

## SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Conditional Use

### HEARING DATE: 10/04/2018

Date:	September 28, 2018
Record No.:	2017-015669CUA
Project Address:	733 Taraval Street
Zoning:	NC-2 (Neighborhood Commercial, Small Scale)
	TARAVAL STREET RESTAURANT SUBDISTRICT
	40-X Height and Bulk District
Block/Lot:	2408/044
Applicant:	Kam Li
	351 Chadborne Ave
	Millbrae, CA 94030
Staff Contact:	Cathleen Campbell – (415) 575-8732
	<u>cathleen.campbell@sfgov.org</u>
Recommendation:	Approval with Conditions

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: **415.558.6377** 

### **PROJECT DESCRIPTION**

The proposal is a Conditional Use Authorization request to amend the Conditions of Approval No. 3, under Motion No. 11895, which restricts the hours open to the public to between 7:00 a.m. and 9:00 p.m. Specifically, the proposal is to remove the conditioned hours of operation to allow the principally permitted hours of operation within the NC-2 Zoning District and Taraval Street Restaurant Subdistrict of 6:00 am – 2:00 am.

The full-service restaurant use was originally approved by the Planning Commission on March 15, 1990 (Case No. No. 89.643C), pursuant to the California Environmental Quality Act, in Motion No. 11895. The amendment involves no changes to the design or use size as originally approved.

### **REQUIRED COMMISSION ACTION**

Under Planning Code 303(e), authorization of a change in any condition previously imposed in the authorization of a conditional use shall be subject to the same procedures as a new conditional use. In order for the project to proceed, the Commission must grant conditional use authorization under Planning Code Section 303(e) to amend a condition of approval in Case Number 1989.643C, Planning Commission Motion 11895 to eliminate the condition of approval #3, hours open to the public shall be limited to between 7:00 a.m. and 9:00 p.m.

### **ISSUES AND OTHER CONSIDERATIONS**

- The proposed use is an independent, locally-owned use, which has been encouraged throughout San Francisco. This is not a Formula Retail use and would serve the immediate neighborhood, as well as clientele from outside the neighborhood.
- Taraval Street Restaurant Subdistrict does not regulate hours of operation.
- The principally permitted hours within the NC-2 Zoning District are 6:00 am 2:00 am.

### **BASIS FOR RECOMMENDATION**

- The existing building is not an historic resource or landmark.
- The proposed project meets all applicable requirements of the Planning Code.
- The project promotes small-business ownership and the viability of an existing small-business establishment.
- The project is a neighborhood-serving use. Alcoholic beverages would be served only in association with meals.
- The project would not expand the existing restaurant or displace storefronts that provide convenience goods and services to the neighborhood.

### ATTACHMENTS:

Draft Motion – Conditional Use Authorization

- Exhibit A Conditions of Approval
- Exhibit B Plans and Renderings
- Exhibit C Environmental Determination
- Exhibit D Maps and Context Photos
- Exhibit E Conditional Use Application
- Exhibit F Public Correspondence



## SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- □ Affordable Housing (Sec. 415)
- □ Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)

Date:

Case No.:

Zoning:

Block/Lot:

Staff Contact:

- □ First Source Hiring (Admin. Code)
- □ Child Care Requirement (Sec. 414)
- □ Other

San Francisco, CA 94103-2479 Reception:

1650 Mission St. Suite 400

415.558.6378

415.558.6409

415.558.6377

Fax:

Planning Information:

### Planning Commission Motion No. XXXXX **HEARING DATE: OCTOBER 4, 2018**

September 21, 2018 2017-015669CUA 733 Taraval Street Project Address: NC-2 (Neighborhood Commercial, Small Scale TARAVAL STREET RESTAURANT SUBDISTRICT 40-X Height and Bulk District 2408/044 Project Sponsor: Kam Li 351 Chadborne Ave Millbrae, CA 94030

Cathleen Campbell - (415) 575-8732

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 (E), 711, AND 781.1 TO AMEND THE CONDITIONS OF APPROVAL FOR PLANNING COMMISSION MOTION NO. 11895 TO ELIMINATE THE CONDITION OF APPROVAL #3, HOURS OPEN TO THE PUBLIC SHALL BE LIMITED TO BETWEEN 7:00 A.M. AND 9:00 P.M. THE PROJECT AT 733 TARAVAL STREET ON ASSESSOR'S BLOCK 2408, LOTS 044 IN THE NC-2 ZONING DISTRICT AND TARAVAL STREET RESTAURANT SUBDISTRICT A 40-X HEIGHT AND BULK DISTRICT AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

cathleen.campbell@sfgov.org

### PREAMBLE

On December 1, 1989, Peter Gong, filed application for Conditional Use for the property at 733 Taraval Street; Lot 44 in Assessor's Block 2408, (hereinafter "Subject Property.,) to establish a full-service restaurant, with a seating capacity of up to 65 persons in floor area of approximately 1,700 square feet in general conformity with plans filed with the Application and dated December 1, 1989 within the Taraval Street Restaurant Subdistrict of an NC-2 (Small-Scale Neighborhood Commercial) District.

On March 1 and 15, 1990, the San Francisco Planning Commission ("Planning Commission") adopted Motion No. 11895 (Case No. 1989.643C), , granting authorization to permit a full-service restaurant use under; Planning Code Section 303 (E), 711, and 781.1.

www.sfplanning.org

On December 7, 2017, Kam Li, acting on behalf of the property owner ("Project Sponsor"), submitted a request (Case No. 2017-015669CUA) with the City and County of San Francisco Planning Department ("Department") or Conditional Use Authorization under Planning Code Section 303(E) to modify a condition of approval of Planning Commission Motion No. 11895 to amend the restricted hours of operation under Condition No. 3 to the principally permitted hours of operation within the NC-2 Zoning District and Taraval Street Restaurant Subdistrict of 6:00 am – 2:00 am.

On September 9, 2018 the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project;

On October 4, 2018, the San Francisco Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Application No. 2017-015669CUA.

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

**MOVED**, that the Commission hereby authorizes the Conditional Use requested in Application No. 2017-015669CUA, 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 proposal is a Conditional Use Authorization request to amend the Conditions of Approval No. 3, under Motion No. 11895, which restricts the hours open to the public to between 7:00 a.m. and 9:00 p.m. Specifically, the proposal is to remove the conditioned hours of operation to allow the principally permitted hours of operation within the NC-2 Zoning District and Taraval Street Restaurant Subdistrict of 6:00 am 2:00 am.

The full-service restaurant use was originally approved by the Planning Commission on March 15, 1990 (Case No. No. 89.643C), pursuant to the California Environmental Quality Act, in Motion No. 11895. The amendment involves no changes to the design or use size as originally approved.

3. **Site Description and Present Use.** The proposed project is located at 733 Taraval Street, at the southeastern side of Taraval Street between 17th and 18th Street, Block 2408, Lot 044. The property is located within the Taraval Street RUSD (Restaurant Sub-District) and NC-2 (Small-Scale Neighborhood Commercial District) with a 40-X height and bulk district. The property is 100-feet deep and 25-feet wide. The property is currently developed with a three story mixed-use

building which includes an approximately 1,700 square foot full-service restaurant (D.B.A Odumak Korean Cuisine) and three dwelling units.

4. **Surrounding Properties and Neighborhood.** The Project site is located in the Taraval Street NC-2 (Small-Scale Neighborhood Commercial) District and Taraval Street RUSD (Restaurant Sub-District), as defined in Section 711.1 of the Planning Code. The Taraval Street NC-2 District is bordered by 36th Avenue to the west and 12th Avenue to the east runs approximately 1.4 miles in length, and has approximately 10,923 feet of total commercial street frontage.

The subject block located at the southeast side of Taraval Street between 17th and 18th Street, and contains various neighborhood-serving business. To the east of the Subject Property are three mixed-use buildings, with ground floor businesses including Victor's bakery, Super Hair Cuts, Perfect Foot Massage. and Sunny Cleaners. To the west of the Subject Property are several other mixed-use buildings, with ground floor businesses including Sunny Cleaners General Dentistry office, and Stop & Save Liquors. Directly across the street at 733 Taraval Street is the Safeway grocery store. The surrounding residential properties on 17th and 18th Avenues are zoned RH-1 (Residential, House, One-Family).

The Project Site is located in an NC-2 District, which is intended to serve as the City's Small-Scale Neighborhood Commercial District. These districts are linear shopping streets which provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. The range of comparison goods and services offered is varied and often includes specialty retail stores, restaurants, and neighborhood-serving offices. NC-2 Districts are commonly located along both collector and arterial streets which have transit routes. Buildings typically range in height from two to four stories with occasional one-story commercial buildings.

Most new commercial development is permitted at the ground and second stories. Neighborhood-serving businesses are strongly encouraged. Eating and drinking and entertainment uses, however, are confined to the ground story. The second story may be used by some retail stores, personal services and medical, business and professional offices. Limits on late-night activity, drive-up facilities, and other automobile uses protect the livability within and around the district, and promote continuous retail frontage.

- 5. **Public Comment**. To date, Department has received three letters in support of the project. There is no known opposition to the project.
- Planning Code Compliance: The Planning Code Compliance Findings set forth in Motion No. 11895 Case No. 89.643C (Conditional Use Authorization, pursuant to Planning Code Section 303 (E), 711, and 781.1 apply to this Motion, and are incorporated herein as though fully set forth.

In addition, the Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

A. **Hours of Operation.** Planning Code Section 711 principally permits the hours of operation between 6a.m. to 2a.m. are permitted as of right. Hours of operation are not restricted under Planning Code Section 781.1.

Conditions of Approval No. 3, under Motion No. 11895, restricts the hours open to the public to between 7:00 a.m. and 9:00 p.m. The proposal is to amend the conditioned hours of operation to allow the principally permitted hours of operation within the NC-2 Zoning District and Taraval Street Restaurant Subdistrict.

B. Street Frontage in Neighborhood Commercial Districts. Section 145.1 of the Planning Code requires that within NC Districts, space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

The windows are clear and unobstructed. There are no changes proposed to the commercial frontage.

- C. **Signage.** Currently, there is not a proposed sign program on file with the Planning Department. Any proposed signage will be subject to the review and approval of the Planning Department.
- 7. **Planning Code Section 303** establishes criteria for the Commission to consider when reviewing applications for Conditional Use Authorization. The Conditional Use Authorization Findings set forth in Motion No. 11895, Case No. 89.643C (Conditional Use Authorization, pursuant to Planning Code Section 303 (E), 711, and 781.1) apply to this Motion, and are incorporated herein as though fully set forth.

In addition, the Commission finds that the Project On balance, the project does comply 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 restaurant use was established in 1990 under Motion No. 11895, Case No. 89.643C, with conditions on the operation hours. The proposal expands upon the operation hours of the existing use which has been in place at this location for approximately twenty-eight years. The modification to Condition of Approval No. 3, to permit hours of operation between the hours of 6:00 am and 2:00 am, will allow the current business operator to better serve the existing customer base.

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

The amendment proposes no change to the project site or the size, shape and arrangement of structures.

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

With regard to the treatment and impact to the traffic, parking transit, loading, the amendment to Condition of Approval No. 3, to permit hours of operation between the hours of 6:00 am and 2:00 am, will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. The proposed operations amendment is designed to meet the needs of the immediate neighborhood.

iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The amendment involves no other intensification of use as originally approved. The proposal to permit hours of operation between the hours of 6:00 am and 2:00 am will not change existing measures implemented by the restaurant operator to prevent noxious or offensive emissions such as noise, glare, dust and odor.

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

The amendment proposes no change to the project site or the size, shape and arrangement of structures including landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.

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 RH-2 District.

The proposed project is consistent with the stated purposed of NC-2 Districts in that the intended use is located at the ground floor, will provide a compatible convenience service for the immediately surrounding neighborhoods during daytime and evening hours.

8. **General Plan Compliance.** The General Plan Consistency Findings set forth in Motion No. 11895, Case No. 89.643C (Conditional Use Authorization, pursuant to Planning Code Section 303 (E), 711, and 781.1) apply to this Motion, and are incorporated herein as though fully set forth.

### **NEIGHBORHOOD COMMERCE** OBJECTIVES AND POLICIES

### **OBJECTIVE 1:**

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

### Policy 1.1:

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

### Policy 1.2

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

### Policy 1.3

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

The project site is located within a Neighborhood Commercial District and is consistent with activities in the commercial land use plan.

### **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 enhance the existing use, an existing neighborhood-serving use, by attracting customers seeking a late night dinner option.* 

### **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.

### 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 existing restaurant is independently owned.

- 9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:
  - 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 amendment would provide a small-business owner an opportunity to enhance an existing business that currently provides job opportunities to the City.* 

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

The amendment would preserve and enhance the cultural and economic diversity of the neighborhood by helping to retain an existing business in the area. Existing housing would not be affect by this project.

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

The amendment would not displace any affordable housing.

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

The amendment would not significantly increase traffic congestion or the availability of parking in the neighborhood.

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 amendment would not displace or affect any service or industry establishment. Ownership of industrial or service sector businesses would not be affected by this project.

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

The amendment will have no effect on the property's ability to withstand an earthquake.

G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the project site.

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

The amendment would not affect any city-owned parks or open space.

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

### DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby APPROVES Conditional Use Application No. 2017-015669CUA subject to the following conditions attached hereto as "EXHIBIT A," and subject to the Conditions of Approval of Planning Commission Motion No. XXXX, as amended by this approval to eliminate the Condition No. 3 restricting the hours open to the public shall be limited to between 7:00 a.m. and 9:00 p.m.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 17820. 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 94012.

**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 March 1, 2018.

Jonas P. Ionin Commission Secretary AYES: NAYS:

ABSENT:

RECUSED:

ADOPTED: June 21, 2018

SAN FRANCISCO PLANNING DEPARTMENT

## **EXHIBIT A**

### AUTHORIZATION

This is a Conditional Use Authorization pursuant to Planning Code Section 303(e), 711, and 781.1 to amend the conditions of approval for Planning Commission Motion No. 11895 to eliminate the Condition of Approval #3, hours open to the public shall be limited to between 7:00 a.m and 9:00 p.m, at733 Taraval Street, Lot 044 in Assessor's Block 2408 within the NC-2, Taraval Street Restaurant Subdistrict, a 40-X Height And Bulk District; subject to conditions of approval reviewed and approved by the Commission on March 15, 1990, under Motion No. 11895, as amended by the Commission on October 4, 2018 under Motion No. XXXXXX, in general conformance with plans, dated December 5, 2017, and stamped "EXHIBIT B" included in the docket for Case No. 2017-015669CUA. 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 **October 4, 2018** 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. 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>
- 3. **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

19. **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 architectural addenda. 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>.

20. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org

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

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

21. **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>

### OPERATION

- 4. 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, <u>http://sfdpw.org</u>
- 5. **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. Further the Project Sponsor shall ensure that e-cigarette and other Tobacco Paraphernalia is not tasted on the sidewalk outside the establishment and that there is no loitering outside the establishment in relation to the subject business.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <u>http://sfdpw.org</u>

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

7. 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 Community Liaison is Yong (Blake) He, at a business address of 1963 Ocean Avenue, San Francisco, CA 94127, and phone number 415-513-2620. 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, <u>www.sf-planning.org</u>

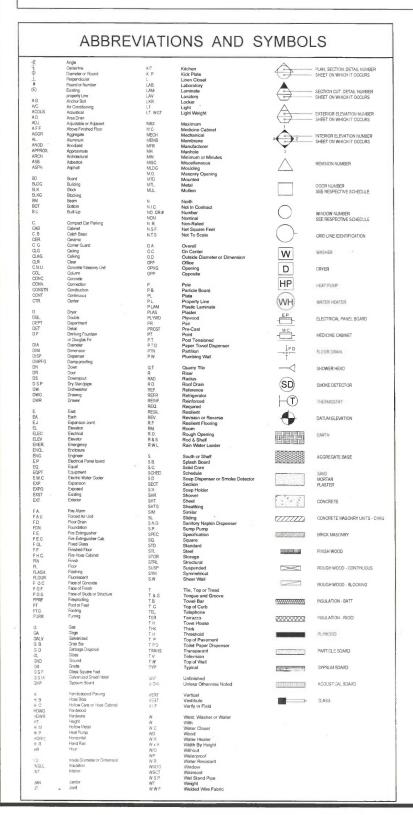
### **MONITORING - AFTER ENTITLEMENT**

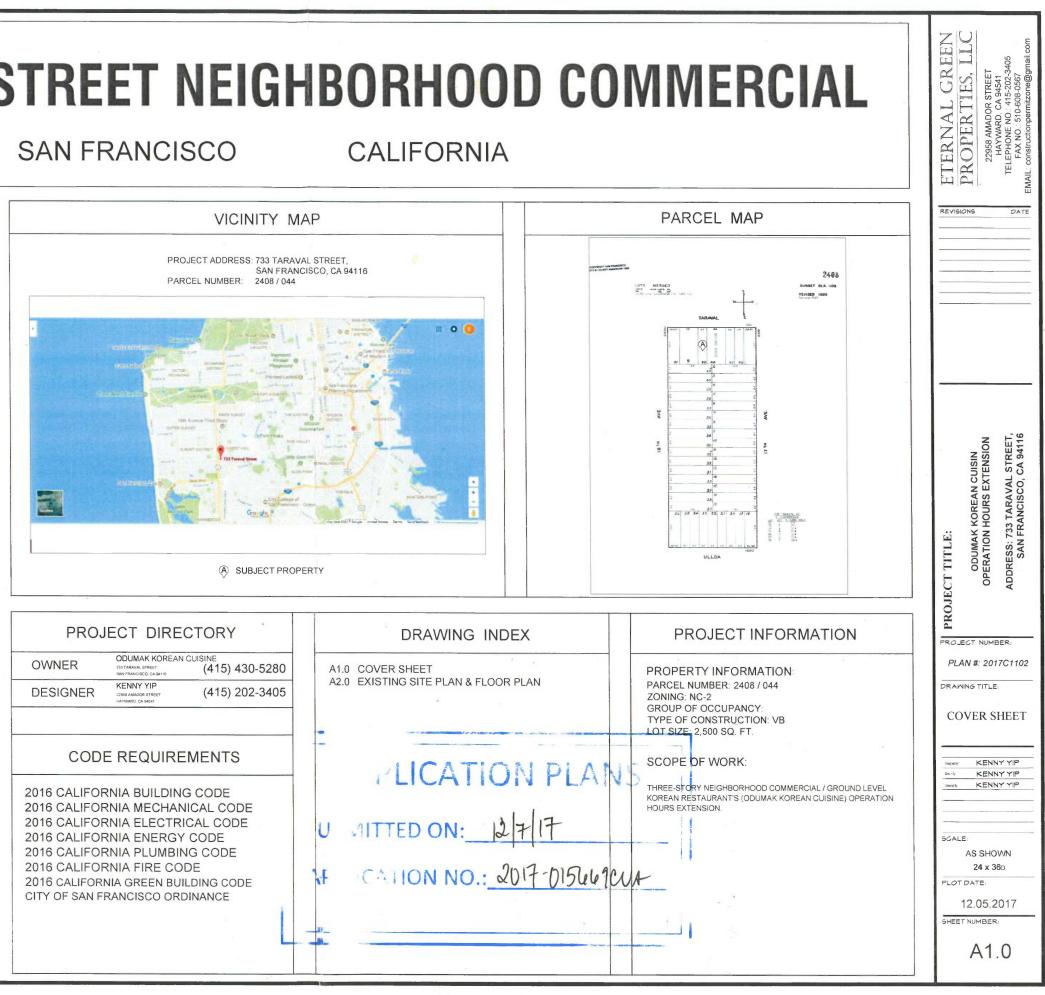
- 8. Enforcement. Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or 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*
- 9. **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>

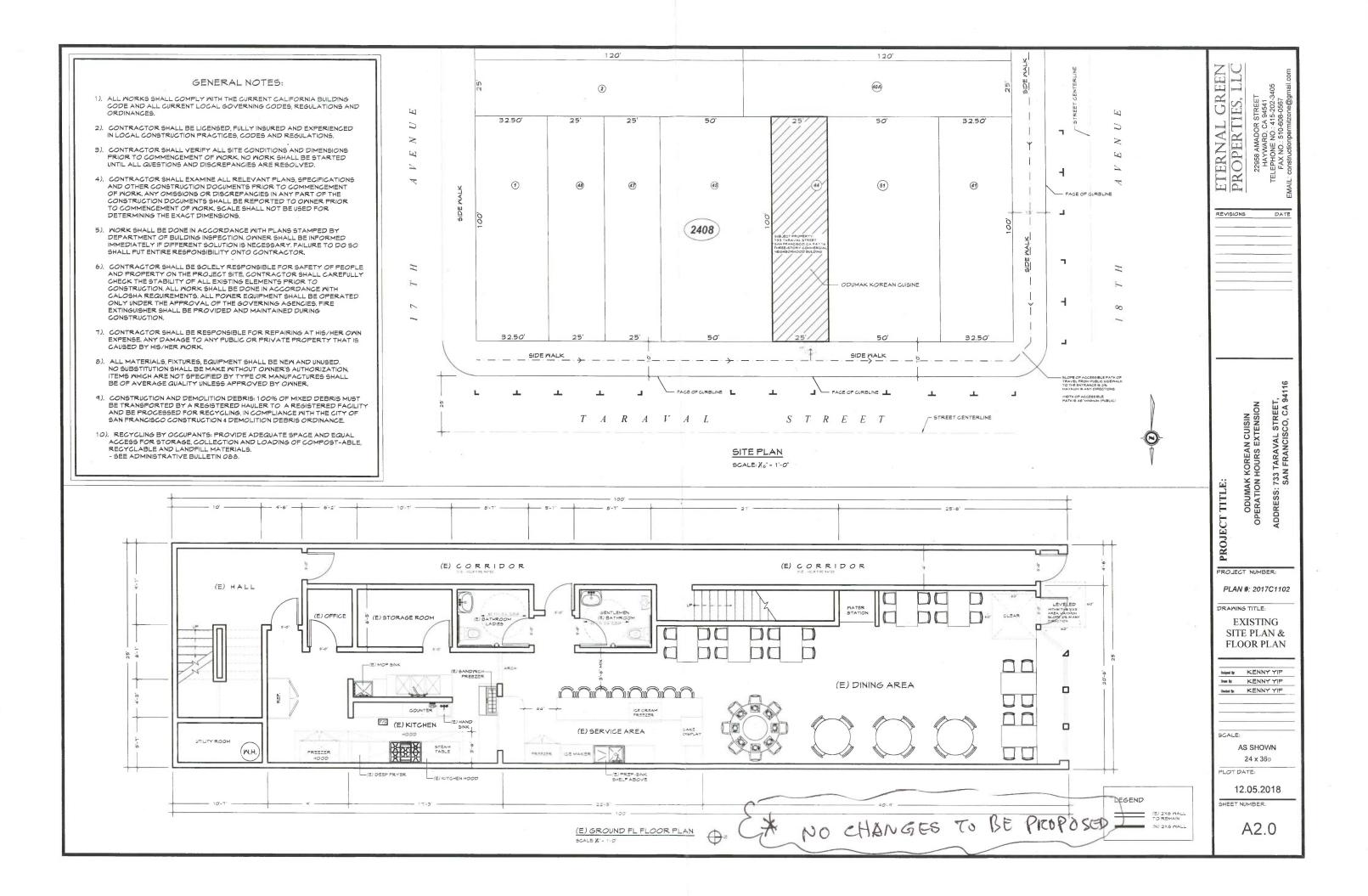
10. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works,* 415-695-2017, <u>http://sfdpw.org</u>

# **733 TARAVAL STREET NEIGHBORHOOD COMMERCIAL**





PROJECT DIRECTORY	DRAWING INDEX	PROJE
OWNER         ODUMAK KOREAN CUISINE TAT TARANA STREET SAN FRANCISCO CA SHTIS         (415)         430-5280           DESIGNER         KENNY YIP DISSIGNER         (415)         202-3405	A2.0 EXISTING SITE PLAN & FLOOR PLAN	PROPERTY INF PARCEL NUMBER ZONING: NC-2 GROUP OF OCCU TYPE OF CONSTR LOT SIZE: 2,500 S
CODE REQUIREMENTS 2016 CALIFORNIA BUILDING CODE 2016 CALIFORNIA MECHANICAL CODE 2016 CALIFORNIA ELECTRICAL CODE 2016 CALIFORNIA ENERGY CODE 2016 CALIFORNIA PLUMBING CODE 2016 CALIFORNIA FIRE CODE 2016 CALIFORNIA GREEN BUILDING CODE CITY OF SAN FRANCISCO ORDINANCE	U AITTED ON: 12/7/17 V CATION NO.: 2017-015469	THREE-STORY NEIGH KOREAN RESTAURAN HOURS EXTENSION.





## SAN FRANCISCO PLANNING DEPARTMENT

## **CEQA** Categorical Exemption Determination

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

Project Address		Block/Lot(s)
733 TARAVAL ST		2408044
Case No.		Permit No.
2017-015669PRJ		
Addition/ Alteration	Demolition (requires HRE for Category B Building)	New Construction
	r <b>Planning Department approval.</b> ization to permit change of hours (6:00am-2:00am	) for an existing restaurant.

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

*Note	*Note: 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 CU Hours of operation, non-project	

### 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 &gt; Maher layer</i>).</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> )
	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? ( <i>refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography</i> ) If box is checked, a geotechnical report is required.
	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) 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 ronmental Evaluation Application is required, unless reviewed by an Environmental Planner.
Com	ments and Planner Signature (optional):

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

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	Check 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. Other work consistent with the Secretary of the Interior Stand	lards for the Treatment of Historic	
	Properties (specify or add comments):		
	9. Other work that would not materially impair a historic district (s	specify or add comments):	
	(Requires approval by Senior Preservation Planner/Preservation	Coordinator)	
		· · · · · · · · · · · · · · · · · · ·	
	10. <b>Reclassification of property status</b> . (Requires approval by Senior Preservation <i>Planner/Preservation</i>		
	Reclassify to Category A     Reclass	sify to Category C	
	a. Per HRER dated (attach HRE	ER)	
	b. Other <i>(specify</i> ):		
	Note: If ANY box in STEP 5 above is checked, a Preservation 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>		
	Project can proceed with categorical exemption review. The project has been reviewed by the		
	Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>		
Comm	Comments (optional):		
Preser	rvation Planner Signature: Cathleen Campbell		
<u>отг</u>			
-	EP 6: CATEGORICAL EXEMPTION DETERMINATION BE COMPLETED BY PROJECT PLANNER		
$\Box$	Further environmental review required. Proposed project does	not meet scopes of work in either	
	(check all that apply):		
	Step 2 - CEQA Impacts		
	Step 5 - Advanced Historical Review		
	STOP! Must file an <i>Environmental Evaluation Application</i> .		
	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:	
	Commission Hearing	Cathleen Campbell	
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	09/07/2018	
	Once signed or stamped and dated, this document constitutes a categorical exen 31of the Administrative Code.	nption pursuant to CEQA Guidelines and Chapter	
	In accordance with Chapter 31 of the San Francisco Administrative Code, an app	eal 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 co	ontact 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 front page)		Block/Lot(s) (If different than front page)
733 TARAVAL ST		2408/044
Case No.	Previous Building Permit No.	New Building Permit No.
2017-015669PRJ		
Plans Dated	Previous Approval Action	New Approval Action
	Commission Hearing	
Modified Project Description:		

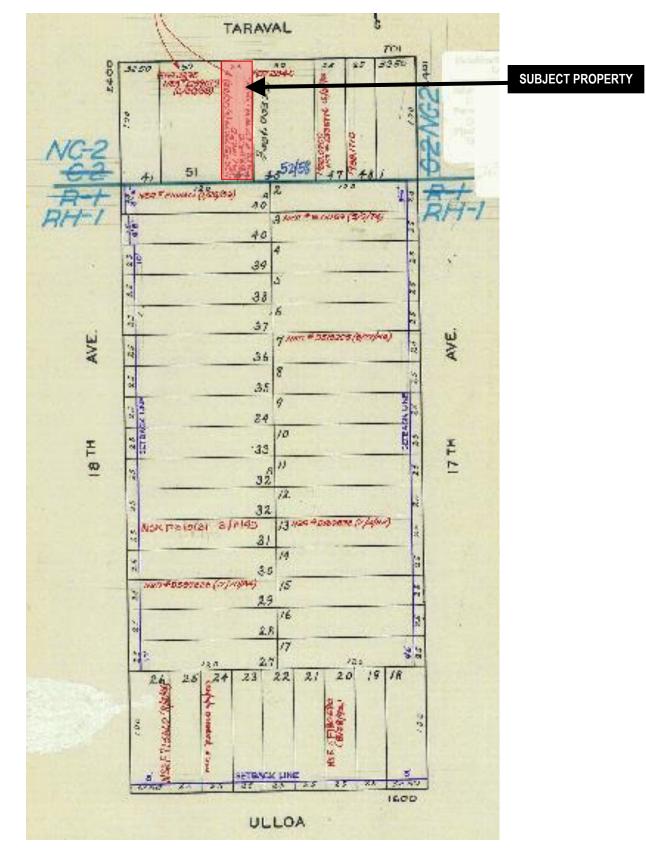
### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

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.	

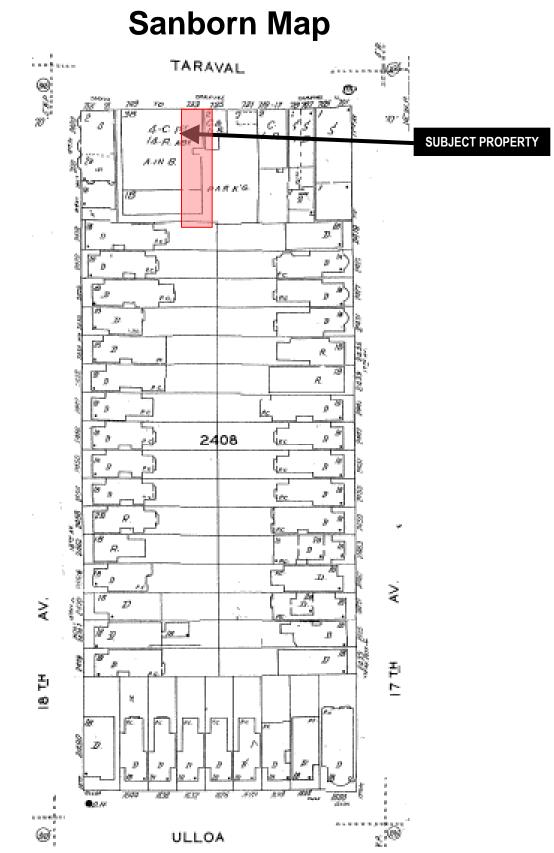
### DETERMINATION OF NO SUBSTANTIAL MODIFICATION

	The proposed modification would not result in any of the above changes.		
approv	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.		
Plan	ner Name:	Signature or Stamp:	

## **Parcel Map**







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



# **Zoning Map**

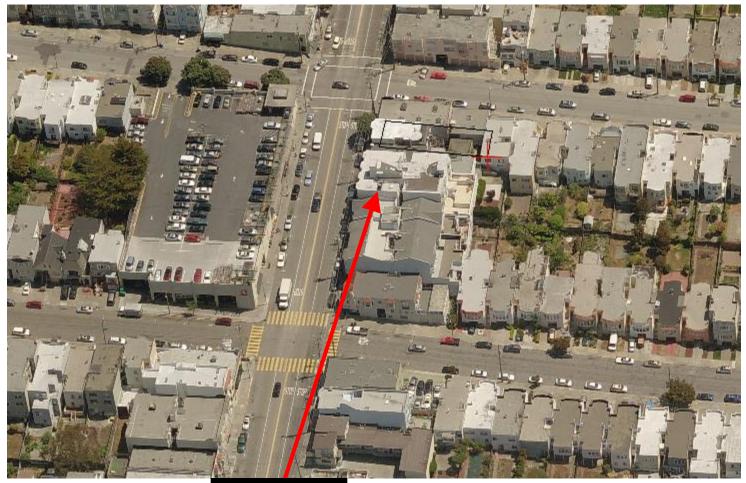






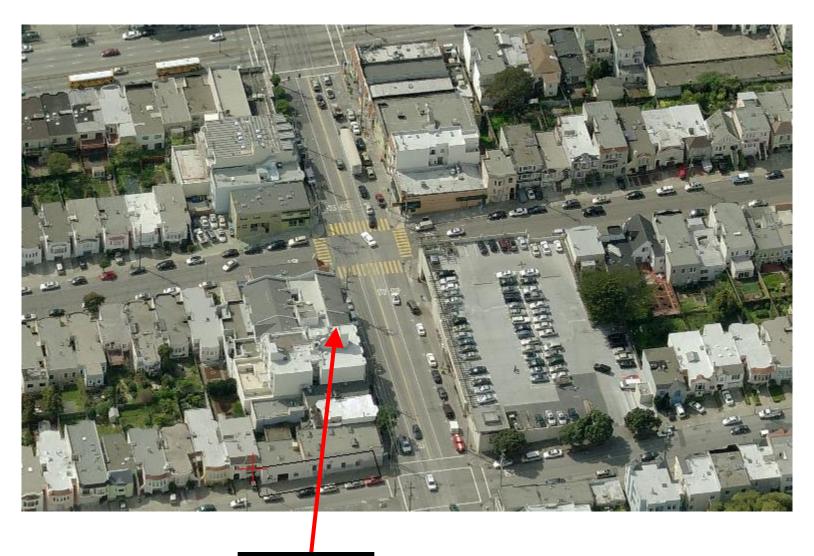
SUBJECT PROPERTY





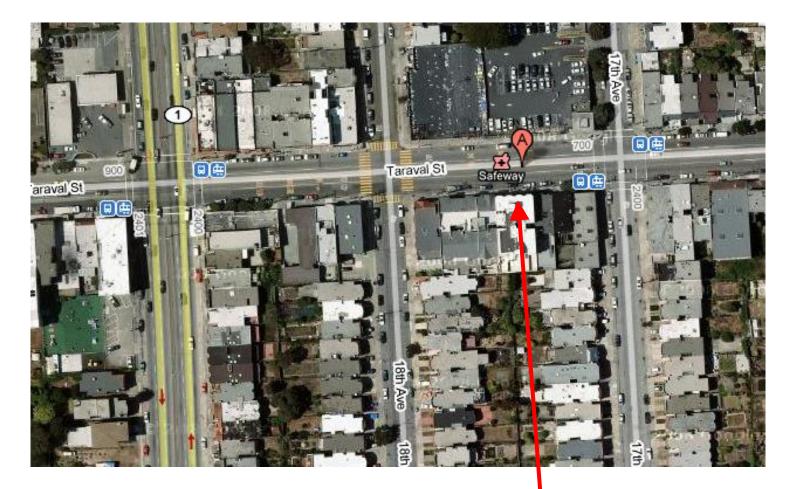
SUBJECT PROPERTY





SUBJECT PROPERTY

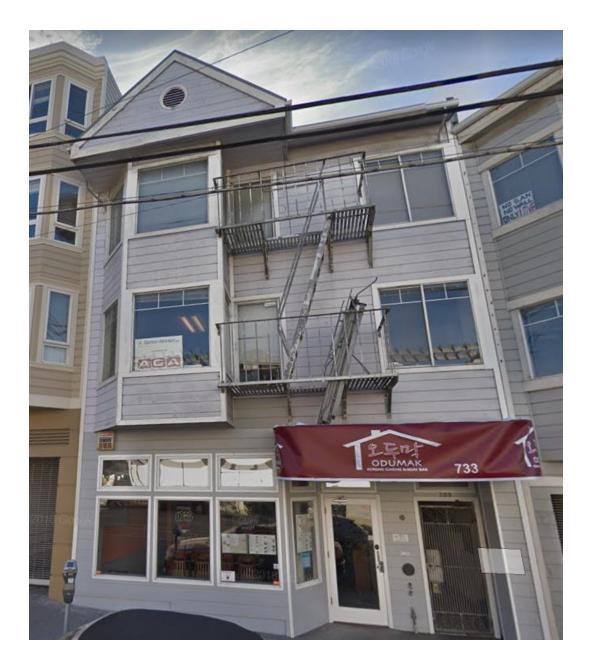




SUBJECT PROPERTY

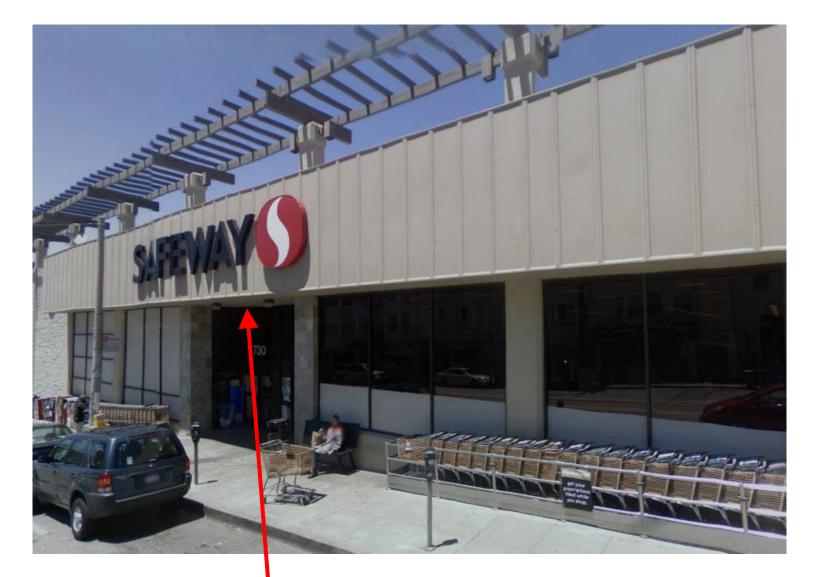


# **Context Photos**





# **Context Photos**



ACROSS THE STREET FROM SUBJECT PROPERTY



Jun 10, 2018

Dear Sir/Madam,

I like this restraint and would recommend it to my friends. We also have meetings here more often these days and invite others to join. The atmosphere is nice to have conversations with meal.

It has many interesting dishes including Korean style fried chicken, Kimchi Fried Rice, Rice Cakes with spice sauce. They also come with variety of side dishes and many of them are unique to Korean cuisine.

The owner and staff are kind and keep the place enjoyable any time of the day or into late evenings. I would like to see this place open longer hours so I may have enough time to enjoy when I get together with my friends.

Thanks.

Jake Chan Yoo

Jake Chan Yoo 325 walnut Avenue Walnut creek ca 94598 Jun 5, 2018

### Dear City Officers,

I enjoy coming to Odumak Korean fusion restaurant at 733 Taraval Street. I highly recommend this place to my friends.

It is conveniently located on the main street with many shops and other businesses. There are always steady flow of customers from the nearby residents as well late into the evenings. This is a nice place for evening gathering with family or friends, and at the same time experience culturally diverse atmospheres with diverse flavors of food and drinks. I also recommend trying various chicken dishes which is crispy or spicy. They go well with the other Korean food and drinks. You have to try them!

Regards,

Jennie Park

Jennie park 1228 toyon dr Millbrae ca 94030 San Francisco Planning Department

1650 Mission Street

San Francisco CA 94103

Letter of Support the Business Hour Extension for Odumak Korean Restaurant at 733 Taraval St.

Dear Sir,

As a neighborhood resident near the above mentioned applicant. I would like to join the others neighbors around this area to support the business hour extension to 2:00am for the following reason:

For many years, this neighborhood are lack of late night food option to provide a convenience foot traffic place to enjoy the relaxing time of gathering with friends, the approval of business time extension will enhance the convenience and good quality services to the surrounding neighborhood. We believe this restaurant will continue to provide an entertainment services consistence with that purpose.

If there is any question, please feel free to contact me.

Name:	Suzan	ne fee		
Address:	2351	21ST AVC	, San Francisco CA	9411,6
		706-7068		
Signature:	Au	un		
Date:	7-25	-18		

San Francisco Planning Department

1650 Mission Street

San Francisco CA 94103

Letter of Support the Business Hour Extension for Odumak Korean Restaurant at 733 Taraval St Dear Sir,

As a neighborhood resident near the above mentioned applicant. I would like to join the others neighbors around this area to support the business hour extension to 2:00am for the following reason:

For many years, this neighborhood are lack of late night food option to provide a convenience foot traffic place to enjoy the relaxing time of gathering with friends, the approval of business time extension will enhance the convenience and good quality services to the surrounding neighborhood. We believe this restaurant will continue to provide an entertainment services consistence with that purpose.

If there is any question, please feel free to contact me.

Name:	Jennie park		
Address:	1228 Toyon DR Millbac	e ga	94030
Phone No. :	(650) 773-7152		
Signature:	of for		
Date:	1/23/18		

## <u>Support the business time Extension for Odumak Korean</u> <u>Cuisine Restaurant at 733 Taraval.</u>

### To Whom it May concern,

This street is really lacking late-night food options The existing business closing time of this restaurant is 9:30-10;00pm. I would like to support the time extension to 2:00am then it could benefit the neighborhood in providing a late night entertainment place.

Supporter	name:	Jennie	park	
Email:	[emile]	Darkwi	narem	sine com.
Phone #: _	(650)	473-0	1132	

CASE NUMBER: 2017 - DISCOLOGUA

## APPLICATION FOR Conditional Use Authorization

1. Owner/Applicant Information		
PROPERTY OWNER'S NAME:	· · · · · · · · · · · · · · · · · · ·	
WANG CAROL W		
PROPERTY OWNER'S ADDRESS:	TELEPHONE:	
	( )	
733 Taraval Street Street San Francisco CA 94116	EMAIL: ··	
APPLICANT'S NAME:		
Kam Li		m
APPLICANT'S ADDRESS:	Same as Above TELEPHONE:	<u>؛</u>
	(415) 6326188	
351 Chadbourne Ave Millbrae CA 94030	EMAIL:	
	kamli2k@gmail.com	
CONTACT FOR PROJECT INFORMATION:		
·	Same as Above	×
ADDRESS:	TELEPHONE:	
	( )	
	EMAIL:	
COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING AD		
	Same as Above	•
ADDRESS:	TELEPHONE:	
	( )	
	EMAIL:	
2. Location and Classification		
STREET ADDRESS OF PROJECT:	ZIP CODE:	
733 Taraval Street	94116	
CROSS STREETS:	· · · · · · · · · · · · · · · · · · ·	
18th Avenue		
ASSESSORS BLOCK/LOT: LOT DIMENSIONS: LOT AREA (SQ FT): ZO		
	NING DISTRICT: HEIGHT/BULK DISTRICT:	
2408 / 044 25' x 100' 2500 M	IC-2 40X	

7

CASE NUMBER: For Staff Use only

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

To modify the existing conditions Case No. 89.643C, Motion No. 11895 to remove conditions #3 allowing the existing restaurant to operate during the same business hours (6:00am – 2:00am) as the rest of the NC-2 zoning district.

## Conditional Use Findings

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

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

The business is an existing Restaurant use (d.b.a. Odumak Korean Cuisin) that seeks to modify existing conditions of Motion No. 11895 (case no. 89.643C) – specifically to remove conditions #3 to operate during the same business hours as the rest of the zoning district, respectively. The subject business is located in one storefront within a two-story over ground-floor commercial building, situated at the south side of Taraval Street and 18th Avenue, within the. NC-2 district. Commercial uses in the Zoning district permitted operating hours are between 6 a.m. and 2 a.m. daily. The proposal will comply the provision of this code and will not adversely affect the Master plan.

11

CASE NUMBER: For Staff Use only

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

Since the subject building is located on the area where is very low density commercial area. The diverse

economic base sure be maintained.

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

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

7. That landmarks and historic buildings be preserved; and

The landmarks and historic buildings be sure preserved.

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

The parks and open space and their access to sunlight and vistas be sure protected from Development;