



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Project Summary and DRAFT MOTION

### COMMUNITY BUSINESS PRIORITY PROCESSING PROGRAM

HEARING DATE: AUGUST 4, 2016

*Date Prepared:* July 18, 2016  
*Case No.:* [2016-006961CUA](#)  
*Project Address:* 1977B Union Street  
*Zoning:* Union Street Neighborhood Commercial District ([NCD](#))  
40-X Height and Bulk District  
*Block/Lot:* 0542 / 038  
*Project Sponsor:* Zachary Nathan, AIA, CASp, LEED® GA (Architect)  
1108 Bryant Suite C, San Francisco, CA 94103  
(415) 701-0877 or [nathanarch@earthlink.net](mailto:nathanarch@earthlink.net)  
*Business Owner:* Isidro Valenzuela & Eduardo Ruiz, 337 Lisbon St, San Francisco, CA 94112  
(805) 448-2494 or [chilinv@yahoo.com](mailto:chilinv@yahoo.com)  
*Property Owner:* Generation Skipping Trust, Lee Irrevocable Trust,  
3745 Webster St, San Francisco, CA 94123  
(415) 860-8806 or [mayleesf@gmail.com](mailto:mayleesf@gmail.com)  
*Staff Contact:* Colin Clarke at (415) 575-9184 or [Colin.Clarke@sfgov.org](mailto:Colin.Clarke@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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### PROJECT DESCRIPTION

This is a request for **Conditional Use Authorization** pursuant to Planning Code Sections [303](#) and [725.43](#) to allow a change of use from a 818 square-foot vacant Retail Use (previously occupied by Pacific Heights Place furniture store) to a Limited-Restaurant d.b.a. Globo, on the ground floor of the one-story building within the Union Street Neighborhood Commercial District ([NCD](#)) and 40-X Height and Bulk District. This project has been reviewed under the Community Business Priority Processing Program ([CB3P](#)).

### REQUIRED COMMISSION ACTION

In the Union Street Neighborhood Commercial ([NCD](#)) Zoning District, Planning Code Section [725.43](#) requires a Limited-Restaurant to obtain a Conditional Use Authorization.

### 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 Application No. 2016-006961CUA** subject to conditions contained in the attached "EXHIBIT A" and in general conformance with plans on file, dated **July 1, 2016**, and stamped "EXHIBIT B."

## CB3P CHECKLIST

	Required Criteria			Comments (if any)				
	Complete & adequate	Incomplete and / or inadequate	Not required and / or not applicable					
Project Sponsor's application	X							
CB3P eligibility checklist	X							
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 increases by <1%.				
Any additional Planning Code findings			X					
Photographs of the site and/or context	X			See attached.				
Scaled and/or dimensioned plans	X			See attached.				
Clearance under California Environmental Quality Act ("CEQA")	X			Categorically Exempt				
<b>Additional Information</b>								
Notification Period	7/15/2016 – 8/4/2016 (20 days mailing; 20 days newspaper; 20 days posted).							
Number and nature of public comments received	The Department has not received correspondence in opposition to the project.							
Number of days between filing and hearing	59 days.							
<b>Generalized Basis for Approval</b>								
<p>The Commission finds that this Project is necessary and desirable for, and compatible with the surrounding neighborhood as follows, and as set forth in the Section <a href="#">101.1</a>, <a href="#">303(c)</a>, and <a href="#">303(o)</a> findings submitted as part of the application. The proposed Limited-Restaurant use (d.b.a. Globo, non-Formula Retail) would activate a vacant 818 square-foot tenant space, previously occupied by a Retail use (d.b.a. Pacific Heights Place furniture store) until March 31, 2016. The Project would increase the concentration of eating and drinking uses within 300 linear feet of the subject property (and within the Union Street NCD) from approximately 27.6% to 28%, which is higher than the 25% threshold recommended by Section <a href="#">303(o)</a>, but represents an increase of less than 1%. The business will include Breakfast &amp; Lunch: Acai bowls (smoothie-based), Yerba Mate hot &amp; cold teas / South American food. The business will have employees that are local residents. Globo is a locally owned and operated small business established by the same partners as the <a href="#">TOMA</a> family-style Mexican restaurant in SF (3318 Steiner St in business for 3.5 years thus far). The applicant voluntarily proposes the addition of Class-2 bicycle parking.</p>								

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on August 4, 2016.

