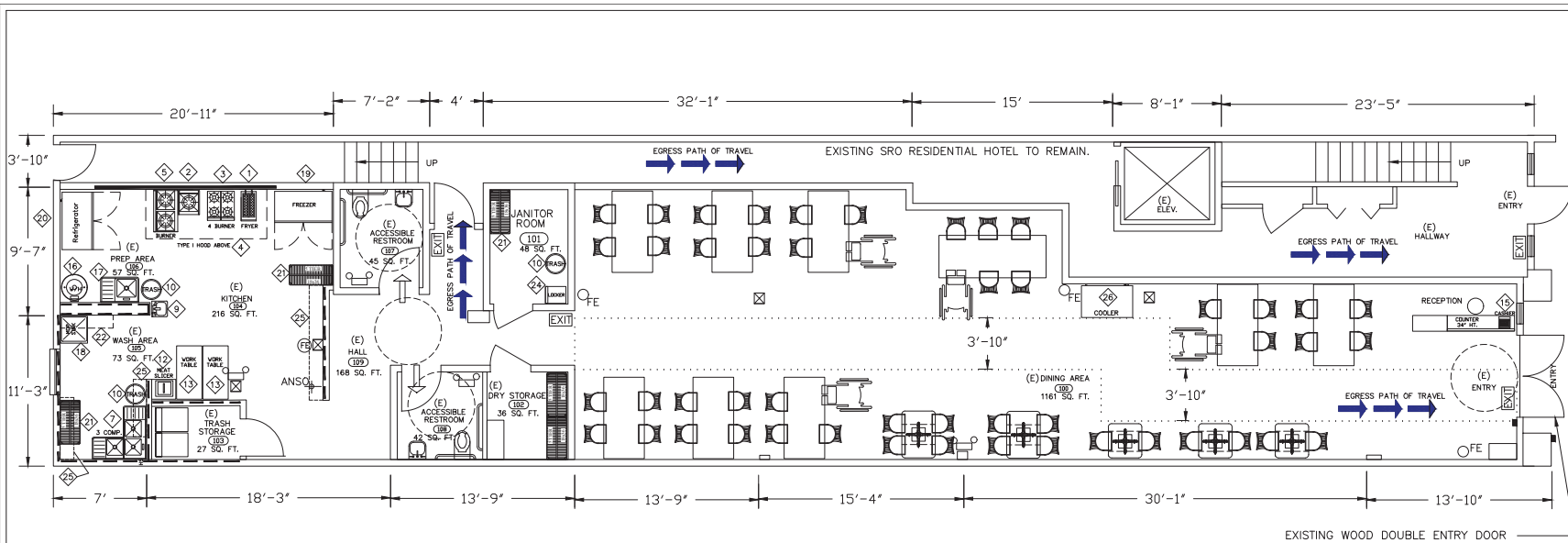
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ASSESSOR
MAP/SITE PL.
& ELEVATION

DATE: 6/12/17
SCALE: AS SHOWN
DRAWN BY: WILSON NG

SHEET NO.
A-0

DF SHEETS



BROADWAY STREET
SIDEWALK

NOTE:
EXISTING MECHANICAL &
LIGHTING SYSTEM TO REMAIN.

EXISTING GROUND FLOOR PLAN 1
A1
1/4" = 1'-0"

**EQUIPMENT
SCHEDULE / LIST**

- ① DEEP FRYER
- ② BURNER
- ③ 4 BURNER RANGE OVEN
- ④ TYPE I HOOD
- ⑤ RADIANCE BURNER
- ⑥ COUNTER
- ⑦ (3) COMPARTMENT SINK
- ⑧ GREASE INTERCEPTOR
- ⑨ HAND-WASH SINK
- ⑩ TRASH CAN
- ⑪ DISHWASHER
- ⑫ MEAT SLICER
- ⑬ S.S. WORK TABLE
- ⑭ -
- ⑮ CASHIER
- ⑯ HOT WATER HEATER
- ⑰ (1) COMPARTMENT PREP SINK
- ⑱ MDP SINK
- ⑲ FREEZER
- ⑳ REFRIGERATOR
- ㉑ EPOXY WIRE SHELVES
- ㉒ STORAGE SHELF
- ㉓ ICE MACHINE
- ㉔ EMPLOYEE LOCKER
- ㉕ STAINLESS STEEL SHELF
- ㉖ UNDERCOUNTER PREP COOLER

	OCCUPANT LOAD		CALCULATION		
	AREA LOCATION	SQUARE FOOTAGE	AREA CALCULATION	OCCUPANT LOAD	
GROUND FLOOR	DINING AREA (100)	1161 SQ. FT.	⊙ 15 P/S.F.	77	
	JANITOR ROOM (101)	48 SQ. FT.	⊙ 200 P/S.F.	1	
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	TOTAL OCCUPANT LOAD				80

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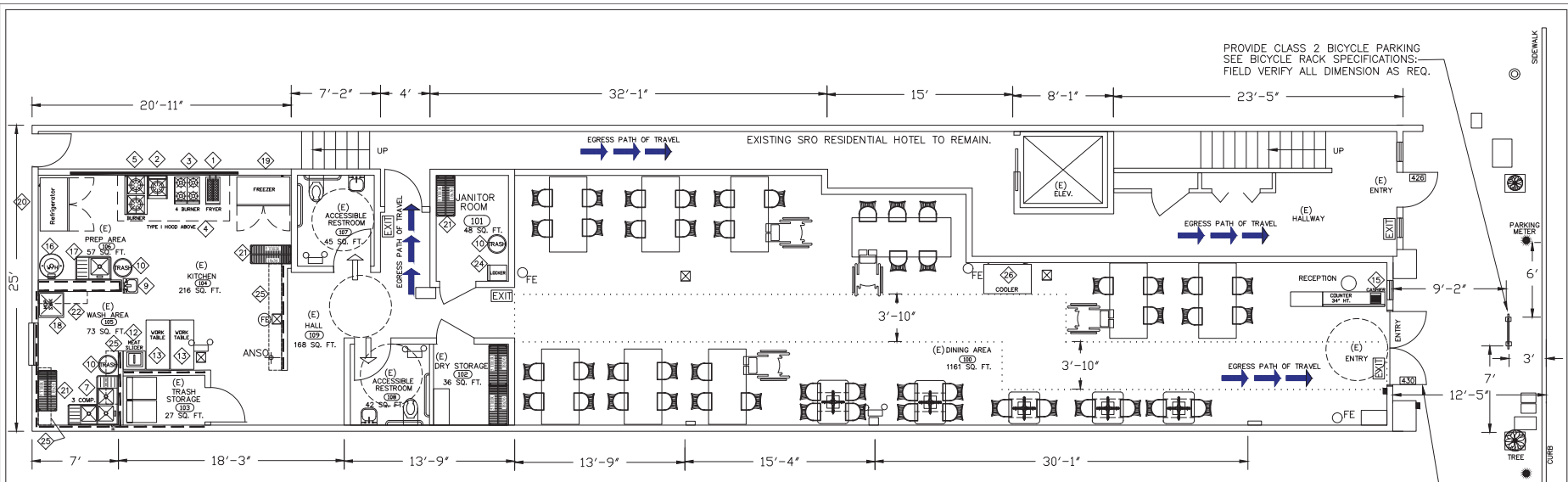


