



# SAN FRANCISCO PLANNING DEPARTMENT

---

## Planning Commission Project Summary and Motion No. \_\_\_\_\_

COMMUNITY BUSINESS PRIORITY PROCESSING PROGRAM

HEARING DATE: JULY 2, 2015

*Date Prepared:* April 14, 2015  
*Case No.:* **2014-000285CUA**  
*Project Address:* **1515 PINE STREET**  
*Zoning:* Polk NCD (Polk Street Neighborhood Commercial District)  
65-A Height and Bulk District  
*Block/Lot:* 0667/021  
*Project Sponsor:* Ivor Bradley  
350 Townsend Street, Suite 324  
San Francisco, CA 94107  
*Staff Contact:* Nicholas Foster – (415) 575-9167  
[nicholas.foster@sfgov.org](mailto:nicholas.foster@sfgov.org)

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 project would convert 1,028 square feet of ground floor space most recently used as Personal Service (tattoo shop; DBA "Spirits In The Flesh Tattoo") into a Restaurant (DBA To be Determined). The project has qualified for review under the Planning Commission's Community Business Priority Processing Program ("CB3P").

### REQUIRED COMMISSION ACTION

In the Polk Street Neighborhood Commercial District, Planning Code Section 723.44 requires that Restaurants obtain Conditional Use Authorization.

### DECISION

Based upon information set forth in application materials submitted by the project sponsor and available in the case file (which is incorporated herein by reference as though fully set forth) and based upon the CB3P Checklist and findings below, the Commission hereby **APPROVES Conditional Use Application No. 2014-000285CUA** subject to conditions contained in the attached "EXHIBIT A" and in general conformance with plans on file, dated March 3, 2015, and stamped "EXHIBIT B."

CB3P CHECKLIST

	Required Criteria			Comments (if any)
	Complete & adequate	Incomplete and / or inadequate	Not required and / or not applicable	
Project Sponsor's application	X			
CB3P eligibility checklist	X			
Planning Code §101.1 findings	X			
Planning Code §303(c) findings	X			
Planning Code §303(p) findings for Eating and Drinking Uses	X			Project would only increase concentration by 1.0%.
Any additional Planning Code findings e.g. §303(k) findings for movie theater removals or §303(m) findings for grocery store removals			X	
Photographs of the site and/or context	X			
Scaled and/or dimensioned plans	X			

Additional Information	
Notification Period	4/10/15 – 4/30/15 (20 days newspaper; 20 days mailing; 20 days posted).
Number and nature of public comments received	4 emails (request for information); all questions answered.
Number of days between filing and hearing	225 days.

**Generalized Basis for Approval (max. one paragraph)**

*The project is necessary and/or desirable for, and compatible with, the neighborhood or the community as it activates a previously-vacant, ground floor space and provides new, neighborhood-serving retail. The existing concentration of eating and drinking uses along commercial frontages within 300 linear feet of the subject property (and within the Polk Street NCD) is 52.3%. The project would add approximately 23 feet of commercial frontage, increasing the concentration of eating and drinking uses to 53.3%. While the existing concentration of eating and drinking uses is higher than the suggested concentration identified in Planning Code Section 303(o), eating and drinking uses are typical for the District as Lower Polk Street is a popular San Francisco destination, and the project would only increase the concentration of eating and drinking uses by 1.0%. Staff recommends approval.*

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 2, 2015.

AYES:

NAYS:

ABSENT:

ADOPTED: July 2, 2015

\_\_\_\_\_  
 Jonas P. Ionin  
 Commission Secretary

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors.

# **EXHIBIT A**

## **AUTHORIZATION**

This authorization is for a conditional use to allow a Restaurant (d.b.a. To Be Determined) located at 1515 Pine Street, Lot 21 in Assessor's Block 0667, pursuant to Planning Code Section 723.44 within the Polk Street Neighborhood Commercial District and a 65-A Height and Bulk District; in general conformance with plans, dated March 3, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2014-000285CUA and subject to conditions of approval reviewed and approved by the Commission on July 2, 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 July 2, 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.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

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

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

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

3. **Diligent pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

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

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

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

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

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

## DESIGN – COMPLIANCE AT PLAN STAGE

6. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

7. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

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

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

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

9. **Noise.** Plans submitted with the building permit application for the approved project shall incorporate acoustical insulation and other sound proofing measures to control noise.

