

## SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Conditional Use

## Hearing Date: April 4, 2019

Record No.:	2017-010011CUA
Project Address:	840 Folsom Street
Zoning:	Mixed Use Residential (MUR) Zoning District
	85-X Height and Bulk District
	SoMa Youth and Family Zone Special Use District
Block/Lot:	3733/018
Project Sponsor:	Harvey Hacker
	344 Harriet St. #101
	San Francisco, CA 94103
Staff Contact:	Xinyu Liang – (415) 575-9182
	xinyu.liang@sfgov.org
Recommendation:	Approval with Conditions

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

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Planning Information: 415.558.6377

#### PROJECT DESCRIPTION

The proposed project ("Project") would establish a new approximately 6,900 gross square foot (gsf) Amusement Arcade, Bar, and Restaurant Use (d.b.a. "Eagle Golf Indoor Club") in an existing two-story commercial building in the Central SoMa Neighborhood.

#### **REQUIRED COMMISSION ACTION**

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 175.1, 249.40A, 303 and 844, to establish an Amusement Arcade use in the Western SoMa Mixed-Use General (WMUG) Zoning District and to establish a Restaurant and Bar use within the SoMa Youth and Family Special Use District.

As part of the recently adopted 2018 Central SoMa Area Plan, the subject property was rezoned from WMUG to the Mixed Use Residential (MUR) Zoning District. Per Planning Code Section 175.1, the project elects to be exempt from the Central SoMa Zoning Controls and instead be subject to the previous controls in the WMUG Zoning District since an application was filed before February 15, 2018.

#### **ISSUES AND OTHER CONSIDERATIONS**

- Public Comment & Outreach. To date, the Department has not received any letters of support or opposition regarding the proposed Project. The Project Sponsor held a Pre-Application Meeting on December 4, 2018 with no attendees.
- **Restaurant Concentration.** Planning Code Section 303(o) states that in addition to the criteria set forth in Section 303(c), the Planning Commission shall consider the existing concentration of eating

and drinking uses in the area of a site requesting Conditional Use Authorization for a new eating and drinking use and that such concentration should not exceed 25% of the commercial frontage in the immediate area, defined as all properties within 300' of the subject property and within the same zoning district. Approximately 23.2% of the commercial frontage of the WMUG Zoning District would be attributed to eating and drinking establishments.

#### **ENVIRONMENTAL REVIEW**

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

#### **BASIS FOR RECOMMENDATION**

The Department finds that the Project is, on balance, consistent with the formal Western SoMa Plan and the Objectives and Policies of the General Plan. No commercial tenant would be displaced as the tenant owns the existing retail business. The proposed use will enable small-business owner to provide desirable goods and services to the surrounding neighborhood. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

#### **ATTACHMENTS:**

Draft Motion – Conditional Use Authorization

- Exhibit A Conditions of Approval
- Exhibit B Eating and Drinking Uses Concentration Map
- Exhibit C Plans and Renderings
- Exhibit D Environmental Determination
- Exhibit E Land Use Data
- Exhibit F Maps and Context Photos



Record No.:

Zoning:

*Block/Lot:* 

*Project Address:* 

Project Sponsor:

*Staff Contact:* 

## SAN FRANCISCO PLANNING DEPARTMENT

2017-010011CUA

840 Folsom Street

3733/018

Harvey Hacker 344 Harriet St. #101 San Francisco, CA 94103 Xinyu Liang – (415) 575-9182

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85-X Height and Bulk District

### Planning Commission Draft Motion HEARING DATE: APRIL 4, 2019

Mixed Use Residential (MUR) Zoning District

SoMa Youth and Family Zone Special Use District

Suite 400 San Francisco, CA 94103-2479

1650 Mission St.

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ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION, PURSUANT TO PLANNING CODE SECTIONS 175.1, 249.40A, 303 AND 844, TO ESTABLISH AN AMUSEMENT ARCADE USE IN THE WESTERN SOMA MIXED-USE GENERAL (WMUG) ZONING DISTRICT AND TO ESTABLISH A RESTAURANT AND BAR USE WITHIN THE SOMA YOUTH AND FAMILY SPECIAL USE DISTRICT, WITHIN A 6,900 SQUARE FOOT GROUND FLOOR RETAIL SPACE IN AN EXISTING TWO-STORY COMMERCIAL BUILDING AT 840 FOLSOM STREET ON ASSESSOR'S BLOCK 3733 LOT 018, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

#### PREAMBLE

On December 12, 2017, Ayshore Associates, Al Lovotti (hereinafter "Project Sponsor") filed Application No. 2017-010011CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish a new approximately 6,900 gross square foot (gsf) Amusement Arcade, Bar, and Restaurant Use (d.b.a. "Eagle Golf Indoor Club") in an existing two-story commercial building at 840 Folsom Street, Block 3733 Lot 018 (hereinafter "Project Site").

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

On April 4, 2019, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2017-010011CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2017-010011CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

The Commission has heard and considered the testimony presented at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

**MOVED**, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2017-010011CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

#### FINDINGS

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

- 1. The above recitals are accurate and constitute findings of this Commission.
- 2. **Project Description.** The Project would establish a new approximately 6,900 gross square foot Amusement Arcade, Bar, and Restaurant Use (d.b.a. "Eagle Golf Indoor Club") within an existing, ground-floor commercial tenant space in an existing two-story commercial building within the Central SoMa Neighborhood. The Project involves interior tenant improvements, including adding a new kitchen, a bar, and three pinball machines, in addition to the existing eight virtual golf practice stalls to a total of 11 amusement game devices.
- 3. **Site Description and Present Use.** The Project Site is a 5,497 square foot through lot, with frontages on Folsom Street (primary) and Clementina Street (secondary). The subject building was constructed circa 1923 and is a two-story commercial building. The Project Sponsor currently occupies the subject tenant space located on the ground-floor and the mezzanine level and uses the space as a Retail Sales and Service Use. In addition to golf equipment sales and repair, there are eight virtual golf practice stalls which qualifies as an accessory Arcade Use since there are less than eleven mechanical amusement devices. The upper floor of the subject building is currently occupied by a website design office (d.b.a "Brandcast").
- 4. Surrounding Properties and Neighborhood. The Project Site is located within the MUR Zoning District in the South of Market Area neighborhood, within the Central SoMa Area Plan. The surrounding neighborhood has noticeably changed within the last 10 years from primarily industrial to a mixed-use neighborhood with existing buildings typically ranging between two to ten stories. Uses on the subject block include dwellings, retail, restaurants, bars, offices, industrial and institutional uses. The recently adopted Central SoMa Plan rezoned the subject block from WMUG to MUR Zoning District with the intend to facilitate the development of high-density, midrise housing, including family-sized housing and residential hotels. The new district is also designed to encourage the expansion of retail, business service and commercial and cultural arts activities on the ground floor. Other zoning districts in the vicinity of the project site include C-3-S (Downtown Support District), RC-4 (Residential-Commercial Districts, High Density), and CMUO (Central SoMa Mixed Use Office District).