CONDITIONAL USE AUTHORIZATION
FONDUE CHINOISE
RESTAURANT
430 BROADWAY STREET, S.F., CA 94133
TEL (415) 217-8888

EXISTING
GROUND
FLOOR PLAN

DATE: 6/12/17
SCALE: AS SHOWN
DRAWN BY: WILSON NG

SHEET NO.
A-1



PROPOSED GROUND FLOOR PLAN 1
 1/4" = 1'-0" SITE PLAN A1

EQUIPMENT SCHEDULE/LIST

- 1 DEEP FRYER
- 2 BURNER
- 3 4 BURNER RANGE OVEN
- 4 TYPE I HOOD
- 5 RADIANCE BURNER
- 6 COUNTER
- 7 (3) COMPARTMENT SINK
- 8 GREASE INTERCEPTOR
- 9 HAND-WASH SINK
- 10 TRASH CAN
- 11 DISHWASHER
- 12 MEAT SLICER
- 13 S.S. WORK TABLE
- 14 -
- 15 CASHIER
- 16 HOT WATER HEATER
- 17 (1) COMPARTMENT PREP SINK
- 18 MDP SINK
- 19 FREEZER
- 20 REFRIGERATOR
- 21 EPOXY WIRE SHELVES
- 22 STORAGE SHELF
- 23 ICE MACHINE
- 24 EMPLOYEE LOCKER
- 25 STAINLESS STEEL SHELF
- 26 UNDERCOUNTER PREP COOLER

	OCCUPANT LOAD		CALCULATION	
	AREA LOCATION	SQUARE FOOTAGE	AREA CALCULATION	OCCUPANT LOAD
GROUND FLOOR	DINING AREA (100)	1161 SQ. FT.	@ 15 P/S.F.	77
	JANITOR ROOM (101)	48 SQ. FT.	@ 200 P/S.F.	1
	DRY STORAGE (102)	36 SQ. FT.	@ 200 P/S.F. [111 SQ. FT.]	
	STORAGE (103)	27 SQ. FT.	@ 200 P/S.F.	
	KITCHEN AREA (104)	216 SQ. FT.	@ 200 P/S.F.	2
	WASH AREA (105)	73 SQ. FT.	@ 200 P/S.F. [346 SQ. FT.]	
	PREP AREA (106)	57 SQ. FT.	@ 200 P/S.F.	
	ACCESSIBLE RESTROOM (107)	45 SQ. FT.	-	
	ACCESSIBLE RESTROOM (108)	42 SQ. FT.	-	
	HALL (109)	168 SQ. FT.	-	
TOTAL OCCUPANT LOAD				80

NOTE: THERE ARE TO BE FOUR OR FEWER EMPLOYEE.

SIDEWALK LEGEND-TYPICAL

- PARKING METER (SPACE > 18')
- ⊙ STREET LIGHT POLE
- ⊗ STREET TREE
- ⊥ INVERTED U-RACK
- ⊡ 2'x6' BICYCLE SPACE
- SIDEWALK UTILITY COVER

PROPOSED BICYCLE PARKING: 2 SPACE
 BICYCLE RACK SPECIFICATIONS: CLASS 2 PER PLANNING CODE SECTION 155.1-4 CIRCULAR SURFACE-MOUNTED RACK WITH ZINC COATED/GALVANIZED FINISH, WALL THICKNESS IS .188 INCHES W/ FLOOR MOUNTING FLANGES. DURABLE MATTE GRAY COATING DIMENSION: 34" WIDE x 34-3/8" HT. PROVIDE BICYCLE REQUIRED SIGNAGE SEE SFMTA SIDEWALK BICYCLE PARKING INSTALLATION REQUIREMENTS AS REQ. (TABLE 3 & 4: SIDEWALK WIDTH REQUIREMENTS & BICYCLE RACK CLEARANCES FOR BICYCLE PARKING) (MOUNTING-BICYCLE RACKS TO CONCRETE SURFACES ONE MUSHROOM HEAD POWER SPIKE & TWO EXPANSION BOLTS PER RACK LEG.)



REVISIONS:

1	
2	
3	
4	
5	

SJA DEVELOPMENT-LLC
DESIGN DIVISION
 562 BRYANT STREET TEL (415) 684-0632
 SAN FRANCISCO, CA 94107



CONDITIONAL USE AUTHORIZATION
FONDUE CHINOISE RESTAURANT
 430 BROADWAY STREET, S.F., CA 94133
 TEL (415) 217-8888

PROPOSED GROUND FLOOR PLAN

DATE: 7/6/17
 SCALE: AS SHOWN
 DRAWN BY: WILSON NG

SHEET NO. A-2

DATE SHEETS

PROJECT:
 TENANT IMPROVEMENT
 430 BROADWAY
 SAN FRANCISCO, CA 94133



432-434 BROADWAY STREET
 ADJACENT BUILDING

426-430 BROADWAY STREET
 SUBJECT PROPERTY

414 BROADWAY STREET
 ADJACENT BUILDING

(E) FRONT ELEVATION 1
A3
 SCALE: 1/4" = 1'-0"

REVISIONS:	
1	
2	
3	
4	
5	

**SJA DEVELOPMENT-
 LLC**
 DESIGN DIVISION
 562 BRYANT STREET TEL (415) 684-0632
 SAN FRANCISCO, CA 94107



CONDITIONAL USE AUTHORIZATION
 FONDUE CHINOISE
 RESTAURANT
 430 BROADWAY STREET, S.F., CA 94133
 TEL (415) 217-8888

ASSESSOR
 MAP/SITE PL.
 & ELEVATION

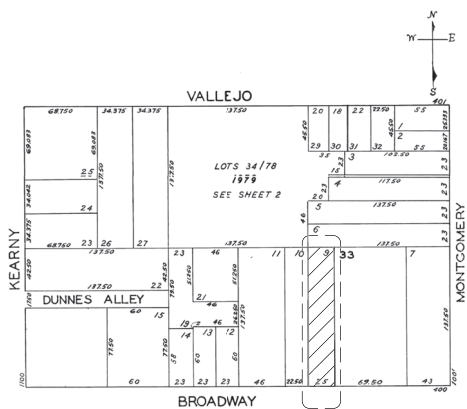
DATE: 6/12/17
 SCALE: AS SHOWN
 DRAWN BY: WILSON NG

SHEET NO.
 A-3

OF SHEETS

© COPYRIGHT SAN FRANCISCO CITY & COUNTY ASSESSOR 1995

LOTS MERGED
LOTS 20 190 LOT-19-1981



SUBJECT PROPERTY
430 BROADWAY STREET
SAN FRANCISCO, CA 94133

ASSESSED 111,032
BLK. TOTAL 111,032 SQ. FT.

