



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: APRIL 16, 2015

Date: April 9, 2015
Case No.: **2013.0483C**
Project Address: **44 WEST PORTAL AVENUE**
Zoning: West Portal Avenue NCD (Neighborhood Commercial) District
26-X Height and Bulk District
Block/Lot: 2931/005
Project Sponsor: Peter Lu
44 West Portal Avenue
San Francisco, CA 94127
Staff Contact: Marcelle Boudreaux – (415) 575.9140
marcelle.boudreaux@sfgov.org
Recommendation: **Approval with Conditions**

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Information:
415.558.6377

PROJECT DESCRIPTION

The project sponsor is requesting a conditional use authorization to establish a Formula Retail use at an existing Limited Restaurant use (d.b.a. Quickly) in an approximately 1,000 square-foot storefront retail space. The project site is currently operating as a Formula Retail Limited Restaurant (d.b.a. Quickly), which was previously operating as a full-service Restaurant (d.b.a. Tuttimelon). The project sponsor is operating an establishment that sells milk teas, snack foods and desserts, including ice creams from the former Tuttimelon business.

Department staff and the project sponsor have worked together on signage modifications and storefront color adjustment to meet the recently-adopted Performance Based Design Guidelines for Formula Retail. The current number of five (5) unique signs will be reduced to one (1). A main portion of the storefront currently painted to reflect the Formula Retail brand, will return to the original white color, which is similar to the rest of the subject façade.

This Conditional Use authorization request is part of the process to abate a Planning Code Enforcement violation for opening as a formula retail use without proper permits.

SITE DESCRIPTION AND PRESENT USE

The project site is located at 44 West Portal Avenue on the northwest side of the street, and this storefront is one of three retail storefronts within one building footprint built circa 1925. The two other storefront uses in the building are: McCarthy's Bar and El Toreador, restaurant use. This is the first block of the NCD, beginning at the West Portal Muni station.

In 2008, action by the Planning Commission through Motion No. 17694 authorized a full-service Restaurant use at the subject site, at the time d.b.a. Tuttimelon. At that time, Tuttimelon was a small, locally-owned chain not meeting the definition of Formula Retail. This business was the most recent use at the site prior to changing to the Quickly brand. The eating use (Limited Restaurant use) is a permitted continuation of use at this site.

In March 2013, Planning Code enforcement case number 12398 was opened due to change to the formula retail limited restaurant use without prior Conditional Use authorization.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The whole of the West Portal Avenue NCD is primarily commercial, spanning less than half a mile from the West Portal Muni station southerly towards Sloat Boulevard. West Portal Avenue provides a selection of goods and services for customers coming mainly from the surrounding west of Twin Peaks and Sunset single-family residential neighborhoods. The lively, small-scale retail frontage is interrupted at several locations by large-scale financial institutions which take up a large amount of commercial ground-story frontage. More than half of the number of medical, professional and business offices are located at the ground level. Except for one three-screen theater complex, West Portal offers no entertainment uses and its restaurants are mainly family-oriented.

On the subject block – which encompasses a radius of approximately 300 feet from the subject property within the zoning district – the existing uses include: Restaurants, Limited Restaurants, Retail Sales and Service, Personal Services, Financial Services, Movie Theater, and Business/Professional Services. A formula retail limited restaurant, Peet's Coffee is located two storefronts to the southwest from the subject site. Another formula retail limited restaurant, Noah's Bagels, is located four storefronts to the northwest, and a formula retail restaurant, La Boulange Bakery and Café, is located two storefronts adjacent. In the next block, outside of the 300 foot radius, a formula retail limited restaurant, Starbucks, occupies a corner storefront space.

The zoning district surrounding the West Portal Avenue NCD is RH-1(D), consisting of primarily single-family residences. On West Portal Avenue, there are a few apartment buildings and residential units above commercial storefronts.

ENVIRONMENTAL REVIEW

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

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	March 27, 2015	March 25, 2015	22 days
Posted Notice	20 days	March 27, 2015	March 27, 2015	20 days
Mailed Notice	20 days*	March 27, 2015	March 27, 2015	20 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the conditional use authorization process. *The filing date of this project was prior to the implementation of new Formula Retail controls and therefore did not require the new extended mailing notice timeline.

PUBLIC COMMENT

- To date, the Department has received one comment in objection to the proposal.

ISSUES AND OTHER CONSIDERATIONS

- The proposed establishment is a formula retail use with more than 100 licensed locations in the United States.
- The proposal would introduce a new formula-retail use and would have a net increase of one formula retail use in the District, however, the percent of concentration is minimal. The majority of formula retail uses are large-scale financial institutions which take up a large amount of commercial ground-story frontage. The commercial street frontage of these financial services uses ranges from approximately 100-150 feet; a majority of commercial storefronts within the District range from 15-25 feet in street frontage.
- Further, within a 300 foot radius, the concentration of eating and drinking uses, including the subject site, is 33%, and the concentration of formula retail eating and drinking uses, including the subject site, is 8%.
- A full-service restaurant use was permitted at this location by the Planning Commission in 2008 through Motion No. 17694. At the subject location, a Limited Restaurant use is permitted as a continuation of use, meeting the requirements of Planning Code.
- The proposed alterations are requested to meet the Performance Based Design Guidelines, and do not involved storefront modifications except for reduction in signage.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization to allow the establishment of a formula retail use d.b.a "Quickly" within the West Portal Avenue NCD District, pursuant to Planning Code Sections 303, 303.1 and 703.4.

BASIS FOR RECOMMENDATION

- The project is a neighborhood-serving and family-oriented use.
- The project would not result in a net increase of an Eating and Drinking use.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for, and compatible with the surrounding neighborhood.

RECOMMENDATION:	Approval with Conditions
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Attachments:

Parcel Map
Sanborn Map
Zoning Map

Executive Summary
Hearing Date: April 16, 2015

CASE NO. 2013.0483C
44 West Portal Avenue

Aerial Photograph

Site Photograph

Project Sponsor Submittal, including:

- Reduced Plans
- Renderings of storefront and signage

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | <input checked="" type="checkbox"/> Plans |
| <input checked="" type="checkbox"/> Environmental Determination | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Zoning District Map | <input checked="" type="checkbox"/> Check for legibility |
| <input type="checkbox"/> Height & Bulk Map | Drawings: <u>Storefront Signage</u> |
| <input checked="" type="checkbox"/> Parcel Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> RF Report |
| <input type="checkbox"/> Context Photos | <input type="checkbox"/> Community Meeting Notice |
| <input checked="" type="checkbox"/> Site Photos | <input type="checkbox"/> Inclusionary Affordable Housing Program:
Affidavit for Compliance |

Exhibits above marked with an "X" are included in this packet

MWB

Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other |

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Planning Commission Draft Motion

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Recommendation: **Approval with Conditions**

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 303.1 AND 703.4 OF THE PLANNING CODE TO ESTABLISH A FORMULA RETAIL LIMITED RESTAURANT USE (D.B.A. QUICKLY) IN AN APPROXIMATELY 1,000 SQUARE-FOOT STOREFRONT RETAIL SPACE WITHIN THE WEST PORTAL AVENUE NCD (NEIGHBORHOOD COMMERCIAL) DISTRICT AND A 26-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 4, 2014, Peter Lu on behalf of Gorman Hui (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Section(s) 303, 303.1 and 703.4 to establish a Formula Retail Limited Restaurant (d.b.a. Quickly) in an approximately 1,000 square-foot storefront retail space. The project site is currently operating as a Formula Retail Limited Restaurant, which was previously operating as a full-service Restaurant (d.b.a. Tuttimelon). The project sponsor is operating an establishment that sells milk teas, snack foods and desserts. This Conditional Use authorization is part of the process to abate a Planning Code Enforcement violation for opening without proper permits. The site is located within the West Portal Avenue NCD (Neighborhood Commercial) District and a 26-X Height and Bulk District.

On April 16, 2015, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.0483C.

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

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. 2013.0483C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description.** The project site is located at 44 West Portal Avenue northwest side of the street between Ulloa and Vicente Streets, within the West Portal Avenue NCD (Neighborhood Commercial) District and a 26-X Height and Bulk District.

The project site is one of three storefronts in a one-and-a-half story commercial building on West Portal Avenue, built circa 1925. The two other storefront uses are: McCarthy's Bar and El Toreador, restaurant use. This is the first block of the NCD, beginning at the West Portal Muni station. In 2008, action by the Planning Commission through Motion No. 17694 authorized a full-service Restaurant use at the subject site, at the time d.b.a. Tuttimelon. At that time, Tuttimelon was a small, locally-owned chain not meeting the definition of Formula Retail. This business was the most recent use at the site prior to changing to the Quickly brand. The eating use (Limited Restaurant use) is a permitted continuation of use at this site.