AYES:

NAYS:

ABSENT:

ADOPTED: August 4, 2016

*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 [725.43](#) to allow a change of use from a 818 square-foot vacant Retail Use (previously occupied by Pacific Heights Place furniture store) to a Limited-Restaurant d.b.a. Globo, on the ground floor of the one-story building within the Union Street Neighborhood Commercial District ([NCD](#)) and 40-X Height and Bulk District; in general conformance with plans, dated **July 1, 2016**, and stamped "EXHIBIT B" included in the docket for Record No. **2016-006961CUA** and subject to conditions of approval reviewed and approved by the Commission on **August 4, 2016** 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 **August 4, 2016** 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. **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](http://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](http://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](http://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](http://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](http://www.sf-planning.org)*

## DESIGN – COMPLIANCE AT PLAN STAGE

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

7. **Signs.** Any signs on the property must have a sign permit and shall comply with the requirements of Article 6 of the Planning Code.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

8. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the Building Permit Application if any rooftop mechanical equipment is proposed as part of the Project. Any such equipment is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://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](http://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](http://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](http://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](http://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](http://www.sfdph.org)*

*For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, [www.sfdbi.org](http://www.sfdbi.org)*

*For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-0123, [www.sf-police.org](http://www.sf-police.org)*

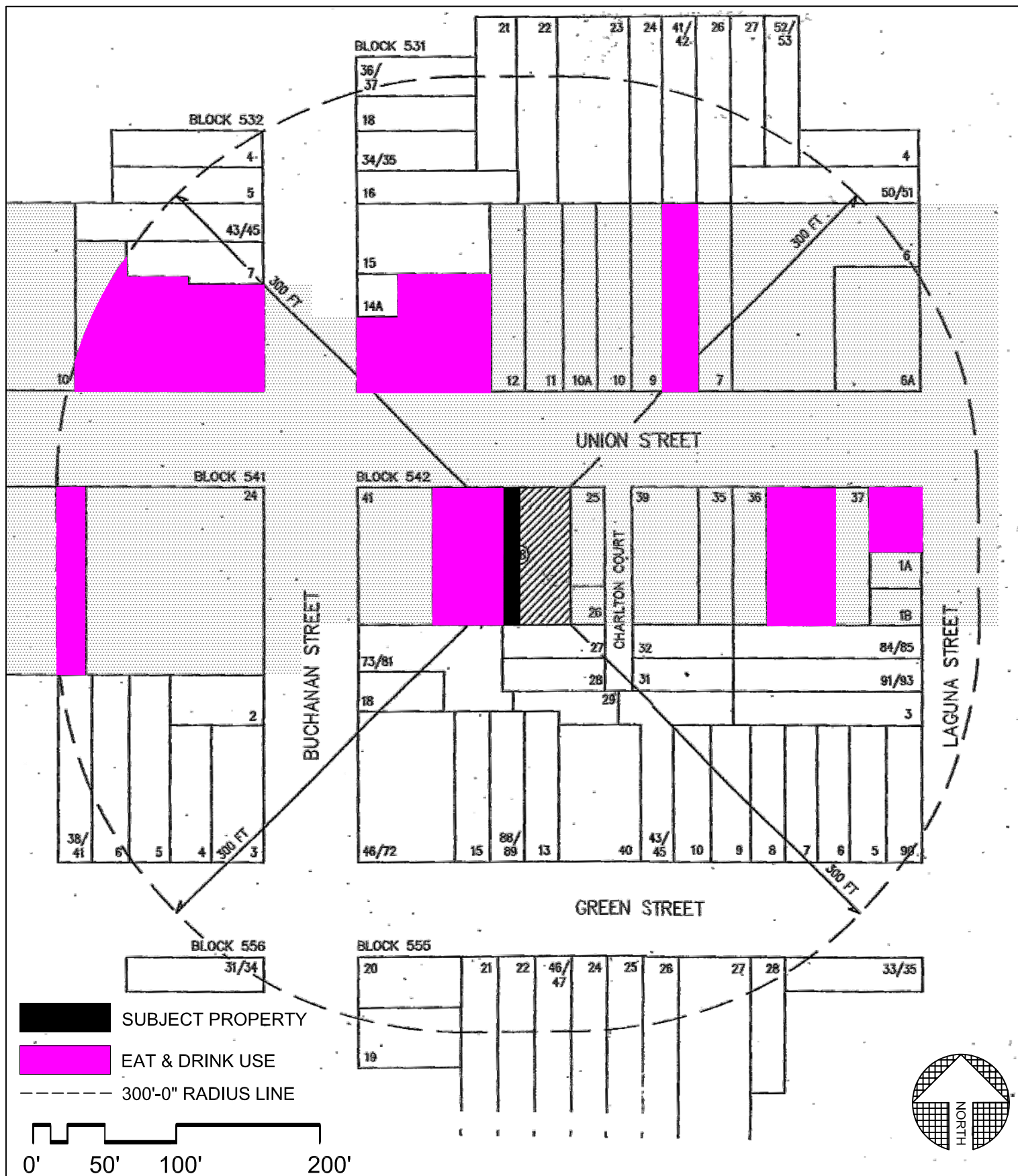
16. **Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping 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](http://www.baaqmd.gov) and Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://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](http://www.sf-planning.org)*





**ZACHARY  
NATHAN, AIA  
ARCHITECT**

1108-C BRYANT STREET  
SAN FRANCISCO, CA, 94103  
PHONE 415.701.0877

CONCENTRATION OF  
EATING & DRINKING USES

#1977B UNION STREET  
SAN FRANCISCO, CA.