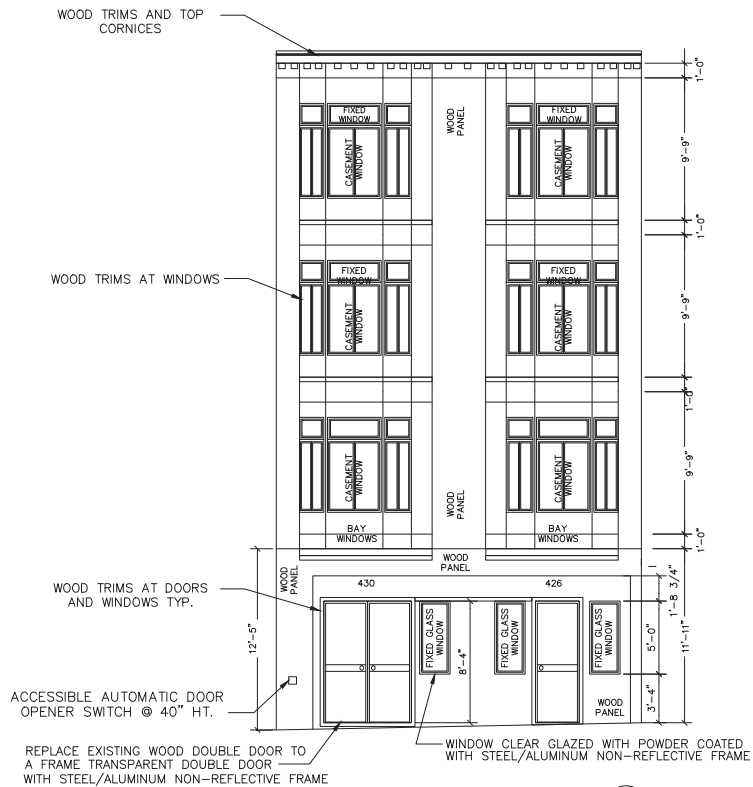
SHEET 1 144
ISSUED 06/15/17

REVISED '76
'79

ASSESSOR MAP-SITE PLAN

NTS

1
A4



PROJECT:
CONDITIONAL USE AUTHORIZATION
430 BROADWAY
SAN FRANCISCO, CA 94133

REVISIONS:		
1		
2		
3		
4		
5		

**SJA DEVELOPMENT-
LLC**
DESIGN DIVISION

562 BRYANT STREET TEL (415) 684-0632
SAN FRANCISCO, CA 94107



CONDITIONAL USE AUTHORIZATION
FONDUE CHINOISE
RESTAURANT
430 BROADWAY STREET, S.F., CA 94133
TEL (415) 217-8888

ASSESSOR
MAP/SITE PL.
& ELEVATION

DATE: 6/12/17
SCALE: AS SHOWN
DRAWN BY: WILSON NG

SHEET NO.
A-4

DF SHEETS

CASE NUMBER:
For Staff Use only

APPLICATION FOR Conditional Use Authorization

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: Marc Trovato	
PROPERTY OWNER'S ADDRESS: 1814 Hyde St San Francisco, CA 94109	TELEPHONE: 415) 509-4781 EMAIL: marc@veracitycommercial.com

APPLICANT'S NAME: Rui Xie	Same as Above <input type="checkbox"/>
APPLICANT'S ADDRESS: 825 Front St. Apt # C403 San Francisco, CA 94111	TELEPHONE: 650) 307-7895 EMAIL: YX3113@hotmail.com

CONTACT FOR PROJECT INFORMATION: Wilson Ng	Same as Above <input type="checkbox"/>
ADDRESS: 562 BRYANT ST SF CA 94107	TELEPHONE: 415) 684-0632 EMAIL: WILSONNG2323@YAHOO.COM

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR):	Same as Above <input type="checkbox"/>
ADDRESS:	TELEPHONE: ()
	EMAIL:

2. Location and Classification

STREET ADDRESS OF PROJECT: 430 Broadway San Francisco CA		ZIP CODE: 94133
CROSS STREETS: Montgomery St		
ASSESSORS BLOCK/LOT: 1	LOT DIMENSIONS:	LOT AREA (SQ FT):
ZONING DISTRICT:	HEIGHT/BULK DISTRICT:	

3. Project Description

(Please check all that apply) <input type="checkbox"/> Change of Use <input type="checkbox"/> Change of Hours <input type="checkbox"/> New Construction <input type="checkbox"/> Alterations <input type="checkbox"/> Demolition <input checked="" type="checkbox"/> Other Please clarify: Re-install Equipment	ADDITIONS TO BUILDING: <input type="checkbox"/> Rear <input type="checkbox"/> Front <input type="checkbox"/> Height <input type="checkbox"/> Side Yard	PRESENT OR PREVIOUS USE: Limited - Restaurant	
		PROPOSED USE: Restaurant	
		BUILDING APPLICATION PERMIT NO.: 2017-0221-9812	DATE FILED: 2/17/17

4. Project Summary Table

If you are not sure of the eventual size of the project, provide the maximum estimates.

	EXISTING USES:	EXISTING USES TO BE RETAINED:	NET NEW CONSTRUCTION AND/OR ADDITION:	PROJECT TOTALS:
PROJECT FEATURES				
Dwelling Units	0	0	0	0
Hotel Rooms	0	0	0	0
Parking Spaces	0	0	0	0
Loading Spaces	0	0	0	0
Number of Buildings	0	0	0	0
Height of Building(s)	0	0	0	0
Number of Stories	0	0	0	0
Bicycle Spaces	0	0	0	0
GROSS SQUARE FOOTAGE (GSF)				
Residential				
Retail		1,850	0	1,850
Office				
Industrial/PDR <small>Production, Distribution, & Repair</small>				
Parking				
Other (Specify Use)				
TOTAL GSF		1,850		1,850

Please describe any additional project features that are not included in this table:
 (Attach a separate sheet if more space is needed)

5. Action(s) Requested (Include Planning Code Section which authorizes action)

Re-install equipment for the restaurant, and start the business as soon as possible.

Conditional Use Findings

Pursuant to Planning Code Section 303(c), before approving a conditional use authorization, the Planning Commission needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and
2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
 - (a) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - (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;
 - (c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - (d) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan.

The restaurant can provide lunch & dinner for the people working in the surrounding commercial building, the tourists and the neighbors.

There is an alternation to front entry door per SF City planning Historic Dept. Replacing front doors to transparent Aluminum frame door & window. It will not affect the street traffic causing any inconvenience for pedestrian and vehicles, in addition, the restaurant will not provide any noxious or offensive emissions that is detrimental to the public health.

Therefore, our restaurant will not be detrimental to the health, safety and convenience of the neighborhood and community.

Priority General Plan Policies Findings

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the City Planning Code. These eight policies are listed below. Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

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

Our project will provide employment opportunities for the residents now and in the future.

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

There is alternatives to front entry door per S.F. city planning historic Dept. - replacing front doors to transparent aluminum frame door & window.

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

Our project does not involve in any housing project so it will not affect the supply of affordable housing in the area.

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

We don't put table on the outside. so our project would not affect the ~~impede~~ public transportation such as Muni transit service.

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;

We are not a big corporation that may displace the local industrial and service sectors, affecting the future employment opportunities of the local residents.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

We will follow and comply with the code and regulations on earthquake to protect against injury and loss of life in an earthquake.

7. That landmarks and historic buildings be preserved; and

Our project will not cause any change to the landmarks and historic building.

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

Our project will not affect the parks and open spaces and their access to sunlight and vistas.