3. **Surrounding Neighborhood.** The whole of the West Portal Avenue NCD is primarily commercial, spanning less than half a mile from the West Portal Muni station southerly towards Sloat Boulevard. West Portal Avenue provides a selection of goods and services for customers coming mainly from the surrounding west of Twin Peaks and Sunset single-family residential neighborhoods. The lively, small-scale retail frontage is interrupted at several locations by large-scale financial institutions which take up a large amount of commercial ground-story frontage; within the NCD, no new financial services are permitted. More than half of the number of medical, professional and business offices are located at the ground level. Except for one three-screen theater complex, West Portal offers no entertainment uses and its restaurants are mainly family-oriented.

On the subject block – which encompasses a radius of approximately 300 feet from the subject property within the zoning district – the existing uses include: Restaurants, Limited Restaurants, Retail Sales and Service, Personal Services, Financial Services, Movie Theater, and Business/Professional Services. A formula retail limited restaurant, Peet's Coffee is located two storefronts to the southwest from the subject site. Another formula retail limited restaurant, Noah's Bagels, is located four storefronts to the northwest, and a formula retail restaurant, La Boulange Bakery and Café, is located two storefronts adjacent. In the next block, outside of the 300 foot radius, a formula retail limited restaurant, Starbucks, occupies a corner storefront space.

The zoning district surrounding the West Portal Avenue NCD is RH-1(D), consisting of primarily single-family residences. On West Portal Avenue, there are a few apartment buildings and residential units above commercial storefronts.

4. **Project Description.** The project sponsor is requesting conditional use authorization to establish a Formula Retail use at an existing Limited Restaurant use (d.b.a. Quickly) in an approximately 1,000 square-foot storefront retail space. The project site is currently operating as a Formula Retail Limited Restaurant, which was previously operating as a full-service Restaurant (d.b.a. Tuttimelon). The project sponsor is operating an establishment that sells milk teas, snack foods and desserts.

Department staff and the project sponsor have worked on signage modifications and storefront color adjustment to meet the recently-adopted Performance Based Design Guidelines for Formula Retail. The current number of five (5) unique signs will be reduced to one (1). A main portion of the storefront painted to reflect the Formula Retail brand, will return to the original white similar to the rest of the subject façade.

This Conditional Use authorization is part of the process to abate a Planning Code Enforcement violation for opening without proper permits.

5. **Public Comment.** The Department has received one comment in objection to the proposal.
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. **Parking Requirement.** Section 151 requires retail stores to provide one parking space for every 500 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.

The project is approximately 1,000 square feet. No parking is required.

- B. **Loading.** Section 152 requires off-street freight loading for uses above a certain size. Retail uses up to 10,000 square feet in gross floor area are not required to provide off-street freight loading.

The project is approximately 1,000 square feet. No parking is required.

- C. **Use Size.** Section 729.21 establishes size limits on nonresidential uses in the District. Within the District, conditional use authorization is required for any nonresidential use that is between 2,500 square feet and 3,999 square feet and not permitted 4,000 square feet and above.

The project is approximately 1,000 square feet, thus is permitted and does not require Conditional Use authorization.

- D. **Hours of Operation.** Pursuant to Sections 729.27 of the Code, the principally permitted hours of operation are from 6 a.m. to 2 a.m.

The hours of operation are between 11am – 11pm, and Sunday – Thursday, 11am – 12midnight Friday-Saturday.

7. **Planning Code Section 303(c)** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. 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 project maintains the existing storefront size. In 2008, the Planning Commission approved the change of use from retail to full-service restaurant. A continuation of use to Limited Restaurant is a permitted action. The proposed formula retail limited restaurant is a family-oriented use, in keeping with the neighborhood commercial district character. It is necessary and desirable because it maintains a balance of commercial uses within the entire NCD.

- 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 size and shape of the subject building will not be altered as part of this project. The proposed work will include some reduction in existing signage and modified storefront color to meet the Performance-Based Design Guidelines for Formula Retail, but no other work is proposed to the storefront or to the interior. There has already been work done on the interior to incorporate a kitchen and hood during the transition.

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

The Project will not affect public transit or overburden the existing supply of parking in the neighborhood. The Project is not intended to be a destination use but one that is meant to serve the needs of local residents who visit the commercial district for other goods and services. The District is well-served by public transit. The Property is less than one block from the West Portal MUNI station, providing easy access to the KT, L, and M Muni lightrail lines, and the 17, 48, 91, K-OWL, L-OWL, and M-OWL bus lines.

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

The Project will not produce noxious or offensive emissions related to noise, glare and dust.

- iv. 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, and lighting. The signage will be 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 proposed project is consistent with the stated purpose of the West Portal Avenue Neighborhood Commercial District in that the intended use is located at the ground floor, adds to the existing mix of retail uses for the immediately surrounding neighborhoods during daytime hours, and maintains the family-oriented, village character. The existing eating use (Limited Restaurant use) received conditional use authorization in 2008, and has been operating since that time.

- 8. **Planning Code Section 303.1** provides additional criteria for the Planning Commission to consider when considering any discretionary review pursuant Section 303.1(d), Formula Retail Uses:

- a. The existing concentrations of formula retail uses within the district. and within the vicinity of the proposed project. To determine the existing concentration, the Planning Commission shall consider the percentage of the total linear street frontage within a 300-

foot radius or a quarter of a mile radius, at the Planning Department's discretion, from the subject property that is occupied by Formula Retail and non-Formula Retail businesses.

The concentration of Formula Retail uses within a 300 foot radius of the subject site is approximately 36%. However, this concentration is reflective of the number and length of commercial street frontage of Formula Retail Financial Service uses within the 300 foot radius and within the entire NCD. The lively, small-scale retail frontage is interrupted at several locations by large-scale financial institutions which take up a large amount of commercial ground-story frontage. The commercial street frontage of these financial services uses ranges from approximately 100-150 feet; a majority of commercial storefronts within the District range from 15-25 feet in street frontage. Within this NCD, it is notable that no new financial services are permitted. If a radius of ¼-mile is considered, the concentration of Formula Retail uses drops to 33%.

- b. The availability of other similar retail uses within the district, and within the vicinity of the proposed project.

Within the West Portal Avenue NCD, Eating and Drinking uses are found in higher concentration in closer geographic proximity to the West Portal Muni station. The concentration of eating and drinking uses on the subject block, which is a radius of approximately 300 feet from the subject property within the zoning district, is approximately 33% of commercial street frontage. If a radius of ¼-mile is considered, the concentration of Eating and Drinking uses reduces to approximately 16% of commercial street frontage. Further, the concentration of Formula Retail Eating and Drinking uses within the 300 foot radius is approximately 8%; within ¼-mile decreases to 5%.

Also within ¼-mile of the subject site is an NC-2 Zoning District on Taraval Street, with the Taraval Street Restaurant Special Use District overlay. This SUD does not allow Formula Retail restaurant and limited restaurant uses.

A full-service restaurant use was permitted at this location in 2008 through Motion No. 17694. At the subject location, a limited restaurant use is permitted as a continuation of use.

- c. The compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the district.

The character of the West Portal Avenue NCD primarily reflects a fine-grained texture, highlighting a pedestrian-oriented scale. On the block with the subject property, a majority of the buildings were built circa mid-20th century and exhibit small-scale commercial street frontage, one-and-a-half story heights and some retain more character-defining features than others. The subject project does not propose any storefront alterations, other than modifications to its current storefront signage and paint color to meet requirements in the Performance-Based Design Standards for Formula Retail.

- d. The existing retail vacancy rates within the district and within the vicinity of the proposed project.

According to the Invest in Neighborhoods report prepared for the West Portal NCD, the commercial vacancy rate is 9%. This represents approximately 15 vacant storefronts out of 166 total storefronts.

- e. The existing mix of Citywide-serving retail uses and neighborhood-serving retail uses within the district and within the vicinity of the proposed project.

The district was originally designed to be and functions as a small neighborhood commercial area, providing a variety of retail goods with a strong daytime and family orientation. While the three-screen movie theater and a few other establishments may serve the Citywide population, most establishments cater to the single family neighborhoods surrounding neighborhood commercial district. On the subject block – which is a radius of approximately 300 feet within the zoning district – the existing uses include: Restaurants, Limited Restaurants, Retail Sales and Service, Personal Services, Financial Services, Movie Theater, and Business/Professional Services. This mix is reflected in the entire NCD; however, the concentration of Eating and Drinking uses is approximately 33% in the first block of the NCD at the West Portal Muni station and decreases to approximately 16% for ¼-mile radius from the subject site, and for the entire NCD.

According to the Invest in Neighborhoods report prepared in 2013, the corridor is experiencing a slow shift from neighborhood serving retail offerings to an increasing number of service establishments.

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

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

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

Policy 1.3:

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

The proposed development will provide desirable goods and services to the neighborhood and will provide resident employment opportunities to those in the community. The conditions of approval will ensure that the use meets minimum, reasonable performance standards. Further, the Project Site is located within a Neighborhood Commercial District and is thus 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 will continue an existing commercial use and will maintain the diverse economic base of the City.

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.