SHEET TITLE:  
300'-0" RADIUS MAP

SCALE:  
1"=90'-0"

PROJ. NO.: BY:  
SG

DATE:  
7/8/16

DRAWING NO.:



**Project Description / Use History**  
**1977B Union**  
**Globo**

Globo is brought to you by Isidro Valenzuela and Eduardo Ruiz, two long time friends and business partners. We have over 6 years in the restaurant business and most recently 3 years 8 months as restaurant owners with our first restaurant TOMA here in San Francisco. We both started TOMA with the hopes of changing the perception of Mexican food to what we consider, a true family style interpretation. We have worked extremely hard these past few years and have begun to convince people that natural, fresh, and responsibly sourced ingredients produces authentic Mexican food the real way it is meant to be enjoyed. With our experience we have decided to branch out into a new concept which brings us to Globo.

With this new venture we are planning to introduce Acai bowls to the Marina Neighborhood. We plan on making the main focus of this business two things, Yerba mate tea and Acai Bowls. Yerba Mate is more commonly known as Mate, a popular beverage in South America which has started to spread quickly and gain popularity around the U.S. We will be making these teas both hot and cold brewed with various naturally infused flavors. The Acai bowls are an Acai berry smoothie based bowl topped with granola, fruits, nuts, and berries. We will have a few different variations of the bowl to please a large variety of customers. Along with the two focal points of the business, we will incorporate a small grab and go refrigerator that will hold fresh seasonal salads, sandwiches, as well as breakfast and lunch items.

Our Proposed store hours will be Monday through Friday 6:30am – 5:00pm, Saturday and Sunday 7:00am-6:00pm. Our deliveries will be small fresh produce daily from 7:00am- 9:00am by van and be made through the front door.

We will be looking to hire 2-3 full-time employees with anywhere from 5-9 part-time employees from San Francisco.

The last tenant was Pacific Heights Place which vacated on March 31, 2016.

No outside seating and no outdoor uses are planned at this time.

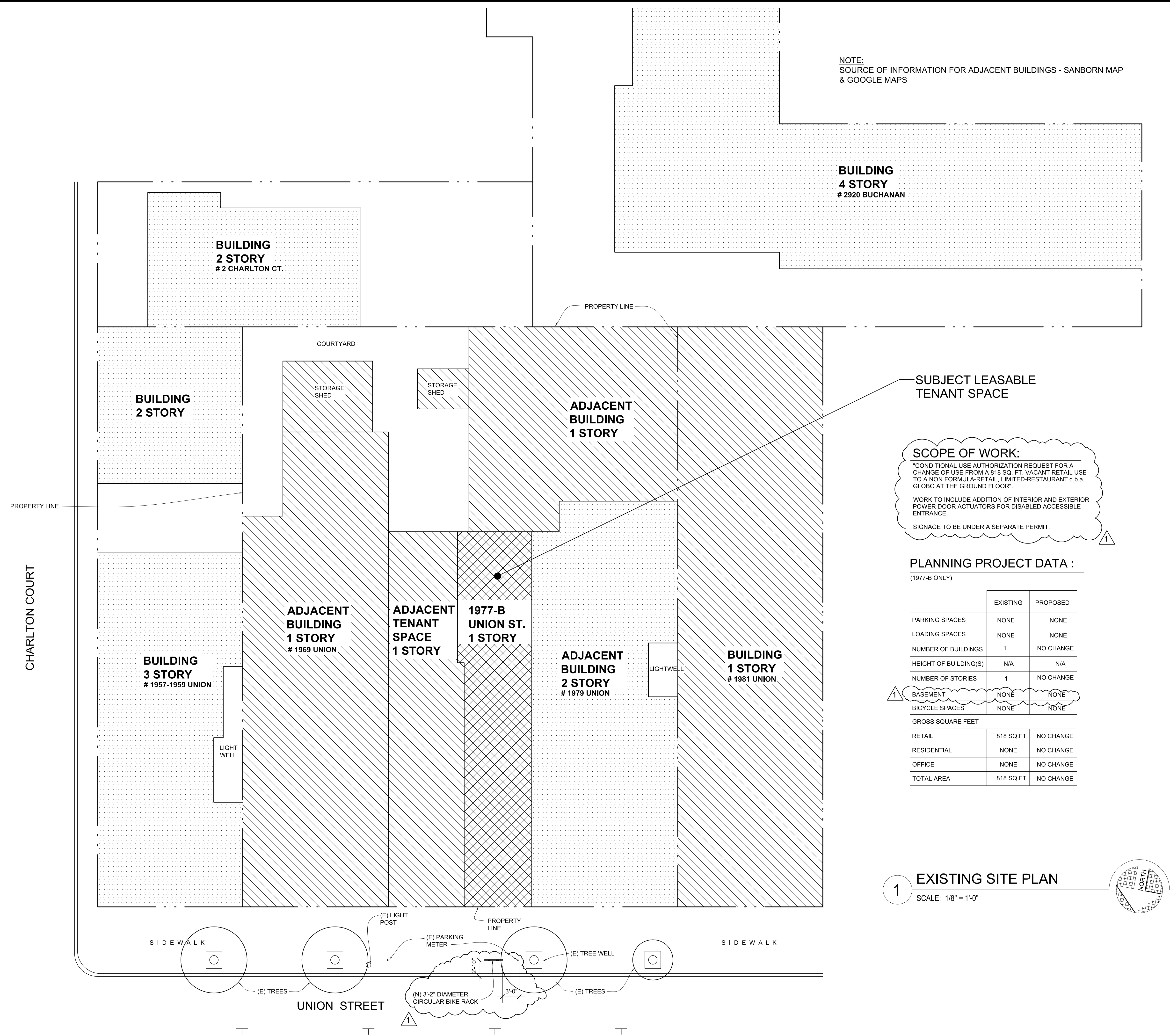
Our Goal is to provide a new healthy alternative for breakfast and lunch in the Marina by producing fresh menu items while using as much locally sourced ingredients. We are looking forward to the opportunity and are excited about the challenges this new venture will bring.