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

10. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans. Odor control ducting shall not be applied to the primary façade of the building.

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

## MONITORING - AFTER ENTITLEMENT

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

Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

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

## OPERATION

- 13. 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>*

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

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

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

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

- 16. Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

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

**17. Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

**18. Use.** This authorization limits the Alcoholic Beverage Control license to Type 41 (On-Sale Beer and Wine for Bona Fide Public Eating Place) only. No dedicated Point of Sale shall be provided for the exclusive purchase of beer and wine for consumption off the premises.

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

**19. Hours of Operation.** The subject establishment is limited to the following hours of operation: Sunday through though Saturday 6:00a.m. to 2:00a.m.

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



**SHATARA ARCHITECTURE INC.**

26 LAKEVIEW DR.  
DALY CITY  
CA 94015

TEL (415) 512-7566

DRAWINGS AND SPECIFICATIONS, AS INSTRUMENTS OF PROFESSIONAL SERVICE, ARE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT.  
THESE DOCUMENTS ARE NOT TO BE USED, IN WHOLE OR IN PART, FOR ANY PROJECTS OR PURPOSES WHATSOEVER, WITHOUT THE PRIOR SPECIFIC WRITTEN AUTHORIZATION OF SHATARA ARCHITECTURE INC.

PROJECT  
**CHANGE OF USE TO LIMITED RESTAURANT**

ADDRESS  
**1515-1517 PINE STREET  
SAN FRANCISCO, CA**

**BLOCK: 0667  
LOT: 021**

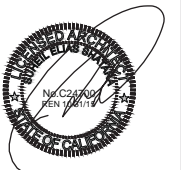
**PROJECT DIRECTORY**

ARCHITECT  
SHATARA ARCHITECTURE INC.  
26 LAKEVIEW DRIVE  
DALY CITY, CA 94015  
TEL: 415-512-7566

CONTACT: MR. SUHEIL SHATARA

OWNER  
CONTACT ARCHITECT

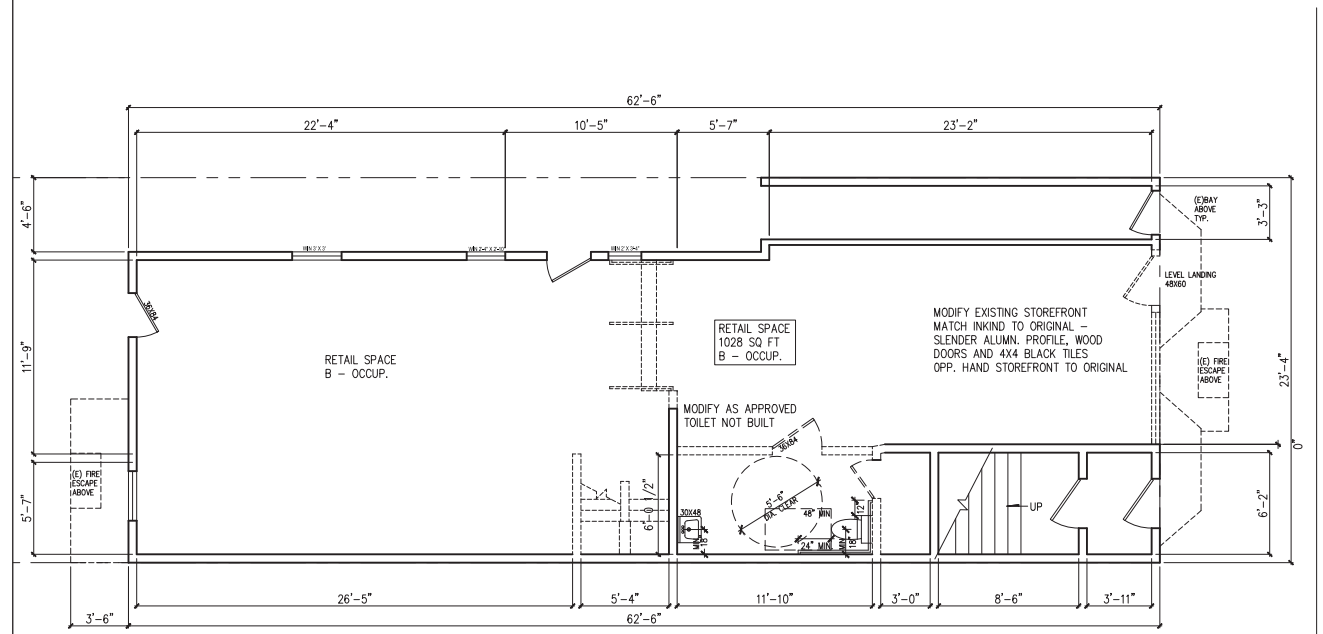
ISSUED	DATE	NO.
BUILDING	05.10.2014	
BUILDING	09.18.2014	