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 proposal would introduce a new formula-retail use and would have a net increase of formula retail uses in the District, however, the percent of concentration is negligent. The majority of formula retail uses are large-scale financial institutions which take up a large amount of commercial ground-story frontage. The proposed alterations are to meet the Performance Based Design Guidelines, and do not involved storefront modifications except for signage.

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

The Project would not impact the character or diversity of the neighborhood.

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

The Project would not have any impact on the City's supply of affordable housing.

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

The Project would not adversely impact public transit or place a burden on the existing supply of parking in the neighborhood. The Project Site is well-served by public transit and on-street parking.

- 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 will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities.

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

This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The existing building is not a landmark.

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

The project 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 Application No. **2013.0483C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated December 30, 2012 and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on April 16, 2015.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 16, 2015

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a formula retail limited restaurant (d.b.a. Quickly) located at 44 West Portal Avenue Block 2931, Lot 005 pursuant to Planning Code Sections 303, 303.1 and 703.4 within a West Portal Avenue NCD and a 26-X Height and Bulk District, in general conformance with plans, dated December 30, 2012, and stamped "EXHIBIT B" included in the docket for Case No. 2013.0483C and subject to conditions of approval reviewed and approved by the Commission on **April 16, 2015** 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 16, 2015** 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 and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued

as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. 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. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

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

DESIGN

3. **Signage.** Any signs on the property shall be made to comply with the requirements of Article 6 of the Planning Code, and meet the Performance Based Design Guidelines for Formula Retail uses as reflected in the stamped "EXHIBIT B" included in the docket for Case No. 2013.0483C.

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

OPERATION

4. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the tenant space and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

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

5. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

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

6. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison

shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

MONITORING - AFTER ENTITLEMENT

7. **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

8. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

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



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
		2931/005	
Case No.	Permit No.	Plans Dated	
<input type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval.			

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

Note: If neither Class 1 or 3 applies, an *Environmental Evaluation Application* is required.

	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
	Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
	Class__

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an *Environmental Evaluation Application* is required.

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

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

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

PROPERTY IS ONE OF THE FOLLOWING: *(refer to Parcel Information Map)*

<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

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

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

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

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

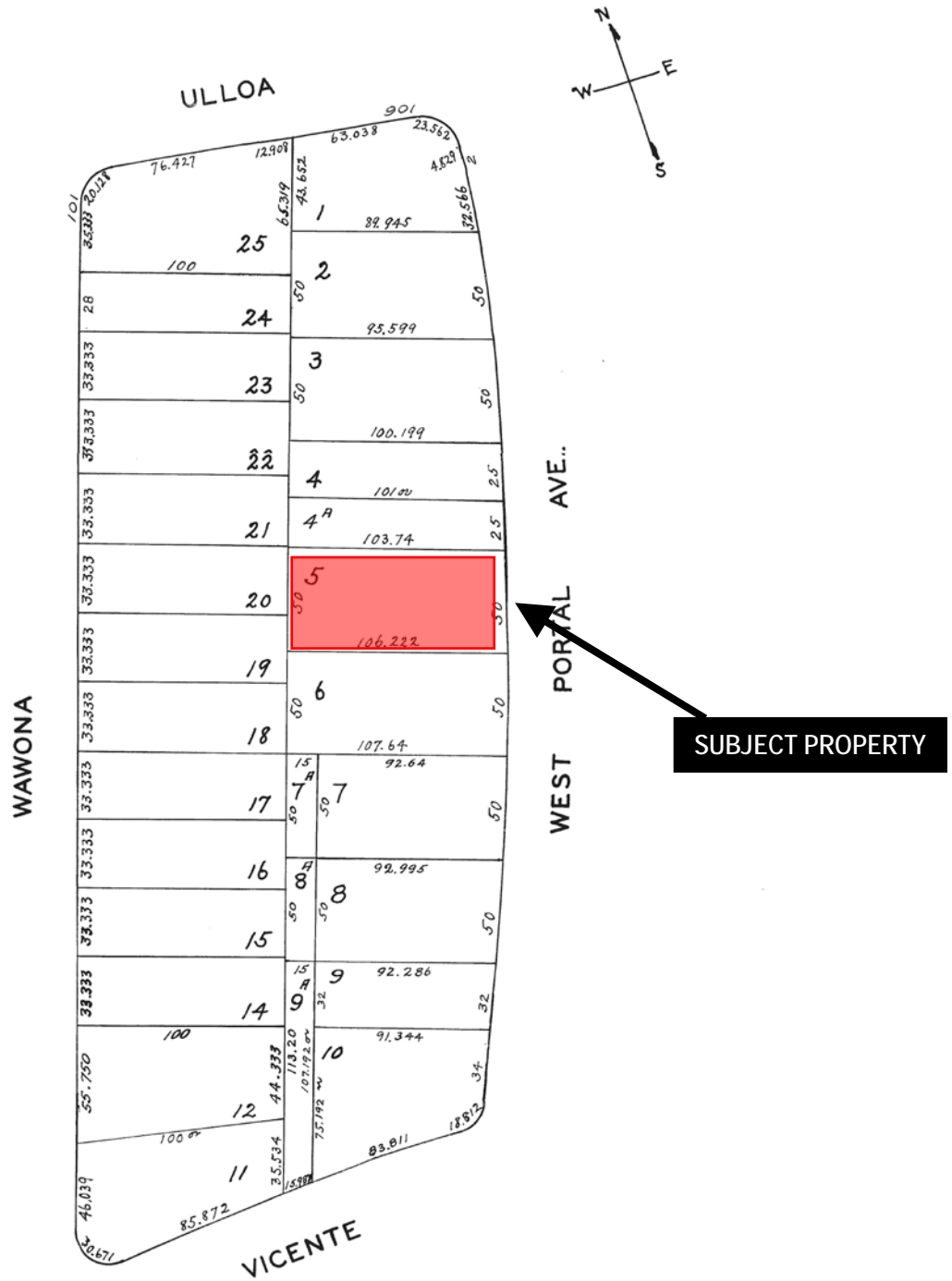
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator) _____
<input type="checkbox"/>	10. Reclassification of property status to Category C. (Requires approval by Senior Preservation Planner/Preservation Coordinator) a. Per HRER dated: _____ (attach HRER) b. Other (specify):
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.
<input type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature:	

STEP 6: CATEGORICAL EXEMPTION DETERMINATION

TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review STOP! Must file an <i>Environmental Evaluation Application</i>.	
<input type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA.	
	Planner Name: Project Approval Action: If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	Signature:
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of 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.	

Parcel Map



Conditional Use Authorization Hearing
Case Number 2013.0483C
44 West Portal Avenue