**SCOPE OF WORK:**

"CONDITIONAL USE AUTHORIZATION REQUEST FOR A CHANGE OF USE FROM A 818 SQ. FT. VACANT RETAIL USE TO A NON FORMULA-RETAIL, LIMITED-RESTAURANT d.b.a. GLOBO AT THE GROUND FLOOR."

WORK TO INCLUDE ADDITION OF INTERIOR AND EXTERIOR POWER DOOR ACTUATORS FOR DISABLED ACCESSIBLE ENTRANCE.

SIGNAGE TO BE UNDER A SEPARATE PERMIT.

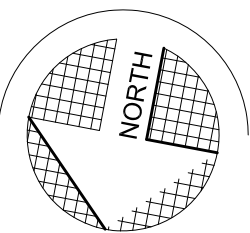
**PLANNING PROJECT DATA :**

(1977-B ONLY)

	EXISTING	PROPOSED
PARKING SPACES	NONE	NONE
LOADING SPACES	NONE	NONE
NUMBER OF BUILDINGS	1	NO CHANGE
HEIGHT OF BUILDING(S)	N/A	N/A
NUMBER OF STORIES	1	NO CHANGE
BASEMENT	NONE	NONE
BICYCLE SPACES	NONE	NONE
GROSS SQUARE FEET		
RETAIL	818 SQ.FT.	NO CHANGE
RESIDENTIAL	NONE	NO CHANGE
OFFICE	NONE	NO CHANGE
TOTAL AREA	818 SQ.FT.	NO CHANGE

**1 EXISTING SITE PLAN**

SCALE: 1/8" = 1'-0"




1st FLOOR TENANT  
IMPROVEMENT  
1977-B UNION STREET  
SAN FRANCISCO, CA. 94123

REVISIONS:			
NO.	DATE	REVISION	BY
1	07/01/16	PLANNING REVISIONS	SG

SHEET TITLE:  
**EXISTING SITE PLAN**

SCALE: AS NOTED	SHEET NO.
DATE: 05-12-2016	<div>A1</div> <div>OF SHEETS</div>
DRAWN BY: SG	
CHECKED BY: ZN	
JOB NO. 1607	



NO.	DATE	REVISION	BY
1	07/01/16	PLANNING REVISIONS	SG

SHEET TITLE:

EXISTING & PROPOSED  
FLOOR PLANS, EXISTING  
FRONT ELEVATION

SCALE: AS NOTED	SHEET NO.  <b>A2</b>
DATE: 05-12-2016	
DRAWN BY: SG	
CHECKED BY: ZN	
JOB NO. 1607	

OF SHEETS