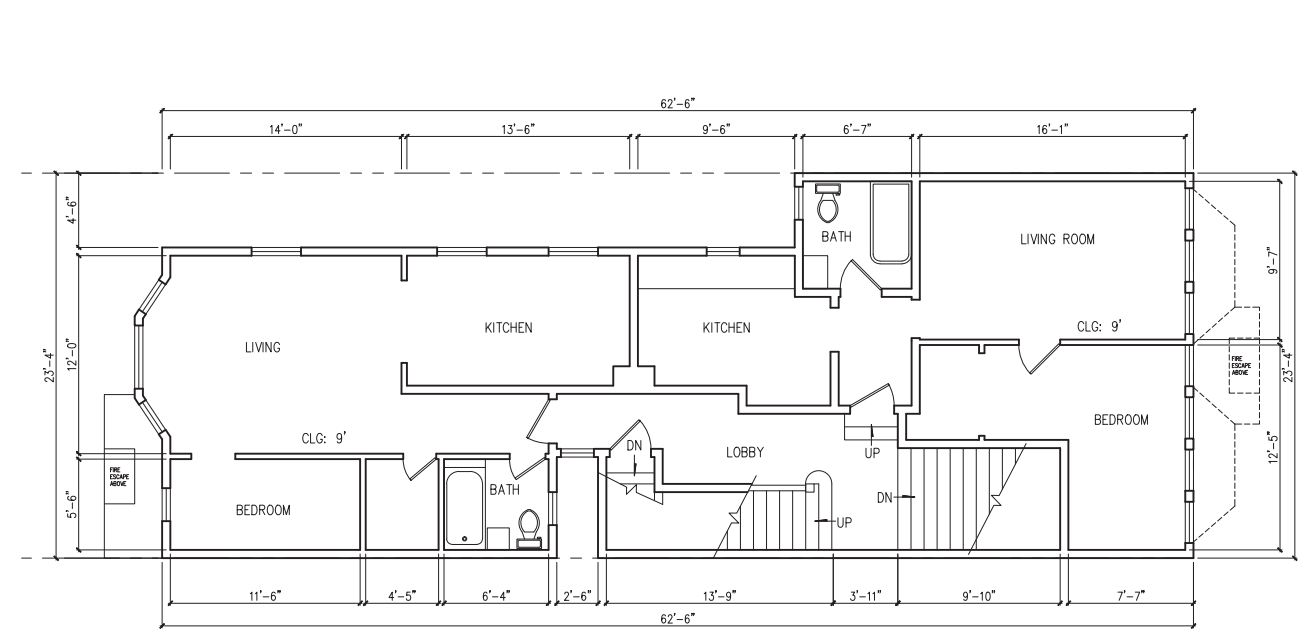
SHEET DESCRIPTION

**EXISTING FLOOR PLANS/  
AREA PER UNIT**

**A1.1**

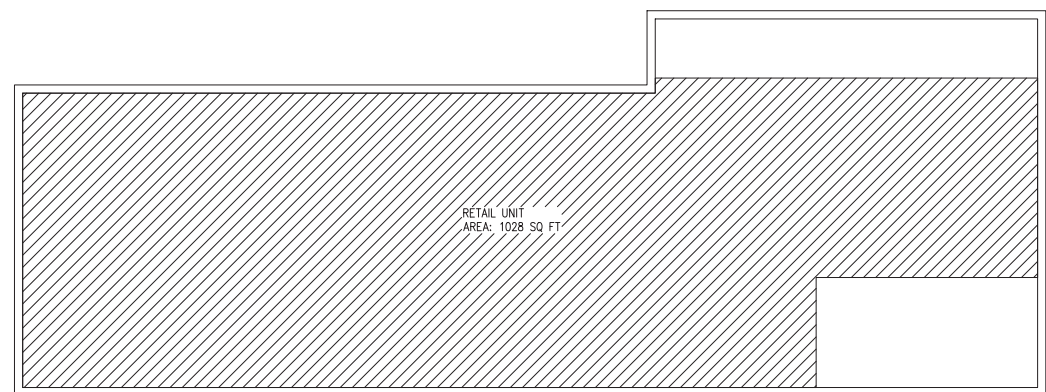


**3 EXISTING "AS APPROVED" FIRST FLOOR PLAN**  
SCALE : 3/16"=1'-0"



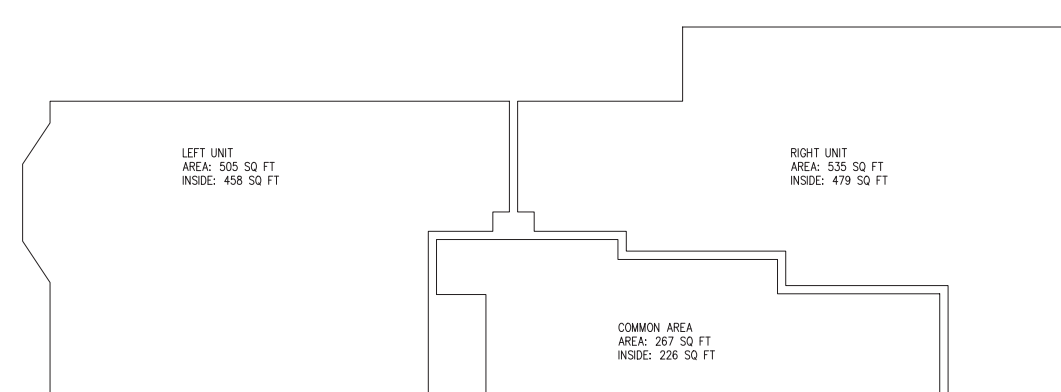
**4 SECOND FLOOR PLAN**  
SCALE : 3/16"=1'-0"

**NO WORK ON THIS LEVEL**



GROUND FLOOR

**1 FIRST FLOOR AREA PER SQ. FT.**  
SCALE : 3/16"=1'-0"



SECOND FLOOR

**2 SECOND FLOOR AREA PER SQ. FT.**  
SCALE : 3/16"=1'-0"





DRAWINGS AND SPECIFICATIONS, AS INSTRUMENTS OF PROFESSIONAL SERVICE, ARE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT.  
THESE DOCUMENTS ARE NOT TO BE USED, IN WHOLE OR IN PART, FOR ANY PROJECTS OR PURPOSES WHATSOEVER, WITHOUT THE PRIOR SPECIFIC WRITTEN AUTHORIZATION OF SHATARA ARCHITECTURE INC.