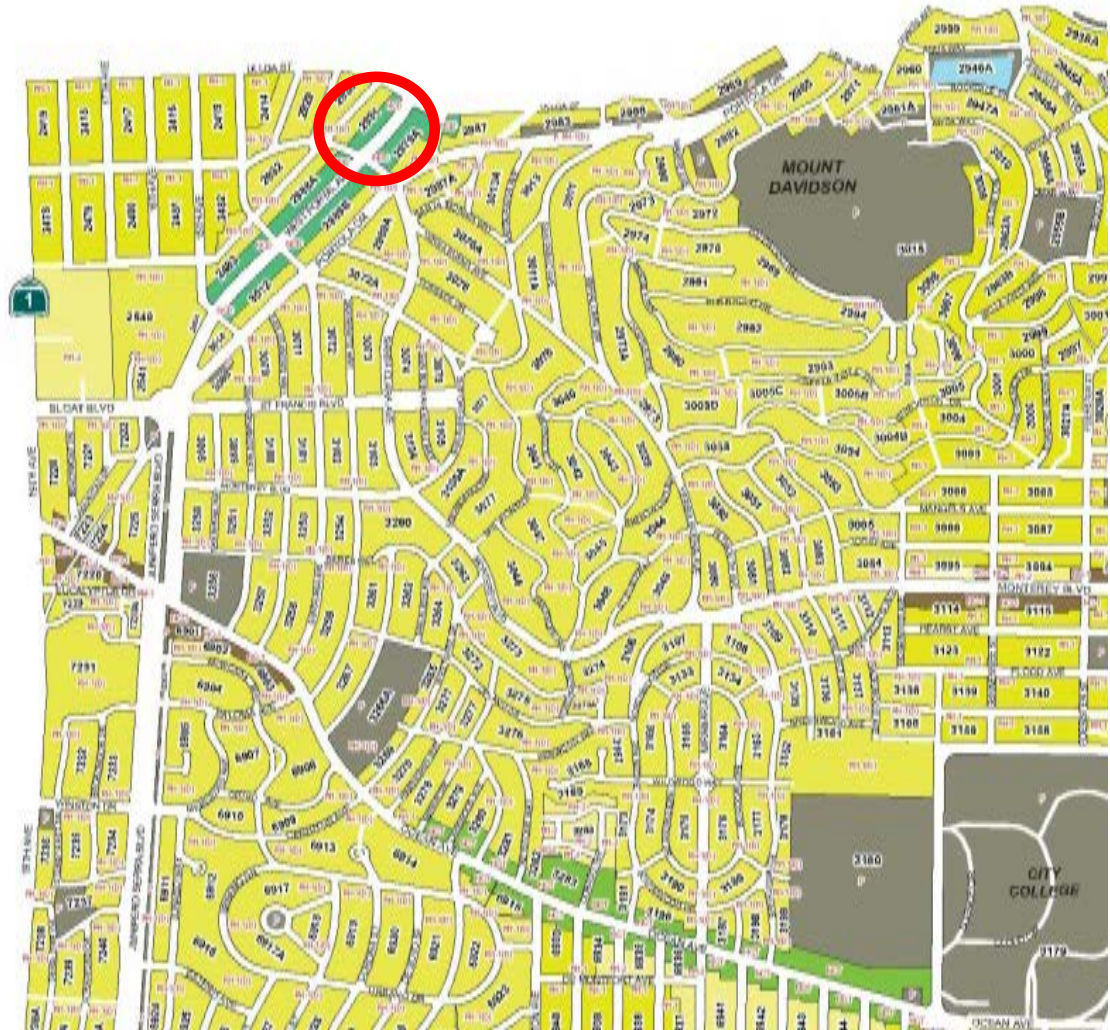
Sanborn Map*



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



Zoning Map



Conditional Use Authorization Hearing
Case Number 2013.0483C
44 West Portal Avenue

Aerial Photo



SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2013.0483C
44 West Portal Avenue

Site Photo



Conditional Use Authorization Hearing
Case Number 2013.0483C
44 West Portal Avenue

From: [Julie Ridley](#)
To: [Boudreaux, Marcelle \(CPC\)](#)
Subject: Re: Quickly West Portal
Date: Wednesday, April 01, 2015 7:11:36 PM

Hi Marcelle. Thank you for your quick response. It would be easy to say that my reason for not liking Quickly is because it is a chain. However, that is not entirely true. When the Boulangerie moved in on that same block, I did not complain. Other chains like Peets are also on the block. But, Quickly, to me, is a chain that is in a different group, that feels more like it belongs with fast food chains and 7-11 than with gourmet coffee and bakery chains popular today.

Thank you for the information on the meeting and for your time.

Best Regards,
Julie Ridley

Sent from my iPhone

> On Apr 1, 2015, at 6:08 PM, Boudreaux, Marcelle (CPC) <marcelle.boudreaux@sfgov.org> wrote:
>
> Hi Julie,
>
> Thanks for the feedback. If I may inquire, is the objection to Quickly, specifically, or to Formula Retail (chain stores) in general, or both?
>
> You also have the option of attending the Planning Commission hearing and voicing your concerns. On April 16, 2015, the Planning Commission will be starting no earlier than 12 noon, Room 400, City Hall. The agenda will be available a week prior to the Commission date -- <http://www.sf-planning.org/>, Public Hearing Agendas--> Planning Commission. The staff report and attachments will also be available at that time, clickable via the case number.
>
> To clarify, the City did not play a part in Tuttimelon leaving the storefront space; that business decision is not within our purview.
>
> Please let me know if you have further questions.
>
> Thanks,
> Marcelle
>
>
> Marcelle Boudreaux, AICP
> Preservation Technical Specialist/Planner, Southwest Quadrant
>
> Planning Department, City and County of San Francisco
> 1650 Mission Street, Suite 400, San Francisco, CA 94103
> Direct: 415-575-9140 Fax: 415-558-6409
> Email: marcelle.boudreaux@sfgov.org
> Web: www.sfplanning.org
>
>
>
> -----Original Message-----
> From: Julie Ridley [<mailto:julridley@yahoo.com>]
> Sent: Wednesday, April 01, 2015 2:47 PM
> To: Boudreaux, Marcelle (CPC)
> Subject: Quickly West Portal
>
> Hello. I am writing this email to let the city know how unhappy I am with the fact that Quickly

restaurant is on West Portal Avenue. I loved the Tuttimelon yogurt shop that was there previously. I was rather confused when that sign went down and Quickly went up, almost over night. There is a CU sign up on the store front now. Hopefully, this means that there still might be a chance to see Quickly leave and another establishment come in that fits our neighborhood better.

>

> Please help.

>

> Julie Ridley

> Forest Hill

>

> Sent from my iPhone

GENERAL NOTES

1. ALL WORKS SHALL COMPLY WITH THE CURRENT CALIF. BUILDING CODES AND ALL CURRENT LOCAL GOVERNING CODES, REGULATIONS AND ORDINANCES.
2. CONTRACTOR SHALL BE LICENSED, FULLY INSURED AND EXPERIENCED IN LOCAL CONSTRUCTION PRACTICE, CODES AND REGULATIONS.
3. CONTRACTOR SHALL VERIFY ALL SITE CONDITIONS AND DIMENSIONS PRIOR TO COMMENCEMENT OF WORK. NO WORK SHALL BE STARTED UNTIL ALL QUESTIONS AND DISCREPANCIES ARE RESOLVED.
4. CONTRACTOR SHALL EXAMINE ALL RELEVANT PLANS, SPECIFICATIONS AND OTHER CONSTRUCTION DOCUMENTS PRIOR TO COMMENCEMENT OF WORK. ANY OMISSIONS OR DISCREPANCIES IN ANY PART OF THE CONSTRUCTION DOCUMENTS SHALL BE REPORTED TO OWNER PRIOR TO COMMENCEMENT OF WORK. SCALE SHALL NOT BE USED FOR DETERMINING EXACT DIMENSIONS.
5. WORK SHALL BE DONE IN ACCORDANCE WITH PLANS STAMPED BY DEPARTMENT OF BUILDING INSPECTION. OWNER SHALL BE INFORMED IMMEDIATELY IF DIFFERENT SOLUTION IS NECESSARY. FAILURE TO DO SO SHALL PUT ENTIRE RESPONSIBILITY ONTO CONTRACTOR.
6. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR SAFETY OF PEOPLE AND PROPERTY ON THE PROJECT SITE. CONTRACTOR SHALL CAREFULLY CHECK THE STABILITY OF TALL EXISTING ELEMENTS PRIOR TO CONSTRUCTION. ALL WORK SHALL BE DONE IN ACCORDANCE WITH CALOSHA REQUIREMENTS. ALL POWER EQUIPMENT SHALL BE OPERATED ONLY UNDER THE APPROVAL OF THE GOVERNING AGENCIES. FIRE EXTINGUISHER SHALL BE PROVIDED AND MAINTAINED DURING CONSTRUCTION.
7. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING AT HIS/HER OWN EXPENSE, ANY DAMAGE TO ANY PUBLIC OR PRIVATE PROPERTY THAT IS CAUSED BY HIS/HER WORK.
8. ALL MATERIALS, FIXTURES, EQUIPMENT SHALL BE NEW AND UNUSED. NO SUBSTITUTION SHALL BE MAKE WITHOUT OWNER'S AUTHORIZATION. ITEMS WHICH ARE NOT SPECIFIED BY TYPE OR MANUFACTURES SHALL BE OF AVERAGE QUALITY UNLESS APPROVED BY OWNER.

PROJECT DATA

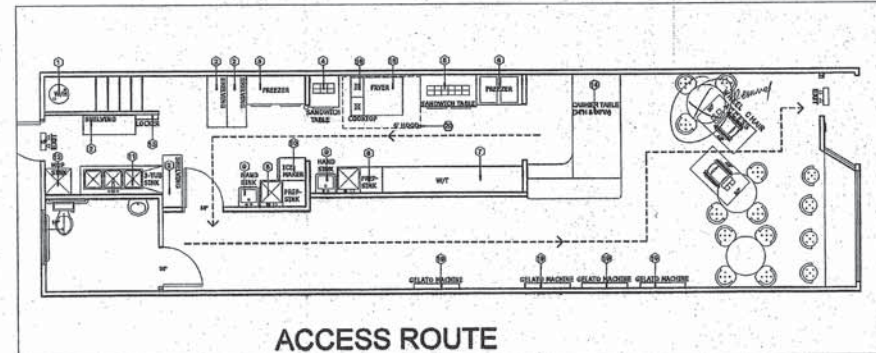
1. PROJECT ADDRESS: 44 WEST PORTAL AVE SAN FRANCISCO CA
 2. OCCUPANCY GROUP: B AND BLOCK IS: 2931 LOT: 05
 3. BUILDING TYPE: VB AND SINGLE STORY
 4. TOTAL AREA: 1,100 SQ. FT.
 5. OCCUPANCY LOAD: (E) 22 SEATS AND (N) 16 SEATS ^{2 employees} TOTAL 114
 6. FORMER USAGE: TUTTIMELON - YOGURT
 7. PROPOSE BUSINESS: WEST PORTAL TUTTIMELON
 8. AUTO SPRINKLER: NO
 9. ACCESSIBLE PARKING: YES
 10. ELECTRICAL POWER: 120v/208v 200 AMP.
 11. CODE EDITIONS:
 - CALIFORNIA FIRE CODE, 2010 CFC
 - CALIFORNIA BUILDING CODE, 2010 CBC
 - CALIFORNIA PLUMBING CODE, 2010 CPC
 - CALIFORNIA MECHANICAL CODE, 2010 CMC
 - CALIFORNIA ELECTRICAL CODE, 2010 CEC
 - ENERGY CODE, 2010 T 24
 - CALIFORNIA GREEN BUILDING STANDARDS CODE 2010 CGBSC
- ALONG WITH CITY ORDINANCES AND ANY OTHER APPLICABLE LOCAL AND STATE LAWS AND REGULATIONS.
- THE CONSTRUCTION SHALL MEET ALL THE STANDARD AND TO MEET THE LOCAL BUILDING CODE & ZONING ORDINANCES.