Estimated Construction Costs

TYPE OF APPLICATION: change of ownership of existing restaurant	
OCCUPANCY CLASSIFICATION: occupancy 79 customers	
BUILDING TYPE: building complex with retails and residential apartments	
TOTAL GROSS SQUARE FEET OF CONSTRUCTION: 100 sq feet	BY PROPOSED USES: restaurant operations
ESTIMATED CONSTRUCTION COST: \$4000	
ESTIMATE PREPARED BY: Rui Xie	
FEE ESTABLISHED:	

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: _____

Date: _____

4/24/17

Print name, and indicate whether owner, or authorized agent:

Rui Xie

Owner / Authorized Agent (circle one)

Application Submittal Checklist

Applications listed below submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent and a department staff person.**

APPLICATION MATERIALS	CHECKLIST
Application, with all blanks completed	<input type="checkbox"/>
300-foot radius map, if applicable	<input type="checkbox"/>
Address labels (original), if applicable	<input type="checkbox"/>
Address labels (copy of the above), if applicable	<input type="checkbox"/>
Site Plan	<input type="checkbox"/>
Floor Plan	<input type="checkbox"/>
Elevations	<input type="checkbox"/>
Section 303 Requirements	<input type="checkbox"/>
Prop. M Findings	<input type="checkbox"/>
Historic photographs (if possible), and current photographs	<input type="checkbox"/>
Check payable to Planning Dept.	<input type="checkbox"/>
Original Application signed by owner or agent	<input type="checkbox"/>
Letter of authorization for agent	<input type="checkbox"/>
Other: Section Plan, Detail drawings (ie. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (ie. windows, doors)	<input type="checkbox"/>

NOTES:

- Required Material. Write "N/A" if you believe the item is not applicable. (e.g. letter of authorization is not required if application is signed by property owner.)
- Typically would not apply. Nevertheless, in a specific case, staff may require the item.
- Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

After your case is assigned to a planner, you will be contacted and asked to provide an electronic version of this application including associated photos and drawings.

Some applications will require additional materials not listed above. The above checklist does not include material needed for Planning review of a building permit. The "Application Packet" for Building Permit Applications lists those materials.

No application will be accepted by the Department unless the appropriate column on this form is completed. Receipt of this checklist, the accompanying application, and required materials by the Department serves to open a Planning file for the proposed project. After the file is established it will be assigned to a planner. At that time, the planner assigned will review the application to determine whether it is complete or whether additional information is required in order for the Department to make a decision on the proposal.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____



**SAN FRANCISCO
PLANNING
DEPARTMENT**

**FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department**

Central Reception
1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**
FAX: **415 558-6409**
WEB: <http://www.sfplanning.org>

Planning Information Center (PIC)
1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**
*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

Letter of Authorization

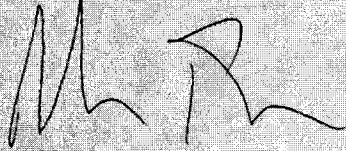
April 24, 2017

Dear Sir or Madam:

I am the property owner of the building at 430 Broadway Street, San Francisco. This letter serves to authorize Messrs. Rui Xie and Wilson Ng to act on my behalf to contact and deal with SF Planning, the Health Department, and other relevant departments as it relates to the ground floor commercial space for my property.

If you have any questions regarding this letter of authorization, please do not hesitate to contact me at 415.509.4781.

Thank you.

A handwritten signature in black ink, appearing to read 'Marc Trovato', with a stylized, cursive script.

Marc Trovato



SAN FRANCISCO
PLANNING
DEPARTMENT

CB3P

Community Business Priority Processing Program Checklist for Eligibility

The Community Business Priority Processing Program ("CB3P") was adopted by the San Francisco Planning Commission on February 12, 2015 under Resolution Number 19323. The CB3P streamlines the Conditional Use process for certain small and mid-sized businesses applications. It is the successor program to the Planning Commission's Small Business Priority Processing Pilot Program ("SB4P").

Projects that qualify for, and enroll in, the CB3P are guaranteed (1) a hearing date within 90 days of filing and (2) placement on the Planning Commission's consent calendar. The analysis of CB3P-projects is documented through a two-page Project Summary and Motion ("PS&M") rather than the lengthier Executive Summary and Draft Motion documents prepared in connection with conventional applications.

Applicants for the CB3P must (1) complete this checklist documenting eligibility for participation, (2) complete the Conditional Use application and provide associated materials and (3) conduct a Pre-Application Meeting, as discussed below. **Planning Department Staff are available to assist you at the Planning Information Center ("PIC"), located on the ground floor of 1660 Mission Street, during regular business hours. You can also call the PIC at (415) 558.6377**

Information about Pre-Application Meetings can be found at sfplanning.org > Permits & Zoning > Permit Forms > "Neighborhood Notification - Pre-Application Meeting Packet". A Pre-Application Meeting is a mandatory form of community outreach conducted by a project sponsor in order to receive initial feedback prior to the submittal of an application to the Planning Department. A Pre-Application Meeting is hosted by a project sponsor to discuss a project and review associated plans; it is typically held at or near the project site. A project sponsor is required to send notice of the meeting to abutting property owners and occupants, property owners and occupants directly across the street, and all neighborhood associations (available at www.sfplanning.org).

Project Information

Please complete all fields.

PROPERTY ADDRESS:	RECORD NUMBER AND/OR BUILDING PERMIT NUMBER:
430 Broadway, SF, CA 94133	2017-0221-9812
NAME OF BUSINESS (IF KNOWN):	
Fondue chinoise	
BRIEF DESCRIPTION OF PROJECT:	
Re-install equipment for the cafe • Proposed Restaurant use w/ TYPE 41 ABC license.	

Checklist for CB3P Eligibility

The following checklist is to be completed by applicants and reviewed by Planning Department Staff.

CONFIRM COMPLIANCE WITH EACH CRITERION BY CHECKING BOXES	
<input checked="" type="checkbox"/>	Pre-Application Meeting The applicant has conducted a Pre-Application Meeting as set forth on the reverse side of this page.
<input checked="" type="checkbox"/>	Application Type The application is for Conditional Use Authorization.
<input checked="" type="checkbox"/>	Formula Retail The application does not seek to establish a new Formula Retail use, excepting one with fewer than 20 other establishments.
<input type="checkbox"/>	Hours of Operation The application does not seek to establish or expand hours of operation beyond those permitted on an as-of-right basis in the subject zoning district.
<input checked="" type="checkbox"/>	Storefront Consolidation The application does not seek to consolidate multiple tenant spaces (e.g. storefronts), regardless of any vacancy, into a lesser number of tenant spaces.
<input checked="" type="checkbox"/>	Loss of Dwellings The application does not seek to remove any dwelling units.
<input type="checkbox"/>	Alcoholic Beverages The application does not seek to sell any alcoholic beverages excepting beer and/or wine sold on or off-site in conjunction with the operation of a Bona Fide Eating Place.
<input checked="" type="checkbox"/>	Nature of Work The proposed work involves only a change of use, tenant improvement or similar interior or store-front work. No building expansion or new construction is involved.
<input checked="" type="checkbox"/>	Nature of Use The application involves only non-residential uses and does not seek to establish or expand any of the following: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Massage Establishment <input checked="" type="checkbox"/> Tobacco Paraphernalia Establishment <input checked="" type="checkbox"/> Adult Entertainment Establishment <input checked="" type="checkbox"/> Medical Cannabis Dispensary <input checked="" type="checkbox"/> Fringe Financial Service <input checked="" type="checkbox"/> Drive-up Facility <input checked="" type="checkbox"/> Wireless Telecommunications Site ("WTS") <input checked="" type="checkbox"/> Outdoor Activity Area <input checked="" type="checkbox"/> Bar <input checked="" type="checkbox"/> Nighttime Entertainment / Place of Entertainment (e.g. nightclubs, music venues) <input checked="" type="checkbox"/> Liquor Store <input checked="" type="checkbox"/> Off-Street parking in excess of that allowed on an as-of-right basis <input checked="" type="checkbox"/> Office closed to the public located on the ground story

Applicant's Declaration

I hereby attest under penalty of perjury that the information I have provided is true and correct to the best of my knowledge, that I intend to complete the project described herein in compliance with the eligibility requirements of the CB3P Program, that I have read and understood this form, and that I am (a) the property owner or authorized agent of the property owner, (b) familiar with the property, and (c) able to provide accurate and complete information. I understand that knowingly or negligently providing false or misleading information may lead to denial or rescission of my permit and/or other authorization and may constitute a violation of the San Francisco Municipal Code, which can lead to criminal and/or civil legal action along with the imposition of administrative fines.