PROJECT  
**CHANGE OF USE TO  
LIMITED RESTAURANT**

ADDRESS:  
**1515-1517 PINE STREET  
SAN FRANCISCO, CA**

**BLOCK: 0667  
LOT: 021**

**PROJECT DIRECTORY**

**ARCHITECT**  
SHATARA ARCHITECTURE INC.  
26 LAKEVIEW DRIVE  
DALY CITY, CA 94015  
TEL: 415-512-7566

CONTACT: MR. SUHEIL SHATARA

**OWNER**  
CONTACT ARCHITECT

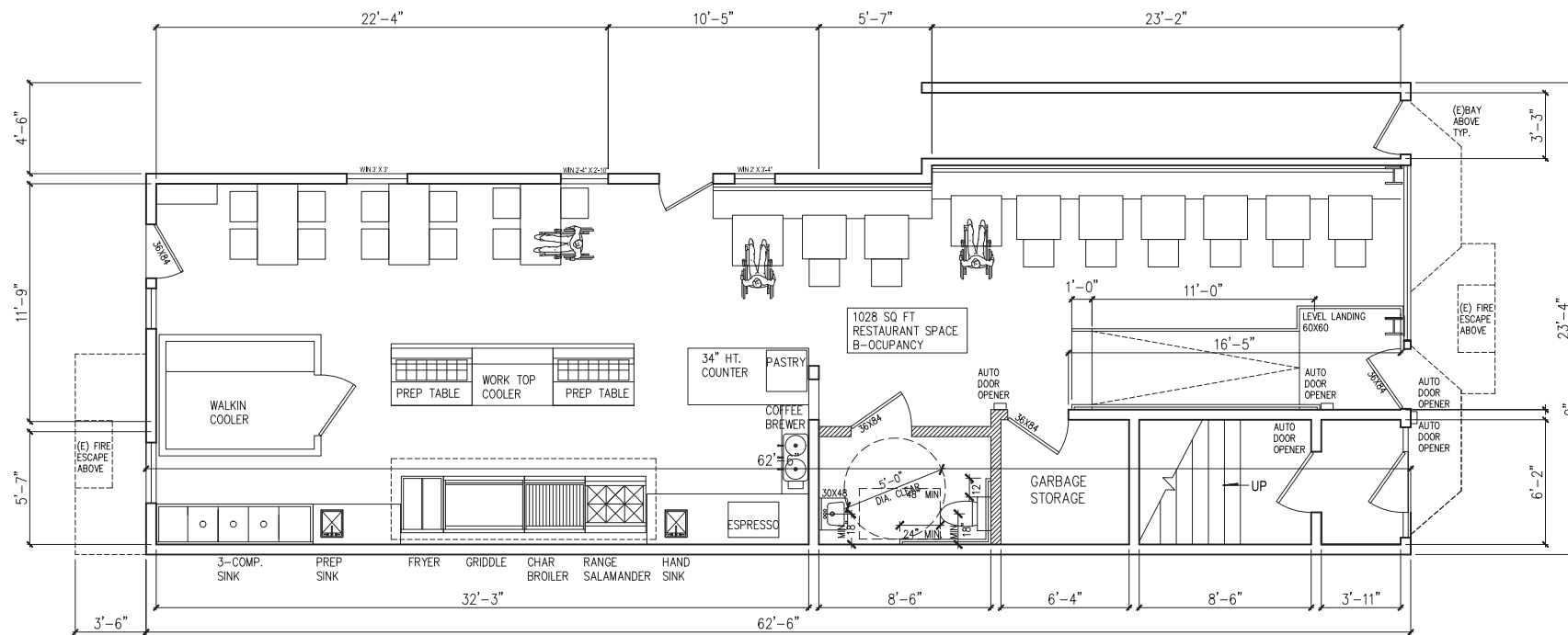
ISSUED	DATE	NO.
BUILDING	05.10.2014	
BUILDING	09.18.2014	



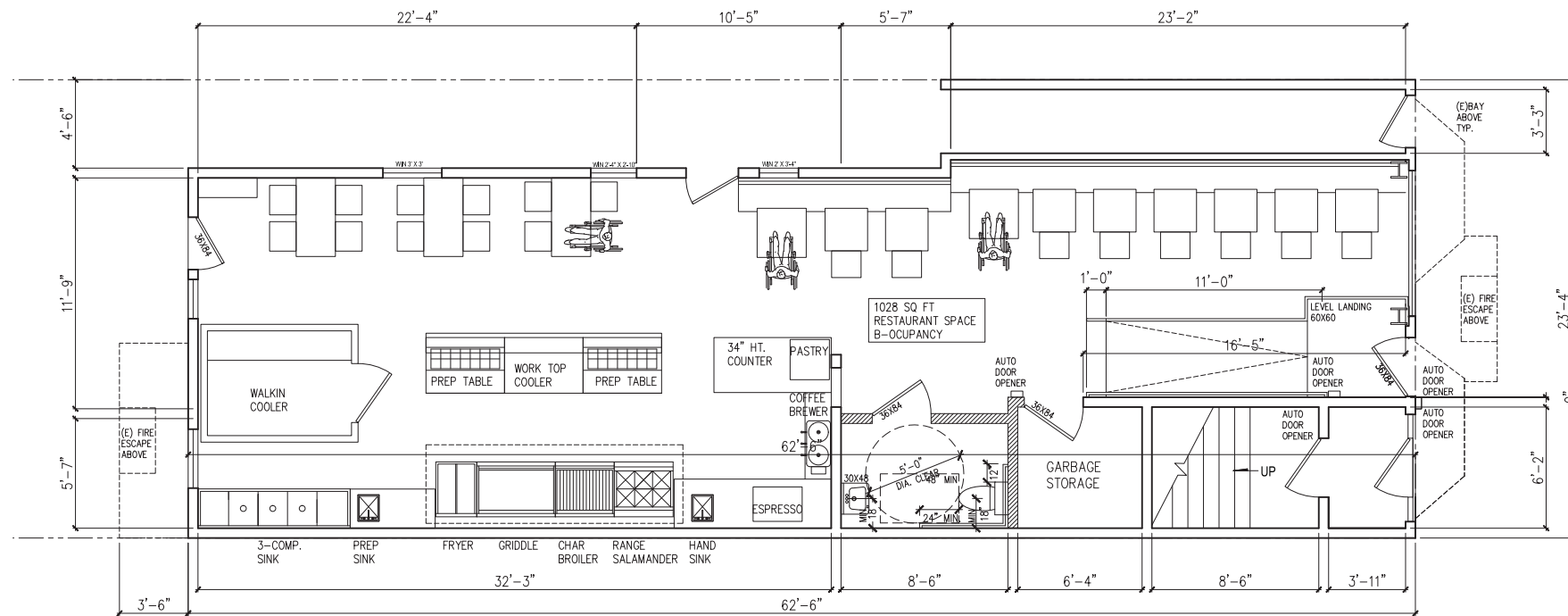
SHEET DESCRIPTION

**EXISTING  
/PROPOSED  
FLOOR PLANS**

**A2.1**



**2 PROPOSED FIRST FLOOR PLAN**  
SCALE: 1/4"=1'-0"



**1 AS BUILT FIRST FLOOR PLAN**  
SCALE: 1/4"=1'-0"

**DETAILS SHEET NOTES**

- 1 WALL TYPES DWGS DO NOT CONVEY STRUCTURAL (SHEAR) REQUIREMENTS. SEE STRUCT. DWGS.
- 2 FLOOR CEILING ASSEMBLIES DO NOT CONVEY STRUCTURAL REQUIREMENTS. SEE STRUCT. DWGS.

**SHEET NOTES**

1. ALL PLAN DIMENSIONS TO FACE OF ROUGH FRAMING, FACE OF CONCRETE, OR CENTER LINE OF STEEL, U.O.N.
2. ALL SECTION AND ELEVATION DIMENSIONS TO FINISH FLOOR.
3. ALL WOOD FRAMED EXTERIOR WALLS TO BE FRAMED WITH 2X6 U.O.N. INTERIOR WALLS TO BE FRAMED WITH 2X4 U.O.N. REFER TO WALL TYPES TAGS FOR EXCEPTIONS.

**LEGEND**

	WALL TYPE		SECTION
	DOOR NUMBER		ELEVATION
	WINDOW NUMBER		FLOOR/CEILING ASSEMBLY TYPE
	(E) WALL TO BE DEMOLISHED		(E) WALL TO REMAIN
	(N) WALL		PROPERTY LINE

**SHATARA  
ARCHITECTURE  
INC.**

26 LAKEVIEW DR.  
DALY CITY  
CA 94015

TEL (415) 512-7566

DRAWINGS AND SPECIFICATIONS, AS INSTRUMENTS OF PROFESSIONAL SERVICE, ARE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT.  
THESE DOCUMENTS ARE NOT TO BE USED, IN WHOLE OR IN PART, FOR ANY PROJECTS, OR PURPOSES WHATSOEVER, WITHOUT THE PRIOR SPECIFIC WRITTEN AUTHORIZATION OF SHATARA ARCHITECTURE INC.

**PROJECT**  
**CHANGE OF USE TO LIMITED RESTAURANT**

**ADDRESS:**  
**1515-1517 PINE STREET  
SAN FRANCISCO, CA**

**BLOCK: 0667**  
**LOT: 021**

**PROJECT DIRECTORY**

**ARCHITECT**  
SHATARA ARCHITECTURE INC.  
26 LAKEVIEW DRIVE  
DALY CITY, CA 94015  
TEL: 415-512-7566

**CONTACT:** MR. SUHEIL SHATARA

**OWNER**  
CONTACT ARCHITECT

ISSUED	DATE	NO.
BUILDING	05.10.2014	
BUILDING	09.18.2014	



SHEET DESCRIPTION  
**EXISTING AND PROPOSED NORTH ELEVATIONS**

**A3.1**

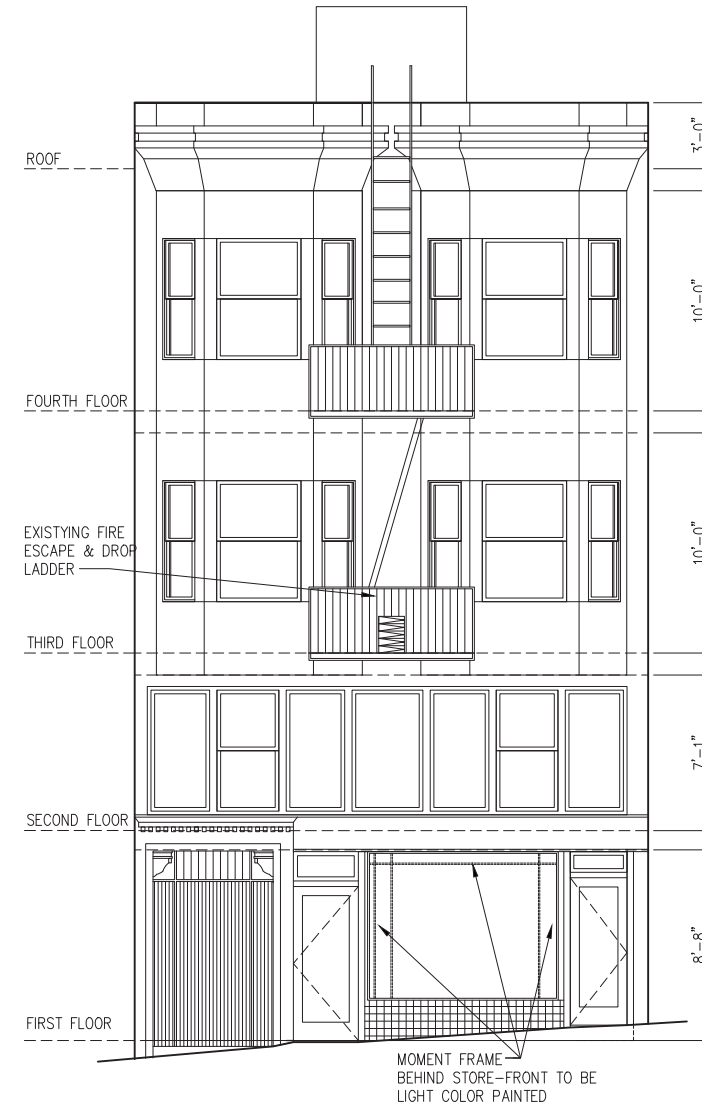


MODIFY EXISTING STOREFRONT  
MATCH INKIND TO ORIGINAL -  
SLENDER ALUMN. PROFILE, WOOD  
DOORS AND 4X4 BLACK TILES  
OPP. HAND STOREFRONT TO ORIGINAL

**1 ORIGINAL NORTH ELEVATION**  
SCALE : 1/4"=1'-0"



**2 AS BUILT NORTH ELEVATION**  
SCALE : 1/4"=1'-0"



**3 PROPOSED NORTH ELEVATION**  
SCALE : 1/4"=1'-0"