GENERAL FIRE SAFETY NOTES:

1. **FRONT DOOR REQUIREMENT:**
THE FRONT DOOR SHALL HAVE A 10" SMOOTH UNINTERRUPTED SURFACE AND ADD NOTE ON TOP OF THE DOOR, STATING "THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED" WITH 1" MIN. LETTER HEIGHT. (CBC 1133B.2.6)
2. **EXIT DOORS:**
EXIT DOOR SHALL SWING TO THE DIRECTION OF TRAVEL & TO HAVE AN APPROVED PANIC HARDWARE DEVICE AND WITH THE POSTED EXIT SIGN. DEAD BOLTS OR SURFACE MOUNTED LATCHES ARE NOT ALLOWED. INSTALL EMERGENCY POWER FOR LIGHTED EXIT AS REQUIRED. (SEE 1006.1 ILLUMINATION REQUIRED, 1006.2 ILLUMINATION LEVEL, 1006.3 ILLUMINATION EMERGENCY POWER.)
3. **DISABLED SIGNS:**
INSTALL THE INTERNATIONAL DISABLED SYMBOL IN THE FRONT DOOR AREA.
4. **STREET ADDRESS:**
INSTALL STREET ADDRESS NUMBER NOT LESS THAT 6" HIGH ON A CONTRASTING BACK GROUND AND BE PLAINLY VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY
5. **DINING ROOM OCCUPANCY:**
EACH DINING ROOM SHALL HAVE AN OCCUPANCY SIGN TO SHOW THE MAXIMUM SEATING.
6. **LOCK BOX FOR FIRE MARSHAL:**
A KNOX LOCK BOX IS REQUIRED BY FIRE DEPARTMENT. THE EXISTING LOCK BOX LOCATION MAY BE INDICATED ON THE PLAN. CFC 506.1

OCCUPANCY LOAD CALCULATIONS

DESCRIPTION	AREA		
A DINING AREA	250 SQ. FT.	15	16-12
B KITCHEN	577 SQ. FT.	200	9-2
C RESTROOM	63 SQ. FT.	100	
D HALL WAY & OTHER	210 SQ. FT.	300	
TOTAL OCCUPANCY = 49			



DEFERRED ITEMS REQUIRING SEPARATE PERMITS:

1. HOOD ANSUL SUPPRESSION SYSTEM
2. OUT DOOR SIGN PERMIT
3. ALL DEFERRED SUBMITTED PLAN SHALL BE APPROVED BY CITY OFFICIAL PRIOR TO THE INSTALLATION.

SCOPE OF WORK:

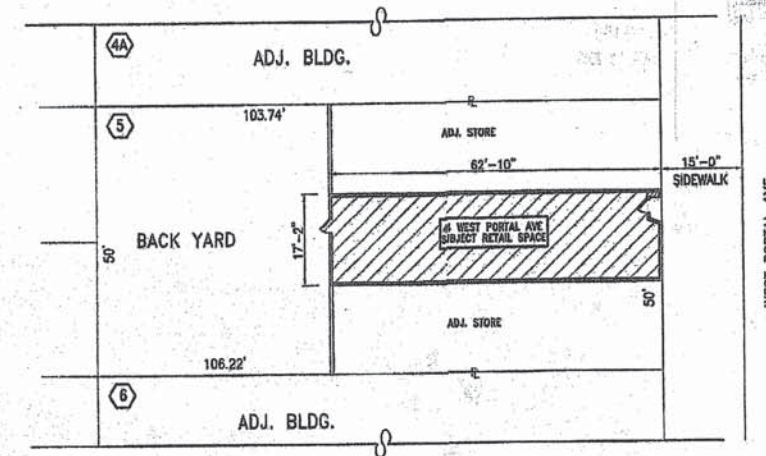
TO DO THE INTERIOR IMPROVEMENT FOR AN EXISTING TUTTIMELON STORE.
THERE IS ADDED A NEW 6" HOOD, CHANGED SOME COOKING EQUIPMENTS. Add ice cream machine
THE EXISTING CEILING & LIGHTING TO BE REMAIN.
THE EXISTING RESTROOMS TO BE REMAIN.
THE EXISTING EQUIPMENTS TO BE REMAIN.
THE BUILDING, MECHANICAL/ELECTRICAL WORK IS INCLUDED IN THIS PERMIT APPLICATION.

SHEET INDEX

A-0	VICINITY MAP AND SITE MAP LOT MAP & SIZE GENERAL NOTE AND DATA
A-0.0	PROJECT NOTE SHEET INDEX AND FIRE SAFETY ENGINEER ADDRESS
A-1	HC, RULE AND CHECK LIST FROMS
A-2	DISABLED ACCESS RESTROOM NOTE AND DETAIL FRONT ENTRY DOOR
E-1	(E) & (N) FLOOR PLAN & FRONT DOOR, LIST OF EQUIPMENTS.
H-1	(E) CEILING LIGHTING AND ELECTRICAL POWER LAY-OUT
H-2	HOOD SHEET
M-1	KITCHEN HOOD & MOUNTING DETAIL & NOTES.
M-2	ROOF TOP EQUIPMENT LAY-OUT AND HOOD & NOTES

SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH
This project must comply with the rules standards listed by SF Public Health 24, Section 2009 and the Cal. State Code, Title 24.
A copy of Article 20 may be obtained at:
http://www.sfdph.org/dph/epi/communicable_diseases/Pages/Article20.aspx
For more information, contact the SF Health Dept. Notes program at: (415) 455-2525 or call 415-252-2525

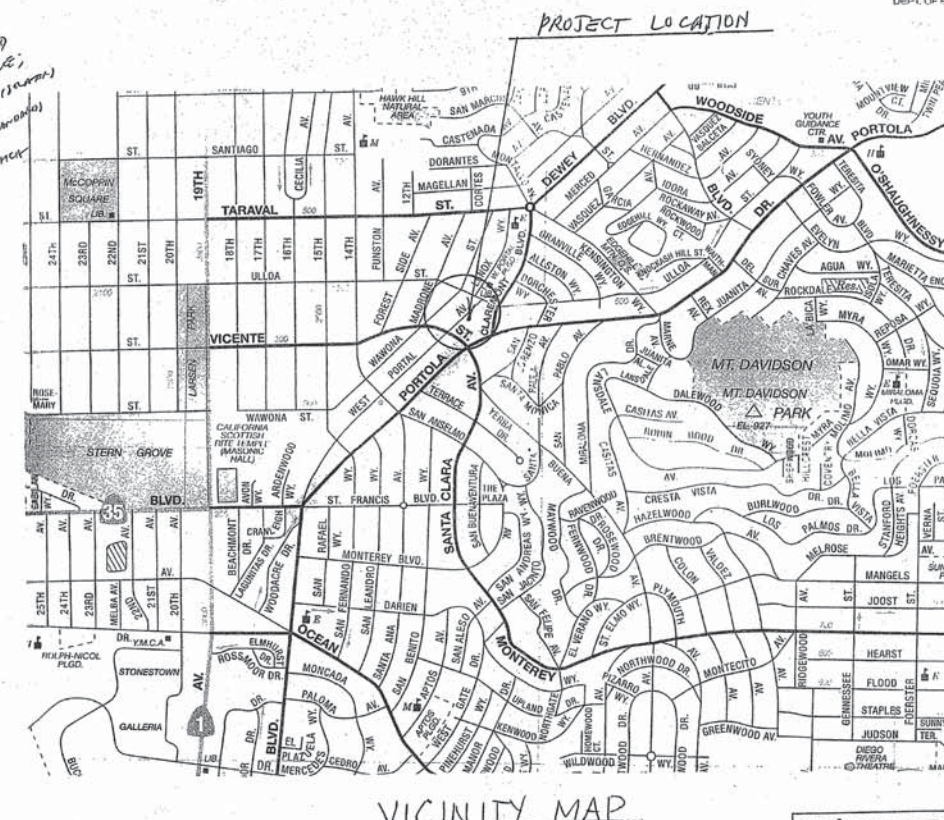
Approved Planning Dept. Kevin Brundson
CLASS 1



APPROVED
Dept. of Building Insp.