Signature: [Signature] Date: 4/24/17 Email Address: rx3113@hotmail.com
 Print Name and check one: OWNER or AUTHORIZED AGENT Phone Number: 650-307-7895

For Staff Use Only:
Check One:

ENROLLED

- CHECKLIST REVIEWED AND FOUND TO BE ACCURATE AND REFLECTIVE OF PROJECT
- PRE-APPLICATION MEETING COMPLETE: DOCUMENTATION RECEIVED
- CONDITIONAL USE APPLICATION RECEIVED

NOT ENROLLED
 STATE REASON: _____

PROVIDE A COPY OF THIS FORM TO THE DIRECTOR'S OFFICE

Name, Date and Signature of Current Planning Staff: _____



SAN FRANCISCO
PLANNING
DEPARTMENT

AFFIDAVIT FOR

Formula Retail Establishments

Planning Department
1650 Mission Street
Suite 400
San Francisco, CA
94103-9425

T: 415.558.6378
F: 415.558.6409

Pursuant to Planning Code Section 303.1, certain retail uses must have additional review to determine if they qualify as a Formula Retail Use. The first pages consist of instructions and important information which should be read carefully before the affidavit form is completed.

Planning Department staff are available to advise you in the preparation of this affidavit. Call (415) 558-6377 for further information.

WHAT IS A FORMULA RETAIL USE?

A Formula Retail Use is a type of retail sales activity or retail sales establishment that has eleven or more existing retail sales establishments located worldwide. In addition to the eleven (11) existing establishments, a Formula Retail Use maintains two (2) or more of the following features: a standardized array of merchandise, a standardized facade, a standardized decor and color scheme, uniform apparel, standardized signage, a trademark or a servicemark.

WHAT TYPES OF BUSINESSES ARE REGULATED AS FORMULA RETAIL USES?

Businesses subject to the Formula Retail Use controls include the following 'Retail Sales Activity' or 'Retail Sales Establishment' as defined in Article 7 and Article 8 of the Code:

- Amusement Game Arcade (§§790.4, 890.4)
- Bar (§§790.22, 890.22)
- Drive-up Facility (§§790.30, 890.30)
- Eating and Drinking Use (§§790.34, 890.34)
- Gym (§§790.116, 890.116)
- Limited-Restaurant (§790.90)
- Liquor Store (§790.55)
- Massage Establishment (§790.60, 890.60)
- Movie Theater (§§790.64, 890.64)
- Restaurant (§790.91)
- Sales and Service, Nonretail (§§790.100, 890.100)
- Sales and Service, Other Retail (§§790.102, 890.102)
- Sales and Service, Retail (§§790.104, 890.104)
- Service, Financial (§§790.110, 890.110)
- Service, Fringe Financial (§§790.111, 890.113)
- Service, Personal (§§790.116, 890.112)
- Service, Instructional
- Take-out Food (§§790.122)
- Tabacco Paraphernalia Establishment (§§790.123, 890.123)

This affidavit for Formula Retail must accompany any Permit Application for any Alterations, New Construction, Commercial Tenant Improvements, Change of Use or Signage which relates to the establishment of that use.

IS A CONDITIONAL USE AUTHORIZATION OR NEIGHBORHOOD NOTIFICATION NECESSARY?

If a use does qualify as Formula Retail, then additional controls may apply depending on the zoning district where the proposed business will be located. Please consult the Public Information Center (PIC) for guidance on whether a Conditional Use Authorization or Neighborhood Notification is required.

HOW IS FORMULA RETAIL STATUS DETERMINED?

If the existing number of worldwide locations is eleven (11) or more and if the number of total standardized features of this business is two (2) or more, then the proposed use is a Formula Retail Use.

If the Planning Department determines that an application or permit is for a Formula Retail Use, the permit applicant bears the burden of proving to the Planning Department that the proposed or existing use is not a Formula Retail Use. Any permit approved for a use that is determined by the Planning Department to be for a Formula Retail Use that did not identify the use as such is subject to revocation at any time.

ARE PROPOSED LOCATIONS INCLUDED IN MY TOTAL QUANTITY OF RETAIL LOCATIONS?

Yes. Any location that has been given a land use permit or entitlement counts toward the total number of locations worldwide, even if it is not yet open for business. If you are unsure about the status of a location, please let staff know so that all proposed locations can be appropriately analysed.

WHAT ARE STANDARDIZED FEATURES?

Formula Retail uses are identified by having certain standardized features in common throughout their locations. They are officially defined in Planning Code Section 303(i)(1). The below list is a summary:

- (A) Standardized array of merchandise: Half or more of the products in stock are branded alike.
- (B) Trademark: A word, phrase, symbol or design that identifies products as being offered by them and no others.
- (C) Servicemark: A word, phrase, symbol or design that identifies a service as being offered by them and no others.
- (D) Décor: The style of interior furnishings, (i.e. furniture, wall coverings or permanent fixtures)
- (E) Color Scheme: A selection of colors used throughout the decor and/or used on the facade.
- (F) Façade: The face or front of a building (including awnings) looking onto a street or an open space.
- (G) Uniform Apparel: Standardized items of clothing (i.e. aprons, pants, shirts, smocks, dresses, hats, pins (other than name tags) including the colors of clothing.
- (H) Signage: A sign which directs attention to a business conducted on the premises. (see P.C. Sec. 602.3)

AFFIDAVIT FOR Formula Retail Establishments

1. Location and Classification

STREET ADDRESS OF PROJECT: 430 Broadway, San Francisco, CA 94133		
ASSESSORS BLOCK/LOT: 1	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:

2. Proposed Use Description

PROPOSED USE (USE CATEGORY PER ARTICLE 7 OR 8): eating place, restaurant	
PROPOSED BUSINESS NAME: Fondue chinoise	
DESCRIPTION OF BUSINESS, INCLUDING PRODUCTS AND/OR SERVICES: chinese food, Asian fusion, Rice.	
BUILDING PERMIT APPLICATION NO.: (if applicable) 2017-0221-9812	CONDITIONAL USE CASE NO.: (if applicable)

3. Quantity of Retail Locations

		TOTAL
3.a	How many retail locations of this business are there worldwide? Please include any property for which a land use permit or entitlement has been granted.	0
3.b	How many of the above total locations are in San Francisco?	1

If the number entered on Line 3.a above is 11 or more, then the proposed use *may* be a Formula Retail Use. Continue to section 4 below.

If the number entered on Line 3.a above is 10 or fewer, no additional information is required. Proceed to section 5 on the next page and complete the Applicant's Affidavit.

4. Standardized Features

Will the proposed business utilize any of the following Standardized Features?

	FEATURES	YES	NO
A	Array of Merchandise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B	Trademark	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C	Servicemark	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D	Décor	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E	Color Scheme	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F	Façade	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G	Uniform Apparel	<input type="checkbox"/>	<input checked="" type="checkbox"/>
H	Signage	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	TOTAL	0	8

Enter the total number of Yes/No answers above.