- 5. **Public Outreach and Comments.** To date, the Department has not received correspondence regarding the proposed Project. The Project Sponsor held a Pre-Application Meeting on December 4, 2018, with no attendees.
- 6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
  - A. **Compliance**. Planning Code Section 175.1 (Effective Date of the Central SoMa Zoning Controls) allows a Code Conforming Project within the Central SoMa Special Use District to elect to be exempt from the Central SoMa Controls and instead be subject to those controls in place immediately prior to the effective date of the Central SoMa Controls if at least one Development Application for such project was filed before February 15, 2018 and the project receives its first Project Approval by December 31, 2019.

As part of the recently adopted 2018 Central SoMa Area Plan, the subject property was rezoned from WMUG to MUR Zoning District. The Project elects to be exempt from the Central SoMa Zoning Controls and instead be subject to the previous controls in the WMUG Zoning District since a Conditional Use Authorization application was filed on December 12, 2017.

B. **Uses.** The Planning Code Section 844 lists Restaurants and Bars less than 10,000 gsf per lot as principally permitted uses and Amusement Arcades as a conditionally permitted use within the WMUG Zoning District. Also, Planning Code Section 249.40A (SoMa Youth and Family Special Use District) requires a Conditional Use authorization for Restaurant and Bar uses.

Per Planning Code Section 890.4, Amusement Game Arcade is a "Retail Entertainment Arts and Recreation Use that provides eleven or more amusement game devices such as video games, pinball machines, or other such similar mechanical and electronic amusement devices, in a quantity which exceeds that specified in Section 1036.23 of the Police Code as an Ancillary Use." The Project includes increasing the number of amusement game devices from eight to 11, which will be classified as Amusement Game Arcade Use. Therefore, the Project requests a Conditional Use Authorization for a change approximately 6,900 gsf of ground floor retail space to Amusement Arcade use in the WMUG Zoning District and to establish a Restaurant and Bar use within the SoMa Youth and Family Special Use District.

C. **Hours of Operation.** Planning Code Section 844.14 states that the hours of operation between 6 a.m. and 2 a.m. are principally permitted and a Conditional Use Authorization is required for hours from 2 a.m. to 6 a.m., as defined by Planning Code Section 890.48.

The subject business proposes to operate from 7 a.m. to midnight on weekdays and 9 a.m. to midnight on weekends, which is principally permitted under Planning Code. The Project does not propose to include any hours of operation past 2 a.m.

D. **Street Frontage in Mixed-Use Districts.** Planning Code Section 145.1 requires that, within Mixed Use Districts, space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. This Section requires a certain treatment of facades of buildings on block frontages that are entirely within a Mixed Use District. Frontages with active uses must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building.

The proposed uses are considered permitted Active Uses per Section 145.4. The subject commercial space is more than 60 percent fenestrated with transparent windows, and the windows are clear and unobstructed. There are no façade changes proposed on both Folsom and Clementina Streets.

E. **Bicycle Parking.** The Planning Code Section 155.1 requires bicycle parking for Eating and Drinking Uses in the following amounts: one Class 1 bicycle parking space for every 7,500 square feet of Occupied Floor Area, and one Class 2 bicycle parking space for every 750 square feet of Occupied Floor Area (minimum two spaces). For Amusement Arcade Use, the Planning Code requires five Class 1 spaces for facilities with a capacity of less than 500 guests, and one Class 2 space for every 500 seats or for every portion of each 50-person capacity.

The existing, subject tenant space did not contain any Class 1 or 2 bicycle parking spaces. The Project involves a change of use to Amusement Arcade and Eating and Drinking Use, which requires a higher bicycle parking requirement than basic Retail Sales and Service Uses. As such, the Project requires five Class 1 and one Class 2 bicycle parking spaces. The Project complies with the Planning Code requirements and would provide six Class 1 and two Class 2 bicycle parking spaces.

- F. Eating and Drinking Uses. Planning Code Section 202.2 outlines the location and operating conditions for eating and drinking uses. Eating and drinking establishments include bars, sit-down restaurants, fast food restaurants, self-service restaurants, and take-out food. Associated uses, which can serve similar functions and create similar land use impacts, include ice cream stores, bakeries, and cookie stores. Guidelines for eating and drinking establishments are needed to achieve the following purposes:
  - Regulate the distribution and proliferation of eating and drinking establishments, especially in districts experiencing increased commercial activity;
  - Control nuisances associated with their proliferation;
  - Preserve storefronts for other types of local-serving businesses; and
  - Maintain a balanced mix of commercial goods and services.
  - The regulation of eating and drinking establishments should consider the following:
  - Balance of retail sales and services;
  - Current inventory and composition of eating and drinking establishments;
  - Total occupied commercial linear frontage, relative to the total district frontage;
  - Uses on surrounding properties;

- Available parking facilities, both existing and proposed;
- Existing traffic and parking congestion; and
- Potential impacts on the surrounding community.

As stated in the Conditions of Approval, the proposed Restaurant use will be required to comply with the conditions outlined in Section 202.2 as it relates to keeping the main entrance and surrounding streets and sidewalks clear of trash and debris, ensuring that the space is properly insulated to prevent noise in excess of the noise levels specified in the San Francisco Noise Control Ordinance, installation of proper odor control equipment to prevent any noxious of offensive odors from escaping the premises, and the proper storage and disposal of garbage, recycling and composting.

- G. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department, and will be required to meet the requirements of Article 6 of the Planning Code.
- 7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:
  - A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The proposed Amusement Arcade, Restaurant, and Bar uses are compatible with surrounding commercial and residential uses and will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood. The existing use already has eight golf simulation stalls. The Project would slightly increase the intensity of activity at the site by providing additional three pinball machines and restaurant and bar use. The proposed use will be limited by the number of amusement arcade devices, each of which will be operated by one person at a time. Bar seating will include a total of six to eight stools with a few patrons be found in golf retail and repair areas at any given time. The Project does not propose to include any hours of operation past midnight. The proposed use will help activate the block by creating a continuous ground floor commercial frontage with pedestrian-oriented commercial activities along Folsom Street. The size of the proposed use is in keeping with other storefronts on the block face.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:
  - (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The height and bulk of the existing building will remain the same and will not alter the existing appearance or character of the project vicinity. The proposed work will not affect the building envelope.

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

The Planning Code is no longer requires off-parking. Loading requirements apply to uses that are 10,000 gross square feet or more. The gross square footage of the Project is approximately 6,900 square feet; therefore, off-street loading is not required. The subject site is well-served by public transit, thus minimizing the need for private vehicle trips.

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

The proposed use is subject to the standard conditions of approval in Exhibit A. These conditions specifically obligate the project sponsor to mitigate odor and noise. The impact of food odors will be insignificant, and any odors generated will be captured by ventilation system and suitably exhausted. There will be minimal anticipated noise, including conversations, the jingling of pinball machines, and the thwack of golf club hitting ball, and the concrete and heavy glass wall construction will keep the noise contained from the public way.

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

*The Project would not alter the site's landscaping, open spaces, parking and loading areas, service areas or lighting. New signage is required to comply with the requirements of the Planning Code.* 

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

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

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

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with the former Western SoMa Area Plan. The recent adopted Central SoMa Plan rezoned the subject block from WMUG to MUR Zoning District with the intend to encourage the expansion of retail, business service and commercial and cultural arts activities. The Project is consistent with the

stated purpose as the proposed use is located at the ground floor and will provide a compatible convenience service for the immediately surrounding neighborhoods.

8. Additional Conditional Use Criteria for Eating and Drinking Uses. Planning Code Section 303(o) establishes criteria with regard to a Conditional Use Authorization application for a Restaurant use in a Neighborhood Commercial District. Section 303(o) requires the Planning Commission to consider, in addition to the criteria set forth in Code Section 303(c), the existing concentration of eating and drinking uses in the area. Such concentration should not exceed 25% of the total commercial frontage as measured in linear feet within the immediate area of the subject site. For the purposes of Code Section 303(o), the immediate area shall be defined as all properties located within 300 feet of the subject property and also located within the same zoning district.

Based on a land use survey completed by the Project Sponsor and verified by Department staff, the total commercial frontage dedicated to eating and drinking establishments located within 300 feet of the Project Site in the WMUG Zoning District is 17.8% of the total commercial frontage as measured in linear feet. With the proposed change of use from a Retail Sales and Service Use to a Restaurant Use, the total commercial frontage dedicated to eating and drinking establishments will increase by 5.4%, for a total of 23.2%. Therefore, the proposal is deemed in compliance with the requirements of Code Section 303(0).

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

#### HOUSING ELEMENT

#### **Objectives and Policies**

#### **OBJECTIVE 1:**

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

#### Policy 1.1:

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

#### Policy 1.2:

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

#### Policy 1.3:

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The Project will provide desirable goods and services to the residents of the neighborhood and will provide resident employment opportunities to those in the community. The proposed project is consistent with purpose of the WMUG Zoning District.

#### **OBJECTIVE 2:**

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

#### Policy 2.1:

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

The Project would establish the Amusement Arcade and Restaurant, and Bar uses within an existing commercial space. The Project Sponsor owns the existing business (d.b.a. "Eagle Golf Indoor Club"). Therefore, no tenants will be displaced by the conversion. The use would complement the existing business and enhance its viability by providing an additional revenue stream and assisting in the retention of staff.

#### **OBJECTIVE 6**:

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

#### Policy 6.1:

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

No commercial tenant would be displaced, and the project would not prevent the District from achieving optimal diversity in the types of goods and services available in the neighborhood.

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

There is a concern with the potential over-concentration of food-service establishments within certain neighborhoods. The Commerce and Industry Element of the General Plan contains Guidelines for Specific Uses. For eating and drinking establishments, the Guidelines state, "the balance of commercial uses may be threatened when eating and drinking establishments occupy an overconcentration of commercial frontage. Proposals for eating and drinking establishments which would increase the proportion of total occupied commercial frontage above what is prescribed in the Planning Code should be reviewed to ensure that they would not reduce the variety of neighborhood-serving uses; nor create substantial noise, traffic, parking problems, or other nuisances in the district or surrounding neighborhood." Planning staff has performed a site survey of the WMUG Zoning District, where the proposed project is located. Currently, approximately 17.8% of the commercial frontage of the WMUG District within 300 feet of the project site is attributed to eating and drinking establishments and will increase 5.4% with the addition of the Project to a total of 23.2%. As per Planning Code Section 303(o), the concentration should not exceed 25% as measured in linear feet within the immediate area of the subject site; therefore, the proposed change of use from Retail to Amusement Arcade, Restaurant, and Bar uses will be within the prescribed 25% linear feet as per Planning Code.

#### Policy 6.2:

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

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

#### WESTERN SOMA AREA PLAN

#### **Objectives and Policies**

#### **OBJECTIVE 1.1**

BUILD ON AN EXISTING MIXED-USED CHARACTER THAT ENCOURAGES PRODUCTION OF RESIDENTIAL USES IN AREAS MOST APPROPRIATE FOR NEW HOUSING WITH A PROXIMATE MIX OF USES AND SERVICES SERVING LOCAL NEEDS AND THEREBY DEVELOPING A COMPLETE NEIGHBORHOOD.

#### Policy 1.1.1

Establish a Community Stabilization Policy for the Western SoMa SUD, based upon the Planning Principles adopted by the Western SoMa Citizens Planning Task Force, in order to maintain the historical balance between affordable and market rate housing and ensure that jobs are not pushed out in favor of more residential development.

#### Policy 1.1.2

Western SoMa land uses should progress from non-residential uses south of Harrison Street northward to an increasingly residential neighborhood with retention of a mix of uses and new mixed-use developments where appropriate.

#### Policy 1.1.5

Restrict larger formula retail uses north of Harrison Street.

Policy 1.1.7

Establish vertical zoning standards in locations encouraging new mixed-use development and preserving a mix of uses.

No commercial tenant would be displaced. The proposed use is a neighborhood serving use. This is not a Formula Retail use. The Project will help preserve the mixed-use character of the neighborhood.

#### **OBJECTIVE 1.3**

MINIMIZE NOISE IMPACTS AND ENSURE APPROPRIATE NOISE ORDINANCE REQUIREMENTS ARE MET.

#### Policy 1.3.1

Reduce potential land use conflicts by providing accurate background noise-level data.

#### Policy 1.3.2

Reduce potential land use conflicts by carefully considering the location and design of both noisegenerating uses and sensitive uses in the Western SoMa.

The proposed use will be required to comply with the conditions outlined in Section 202.2 as it relates to keeping the main entrance and surrounding streets and sidewalks clear of trash and debris, ensuring that the space is properly insulated to prevent noise in excess of the noise levels specified in the San Francisco Noise Control Ordinance, installation of proper odor control equipment to prevent any noxious of offensive odors from escaping the premises; and the proper storage and disposal of garbage, recycling and composting.

- 10. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:
  - A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The Project proposes to change the use from Retail to Amusement Arcade and Restaurant and Bar and will continue to serve the neighborhood as a source of employment for neighborhood residents. The Project Sponsor owns the existing business. Therefore, no tenants will be displaced by the conversion.

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

The existing units in the surrounding neighborhood would not be adversely affected. The proposal proposes to utilize an existing storefront and commercial space which has existed at the subject location for many years. No residential units will be lost and no exterior modifications to the building will be made.

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

The Project will not involve any modifications to any residential units thus preserving the supply of housing.

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

The Project is located on Folsom Street between Fourth and Fifth Streets and is well-served by transit. It is highly likely that both employees and customers of the proposed project will either walk or use transit to arrive at the subject location as several bus lines operate within a few blocks of the site. Additionally, the Powell Street BART station is located approximately 0.6 miles from the site.

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

The Project does not include the creation of commercial office development and will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project. In fact, the Project will increase the opportunity for future ownership and service sector employment by increasing the viability of an existing neighborhood serving retail use.

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

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code.

G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site. The Project will not involve any exterior modifications to the existing building and will not impact any landmarks or historic buildings.

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

The Project is located within an existing building and will have no negative impact on existing parks and open spaces.

- 11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 12. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

#### DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2017-010011CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated January 07, 2019, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on April 4, 2019.

Jonas P. Ionin Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 4, 2019

SAN FRANCISCO PLANNING DEPARTMENT

## **EXHIBIT A**

#### **AUTHORIZATION**

This authorization is for a conditional use to allow an Amusement Arcade, Restaurant, and Bar uses (d.b.a. "Eagle Golf Indoor Club") located at 840 Folsom Street, Block 3733, and Lot 018 pursuant to Planning Code Sections 175.1, 249.40A, 303 and 844, within the Mixed Use Residential Zoning District and a 85-X Height and Bulk District; in general conformance with plans, dated January 07, 2019, and stamped "EXHIBIT B" included in the docket for Record No. 2017-010011CUA and subject to conditions of approval reviewed and approved by the Commission on April 4, 2019 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

#### **RECORDATION OF CONDITIONS OF APPROVAL**

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on April 4, 2019 under Motion No. XXXXXX.

#### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

#### SEVERABILITY

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

#### **CHANGES AND MODIFICATIONS**

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

# Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

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

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

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, <u>www.sf-planning.org</u>

- **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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>

#### **DESIGN – COMPLIANCE AT PLAN STAGE**

7. Final Materials. The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378.

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

8. **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, <u>www.sf-planning.org</u>

9. Noise. Plans submitted with the building permit application for the approved project shall incorporate acoustical insulation and other sound proofing measures to control noise. For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u>
Places he sure to check the Noise Control condition in the Operation section, use both conditions.

Please be sure to check the Noise Control condition in the Operation section- use both conditions if applicable

10. **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 if applicable as determined by the project planner. 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, <u>www.sf-planning.org</u>

#### PARKING AND TRAFFIC

11. **Bicycle Parking (Commercial Only)**. Pursuant to Planning Code Sections 155.1 and 155.4, the Project shall provide no fewer than **five** Class 1 and one Class 2 bicycle parking spaces. SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

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

12. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863,* 

<u>www.sf-planning.org</u>

#### **MONITORING - AFTER ENTITLEMENT**

- 13. 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*
- 14. **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, <u>www.sf-planning.org</u>

#### OPERATION

- 15. **Eating and Drinking Uses**. As defined in Planning Code Section 202.2, Eating and Drinking Uses, as defined in Section <u>102</u>, shall be subject to the following conditions:
  - A. The business operator 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 Street and Sidewalk Maintenance Standards. In addition, the operator shall be responsible for daily monitoring of the sidewalk within a one-block radius of the subject business to maintain the sidewalk free of paper or other litter associated with the business during business hours, in accordance with Article 1, Section <u>34</u> of the San Francisco Police Code.

*For information about compliance, contact the Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <u>http://sfdpw.org.</u>* 

B. When located within an enclosed space, 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 of 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, <u>www.sfdph.org</u>.

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

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

C. 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), <u>www.baaqmd.gov</u> and Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

D. 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 the Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <u>http://sfdpw.org</u>.* 

16. **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 and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups 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, <u>www.sf-planning.org</u>

**17.** Notices Posted at Bars and Entertainment Venues. Notices urging patrons to leave the establishment and neighborhood in a quiet, peaceful, and orderly fashion and to not litter or block driveways in the neighborhood, shall be well-lit and prominently displayed at all entrances to and exits from the establishment.

For information about compliance, contact the Entertainment Commission, at 415 554-6678, <u>www.sfgov.org/entertainment</u>

18. Other Entertainment. The Other Entertainment shall be performed within the enclosed building only. The building 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. Bass and vibrations shall also be contained within the enclosed structure. The Project Sponsor shall obtain all necessary approvals from the Entertainment Commission prior to operation. The authorized entertainment use shall also comply with all of the conditions imposed by the Entertainment Commission.

For information about compliance, contact the Entertainment Commission, at 415 554-6678, <u>www.sfgov.org/entertainment</u>

# Eating and Drinking Concentration Map

SAN FRANCISCO



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9. THESE DRAWINGS AND ALL IDEAS, ARRANGEMENTS AND PLANS, EITHER NUCATED OR REPRESENTED BY THESE DRAWINGS ARE OWNED BY, AND ARE THE PROPERTY OF HARVEY HACKER ARCHITECTS, AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON, AND IN CONNECTION WITH THE PROJECT SO DESIGNATED IN THE THLE BLOCK, NONE OF THESE IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL ANY CHANGES WHATSOEVER BE MADE ON THIS DRAWING WITHOUT THE WRITTEN PERMISSION FROM HARVEY HACKER ARCHITECTS. THESE DRAWINGS ARE NOT VALID FOR ANY USE UNLESS THEY BEAR THE ORIGINAL SEAL AND SIGNATURE OF THE ARCHITECT.	OR TO VERIFY ALL EXISTING DIMENSIONS IN FIELD. ON DRAWINGS, ONLY WRITTEN DIMENSION SCALE DRAWINGS, CONTRACTOR SHALL VERIFY AND BE MADE COMPLETELY RESPONSIBLE FC ND CONDITIONS ON THE JOB. ARCHITECT MUST BE NOTIFIED IN WRITING OF ANY PROPOSED O COM THE DIMENSIONS AND CONDITIONS SHOWN, AND A WRITTEN CHANGE ORDER ISSUED BEF (AT THE DIMENSIONS AND CONDITIONS SHOWN, AND A WRITTEN CHANGE ORDER ISSUED BEF (AT THE DRAWINGS AND SPECIFICATIONS, WITH THE DELIVERY FACILITIES, AND ALL OTHER MA (TITH THE DRAWINGS AND SPECIFICATIONS, WITH THE DELIVERY FACILITIES, AND ALL OTHER MA (HICH MAY AFFECT THE OPERATION OF THE WORK, AND ASSUMES ALL RISK THEREFROM. SIONS ARE TO FACE OF STUD, UNLESS OTHERWISE INDICATED; DIMENSIONS LOCATING DOORS SIONS ARE TO FACE OF STUD, UNLESS OTHERWISE INDICATED; DIMENSIONS LOCATING DOORS	<ol> <li>THE GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION, (AA DOCUMENT A201), LATEST EDITION, SPECIFICATIONS SUPPLEMENT THESE DRAWINGS AND OR ARE A PART OF THE CONTRACT DOCUMENTS.</li> <li>ALL WORK SHALL CONFORM TO ALL APPLICABLE PERMITS, REGULATIONS, CODES, AND ORDINANCES OF PUBI AUTHORITIES, FEDERAL, STATE, AND LOCAL, HAVING JURISDICTION.</li> <li>CONTRACTOR SHALL VISIT SITE AND BE FULLY COGNIZANT OF ALL FIELD CONDITIONS, ANY CONFLICTS OR DISCREPANCIES BETWEEN THE DRAWINGS AND SITE CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATT OF THE ARCHITECT.</li> <li>DISCREPANCIES WITHIN THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING.</li> </ol>	GENERAL NOTES 1. THESE NOTES APPLY TO ALL DRAWINGS AND GOVERN UNLESS NOTED OR SPECIFIED FOR MORE SPECIFIC REQUIREMENTS APPLICABLE TO PARTICULAR DIVISIONS OF THE WORK. SEE NOTES CONTAINED IN SUBSECTIONS THESE DRAWINGS	DOOM I.D. INSIDE DIMENSION R.O. RISER EXISTING INSULATION R.O. ROUGH OPENING VAR EACH UT. INTERIOR ROWD RAD, RADIUS VERT. ELEVATION JT. JOINT ROWD, REDWOOD W.O. ELEVATION W.O. ELECTRICAL EQUAL EXTERIOR W.O. W.O. EXTERIOR W.O. W.O. W.O. W.O. W.O. W.O. W.O. W.O.	BOILDING     G.S.M.     GALVANIZED     T       CABINET     GALVANIZED     O.C.     ON CENTER     T &       CERAMIC     GA.     GAUGE     O.D.     OUTSIDE DIAMETER     T &       CELLING     GER.     GER.     GER.     OPIG.     OPISIDE DIAMETER     T &       CULCAR     GL.     GALVANIZED     OPIG.     OPISIDE DIAMETER     T &     T.O.       CONTRER     GL.     GALVANIZED     OPIG.     OPISIDE DIAMETER     T O.S.       CONCRETE     GL.     GALVANIZED     OPIG.     OPISITE     T O.S.       CONCRETE     GIV.     GALVANIZED     P.N.     PANENT     T D.S.       CONCRETE     GYPS.     WALL BOARD     P.LAM.     PLASTIC LAMINATE     T D.       CONTINUOUS     GYPS.     GYPSUM     PLANELING     T P.D.       CARPET     H.C.     HOLLOW CORE     PLASTER     U.O.N.       DIMENSION     HORIZ     HORIZONTAL     PLASTER     U.O.N.	FIRE MAX. MAXIMUM REFR. FINSHFLOOR MECH. MECHANICAL REO. FINSHFLOOR MER. MECHANICAL REO. FACE OF MIR. MINUMUFACTURER RESIL FACE OF MIR. MINUMUFACTURER RM. FINSHFLOOR MIR. MINUMUFACTURER RM. FOOTOR FEET NIL. METAL SID. NORTH CONTRACT SID. NOM. NORTH SID. NOMINAL SYM.	ABBREVIATIONS	
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		<u>(</u> (())))))))))))))))))))))))))))))))))	S		SITE	Jan Star		NT IMPR FOLSOM rancisco,
	BLOCK 3733		SCALE: 1/16"=1'-0"				SCALE N.T.S.	IMPROVEMENTS LSOM STREET cisco, California
BUILDING CODE         codes: code		USE DISTRICT: WMU HEIGHT LIMIT: 55-X STORIES: 2 STO EXISTING USE: RETI PROPOSED USE: AMU: LOT AREA: 5500		2. ADD FOOD SERVICE FACILITIES. PLANNING CODE		OWNER: EAGLE CLUB / INDOOR GOLF 555 HOWARD STREET, SUITE 102 SAN FRANCISCO CA 94105 PHONE: 415-795-4145 EMAIL: MICHAEL©EAGLECLUBIG.COM CONTACT: MICHAEL@EAGLECLUBIG.COM ARCHITECT: ARCHITECT:	PROJECT DIRECTORY	a
		WMUG - WSOMA MIXED USE- GENERAL 55-X 2 STORIES W/ MEZZANINE (2ND FLOOR - NOT IN LEASE AREA) RETAIL (PER PA 2017.0731.3346) AMUSEMENT ARCADE (PLANNING CODE SEC 890.4) WITH RESTAURAL	SAN FRANCISCO PLANNING CODE 840 FOLSOM STREET, SAN FRANCISCO, BLOCK / LOT 3733 / 018		ITH BAR & FOOD SERVICE.			
OCCUPANT LOAD (FROM CBC-TABLE 1004.1.2.)         USE BUSINESS AREA LOAD FACTOR = 100 GROSS         AREAS (S0. FT.)         IONAD FACTOR = 100 GROSS         100 GROSS         MEZZANNE         OCCUPANT LOAD FACTOR FOR GROUP B. (NINIMUM NUMBER OF REQUIRED PLUMBING         OR F.1         LOAD FACTOR         COUNT FOR GROUP B (PUBLIC BUILDING) = 200 SF PER OCCUPANT         AREAS (S0. FT.)         LOAD FACTOR         COUNT FOR GROUP B (PUBLIC BUILDING) = 200 SF PER OCCUPANT         AREAS (S0. FT.)         LOAD FACTOR         COUNT FOR GROUP B (PUBLIC BUILDING) = 200 SF PER OCCUPANT         AREAS (S0. FT.)         LOAD FACTOR FOR GROUP B (PUBLIC BUILDING)         20.0         ALEXANNE (990 SF)       200 GROSS       22.8         MEZZANNE (990 SF)       200 GROSS       28.0       28.0         COUPANCIES WITH A TOTAL OCCUPANT LOAD OF 50 OR LESS INCLUDING COLSPANT FACILITY, DESIGNED FOR USE BY BOTH SEXES.         TOTAL       1       1       1       1       1       1       1       1       1       1       1 <t< td=""><td></td><td>SEC 890.4) WITH RESTAURANT AND BAR</td><td>, CA 94103</td><td></td><td></td><td>ARCHITECTURAL A0.0 TITLE SHEET A0.1 ACCESSIBILITY FORMS A0.2 EXITING &amp; DECUPANCY LOAD DIAGRAM A2.11 EXISTING &amp; PROPOSED FIRST FLOOR PLAN A2.13 PROPOSED MEZZANINE FLOOR PLAN &amp; EXISTING 2ND FLOOR PLAN A2.14 ELEVATIONS</td><td>SHEET INDEX</td><td></td></t<>		SEC 890.4) WITH RESTAURANT AND BAR	, CA 94103			ARCHITECTURAL A0.0 TITLE SHEET A0.1 ACCESSIBILITY FORMS A0.2 EXITING & DECUPANCY LOAD DIAGRAM A2.11 EXISTING & PROPOSED FIRST FLOOR PLAN A2.13 PROPOSED MEZZANINE FLOOR PLAN & EXISTING 2ND FLOOR PLAN A2.14 ELEVATIONS	SHEET INDEX	
TITLE SHEET SCALE AS NOTED DBRAWN MH JOB 1715 SHEET	TENANT IMPF 840 FOLS SAN FRANC	SOM ST.	1 <b>-</b>	0 ARCIIIICI 1 4 444 8520 CALIFORN CALIFORN	Harvey Hack Architects 344 Harriet Street, Suite 10 San Francisco, CA 94103 415 957 0579			REVISIONS BY The Law Review KY JAN-07,19 KY

4 Is this a Cly polect and/or does it receive any form of public funding? Check one: <u>UTus</u> / <u>WTus</u> If Yes, then see Step 3 on the Instructions page of the Disabled Access Upgrade Compliance Checklast package for additional forms required. Conditions below must be fully documented by accompanying drawings The construction cost of this project excluding disg2ied access upgrades to the path of ravel is
 <u>\$2,500</u>, which is (cheak crae) <u>Uncost than</u> / <u>Uless than</u> the Accessibility Threshold anount of <u>\$161298</u>, based on the "ENR Construction Cost Index" (The cost index & threshold are updated annually).
 1. The proposed use of the project is \_\_\_\_\_ Restaurant, etc.) D.A. CHECKLIST (p. 1 of 2): The address of the project is : <u>840 FOLSOM STREET</u> 2. Describe the area of remodel, including which floor: Unreasonable Hurdship. When the enforcing agency finds that compliance with the building standard would
make the specific work of the project affected by the building standard reasible, based on an overall evaluation
of the following factors:
1. The cost of providing access.
2. The cost of construction contemplated.
3. The impact of proposed improvements on financial fisability of the project.
4. The mature of the use of the facility under construction and is availability to persons with disabilities
5. The nature of the use of the facility under construction and is availability to persons with disabilities "Rechnicelly infeasible. An alteration of a building or a facility, that has little literitood of being accomplicity because the existing existratic another sequire the enroyed or alteration of a load-barring member that is an essential part of the structural farme, or because other existing physical or elso constraints prohibit modification or passion of elements, spaces or feasing has that and existic compliance with the minimum requirements for new construction and which are necessary to provide accessibility. CBC chapter 2 section 202 Definitions: C: Projec adjusted cost of construction is less than or equal to the current valuation threshold: List items that will be upgraded on Form C. All other items shall be checked on page 2 of the D.A. Checklist in the "Not required by code" column. Read A through D below carefully and check the most applicable boxes. Check one xxx only:

 A: All existing conditions serving the area of remodel fully comply with access r No further upgrades are required:
 Fill outpage 2 of D.A. Checklist

 For ALL tenant improvement projects in commercial use spaces, both pages of this checklist are required to be reproduced on the plan set <u>and stened</u> B: Project Adjusted cost of construction is greater than the current valuation threshold: Fill out and attach page 2 of D.A. Checklist and any other required forms to plans D: Proposed project consists entirely of Barrier removal: Fill out and attach Barrier removal form to Plans RETAIL SALES & SERVICE FIRST FLOOR & MEZZANINE \_ (e.g. Retail, Office, requirements. Note

.. accessible route the area of remodel including: Part-Note: upgrades below are listed in priority based on CBC-113-202.4, exception 8 See the requirements for additional forms listed below Corridors, hallways, floors C. At least one accessible restroom for each sex or a single unisex restroom serving the area of remodel. entrarce including: approach walk vertical access, platform (landirgs), door / gate and hardtware for door/gate D. Accessible public pay ptone. Accessible drnking fountans. Curb ramps and walks Additional accessible elements such as parking, stairways, storaye, alarms and signage. Parking/access aisles and curb ramps Ramps elevators μ. 14 ω Ν -No additionalisms required Storadizonalisms required Elli ol Required to Approval of Eschencel Interactivity orm for each item checked and attach to plans Elli ol Required to Approval of Technical Interactivity orm for each item checked and attach to plans Elli ol Required to Approval of Technical Interactivity provide its permit application number Provide details from a set of City approved interference draving number on plans. No additionalisms required Elli ol Required to a Underschich form for set hem noticed and attach to plan. All UHR must be ratified by the Access Appeals Commission (see UHF) form for details) lifts Check all a -X ⊠ ⊠ Existing Fully Complying Will be Up-graded to Full 2 Compliance Equivalent facilitation will provide full access ω specify Compliance is Technically infeasible 4 where on the Ċ1 Approved in compliance with immediately preceding code Not required by Code (and/or none existing) ø s the details are shown. 7. Non-compliant request URH Must be ratified by AAC Location of detail(s)-include detail no. & drawing sheet <u>(do no)</u> <u>leave the part blanks</u>). Also clarification comments can be written here. SEE SHEET 2.11

D.A. CHECKLIST (p. 2 of 2): The address of the project is SOM STREET

The details of any "achnical Infeasibility or Unreasonable Hardship shall be recorded and entered into the files of the Department. All Unreasonable Hardships shall be realified by the AAC.

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2.         3.         4.         5.         5.         6.         7.         7.         8.         9.         9.         9.         9.         Store         Store	Form C: DISABLED ACCESS 20% RULE         This form is only required for projects equal to or under the valuation thresholt when low "C" is checked off on the D.A. Checklist and is for providing an iterized lise of the estimated costs for the expeditures used for disabled access upgrades for this project. Recrotaters the form along with the D.A. Checklist and any required form(s) on the plans.         Based on CBC Section 11B-202 4 Exception 8 only projects with a construction cost less than or equal to the valuation threshold (current ENR Costurction Cost Index Amount) are eligible for the 20% rule (see CBC 11B-202.4 Exceptions).         In general, projects valued over the hresholt are not eligible for the 20% rule (see CBC 11B-202.4 Exceptions) for the value of the respective valuation thresholt in Exceptions.         CEC Section 11B-202.4 Exception 8 ( <i>sibvervitad</i> ): In alteration projects includings & facilities previously approval & buildings & facilities that qualifies for this 20% disproprincially provisions when project values on the schedel of the sche			
ACCESSIBILITY FORMS	TENANT IMPROVEMENTS 840 FOLSOM ST. SAN FRANCISCO, CA	Cased Archite (Cased Archite	344 Harriet Street, Suite 101 San Francisco, CA 94103	REVISIONS BY

= = 1) EXITING PLAN -- FIRST FLOOR SCALE: 1/8" = 1-0" 010 Ø. 囵 0' 4' 8' ا <sub>6</sub>  $\checkmark$ 

SCALE AS NOTED DRAWN MH JOB 1715

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EXISTING & PROPOSE FIRST FLOOR PLAN		IT IMPRO 840 FOLSOM		USESED ARCHINE USESED ARCHINE W C8520 # 17 OF CALIFORN		Yey Hacker hitects let Street, Suite 101 cisco, CA 94103 3579			JAN-07,19 KY	REVISIONS BY





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1) EXSTING FIRST FLOOR PLAN SCALE: 1/8" = 1'-0"

	4 BICYCLE P 4 SIGNAGE P FLOORING AND REMAIN, U. O. P	KEYNOTE LEGEND:           1         EXISTING F           MAX. SLOP         SIDES           2         (E) INTERN/           2         ACCESSIBII		
	(E) LEVEL LANDING 90 IN X 60 INCHES 90 IN X 60 INCHES 90 IN X 60 INCHES 90 IN X 60 INCHES 91 INC	<b>IE LEGEND:</b> EXISTING RAMP TO REMAIN. 1:12 MAX, SLOPE, HANDRAILS BOTH SIDES (E) INTERNATIONAL SYMBOL OF ACCESSIBILITY, SEE ACCESS, DETAILS	TO BE DEMOLISHED / REMOVED EXISTING WALL TO REMAIN NEW WALL W/ 4" RUBBER BASE DOOR SYMBOL SEE DOOR SCHEDULE EXISTING DOOR SYMBOL INTERNALLY ILLUMINATED EXIST SIGN PER CBC 1013.5	
DATE ZEAULIL 2017 SHEET AS NOTED FIRST FLOOR PLAN	TENANT IMPROVEMENTS 840 FOLSOM ST.	(1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	Harvey Hacker Architects 344 Harriet Street, Suite 101 San Francisco, CA 94103 415 957 0579	PLANREVIEW
	SAN FRANCISCO, CA	OF CALIFO	415 957 0579	A 19

N 2 PROPOSED MEZZANINE PLAN (NO CHANGE FROM EXISTING)





		NOTE: ALL FLOORING, REMAIN, U		FLOOR PL	
		NOTE: ALL EXISTING LIGHTING, FLOORING AND WALL FINISHES TO REMAIN, U. O. N.	TO BE DEMOLISHED / REMOVED EXISTING WALL TO REMAIN NEW WALL W/ 4" RUBBER BASE DOOR SYMBOL, SEE DOOR SCHEDULE EXISTING DOOR SYMBOL INTERNALLY ILLUMINATED EXIT SIGN PER CBC 1013.5	AN LEGEND	
DATE 26-UL 2017 SCALE AS NOTED DRAWN MH JOB 1715 SHEET A2.13	TENANT IMPROVEMENTS 840 FOLSOM ST. SAN FRANCISCO, CA	Cased and a series of the seri	Harvey Hacker Architects 344 Harriet Street, Suite 101 San Francisco, CA 94103 415 957 0579		REVISIONS BY





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## SAN FRANCISCO PLANNING DEPARTMENT

## **CEQA** Categorical Exemption Determination

#### **PROPERTY INFORMATION/PROJECT DESCRIPTION**

Project Address		Block/Lot(s)
840 FOLSOM ST		3733018
Case No.		Permit No.
2019-001657PRJ		201901099933
Addition/ Alteration	Demolition (requires HRE for Category B Building)	New     Construction
	Planning Department approval. M RETAIL TO AMUSEMENT ARCADE WITH BA	R AND FOOD SERVICE

#### **STEP 1: EXEMPTION CLASS**

*Note	e: If neither class applies, an Environmental Evaluation Application is required.*
	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
	<b>Class 3 - New Construction.</b> Up to three new single-family residences or six 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.
	<ul> <li>Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</li> <li>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</li> <li>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</li> <li>(c) The project site has no value as habitat for endangered rare or threatened species.</li> <li>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</li> <li>(e) The site can be adequately served by all required utilities and public services.</li> </ul>
	Class

#### STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

If any b	ox is checked below, an Environmental Evaluation Application is required.
	<b>Air Quality:</b> 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, etc.)? ( <i>refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Air Pollution Exposure Zone</i> )
	<b>Hazardous Materials:</b> 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 Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to <i>EP_ArcMap</i> &gt; Maher layer).</i>
	<b>Transportation:</b> 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?
	<b>Archeological Resources:</b> 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 &gt; CEQA Catex Determination Layers &gt; Archeological Sensitive Area</i> )
	<b>Subdivision/Lot Line Adjustment:</b> 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 &gt; CEQA Catex Determination Layers &gt;</i> <i>Topography</i> )
	<b>Slope = or &gt; 20%:</b> 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 &gt; CEQA Catex Determination Layers &gt; Topography</i> ) If box is checked, a geotechnical report is required.
	<b>Seismic: Landslide Zone:</b> 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 &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones</i> ) If box is checked, a geotechnical report is required.
	<b>Seismic: Liquefaction Zone:</b> 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 &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones)</i> If box is checked, a geotechnical report will likely be required.
	boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an conmental Evaluation Application is required, unless reviewed by an Environmental Planner.
Com	ments and Planner Signature (optional): Xinyu Liang

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

PROP	PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)				
	Category A: Known Historical Resource. GO TO STEP 5.				
	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.				
	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	Check all that apply to the project.		
	1. Change of use and new construction. Tenant improvements not included.		
	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.		
	3. Window replacement that meets the Department's Window Replacement Standards. Does not include storefront window alterations.		
	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.		
	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.		
	<ol> <li>Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.</li> </ol>		
	7. <b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .		
	8. <b>Addition(s)</b> 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.		
	Project is not listed. GO TO STEP 5.		
	Project does not conform to the scopes of work. GO TO STEP 5.		
	Project involves four or more work descriptions. GO TO STEP 5.		
	Project involves less than four work descriptions. GO TO STEP 6.		

#### STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW

#### TO BE COMPLETED BY PROJECT PLANNER

Chec	k all that apply to the project.
	1. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
	2. Interior alterations to publicly accessible spaces.
	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
	6. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.

	7. Addition(s), including mechanical equipment that are minimally visible from a public right-of-way and meet the Secretary of the Interior's Standards for Rehabilitation.				
	8. <b>Other work consistent</b> with the Secretary of the Interior Standards for the Treatment of Historic <i>Properties (specify or add comments)</i> :				
	9. Other work that would not materially impair a histori	c district (specify or add comments):			
	(Requires approval by Senior Preservation Planner/Preservation Coordinator)				
	10. <b>Reclassification of property status</b> . (Requires ap Planner/Preservation	proval by Senior Preservation			
	Reclassify to Category A	Reclassify to Category C			
	a. Per HRER dated (a	attach HRER)			
	b. Other <i>(specify)</i> :				
	Note: If ANY box in STEP 5 above is checked, a P	reservation Planner MUST check one box below.			
	<b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b>				
	<b>Project can proceed with categorical exemption review</b> . The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>				
Comm	Comments ( <i>optional</i> ):				
Prese	rvation Planner Signature:				
STEP 6: CATEGORICAL EXEMPTION DETERMINATION TO BE COMPLETED BY PROJECT PLANNER					
	Further environmental review required. Proposed pro (check all that apply): Step 2 - CEQA Impacts	pject does not meet scopes of work in either			
	Step 5 - Advanced Historical Review STOP! Must file an Environmental Evaluation Applie	cation.			
	No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.				
	Project Approval Action:	Signature:			
	Building Permit If Discretionary Review before the Planning Commission is requested	Xinyu Liang			
	the Discretionary Review hearing is the Approval Action for the projection	oct. 02/20/20/00			
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31of the Administrative Code. 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. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.

#### 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 fror	Block/Lot(s) (If different than front page)			
840 FOLSOM ST	3733/018			
Case No.	Previous Building Permit No.	New Building Permit No.		
2019-001657PRJ	201901099933			
Plans Dated	Previous Approval Action	New Approval Action		
	Building Permit			
Modified Project Description:				

#### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:			
	Result in expansion of the building envelope, as defined in the Planning Code;		
	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;		
	Result in demolition as defined under Planning Code Section 317 or 19005(f)?		
	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

	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:		Date:			



## SAN FRANCISCO PLANNING DEPARTMENT

## Land Use Information

PROJECT ADDRESS: 840 FOLSOM ST RECORD NO.: 2019-001657PRJ 1650 Mission St. Suite 400 San Francisco, CA 94103-2479

Reception: 415.558.6378

415.558.6409

Fax:

Planning

Information: 415.558.6377

EXISTING PROPOSED NET NEW **GROSS SQUARE FOOTAGE (GSF)** Parking GSF N/A N/A N/A **Residential GSF** N/A N/A N/A Retail/Commercial GSF 9,850 6,900 -2,950 Office GSF 5,300 No change 0 Industrial/PDR GSF N/A N/A N/A Production, Distribution, & Repair Medical GSF N/A N/A N/A Visitor GSF N/A N/A N/A CIE GSF N/A N/A N/A Usable Open Space N/A N/A N/A Public Open Space N/A N/A N/A Other ( ) N/A N/A N/A TOTAL GSF 15,150 12,200 -2.950 EXISTING NET NEW TOTALS PROJECT FEATURES (Units or Amounts) **Dwelling Units - Affordable** N/A N/A N/A **Dwelling Units - Market Rate** N/A N/A N/A **Dwelling Units - Total** N/A N/A N/A Hotel Rooms N/A N/A N/A Number of Buildings 1 No change 1 Number of Stories 2 No change 2 **Parking Spaces** N/A N/A N/A Loading Spaces N/A N/A N/A **Bicycle Spaces** 0 6 6 Car Share Spaces N/A N/A N/A Other ( ) N/A N/A N/A

# **Parcel Map**



N

## Sanborn Map\*



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

 $\mathbf{\mathbf{b}}$ 

# Aerial Photo – View 1





## Aerial Photo – View 2







# **Zoning Map**

# (Central SoMa Area Plan in 2019)





# **Zoning Map**

## (Former Western SoMa Area Plan)





# **Site Photo**