JAN 04 2013

Tom C. Hill, S.E.
ACTING DIRECTOR
DEPT. OF BUILDING INSPECTION



RECEIVED

JAN 02 2013

DEPT. OF BUILDING INSPECTION
THIS PROJECT MEETS THE QUALITY STANDARDS FOR BUILDINGS
ACCEPTED

Diane Yin, DBI

JAN 02 2013

REVISIONS

By

TW DESIGNERS

WINFRED TAI P.E.
39172-B STATE ST. FRENCH CA 94538
(510) 742-1133 FAX (510) 742-1821
EMAIL TW_DESIGN@YAHOO.COM

PROJECT TITLE:

WEST PORTAL TUTTIMELON

SITE MAP
SCOPE OF WORK
SHEET INDEX
NOTES



Designed by: T.W.

Date: DEC 30, 2012

Scale: AS SHOWN

Drawn: W.P.D.

Job:

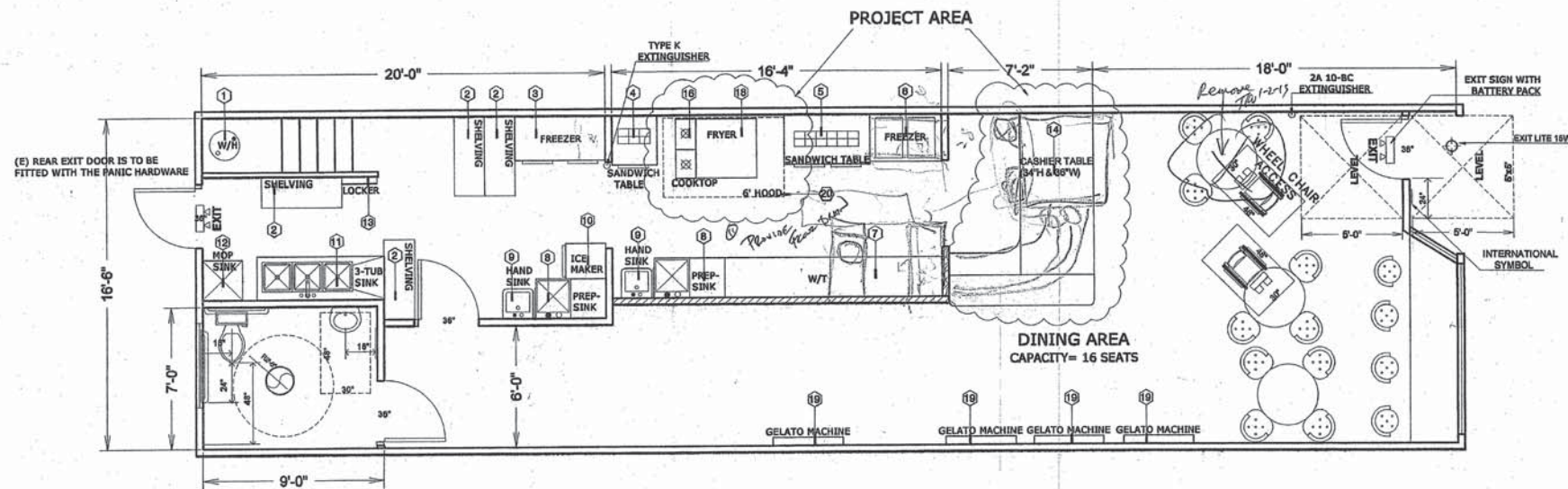
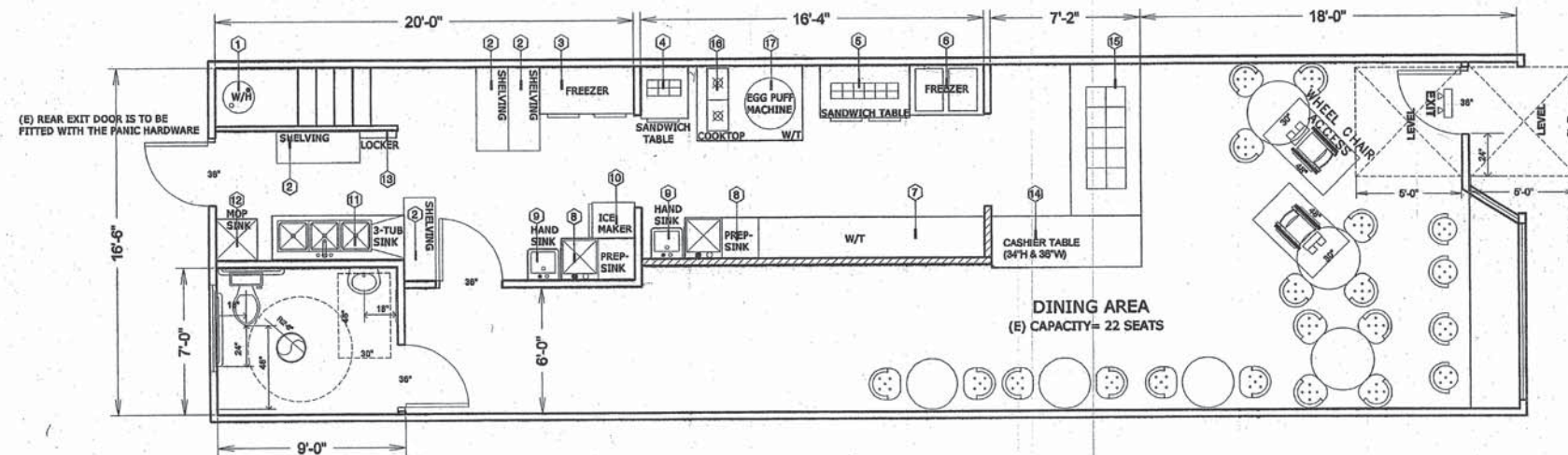
SHEET

A-0

OF SHEETS

13.0483 C

LEGEND:
1). EXISTING WALL
2). NEW WALL
3). (E)PARTITION WALL
NOTE:
ALL EXIT DOORS SHALL BE INSTALLED WITH PANIC HARDWARE.



(E) EQUIPMENT CHECKLIST

ITEM NUMBER	ITEM	MANUFACTURER	MODEL NUMBER	NSF
1	WATER HEATER	BRADFORD WHITE	#65T-65	✓
2	SHELVING	METRO	METROSEAL 3	✓
3	FREEZER	BY TRUE CO	# T-49	✓
4	SANDWICH TABLE	TRUE CO.	# TSSU-60-16	✓
5	SANDWICH TABLE	TRUE CO.	# TSSU-60-16	✓
6	FREEZER	BY TRUE CO	# TFM-41FL	✓
7	S/S WORK TABLE	EAGLE	FIT THE SPACE	✓
8	1-TUB PREP SINK	ADVANCE TABCO	FC-1-1818-18RorL	✓
9	HAND SINK 14" X 14"	ADVANCE TABCO	PS-60	✓
10	ICE MAKER	HOSHIZAKI	KM-150BAF-E	✓
11	3-TUB SINK	ADVANCE TABCO	FC-3-1818-24RL	✓
12	MOP SINK 24" X 24"	FLORESTONE	#MSR2424	✓
13	LOCKERS	KELMAX	EL/6	✓
14	CASHIER TABLE	CUSTOM MAKE	36" X 34" HIGH	✓
15	HOT PAN	SUPERIOR	# 871057	✓
16	COOKTOP	SUPERIOR	# C-3000	✓
17	EGG PUFF			✓

(N) EQUIPMENT CHECKLIST

ITEM NUMBER	ITEM	MANUFACTURER	MODEL NUMBER	NSF
14	CASHIER TABLE	CUSTOM MAKE	36" X 34" HIGH	✓
18	DEEP FRYER	IMPERIAL	# MIT-5	✓
19	GELATO MACHINE	T & M	# HM 15	✓
20	6" TYPE I HOOD	CAPTIVE AIRE	# ND-2	✓

ROOM FINISH SCHEDULE					REMARK FRP* WALL PANEL REQUIREMENT (see below)
AREA	F	W	B	C	
KITCHEN & COOKING AREA	3	7	4	7	8" FRP ON WALL INCLUDE ALL SINKS & 6" INTEGRAL COVE BASE
DINING ROOM	1	8	11	5	CERAMIC TILE
REST ROOMS	1	7	2	7	8" FRP ON WALL CERAMIC TILE FLOOR & 6" INTEGRAL COVE BASE

APPLIANCE FINISHES:

- COUNTER/CABINET: ALL CUSTOM MAKE CABINET, COUNTER, STORAGE SHELVING SHALL HAVE LAMINATED SURFACES. NO PAINTED WOOD OR BARE WOOD SURFACES ALLOWED.
- ADJUSTABLE SHELF: NO ADJUSTABLE SHELVING IS ALLOWED FOR THE FOOD SERVICE AREA.
- SEALING: ALL PERMANENT MOUNTED CABINET & WALL SHELF SHALL HAVE ALL GAPS BETWEEN THE UNIT & THE WALL SEALED.
- WALK IN BOXES: SEAL ALL SPACE BETWEEN WALK-IN BOX & THE WALL. INSTALL FLASHING FROM TOP OF THE WALK IN TO THE CEILING ON ALL SIDES. NO STORAGE ALLOW ON TOP OF THE WALK IN BOXES.