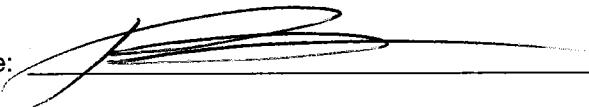
If the total YES responses is two (2) or more, then the proposed use is a Formula Retail Use.

5. Applicant's Affidavit

NAME: <u>Rui Xie</u>		<input type="checkbox"/> Property Owner	<input checked="" type="checkbox"/> Authorized Agent
MAILING ADDRESS: (STREET ADDRESS, CITY, STATE, ZIP) <u>825 Front St. #C403. SF. CA 94111</u>			
PHONE: <u>(650) 307-7895</u>	EMAIL: <u>rx3113@hotmail.com</u>		

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: Other information or applications may be required.

Applicant's Signature:  Date: 4/24/17

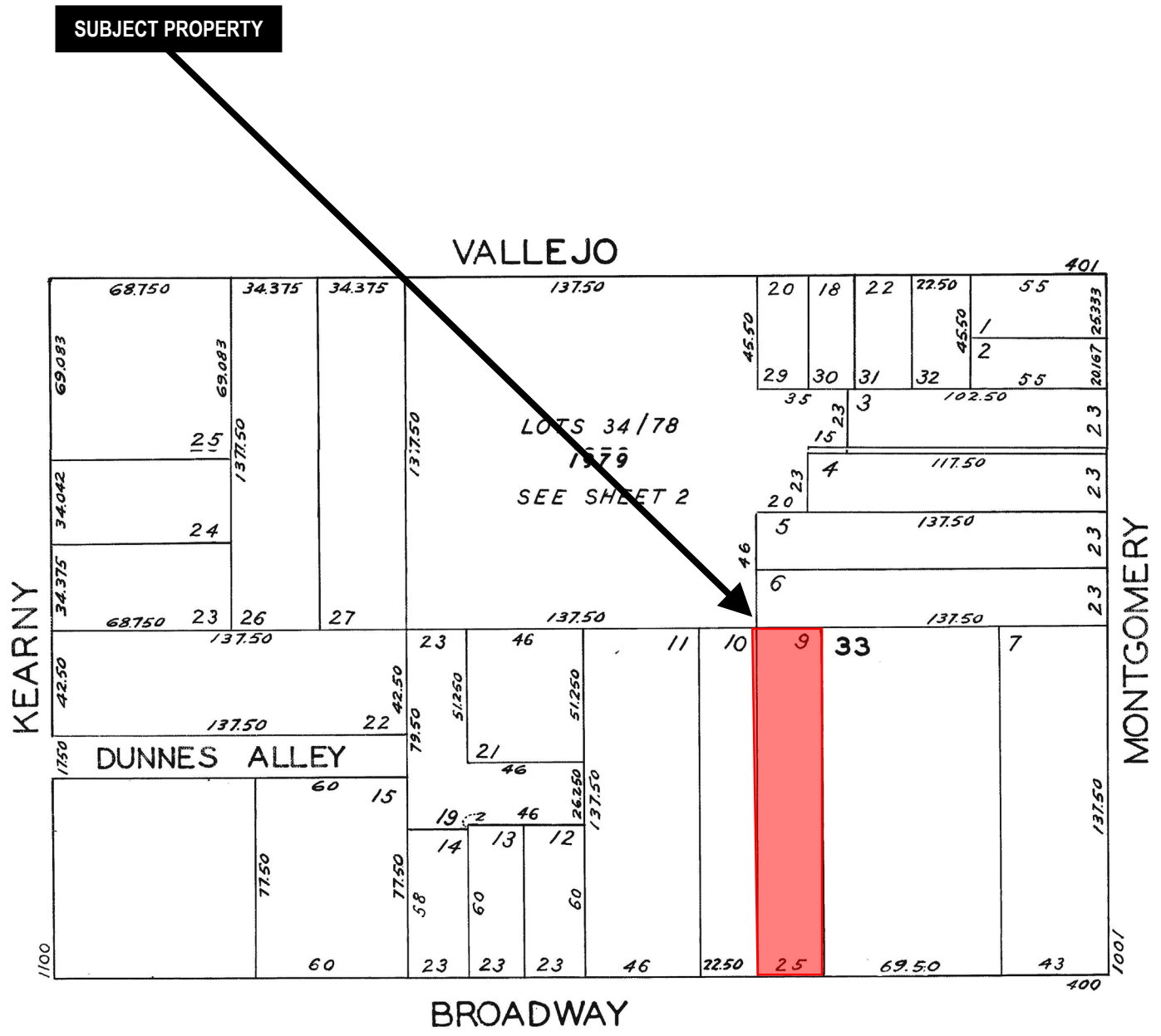
PLANNING DEPARTMENT USE ONLY			
PLANNING CODE SECTION(S) APPLICABLE:			
HOW IS THE PROPOSED USE REGULATED AT THIS LOCATION?			
<input type="checkbox"/> Principally Permitted <input type="checkbox"/> Principally Permitted, Neighborhood Notice Required (Section 311/312) <input type="checkbox"/> Not Permitted <input type="checkbox"/> Conditional Use Authorization Required (Please list Case Number below)			
CASE NO.	MOTION NO.	EFFECTIVE DATE	NSR RECORDED? <input type="checkbox"/> Yes <input type="checkbox"/> No
COMMENTS:			
VERIFIED BY:			
Signature: _____		Date: _____	
Printed Name: _____		Phone: _____	



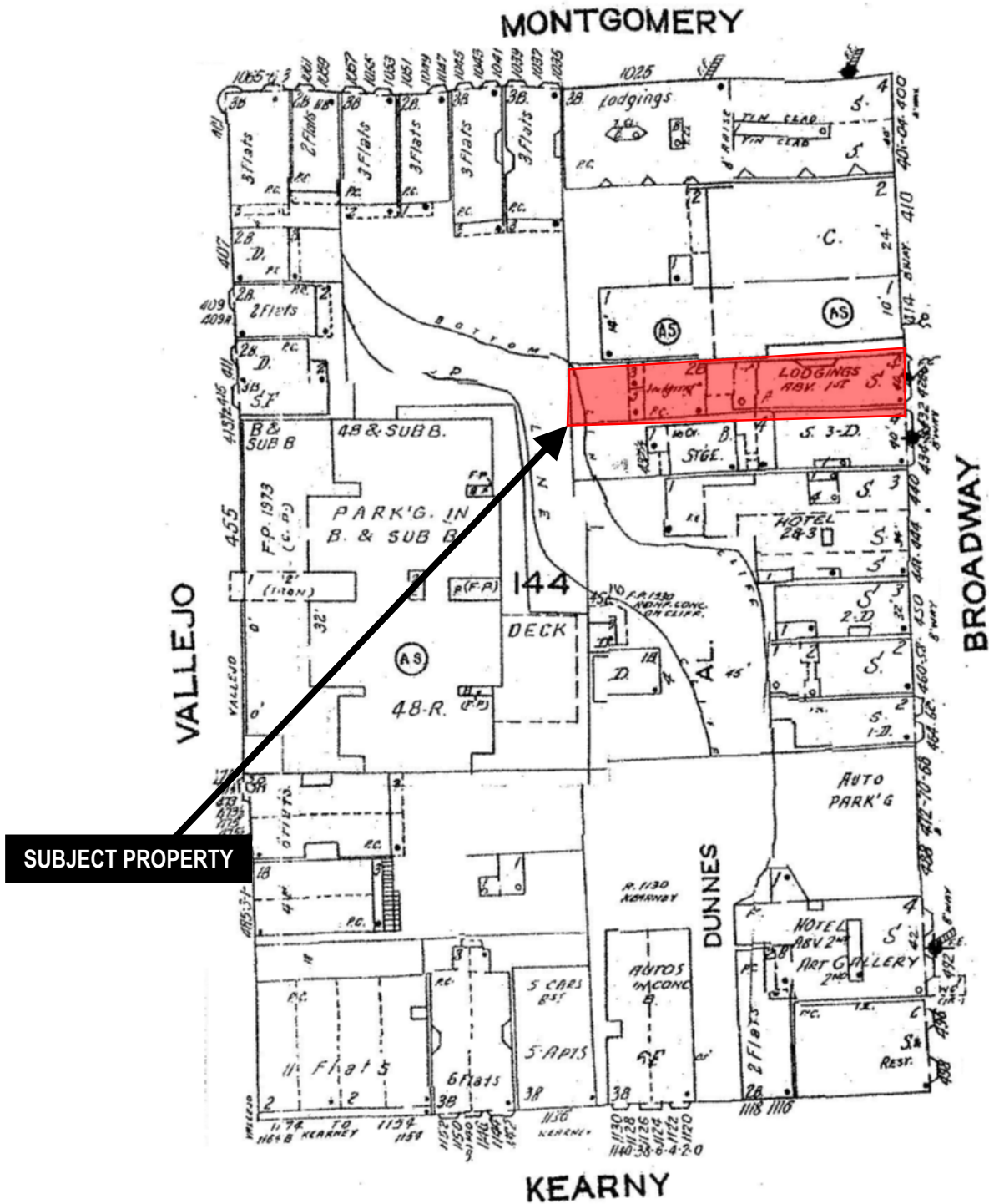
FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