KEY TO FINISHES:

- CERAMIC TILE, USE NON-SLIP TYPE ON TRAFFIC AREA.
- CERAMIC TILE COVE BASE INTEGRAL 3/8" RADIUS 6" HIGH MIN.
- QUARRY TILE, USE SLIP RESISTANT TYPE ON TRAFFIC AREA AND SMOOTH SURFACE TYPE UNDER THE EQUIPMENT.
- QUARRY TILE COVE BASE INTEGRAL 3/8" RADIUS 6" HIGH TYPE
- T-BAR CEILING TILE WITH TEXTURED: 24"x48" FOR DINING ROOM & NON-FOOD SERVICE AREA ONLY
- KITCHEN T-BAR CEILING: USE T-BAR CEILING TILES SMOOTH, WASHABLE, WHITE COLOR TYPE (USE USG STIPPLE WHITE # 3270 or EQUAL)
- KITCHEN PAINTED WALL: (SMOOTH TYPE) SMOOTH FINISH, WASHABLE. LIGHT COLOR WITH 70% LIGHT REFLECTANCE VALUE PAINT, SEMI-GLOSS ENAMEL TYPE.
- DRY WALL: WITH DECORATIVE FINISH (OWNER'S CHOICE)
- GALVANIZED STEEL: SMOOTH GALVANIZED STEEL FINISH.
- CARPET: FOR DINING AREA, COLOR & TYPE SELECT BY OWNER.
- WOOD STRIP COVE BASE: 4" HIGH MIN FOR DINING ROOM.
- SHEET VINYL: COMMERCIAL TYPE WITH 100% SOLID VINYL WITH CONTINUOUS COVE BASE WITH 3/8" RADIUS UP TO THE WALL 6" HIGH MIN.
- FRP PANEL: WHITE COLOR TYPE 8" HIGH START FROM THE 6" COVE BASE. PAINT THE TOP OF PANEL SECTION WITH ENAMEL.
- VINYL TILES: USE SOLID VINYL 12"x12" TILES WITH VINYL WELDED JOINTS & VINYL COVE BASE UP TO THE WALL.
- STAINLESS STEEL: S/S PANEL ON BACK OF ALL GAS COOKING EQUIPMENT & UP THE BOTTOM THE HOOD.

COVE FINISH NOTES:

IN ALL THE FOOD SERVICE AREA THE WALL/ BASE SHALL HAVE AN INTEGRAL COVE BASE WITH 3/8" RADIUS MIN. 6" HIGH FOR FIXED TOE KICK AREA & ON THE OPEN SIDES OF THE CABINET.

- NON-NSF COUNTERS/CABINETRY: THE TOE KICK AREA SHALL HAVE MIN. 4" COVE BASE & 6" ON THE OPEN SIDES OF THE CABINET.

- FOR SELF SERVICE SODA DISPENSER IN THE DINING AREA: THE FLOOR ON THE FRONT AREA OF THE FIX BASE SODA COUNTER SHALL EXTEND OUT TO 36" WITH CERAMIC TILE.

- FOR MOVABLE APPLIANCES: ALTERNATE REQUIREMENT FOR MOVABLE SERVICE COUNTER SUCH AS MOVABLE S/S WORK TABLE THEY SHALL HAVE 6" MIN. HIGH LEGS FOR CLEANING.

- MOP SINK AREA: INSTALL VERTICAL QUARRY TILE WITH 3/8" RADIUS COVE BASE ALL AROUND THE OPEN SIDE OF THE FLOOR MOUNTED MOP SINK.



Diane Yin, DBI
JAN 02 2013

Danny Lau, DBI
JAN 02 2013

APPROVED
Dept. of Building Insp.
JAN 04 2013
Tom C. Hui
ACTING DIRECTOR
DEPT. OF BUILDING INSPECTION

Approved Planning Dept. Kevin Brusati
1/2/13

REVISIONS

By

TW DESIGNERS

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PROJECT TITLE:

WEST PORTAL TUTTMELON

44 WEST PORTAL AVE SAN FRANCISCO CA

FLOOR PLAN
LIST OF EQUIPMENT
FINISH SCHEDULE



Designed by: T.W

Date: DEC 30, 2012

Scale: AS SHOWN

Drawn: W.P.D.

Job:

SHEET

A-2

OF SHEETS

FACILITY ACCESSIBILITY ENTRY/EXIT ACCESS NOTES:

1. MAIN ENTRANCE AREA: THE ENTRY DOOR THRESHOLD SHALL NOT BE MORE THAN 1/2" HIGH. THE LANDING ON BOTH SIDES TO BE LEVEL WITH LESS THAN 1/4" PER FT. SLOPE. A NOTE STATING "THIS DOOR MUST REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED" & 1" SIZE LETTERS ARE REQUIRED.
2. THE FRONT DOOR: THE FRONT DOOR SHALL HAVE 10" KICK PLATE & AN INTERNATIONAL SIGN AS SHOWN IN THE DETAILS.
3. EXIT DOOR: THE FIRE EXIT DOOR SHALL HAVE EMERGENCY PANIC HARDWARE. EXIT DOOR SHALL BE OPERABLE FROM INSIDE WITHOUT THE USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT.
4. DOOR HANDLES: ALL INTERIOR DOOR HANDLES SHALL BE SINGLE LEVER TYPE.

ACCESSIBLE CONTROL DEVICES: (SEE CBC 1117B.6)

CONTRALS, SWITCHES, RECEPTACLES SHALL BE SCATED NO MORE THAT 48" MEASURED FROM TOP OF OUTLET BOX NOR LESS THAT 15 INCHES MEASURED FROM BOTTOM OF OUTLET BOX TO LEVEL OF FINISHED FLOOR.

ACCESSIBLE RESTROOM DETAILS

RESTROOM MUST BE EQUIPPED WITH THE FOLLOWING (FOR NEW OR EXISTING RESTROOMS)

1. HAND WASH SINK WITH HOT/COLD COMBINATION WATER FAUCETS.
2. PERMANENTLY INSTALLED SOAP AND SANITARY TOWEL DISPENSERS.
3. TOILET TISSUE DISPENSER.
4. SELF CLOSING TIGHT FITTED DOORS.
5. LIGHT SWITCH ACTIVATED EXHAUST FAN OR VENTILATION TO THE OUTSIDE AIR THROUGH AN OPERABLE SCREENED OPENING.
6. RESTROOM SINK FAUCET TO BE AUTO SENSOR DEVICE FAUCET.
7. FRONT DOOR TO HAVE INTERNATIONAL SYMBOL OF ACCESSIBILITY PER CBC1117B.5.1.3 & 1117B.5.1.
8. ALL WALLS TO BE MIN. 4" HIGH FRP, CERAMIC OR OTHER WASHABLE SURFACES.

ACCESSIBILITY REQUIREMENTS AT COMMON-USE KITCHEN AREA:

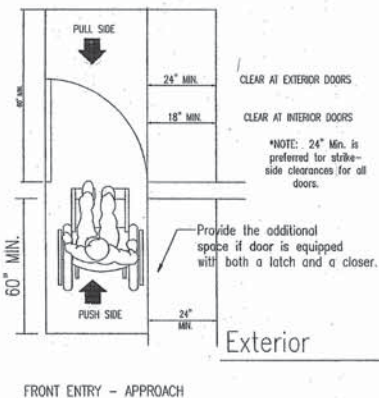
1. FAUCET HANDLES: THE FAUCET HANDLES FOR THE SINKS IN THE KITCHEN TO HAVE A SINGLE LEVER KNOBS WITH A 5 LBS. or LESS TO ACTIVATE.
2. AISLE CLEARANCE: PROVIDE 36" CLEAR WIDE ACCESS AISLES THROUGHOUT THE EMPLOYEE COMMON WORK AREA. 44" FOR AISLE SERVING BOTH SIDES.

ACCESSIBILITY REQUIREMENTS FOR DINING ROOMS:

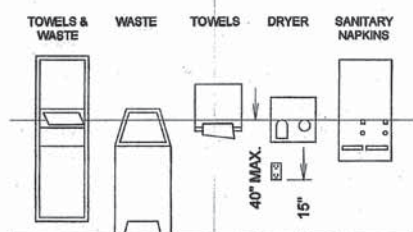
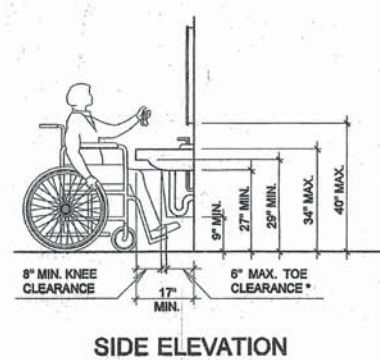
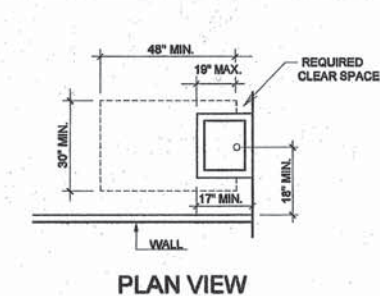
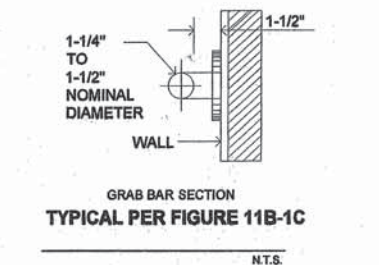
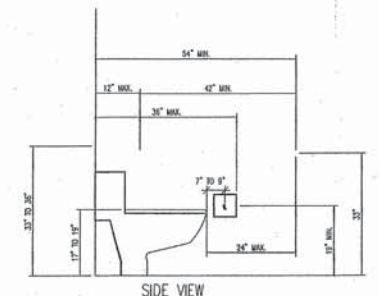
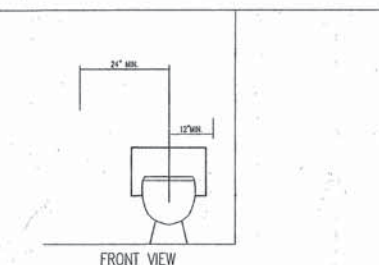
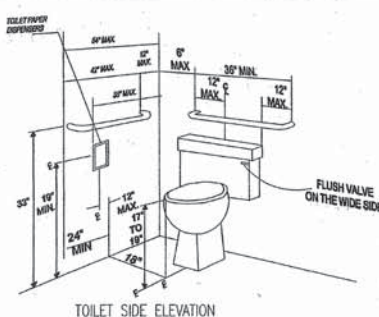
1. ACCESSIBLE DINING TABLE: THE DINING ROOM SHALL BE PROVIDED WITH SOME ACCESSIBLE TABLES. THE ACCESSIBLE TABLES SHALL HAVE A CLEAR AREA UNDER THE TABLE OF 27" HIGH X 30" WIDE X 19" DEEP KNEE SPACE FOR WHEELCHAIR TO TURN.
2. TABLE FOR WHEELCHAIR: ACCESSIBLE TABLES PROVIDED FOR THIS DINING ROOM ARE SHOWN IN FLOOR PLAN.
3. AISLE WIDTH: THE AISLE CLEARANCE BETWEEN THE DINING TABLES TO HAVE A MINIMUM OF 44" FOR THE FOOD PREPARATION AREA & FOOD SERVICE AREA SHALL HAVE A 36" WIDE CLEAR AISLES FOR WHEELCHAIR ACCESS.
4. THE CASHIER TABLE: THE CASHIER TABLE SHALL HAVE A PORTION OF THE TABLE PROVIDED WITH A MAX 34" HIGH X 36" WIDE SPACE FOR WHEELCHAIR ACCESSIBILITY.

ACCESSIBLE TOILET ROOM NOTES:

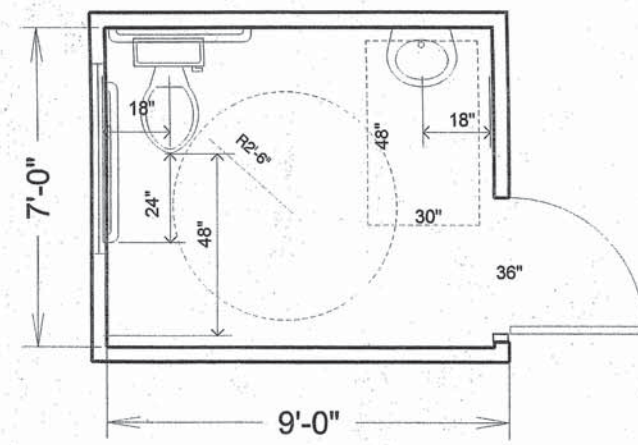
1. TOILET DOOR CLEARANCE: ALL TOILET DOORS SHALL HAVE A 36" DOOR CLEARANCE, SELF CLOSING and TIGHT-FITTED TYPE. PROVIDE A 60" CIRCULAR FLOOR CLEARANCE SPACE FOR WHEELCHAIR MANEUVER.
2. DOOR SIGNS: INSTALL ACCESSIBLE SIGNS ON TOILET DOORS & BRAILLE ON THE SIGN OR ON THE WALL.
3. INSULATIONS: INSULATE THE TOILET LAVATORY SINK DRAIN PIPE/P-TRAP AND THE HOT WATER SUPPLY PIPES.
4. WATER CLOSETS: ACCESSIBLE TOILET BOWL SEAT TO BE AT 17" to 19" HIGH. THE TOILET FLUSH SYSTEM SHOULD BE A 1.6 GALLON PER FLUSH TYPE.
5. GRAB-BAR: INSTALL GRAB-BARS AT 36" ON THE BACK & ON THE SIDE WALL OF THE TOILET BOWL. A 42" LENGTH WITH 24" BEYOND THE FRONT OF THE TOILET BOWL.
6. MIRROR & SOAP: INSTALL SOAP HOLDER, MIRROR, TOWEL HOLDER WITH PROPER HEIGHT AS SHOWN IN DETAILS.
7. TOILET EXHAUST: THE TOILET EXHAUST FAN & THE LIGHTING SHALL BE ACTIVATED TOGETHER BY THE SAME ON/OFF SWITCH.
8. ELECTRICAL PLUG: INSTALL A 115v GFCI WALL RECEPTACLE 48" HIGH and WITHIN 5' OF THE LAVATORY.
9. INTERIOR WALL PANELS: INSTALL FRP PANEL 48" HIGH MIN., & ON ALL THE 4 WALLS & OF THE TOILET.
10. INTERIOR FINISHES: (FOR THE HEALTH CODE REQUIREMENT)
 1. INSTALL FRP MIN. 48" HIGH ON ALL 4 WALLS or INSTALL CERAMIC TILES.
 2. FLOOR: THE FLOOR TO BE CERAMIC TILES WITH INTEGRATED 3/8" RADIUS COVE BASE & MIN. OF 6" HIGH.
 3. WALL & CEILING: THE CEILING & WALL SHALL BE SMOOTH WASHABLE SURFACES, LIGHT COLOR & WITH ENAMEL PAINT.



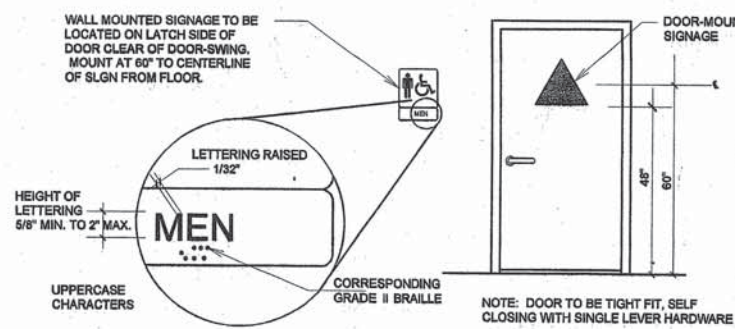
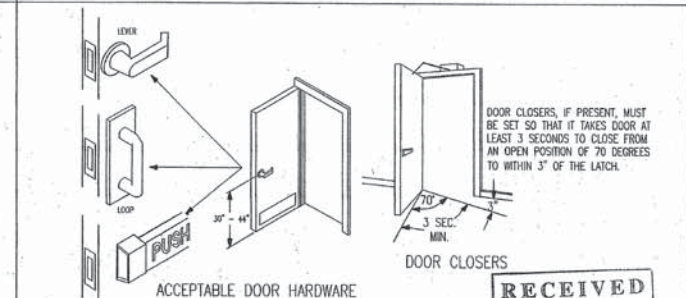
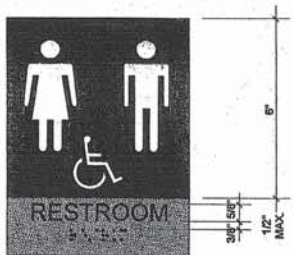
ACCESSIBLE DOOR ACCESS



ACCESS FOR SANITARY FACILITIES



(E) RESTROOM (SEE DETAILS)



MEN'S & WOMEN'S REST ROOM SYMBOLS

REVISIONS	
	By

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PROJECT TITLE:
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 44 WEST PORTAL AVE SAN FRANCISCO CA

ACCESSIBLE NOTE & DETAILS



Designed by: T.W
 Date: DEC 30, 2012
 Scale: AS SHOWN
 Drawn: W.P.D.
 Job:

SHEET
A-1
 OF SHEETS



EXISTING CONDITIONS
44 West Portal Ave.
2013.0483C



PROPOSED STOREFRONT
44 West Portal Ave.
2013.0483C



Letters: 4" thick