<p>Central Reception 1650 Mission Street, Suite 400 San Francisco CA 94103-2479</p> <p>TEL: 415.558.6378 FAX: 415 558-6409 WEB: http://www.sfplanning.org</p>	<p>Planning Information Center (PIC) 1660 Mission Street, First Floor San Francisco CA 94103-2479</p> <p>TEL: 415.558.6377</p> <p><i>Planning staff are available by phone and at the PIC counter. No appointment is necessary.</i></p>
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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 Authorization
Record No. 2016-005805CUA
430 Broadway

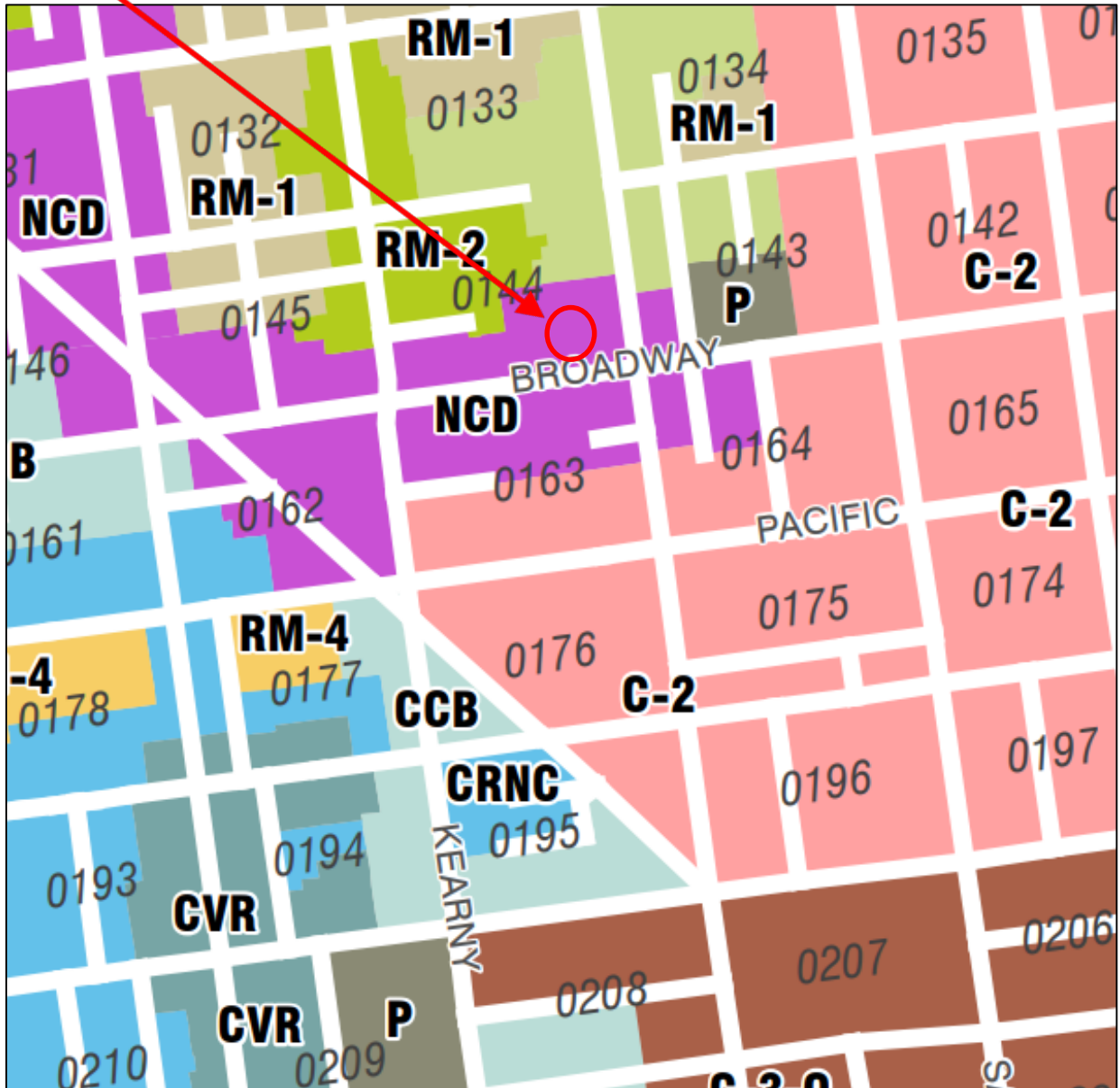
Aerial Photo

SUBJECT PROPERTY



Zoning Map

SUBJECT PROPERTY



Conditional Use Authorization
Record No. 2016-005805CUA
430 Broadway

Site Photo



Conditional Use Authorization
Record No. 2016-005805CUA
430 Broadway

From: ree288@aol.com
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: Beer and Wine License for Fondue Chinoise Hot Pot Restaurant
Date: Wednesday, January 16, 2019 8:23:22 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Gabriela Pantoja,

My name is Ron Lee. I was born and raised in North Beach/ Chinatown and lived in San Francisco all my life. I serve in many community boards in our city and also with the Selective Service System as a commissioner for the US Government. Last week I had dinner at Fondue Chinoise Hot Pot Restaurant. The food there was excellent. What is missing is the Beer and Wine that will greatly complement the dinner. I hope that you will approve Beer and Wine for this restaurant making it one of the best in this Broadway Corridor.

Thank you for your considerations,

Ron Lee

From: [Calvin Y. Louie](#)
To: [Pantoja, Gabriela \(CPC\); CYLOUIECPA@aol.com](#)
Subject: 430 Broadway
Date: Wednesday, December 19, 2018 5:20:53 PM
Attachments: [ScanDoc_20181219_170530.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Gabriela:

I am writing this letter of support for my neighbor, Mr. Ray Xie (Fondue Chinoise).
Thank you for your consideration.

Calvin Louie



January 30th, 2019

To: Attn: Gabriela Pantoja
San Francisco Planning Commission

SUBJECT: Letter of Support for Fondue Chinoise's CUA for a Type 41 License

This letter is intended to confirm the Top of Broadway Community Benefit District (ToBCBD) support of Fondue Chinoise's application for a Type 41 license to serve beer & wine during business hours at their 430 Broadway location.

On January 23rd, 2019, Ray Xie, owner and operator of Fondue Chinoise presented to the Top of Broadway CBD Board of Directors regarding his ongoing community outreach efforts relating to his Conditional-Use Application (CUA) to serve beer & wine at his restaurant. In consideration of his thoughtful presentation as well as his over 15 years of experience in the restaurant industry, the Top of Broadway CBD Board of Directors approved by consensus Ray's request for a letter of support from the ToBCBD for his application for a Type 41 License.

We fully support his application to serve beer & wine to his customers during business hours and welcome this great eatery to the Broadway community.

Sincerely,

Joseph Carouba
Land Use Committee Chair
Top of Broadway CBD

Cc:

Oliver Mar, Board President of the Top of Broadway Community Benefit District
Ray Xie, Owner & Operator of Fondue Chinoise (430 Broadway)
Gabriela Pantoja, San Francisco Planning Commission

From: [Jordan Angle](#)
To: [Pantoja, Gabriela \(CPC\)](#)
Subject: CUA Approval at Fondue Chinoise - 430 Broadway
Date: Sunday, December 16, 2018 5:11:21 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Ms. Pantoja,

I am writing to you today in support of the beer and wine CUA that Fondue Chinoise, and 430 Broadway, has requested. Ray Xie is a responsible owner and venue operator with a food concept that will add a new variety to the neighborhood. As a fellow business owner, on the same block, I am fully in support of any other establishment that can bring more customers to the neighborhood.

Sincerely,
-Jordan Angle

Jordan Angle

P 415.559.3245 | F 415.887.9480

jordan@jordanangle.com | www.jordanangle.com

GRANT  PLAZA
HOTEL

465 GRANT AVENUE • SAN FRANCISCO • CA 94108
TELEPHONE (415) 434-3883 • FAX (415) 434-3886
<http://www.grantplaza.com>

January 22, 2019

Attention: Ms. Gabriela Pantoja

Dear Gabriela,

My name is Ken Ho. I have been the General Manager and partner of the Grant Plaza Hotel in SF Chinatown for over 30 years. I am also a member and director of Chinatown Merchant Association. I am in full support of granting the Conditional Use for Fondue Chinoise locates at 430 Broadway, so they might have their conditional right to sell beer and wine for their hot pot concept.

Having hot pot without beer and wine is like watching movie without popcorn.

Warmly Regard,



Ken Ho
General Manager.

KH/mty

Katy Chan

811 Clay Street, San Francisco, CA 94108 (415) 748-9488

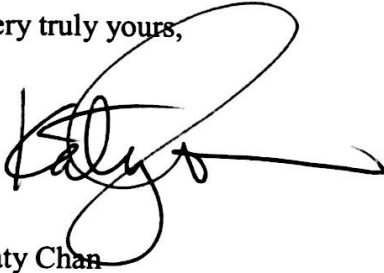
January 22, 2019

Dear Gabriela,

My name is Katy Chan. I have been in the SF Chinatown area for over 27 years. I am a co-owner of the building where the Cosmo Lounge is located at 440 Broadway. I am in full support of granting the Conditional Use for Fondue Chinoise located at 430 Broadway, so that they might have their conditional right to sell beer and wine for their hot pot food concept.

I recently had an opportunity to eat at their restaurant. However, the only thing missing was not having a cold beer or a fine glass of wine to go with the hot pot.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Katy Chan', with a large, stylized flourish extending to the right.

Katy Chan

KC/md



1525 Grant Avenue
San Francisco, CA 94133
TEL 415.984.1450
FAX 415.362.7992
TTY 415.984.9910
www.chinatowncdc.org

January 11, 2019

Gabriela Pantoja
San Francisco Planning Department
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Re: Type 41 Beer and Wine License for 430 Broadway

Dear Ms. Pantoja:

On behalf of Chinatown Community Development Center, I am writing in support of Fondue Chinoise Restaurant at 430 Broadway for their application for a Type 41 license to serve beer and wine. This business is a traditional Szechuan-style hot pot restaurant that seats 49 and is open daily from 5pm-11pm. It contributes to the culture and positive nightlife of the greater Chinatown neighborhood / Broadway Corridor and serves both locals as well as visitors. The owner has over fifteen years of experience working in the restaurant industry in San Francisco.

Chinatown Community Development Center has over 40 years of experience dedicated to improving the quality of life for residents in the greater Chinatown area of San Francisco, including positive economic development for small local businesses that contribute culturally to the neighborhood.

Sincerely,

Roy Chan
Community Planning Manager
Chinatown Community Development Center



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
Case No.	Permit No.	Plans Dated	
<input type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval.			

STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.; ; change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	Class ___

STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	<i>Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area</i>)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Topography</i>)
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Topography</i>) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones</i>) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones</i>) If box is checked, a geotechnical report will likely be required.
If no boxes are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an <i>Environmental Evaluation Application</i> is required, unless reviewed by an Environmental Planner.</u>	
<input type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional):	

**STEP 3: PROPERTY STATUS - HISTORIC RESOURCE
TO BE COMPLETED BY PROJECT PLANNER**

PROPERTY IS ONE OF THE FOLLOWING: (<i>refer to Parcel Information Map</i>)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

**STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not “in-kind” but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building’s historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior’s Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):

<input type="checkbox"/>	<p>9. Other work that would not materially impair a historic district (specify or add comments):</p> <p style="text-align: right;"><i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i> _____</p>
<input type="checkbox"/>	<p>10. Reclassification of property status. <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i></p> <p style="padding-left: 40px;"> <input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C </p> <p>a. Per HRER dated: _____ <i>(attach HRER)</i></p> <p>b. Other <i>(specify)</i>:</p>
<p>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</p>	
<input type="checkbox"/>	<p>Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.</p>
<input type="checkbox"/>	<p>Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.</p>
<p>Comments (optional):</p>	
<p>Preservation Planner Signature:</p>	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER**

<input type="checkbox"/>	<p>Further environmental review required. Proposed project does not meet scopes of work in either <i>(check all that apply)</i>:</p> <p style="padding-left: 40px;"> <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review </p> <p>STOP! Must file an <i>Environmental Evaluation Application</i>.</p>					
<input type="checkbox"/>	<p>No further environmental review is required. The project is categorically exempt under CEQA.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">Planner Name:</td> <td style="width: 50%; padding: 5px;">Signature:</td> </tr> <tr> <td style="padding: 5px;">Project Approval Action:</td> <td></td> </tr> </table> <p style="font-size: small; margin-top: 10px;">If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p>		Planner Name:	Signature:	Project Approval Action:	
Planner Name:	Signature:					
Project Approval Action:						
<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>						

**STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT
TO BE COMPLETED BY PROJECT PLANNER**

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a “substantial modification” and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required.	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp: