Executive SummaryConditional Use/Planning Code Text Amendment

HEARING DATE: JUNE 4, 2015

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

Reception: 415.558.6378

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Date: May 28, 2015
Case No.: **2014.0835CT**

Project Address: 627 VALLEJO STREET/

NORTH BEACH SPECIAL USE DISTRICT

Zoning: North Beach Neighborhood Commercial District (NCD)

North Beach Special Use District (SUD)

40-X Height and Bulk District

Block/Lot: 0146/017-012
Project Sponsor: Dana Merker

Pier 54, 569 Terry A. Francois Blvd.

San Francisco, CA 94158

Staff Contact: Kevin Guy

kevin.guy@sfgov.org

Recommendation: Approval with Conditions

PROJECT DESCRIPTION

The Project would establish a new restaurant (d.b.a. "Mama's") with a specialty grocery component (d.b.a. "Lil' Mama's") within a vacant commercial space. The restaurant would occupy approximately 2,215 square feet of the space, and would be a second outlet of the Mama's restaurant located three blocks to the north of the Project Site at 1701 Stockton Street. The restaurant would focus on breakfast, lunch, and brunch service, operating from 7:00am to 3:00pm. The specialty grocery store would occupy approximately 2,121 square feet, located within the same building but within a physically demised space with entrances from Mama's Restaurant, as well as direct access from the sidewalk. The specialty grocery store would operate from 7:00am to 8:00pm, and would include a juice/coffee bar, a self-service hot food bar, baked goods, Mama's logo merchandise, and other items. The two uses would share common areas for food preparation, dishwashing, and restrooms, totaling approximately 1,604 square feet. The proposed uses are neighborhood-serving uses. The operator estimates that the business will generate approximately 60 full- and part-time jobs.

The proposed use is an independent locally-owned business, which has been encouraged throughout San Francisco. In 1951, the Sanchez family (operators of the existing Mama's restaurant) first opened a confection shop named "Herbert Sherbet Shoppe" at 1701 Stockton Street. The business sold ice cream, candy, hamburgers, and several breakfast items. In 1964, the business shifted to a traditional restaurant model, and became Mama's Restaurant.

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Within the North Beach SUD, Restaurant Uses may not occupy a commercial space that was last occupied by a "Basic Neighborhood Sale or Service", defined as a use that "...provides goods and/or services which are needed by residents and workers in North Beach and surrounding neighborhoods." The Piazza Market which previously occupied the site is considered to be a Basic Neighborhood Sale or Service. Therefore, the proposed Restaurant use would not be permitted under the current controls of the North Beach SUD. The Project Sponsor is therefore proposing an amendment to the North Beach SUD that would allow an existing restaurant or bar within the North Beach SUD to open a second location in a space previously occupied by a Basic Neighborhood Sale or Service, subject to Conditional Use authorization and compliance with the following criteria:

- i. The existing Restaurant and/or Bar has been in continuous operation within the District for at least one year.
- ii. The proposed second location is a ground-level space of 5,000 square feet or more that has been vacant for at least 15 months.
- iii. The Restaurant and/or Bar project at the proposed second location will use at least 40 percent of the space for a Basic Neighborhood Sales or Service use.
- iv. The expansion of the existing Restaurant and/or Bar into a second location is consistent with the General Plan and the eight priority policies of Section 101.1 of this Code.
- v. The expansion of the existing Restaurant and/or Bar into a second location will provide a net substantial benefit to the District. For purposes of this subsection, a "net substantial benefit" means that, on balance, the proposed second location will provide a desirable new service or addition to the surrounding neighborhood and to the District as a whole and will not conflict with the purpose and intent of this Section 780.3.

The proposal requires a change of use and Section 312-neighborhood notification was conducted in conjunction with the Conditional Use Authorization process.

The existing building was constructed in 1932, and is considered an Historic Resource under CEQA. However, the sponsor proposes no exterior changes to the building, aside from new business signage and replacement of the existing deteriorated awning fabric.

SITE DESCRIPTION AND PRESENT USE

The project is located on the south of Vallejo Street, on the southwest corner of the intersection with Columbus Avenue, Block 0146, Lots 017-021. The property is located within the North Beach Neighborhood Commercial District (NCD), the North Beach Special Use District (SUD), and the 40-X Height and Bulk District. A narrow alley (Kenneth Rexroth Place) is situated immediately to the east of the subject property. The alley is currently gated.

The property is developed with a vacant, one-story building that spans the entirety of five lots, measuring approximately 5,940 square feet. The space was previously occupied by "Piazza Market", a specialty grocery store which included a small restaurant function. The building hosted "Rossi Market" for approximately 50 years before closing in 2004.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The North Beach NCD is a generally linear district situated along Columbus Avenue between Grant Avenue and Francisco Street. The District hosts a mixture of commercial establishments, but is heavily oriented toward restaurants, including a number of larger restaurants. The surrounding area is mixed-use in character. A variety of commercial establishments are located within ground floor storefronts in the vicinity, including restaurants, financial institutions, apparel stores, and other types of retailers. Upper floors of buildings are generally occupied by offices, residential units, or tourist-hotels. Other nearby uses include the Church of Saint Peter and Paul and the Saint Francis of Assisi Church.

ENVIRONMENTAL REVIEW

The request for Conditional Use authorization to establish the proposed business is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption. Pursuant to CEQA Guidelines Sections 15060(b)(2) and 15378, the proposed Planning Code Text Amendment is not a project under CEQA, because it would not result in a physical change to the environment. Any subsequent project that is approved under this legislation would require its own separate CEQA review.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	May 15, 2015	May 15, 2015	20 days
Posted Notice	20 days	May 15, 2015	May 15, 2015	20 days
Mailed Notice	20 days	May 15, 2015	May 15, 2015	20 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

PUBLIC COMMENT

The Department has received multiple communications is support of the project. These communications cite the quality of the current Mama's operation on Stockton Street, as well as the desire to see the vacant storefront be activated by an operating business. The Department has also received several communications in opposition to the proposal. These communications cite concerns with the Planning Code amendments that would be needed for the project to proceed, and express a desire to have a hardware store, grocery store, or other type of retailer within the space.

ISSUES AND OTHER CONSIDERATIONS

There is a concern with the potential over-concentration of food-service establishments in the North Beach NCD. The North Beach SUD was adopted in 2008 to address this issue, prohibiting Restaurant or Bar uses from occupying a commercial space that was last occupied by a "Basic Neighborhood Sale or Service". The Commerce and Industry Element of the General Plan contains Guidelines for Specific Uses. For eating and drinking establishments, the Guidelines

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state, "the balance of commercial uses may be threatened when eating and drinking establishments occupy more than 20% of the total occupied commercial frontage." Planning staff has performed a survey of the storefronts within the North Beach NCD located within 300 feet of the project site. Approximately 63% of the frontage in this sample area is attributed to eating and drinking establishments.

While the proposed restaurant would contribute to an additional concentration of eating and drinking uses in the area, the restaurant would operate as a second outlet of the existing Mama's Restaurant located three blocks to the north. The current location of Mama's Restaurant is very popular, leading to long wait times for patrons on the weekends. The Project would provide a second outlet of Mama's Restaurant to serve a greater number of patrons. In addition, the specialty grocery portion of the business would offer convenience take-out food options and unique grocery offerings that will diversify the overall retail mix in the area and will serve local residents. The division of the business will also contribute to a more granular storefront, and the functions of each portion of the business will read distinctly as viewed from the sidewalk.

The Project would occupy a larger commercial space that is currently vacant. Due to its size, it may not be suitable for the types of smaller, boutique retail businesses that are prevalent in the neighborhood on Grant Avenue and Columbus Avenue. However, the space is too small to host a full-service grocery store. While the space may be suitable for larger, national retailers, Formula Retail uses are prohibited within the North Beach NCD. The proposed Project is suitable for the space, and would operate in a manner that serves the local population.

The proposed legislation would establish a process for consideration of additional restaurant uses within the North Beach SUD, only under limited circumstances. This process could only be sought for spaces larger than 5,000 square feet, and could only be used in instances where a restaurant or bar that is already established in the North Beach SUD wishes to open a second location. In addition, the new business would need to set aside a minimum of 40 percent of the space for Basic Neighborhood Sale or Service uses. Approval through this process would require Conditional Use authorization from the Planning Commission, therefore, the Planning Commission would retain the discretion to determine if the a restaurant or bar would be appropriate for its location.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization to allow a Restaurant use with a specialty grocery component, and to allow a non-residential use exceeding 2,000 square feet, pursuant to Planning Code Sections 121.2, 303, and 722.44. In addition, the Commission must recommend that the Board of Supervisors approve the Planning Code Text Amendment to amend the regulations of the North Beach SUD, as described under "Project Description" above. The Board of Supervisors would then need to approve the proposed legislation in order for the conditional use authorization to become effective.

CASE NO. 2014.0835CT 627 Vallejo Street

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BASIS FOR RECOMMENDATION

- The project promotes the expansion operation of an established, locally-owned business and contributes to the viability of the overall North Beach NCD.
- The project would not displace an existing retail tenant, and would include a specialty grocery
 component that will complement the restaurant use, and diversifying the offerings of goods and
 services to the neighborhood.
- The hybrid nature of the business will activate the area from 7:00am to 8:00pm.
- The project meets all applicable requirements of the Planning Code, including the proposed amendments to the North Beach SUD.
- The project is desirable for, and compatible with the surrounding neighborhood.
- The business is not a Formula Retail use and would serve the immediate neighborhood.

RECOMMENDATION: Approval with Conditions

Attachments:

Draft Conditional Use Authorization Motion
Draft Planning Code Text Amendment Resolution
Draft Planning Code Text Amendment Ordinance
Block Book Map
Sanborn Map
Aerial Photograph
Site Photo
Zoning District Map
Special Use District Map
Public Correspondence
Project Plans

Executive Summary Hearing Date: June 4, 2015

Attachment Checklist

	Executive Summary		Project sponsor submittal
	Draft Motion		Drawings: Existing Conditions
	Environmental Determination		Check for legibility
	Zoning District Map		Drawings: <u>Proposed Project</u>
	Height & Bulk Map		Check for legibility
	Parcel Map		3-D Renderings (new construction or significant addition)
	Sanborn Map		Check for legibility
	Aerial Photo		Wireless Telecommunications Materials
	Context Photos		Health Dept. review of RF levels
	Site Photos		RF Report
			Community Meeting Notice
			Housing Documents
			Inclusionary Affordable Housing Program: Affidavit for Compliance
]	Exhibits above marked with an "X" are inc	clude	•
			Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)	
☐ Affordable Housing (Sec. 415)	☐ First Source Hiring (Admin. Code)

- ☐ Jobs Housing Linkage Program (Sec. 413)
 - ☐ Child Care Requirement (Sec. 414)
- ☐ Downtown Park Fee (Sec. 412) □ Other

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Planning Commission Draft Motion

HEARING DATE: JUNE 4, 2015

Date: May 28, 2015 Case No.: 2014.0835CT

627 VALLEJO STREET Project Address:

North Beach Neighborhood Commercial District Zoning:

> North Beach Special Use District 40-X Height and Bulk District

Block/Lot: 0146/017-012 Project Sponsor: Dana Merker

Pier 54, 569 Terry A. Francois Blvd.

San Francisco, CA 94158

Staff Contact: Kevin Guy

kevin.guv@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 121.2, 303, AND 722.44 OF THE PLANNING CODE TO ALLOW A RESTAURANT (D.B.A. "MAMA'S") WITH A SPECIALTY GROCERY COMPONENT (D.B.A. "LIL' MAMA'S"), AND TO ALLOW A NON-RESIDENTIAL USE EXCEEDING 2,000 SQUARE FEET, WITHIN THE NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT, THE NORTH BEACH SPECIAL USE DISTRICT, AND THE 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On June 4, 2014, Dana Merker ("Project Sponsor") filed an application with the Planning Department ("Department") for Conditional Use Authorization under Planning Code Sections ("Sections") 121.2, 303, and 722.44 to allow a Restaurant (d.b.a. "Mama's") with a specialty grocery component (d.b.a. "Lil' Mama's"), and to allow a non-residential use exceeding 2,000 square feet, within the North Beach Neighborhood Commercial District, the North Beach Special Use District, and the 40-X Height And Bulk District (Application No. 2014.0835C, "Project").

On August 13, 2014, the Project Sponsor filed an application with the Department for a Legislative Amendment to amend Planning Code Section 780.3 (the North Beach Special Use District) to allow a Restaurant or Bar use to occupy a vacant retail space that was last occupied by a Basic Neighborhood Sale or Service Use, subject to Conditional Use Authorization and based on certain proposed criteria (Application No. 2014.0835T).

On June 4, 2015, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2014.0835CT.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 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. 2014.0835CT, 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 and Present Use. The project is located on the south of Vallejo Street, on the southwest corner of the intersection with Columbus Avenue, Block 0146, Lots 017-021. The property is located within the North Beach Neighborhood Commercial District (NCD), the North Beach Special Use District (SUD), and the 40-X Height and Bulk District. A narrow alley (Kenneth Rexroth Place) is situated immediately to the east of the subject property. The alley is currently gated.

The property is developed with a vacant, one-story building that spans the entirety of five lots, measuring approximately 5,940 square feet. The space was previously occupied by "Piazza Market", a specialty grocery store which included a small restaurant function. The building hosted "Rossi Market" for approximately 50 years before closing in 2004.

3. Surrounding Properties and Neighborhood. The District hosts a mixture of commercial establishments, but is heavily oriented toward restaurants, including a number of larger restaurants. The surrounding area is mixed-use in character. A variety of commercial establishments are located within ground floor storefronts in the vicinity, including restaurants, financial institutions, apparel stores, and other types of retailers. Upper floors of buildings are

generally occupied by offices, residential units, or tourist-hotels. Other nearby uses include the Church of Saint Peter and Paul and the Saint Francis of Assisi Church.

4. **Project Description.** The Project would establish a new restaurant (d.b.a. "Mama's") with a specialty grocery component (d.b.a. "Lil' Mama's") within a vacant commercial space. The restaurant would occupy approximately 2,215 square feet of the space, and would be a second outlet of the Mama's restaurant located three blocks to the north of the Project Site at 1701 Stockton Street. The restaurant would focus on breakfast, lunch, and brunch service, operating from 7:00am to 3:00pm. The specialty grocery store would occupy approximately 2,121 square feet, located within the same building but within a physically demised space with entrances from Mama's Restaurant, as well as direct access from the sidewalk. The specialty grocery store would operate from 7:00am to 8:00pm, and would include a juice/coffee bar, a self-service hot food bar, baked goods, Mama's logo merchandise, and other items. The two uses would share common areas for food preparation, dishwashing, and restrooms, totaling approximately 1,604 square feet.

The proposed use is an independent and locally-owned business, which has been encouraged throughout San Francisco. In 1951, the Sanchez family (operators of the existing Mama's restaurant) first opened a confection shop named "Herbert Sherbet Shoppe" at 1701 Stockton Street. The business sold ice cream, candy, hamburgers, and several breakfast items. In 1964, the business shifted to a traditional restaurant model, and became Mama's Restaurant.

The proposal requires a change of use and Section 312-neighborhood notification was conducted in conjunction with the Conditional Use Authorization process. The proposed uses are neighborhood-serving uses. The operator estimates that the business will generate approximately 60 full- and part-time jobs.

The existing building was constructed in 1932, and is considered an Historic Resource under CEQA. However, the sponsor proposes no exterior changes to the building, aside from new business signage and replacement of the existing deteriorated awning fabric.

- 5. **Public Comment**. The Department has received multiple communications is support of the project. These communications cite the quality of the current Mama's operation on Stockton Street, as well as the desire to see the vacant storefront be activated by an operating business. The Department has also received several communications in opposition to the proposal. These communications cite concerns with the Planning Code amendments that would be needed for the project to proceed, and express a desire to have a hardware store, grocery store, or other type of retailer within the space.
- 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. **Use.** Within the North Beach NCD, Section 722.40 allows specialty grocery stores (within the category of "Other Retail Sales and Service) as a principally-permitted use at the first story. Section 722.44 allows Restaurant uses at the first story with Conditional Use Authorization.

Within the North Beach SUD, Restaurant Uses may not occupy a commercial space that was last occupied by a "Basic Neighborhood Sale or Service", defined as a use that "...provides goods and/or services which are needed by residents and workers in North Beach and surrounding neighborhoods."

The Piazza Market which previously occupied the site is considered to be a Basic Neighborhood Sale or Service. Therefore, the proposed Restaurant use would not be permitted under the current controls of the North Beach SUD. However, the Project Sponsor is proposing an amendment to the North Beach SUD that would allow an existing restaurant or bar within the North Beach SUD to open a second location in a space previously occupied by a Basic Neighborhood Sale or Service, subject to Conditional Use authorization and compliance with the following criteria:

- i. The existing Restaurant and/or Bar has been in continuous operation within the District for at least one year.
- ii. The proposed second location is a ground-level space of 5,000 square feet or more that has been vacant for at least 15 months.
- iii. The Restaurant and/or Bar project at the proposed second location will use at least 40 percent of the space for a Basic Neighborhood Sales or Service use.
- iv. The expansion of the existing Restaurant and/or Bar into a second location is consistent with the General Plan and the eight priority policies of Section 101.1 of this Code.
- v. The expansion of the existing Restaurant and/or Bar into a second location will provide a net substantial benefit to the District. For purposes of this subsection, a "net substantial benefit" means that, on balance, the proposed second location will provide a desirable new service or addition to the surrounding neighborhood and to the District as a whole and will not conflict with the purpose and intent of this Section 780.3.

The proposed restaurant would be a second location for Mama's Restaurant within the North Beach SUD. The existing Mama's Restaurant is a well-established business that has operated at 1701 Stockton Street for over 50 years. The proposed location at 627 Vallejo Street measures approximately 5,940 square feet, and has been vacant since early 2012. Approximately 49 percent of the proposed business (including a proportion of the common back-of-house facilities shared with the restaurant) would be occupied by a specialty grocery store use, which qualifies as a Basic Neighborhood Sale or Service use. The Project conforms with the Priority Policies of Section 101.1, as discussed under item #9 below. The current location of Mama's restaurant is very popular, leading to long wait times for patrons on the weekends. The Project would provide a second outlet of Mama's Restaurant to serve a greater number of patrons. In addition, the specialty grocery portion of the business would offer convenience take-out food options and unique grocery offerings that will diversify the overall retail mix in the area and will serve local residents. The new business will provide a net substantial benefit to the neighborhood, and will not conflict with the purpose and intent of the North Beach SUD.

B. **Use Size.** Per Sections 121.2 and 722.21, non-residential uses within the North Beach NCD measuring between 2,000 square feet and 3,999 square feet require Conditional Use Authorization. Non-residential uses larger than 4,000 square feet are not permitted.

The combined square footage of the restaurant and specialty grocery uses in the Project measures 5,940 square feet, and would be prohibited under the current regulations of the North Beach NCD. However, the proposed amendments to the regulations of the North Beach SUD would allow consideration of larger Restaurant and Bar uses, subject to Conditional Use authorization and compliance with several specific criteria. See further discussion under item #6A above.

C. **Hours of Operation.** Planning Code Section 722.27 states that a Conditional Use Authorization is required for maintaining hours of operation from 2:00am to 6:00am, as defined by Planning Code Section 790.48.

The restaurant portion of the business would operate between 7:00am and 3:00pm, while the specialty grocery portion would operate between 7:00am and 8:00pm. The project does not propose to operate during the hours of 2:00am to 6:00am, therefore, no Conditional Use authorization is required for hours of operation.

D. **Parking**. Per Section 151.1, no off-street parking is required for any use in the North Beach SUD, and up to one parking space is allowed for each 1,500 square feet of occupied floor area.

No off-street parking is required to serve the Project, and none is proposed. The Project complies with Section 151.1.

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

The subject commercial space has approximately 75 feet of frontage on Vallejo Street. The Project would occupy an existing building, and would not alter the existing storefront. Aside from the structural columns along the storefront, the entirety of the storefront is glazed. Both the restaurant and the specialty grocery are considered active uses, and these uses will be readily visible from the sidewalk. The Project complies with the frontage requirements of Section 145.1

- 7. **Planning Code Section 303** 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.

Many of the existing restaurants in the vicinity occupy larger retail spaces. The proposed business would be divided into two functions that will broaden the diversity of goods and services offered to the neighborhood. The restaurant portion of the business would be open from 7:00am to 3:00pm, and would focus on breakfast, lunch, and brunch service, similar to the existing Mama's Restaurant location at 1701 Stockton Street. The specialty grocery portion of the business would operate from 7:00am to 8:00pm, and will include a juice/coffee bar, a self-service hot food bar, baked goods, Mama's logo merchandise, and other items. The division of the business will also contribute to a more granular storefront, and the functions of each portion of the business will read distinctly as viewed from the sidewalk. The Project will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood by removing a vacant storefront.

- 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:
 - Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - The height and bulk of the existing building will remain the same and will not alter the existing appearance or character of the project vicinity. The proposed work will not affect the building envelope.
 - 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 Planning Code does not require parking for any use within the North Beach NCD. The site is situated within a walkable, transit-rich context, so patrons would be able to arrive by means other than private automobile. The Project is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide.
- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The proposed use is subject to the standard conditions of approval for restaurants as outlined in Exhibit A. The Conditions specifically obligates the project sponsor to mitigate odor and noise generated by the restaurant use.

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

The proposed Project does not propose any changes to the exterior, other than the addition of business signage and the replacement of the existing deteriorated awning fabric. The scope of the Project does not trigger Planning Code requirements for the addition of street trees. The sponsor proposed to add three small sidewalk planters adjacent to the storefront which will enhance the public realm. The Department shall review all lighting and signs proposed for the new business in accordance with the Conditions of Approval in Exhibit A.

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

As discussed in Item #6A and #6B above, the sponsor is proposing amendments to the regulations of the North Beach SUD (Section 780.3) that would allow an existing restaurant or bar within the North Beach SUD to open a second location in a space previously occupied by a Basic Neighborhood Sale or Service, subject to Conditional Use authorization and compliance with the certain criteria. The Project complies with all other applicable standards of the Planning Code, and would not adversely affect the 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.

Section 722 describes the purpose and intent of the North Beach NCD, stating in part that:

"North Beach functions as a neighborhood-serving marketplace, citywide specialty shopping, and dining district, and a tourist attraction, as well as an apartment and residential hotel zone. Traditionally, the district has provided most convenience goods and services for residents of North Beach and portions of Telegraph and Russian Hills. North Beach's eating, drinking, and entertainment establishments remain open into the evening to serve a much wider trade area and attract many tourists. The balance between neighborhood-serving convenience stores and Citywide specialty businesses has shifted, as convenience stores have been replaced by restaurants and bars... Special controls are necessary because an over-concentration of food and beverage service establishments limits neighborhood-serving retail sales and personal services in an area that needs them to thrive as a neighborhood"

The Project proposes to establish a restaurant use as a portion of the overall business. However, the business would also include a specialty grocery store that will reinforce the stated goal of the North

Beach NCD to diversify the mix of goods and services available to local residents. The accompanying Planning Code amendment would establish a process for consideration of additional restaurant uses, under limited circumstances. This process could only be sought for spaces larger than 5,000 square feet, and could only be used in instances where a restaurant or bar that is already established in the North Beach SUD wishes to open a second location. In addition, the new business would need to set aside a minimum of 40 percent of the space for Basic Neighborhood Sale or Service uses. Approval through this process would require Conditional Use authorization from the Commission, therefore, the Commission would retain discretion to determine if the new restaurant would be appropriate for its location.

8. **General Plan Compliance.** The Project is, on balance, consistent with the following 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 WORKINIG 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. 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 create a second location for an established, family-owned restaurant which has operated in the neighborhood for more than 50 years. The specialty grocery function of the business will enhance the diverse economic base of the area.

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.

The existing commercial space is vacant, therefore, no tenant would be displaced. The project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.

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

Eating and Drinking Establishments

Eating and drinking establishments include bars, sit-down restaurants, fast food restaurants, selfservice restaurants, and take-out food. Associated uses, which can serve similar functions and create similar land use impacts, include ice cream stores, bakeries and cookie stores. Guidelines for eating and drinking establishments are needed to achieve the following purposes:

- Regulate the distribution and proliferation of eating and drinking establishments, especially in districts experiencing increased commercial activity;
- Control nuisances associated with their proliferation;
- Preserve storefronts for other types of local-serving businesses; and
- Maintain a balanced mix of commercial goods and services.
- The regulation of eating and drinking establishments should consider the following:
- Balance of retail sales and services;
- Current inventory and composition of eating and drinking establishments;
- Total occupied commercial linear frontage, relative to the total district frontage;
- Uses on surrounding properties;
- Available parking facilities, both existing and proposed;
- Existing traffic and parking congestion; and
- Potential impacts on the surrounding community.

There is a concern with the potential over-concentration of food-service establishments. The Commerce and Industry Element of the General Plan contains Guidelines for Specific Uses. For eating and drinking establishments, the Guidelines state, "the balance of commercial uses may be threatened when eating and drinking establishments occupy more than 20% of the total occupied commercial frontage." Planning staff has performed a site survey of the storefronts within the North Beach NCD located within 300 feet of the project site. Approximately 63% of the frontage in this sample area is attributed to eating and drinking establishments.

While the proposed restaurant would contribute to an additional concentration of eating and drinking uses in the area, the restaurant would operate as a second outlet of the existing Mama's Restaurant located three blocks to the north. The current location of Mama's Restaurant is very popular, leading to long wait times for patrons on the weekends. The Project would provide a second outlet of Mama's Restaurant to serve a greater number of patrons. In addition, the specialty grocery portion of the business would offer convenience take-out food options and unique grocery offerings that will diversify the overall retail mix in the area and will serve local residents.

The Project would occupy a larger commercial space that is currently vacant. Due to its size, it may not be suitable for the types of smaller, boutique retail businesses that are prevalent in the neighborhood on Grant Avenue and Columbus Avenue. However, the space is too small to host a full-service grocery store. While the space may be suitable for larger, national retailers, Formula Retail uses are prohibited within the North Beach NCD. The proposed Project is suitable for the space, and would operate in a manner that serves the local population.

Policy 6.2:

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

The Sanchez family has operated Mama's Restaurant at 1701 Stockton Street since 1964, and operated a prior iteration of the business in that location beginning in 1951. The proposed restaurant would be a second location of the business, therefore, this is not a Formula Retail use.

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

The proposal would allow a second location of an established business that has operated in the neighborhood for over 50 years. The business would be locally owned and would generate approximately 60 full- and part-time jobs.

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 site is an existing, vacant commercial building, and the Project would not displace any residential uses. The business would not operate late into the evening, and existing units in the surrounding neighborhood would not be adversely affected. The Project would enable the continued operation and expansion of a business that has been a part of the neighborhood for several decades, contributing to the character of locally-owned businesses.

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

No housing is removed for this Project.

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

The project site is situated within a walkable, transit-rich context. No parking is required for any use in the North Beach NCD, and the Project is not expected to generate substantial vehicular traffic.

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 create new restaurant and retail uses, and does not involve any office uses. The Project will enhance service sector employment opportunities, generating approximately 60 jobs.

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

Aside from tenant improvements for furniture and equipment, the Project would not alter the existing, vacant building. All tenant improvements will be designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.

G. That landmarks and historic buildings be preserved.

The existing building was constructed in 1932, and is considered an Historic Resource under CEQA. However, the sponsor proposes no exterior changes to the building, aside from new business signage and replacement of the existing deteriorated awning fabric.

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

The project will not expand the building envelope, and will therefore have no negative impact on existing parks and open spaces or access to vistas.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2014.0835C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated June 4, 2015, 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 June 4, 2015.

Jonas P. Ionin	
Commission S	Secretary
AYES:	
AIES:	
NAYS:	
ABSENT:	
A D ODEED	T 4 2045
ADOPTED:	June 4, 2015

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a to allow a Restaurant (d.b.a. "Mama's") with a specialty grocery component (d.b.a. "Lil' Mama's"), and to allow a non-residential use exceeding 2,000 square feet located at 627 Vallejo Street, Lots 017-021 in Assessor's Block 0146 pursuant to Planning Code Section(s) 121.2, 303, and 722.44 within the North Beach Neighborhood Commercial District, the North Beach Special Use District, and the 40-X Height and Bulk District; in general conformance with plans, dated June 4, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2014.0835C and subject to conditions of approval reviewed and approved by the Commission on June 4, 2015 under Motion No XXXXXXX. 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 June 4, 2015 under Motion No XXXXXXX.

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

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.sfplanning.org

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.sfplanning.org

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.sfplanning.org

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.sfplanning.org

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

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

Validity. The authorization and right vested by virtue of this action is valid for three (3) years from the date that the Planning Code text amendment. 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.sfplanning.org

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.sfplanning.org

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 the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) became effective.

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

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.sfplanning.org

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.sfplanning.org

Additional Project Authorization. The Project Sponsor must obtain a Planning Code Text Amendment allow an existing restaurant or bar within the North Beach SUD to open a second location in a space previously occupied by a Basic Neighborhood Sale or Service, subject to Conditional Use authorization and compliance with the certain criteria, as described in Application No. 2014.0835T, and satisfy all the conditions thereof. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall

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

DESIGN - COMPLIANCE AT PLAN STAGE

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.sfplanning.org

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.sfplanning.org

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.sfplanning.org

Transformer Vault. The location of individual project PG&E Transformer Vault installations has significant effects to San Francisco streetscapes when improperly located. However, they may not have any impact if they are installed in preferred locations. Therefore, the Planning Department recommends the following preference schedule in locating new transformer vaults, in order of most to least desirable:

- 1. On-site, in a basement area accessed via a garage or other access point without use of separate doors on a ground floor façade facing a public right-of-way;
- 2. On-site, in a driveway, underground;
- 3. On-site, above ground, screened from view, other than a ground floor façade facing a public right-of-
- 4. Public right-of-way, underground, under sidewalks with a minimum width of 12 feet, avoiding effects on streetscape elements, such as street trees; and based on Better Streets Plan guidelines;
- 5. Public right-of-way, underground; and based on Better Streets Plan guidelines;
- 6. Public right-of-way, above ground, screened from view; and based on Better Streets Plan guidelines;
- 7. On-site, in a ground floor façade (the least desirable location).

Unless otherwise specified by the Planning Department, Department of Public Work's Bureau of Street Use and Mapping (DPW BSM) should use this preference schedule for all new transformer vault installation requests.

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

Overhead Wiring. The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.

For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415-701-4500, www.sfmta.org

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

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

MONITORING - AFTER ENTITLEMENT

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 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.sfplanning.org

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.sfplanning.org

OPERATION

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

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

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 and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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-

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



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)		
☑ Inclusionary Housing	☐ Public Open Space	1650 Mission St Suite 400
☐ Childcare Requirement	re Requirement	
\square Jobs Housing Linkage Program	☑ Transit Impact Development Fee	San Francisco, CA 94103-2479
☐ Downtown Park Fee	☐ Other	December
☑ Public Art		Reception: 415.558.6378

Fax:

Planning Information:

415.558.6409

415.558.6377

Planning Commission Draft Resolution Planning Code Text Amendment

HEARING DATE: JUNE 4, 2015

 Date:
 May 28, 2015

 Case No.:
 2014.0835CT

Project Address: North Beach Special Use District

Zoning: North Beach Neighborhood Commercial District

North Beach Special Use District 40-X Height and Bulk District

Block/Lot: Multiple
Project Sponsor: Dana Merker

Pier 54, 569 Terry A. Francois Blvd.

San Francisco, CA 94158

Staff Contact: Kevin Guy

kevin.guy@sfgov.org

RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE BOARD OF SUPERVISORS AMEND PLANNING CODE SECTION 780.3 (NORTH BEACH SPECIAL USE DISTRICT) TO ALLOW A RESTAURANT OR BAR USE TO OCCUPY A VACANT RETAIL SPACE THAT WAS LAST OCCUPIED BY A BASIC NEIGHBORHOOD SALE OR SERVICE, SUBJECT TO CONDITIONAL USE AUTHORIZATION AND BASED ON CERTAIN PROPOSED CRITERIA, AND ADOPTING FINDINGS THAT THE PROPOSED AMENDMENT TO THE PLANNING CODE IS CONSISTENT WITH THE OBJECTIVES AND POLICIES OF THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF SECTION 101.1(b) OF THE PLANNING CODE, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

RECITALS

1. WHEREAS, On August 13, 2014, Dana Merker ("Project Sponsor") filed an application with the Department for a Legislative Amendment to amend Planning Code Section 780.3 (the North Beach Special Use District) to allow a Restaurant or Bar use to occupy a vacant retail space that was last occupied by a Basic Neighborhood Sale or Service Use, subject to Conditional Use Authorization and based on certain proposed criteria (Application No. 2014.0835T).

- 2. WHEREAS, The proposed legislation would establish a process by which the Planning Commission may consider allowing certain larger, vacant commercial spaces to be occupied by second locations of Restaurant or Bar uses that are already established within the North Beach Special Use District. Through the Conditional Use process, the Planning Commission would exercise its discretion to determine whether a proposed Restaurant or Bar use meets the criteria set forth in the proposed legislation, including whether the proposed use provides a "substantial net benefit" to the neighborhood.
- 3. WHEREAS, The Project Sponsor filed an application with the Planning Department ("Department") for Conditional Use Authorization under Planning Code Sections ("Sections") 121.2, 303, and 722.44 to allow a Restaurant (d.b.a. "Mama's") with a specialty grocery component (d.b.a. "Lil' Mama's"), and to allow a non-residential use exceeding 2,000 square feet, within the North Beach Neighborhood Commercial District, the North Beach Special Use District, and the 40-X Height And Bulk District (Application No. 2014.0835C, "Project").
- 4. WHEREAS, Within the North Beach SUD, Restaurant Uses may not occupy a commercial space that was last occupied by a "Basic Neighborhood Sale or Service", defined as a use that "...provides goods and/or services which are needed by residents and workers in North Beach and surrounding neighborhoods." The Project is proposed in a location which was previously occupied by a use that is considered to be a Basic Neighborhood Sale or Service, Therefore, the proposed Restaurant use would not be permitted under the current controls of the North Beach SUD.
- 5. WHEREAS, The proposed legislation would enable the establishment of a second outlet of an existing, family-owned business that has been established within the North Beach neighborhood for over 50 years.
- 6. WHEREAS, the proposed legislation would establish a process for consideration of additional restaurant uses, only under limited circumstances. This process could only be sought for spaces larger than 5,000 square feet, and could only be used in instances where a restaurant or bar that is already established in the North Beach SUD wishes to open a second location. In addition, the new business would need to set aside a minimum of 40 percent of the space for Basic Neighborhood Sale or Service uses. Approval through this process would require Conditional Use authorization from the Planning Commission, therefore, the Planning Commission would retain discretion to determine if the new restaurant would be appropriate for its location.
- 7. WHEREAS, Pursuant to CEQA Guidelines Sections 15060(b)(2) and 15378, the proposed Planning Code Text Amendment is not a project under CEQA, because it would not result in a physical change to the environment. Any subsequent project that is approved under this legislation would require its own separate CEQA review.
- WHEREAS, The Project would affirmatively promote, be consistent with, and would not adversely affect the General Plan, including the following objectives and policies, for the reasons set forth set

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- forth in Item #8 of Motion No. XXXXX, Case No. 2014.0835C, which are incorporated herein as though fully set forth.
- 9. **WHEREAS**, The Project complies with the eight priority policies of Planning Code Section 101.1, for the reasons set forth set forth in Item #9 of Motion No. XXXXX, Case No. 2014.0835C, which are incorporated herein as though fully set forth.
- 10. **WHEREAS**, A proposed ordinance, attached hereto as Exhibit A, has been prepared in order to make the amendment to Planning Code Section 780.3 (North Beach Special Use District).
- 11. WHEREAS, the Office of the City Attorney has approved the proposed ordinance as to form.
- 12. WHEREAS, Section 4.105 of the San Francisco Charter and Section 302 of the Planning Code require that the Commission consider any proposed amendments to the City's Zoning Maps or Planning Code, and make a recommendation for approval or rejection to the Board of Supervisors before the Board of Supervisors acts on the proposed amendments.
- 13. **WHEREAS**, On June 4, 2015, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the Proposed Zoning Map Amendment and Zoning Text Amendment.
- 14. WHEREAS, The Commission has had available to it for its review and consideration studies, case reports, letters, plans, and other materials pertaining to the Project contained in the Department's case files, and has reviewed and heard testimony and received materials from interested parties during the public hearings on the Project.

CASE NO. 2014.0835CT North Beach Special Use District

NOW, THEREFORE BE IT RESOLVED THAT, the Commission finds, based upon the entire Record, the submissions by the Applicant, the staff of the Department, and other interested parties, the oral testimony presented to the Commission at the public hearing, and all other written materials submitted by all parties, that the public necessity, convenience and general welfare require that Planning Code Section 780.3 to allow a Restaurant or Bar use to occupy a vacant retail space that was last occupied by a Basic Neighborhood Sale or Service Use, subject to Conditional Use Authorization and based on certain proposed criteria, as proposed in Application No. 2014.0835T; and,

BE IT FURTHER RESOLVED THAT, the Planning Commission recommends the Board of Supervisors approve the proposed Zoning Map Amendment and Planning Code Text Amendment.

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission at its regular meeting on June 4, 2015.

Jonas P. Ionin Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: June 4, 2015

LEGISLATIVE DIGEST

[Planning Code - North Beach Special Use District]

Ordinance amending the Planning Code to allow an existing restaurant and/or bar in the North Beach Special Use District to open a second location in the District with a conditional use authorization provided that it meets certain criteria; and affirming the Planning Department's California Environmental Quality Act determination and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

Existing Law

Planning Code Section 780.3 establishes the North Beach Special Use District. It allows the establishment of a new restaurant or bar in that Special Use District with a conditional use and only if the Planning Commission finds that the restaurant or bar does not occupy (1) a space that is currently or was last occupied by a Basic Neighborhood Sale or Service, as defined in Section 780.3, or a permitted principal use or (2) a vacant space last occupied by a nonconforming use or a permitted conditional use.

Amendments to Current Law

Section 780.3 is proposed to be amended to allow the Planning Commission to authorize an existing restaurant and/or bar in the North Beach Special Use District to expand to a second location within the District if it meets the conditional use criteria and the Commission further finds that: (1) the existing restaurant and/or bar has been in continuous operation within the District for at least one year, (2) the proposed second location is a ground-level space of 5,000 square feet or more that has been vacant for at least 15 months, (3) the second location will use at least 40 percent of the space for a Basic Neighborhood Sales or Service use, (4) the expansion of the existing restaurant into a second location is consistent with the General Plan and the priority policies of Section 101.1, will provide a desirable new service or addition to the surrounding neighborhood and the District as a whole and will not conflict with the purpose and intent of Section 780.3.

Background Information

The proposed legislation would establish a process by which the Planning Commission may consider allowing certain larger, vacant commercial spaces to be occupied by second locations of Restaurant or Bar uses that are already established within the North Beach Special Use District. Through the Conditional Use process, the Planning Commission would exercise its discretion to determine whether a proposed Restaurant or Bar use meets the criteria set forth in the proposed legislation, including whether the proposed use provides a "substantial net benefit" to the neighborhood.

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[Planning Code - North Beach Special Use District]

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the North Beach Special Use District to open a second location in the District with a conditional use authorization provided that it meets certain criteria; and affirming the Planning Department's California Environmental Quality Act determination and making findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

Ordinance amending the Planning Code to allow an existing restaurant and/or bar in

NOTE: Unchanged Code text and uncodified text are in plain Arial font.

Additions to Codes are in <u>single-underline italics Times New Roman font</u>.

Deletions to Codes are in <u>strikethrough italics Times New Roman font</u>.

Board amendment additions are in <u>double-underlined Arial font</u>.

Board amendment deletions are in <u>strikethrough Arial font</u>.

Asterisks (* * * *) indicate the omission of unchanged Code

subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

- (a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). The Board of Supervisors hereby affirms said determination. Said determination is on file with the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by reference.
- (b) Pursuant to Planning Code Section 302, the Board of Supervisors finds that these Planning Code amendments will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. _____. The Board adopts these

- (2) a vacant space last occupied by a nonconforming use or a permitted conditional use under Section 722 (North Beach Controls) that has been discontinued or abandoned pursuant to Section 186.1(d) or Section 178(d) of this Code.
- (b) For purposes of this Section, a Basic Neighborhood Sale or Service shall mean a use within the North Beach Neighborhood Commercial District that provides goods and/or services which are needed by residents and workers in North Beach and surrounding neighborhoods. Basic Neighborhood Sales or Services shall be considered to include, but not be limited to the following goods and/or services: Other Retail Sales and Services as defined in Section 790.102, Personal Services as defined in Section 790.116, Medical Services as defined in Section 790.114, Liquor Stores as defined in Section 790.55, Trade Shops as defined in Section 790.124, Animal Hospitals as defined in Section 790.6, and Limited-Restaurants as defined in Section 790.90.
- (c) Notwithstanding subsection (a) above, and notwithstanding the nonresidential use size limitations of the North Beach Neighborhood Commercial District specified in Section 121.2 of this Code, the Planning Commission may authorize an existing Restaurant and/or Bar in the District to expand to a second location within the District if, in addition to the criteria in Section 303, the Commission finds that:
- (1) the existing Restaurant and/or Bar has been in continuous operation within the District for at least one year;
- (2) the proposed second location is a ground-level space of 5,000 square feet or more that has been vacant for at least 15 months;
- (3) the Restaurant and/or Bar project at the proposed second location will use at least 40 percent of the space for a Basic Neighborhood Sales or Service use, as defined in subsection (b) above;

(4) the expansion of the existing Restaurant and/or Bar into a second location is
consistent with the General Plan and the eight priority policies of Section 101.1 of this Code; and
(5) the expansion of the existing Restaurant and/or Bar into a second location will
provide a net substantial benefit to the District. For purposes of this subsection (c), a "net substantial
benefit" means that, on balance, the proposed second location will provide a desirable new service or
addition to the surrounding neighborhood and to the District as a whole and will not conflict with the

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

APPROVED AS TO FORM:

DENNIS'V. HERRERA, City Attorney

purpose and intent of this Section 780.3.

By:

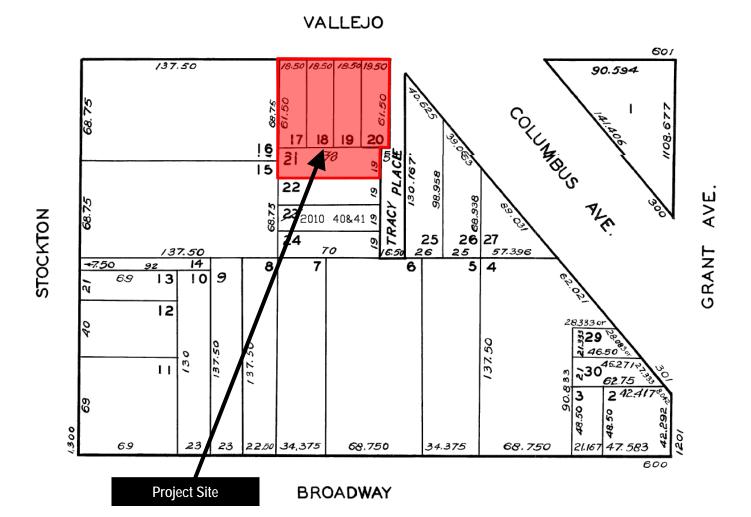
24

25

Deputy City Attorney

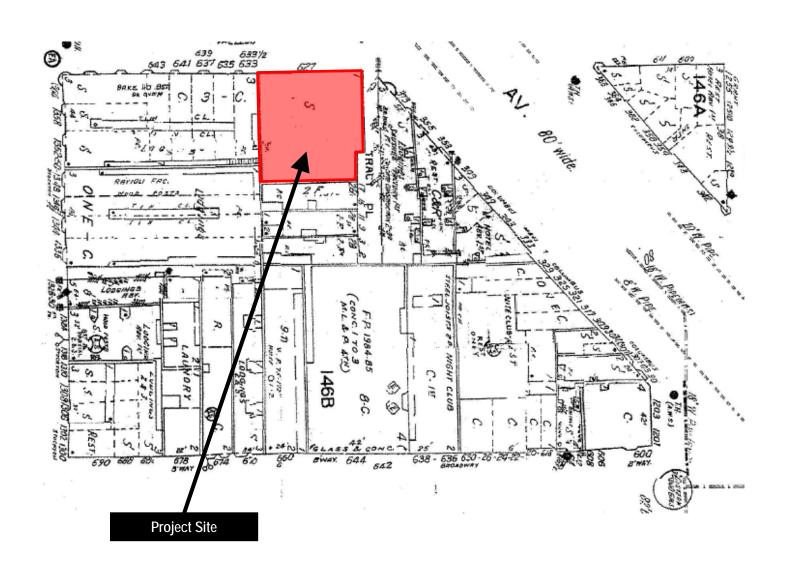
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Parcel Map





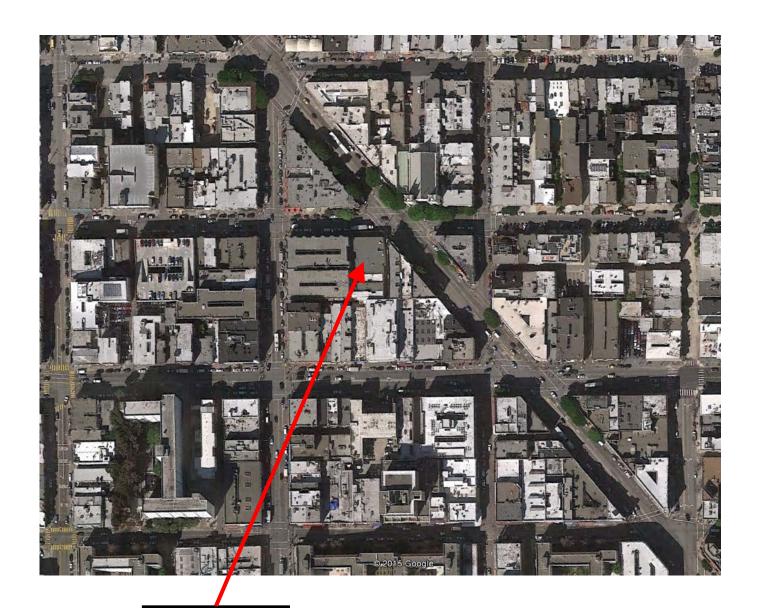
Sanborn Map*





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

Aerial Photo



Project Site

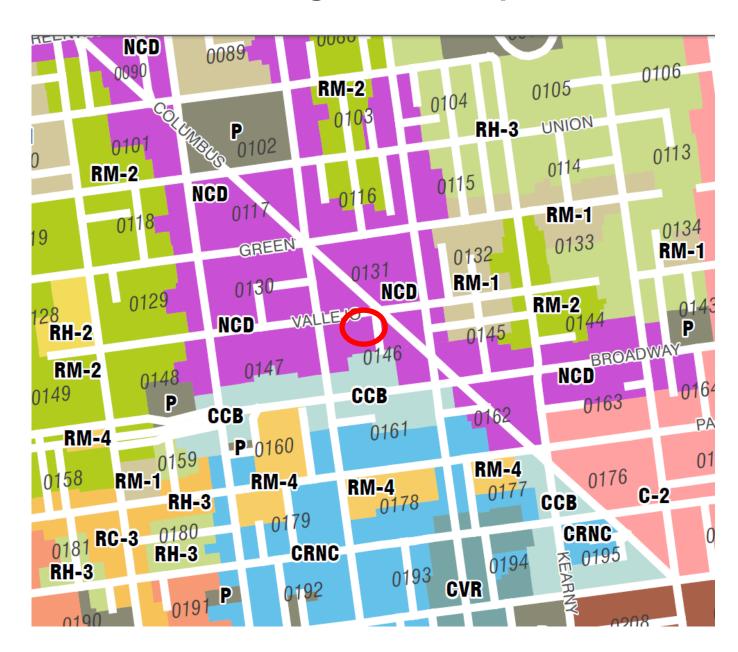


Site Photo



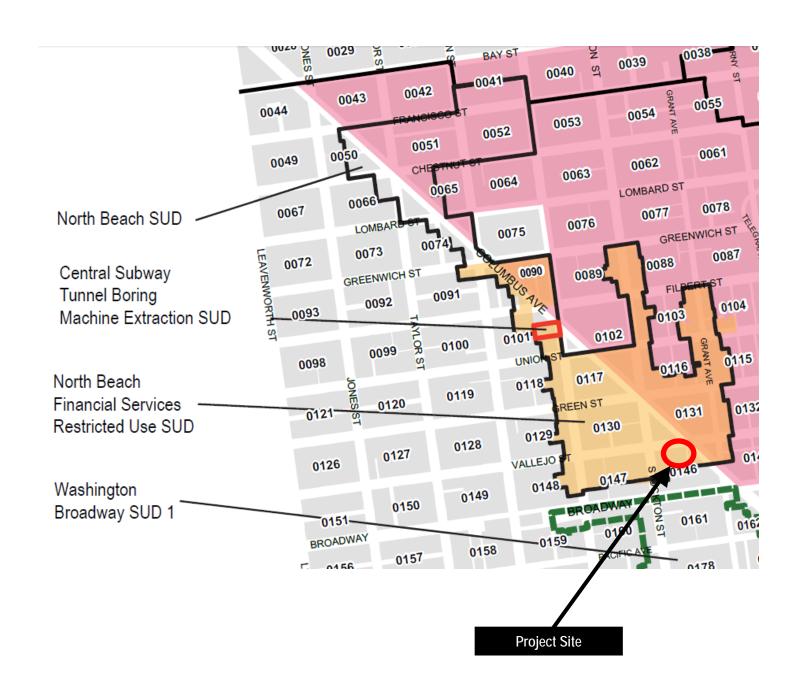


Zoning District Map





Special Use District Map





From: <u>Tom Escher</u>

To: <u>Guy, Kevin (CPC)</u>; jophn.rahaim@sfgov.org

Subject: 627 Vallejo Street - Mama"s

Date: Thursday, October 02, 2014 11:47:41 AM

ATTENTION: Kevin Guy and John Rahaim:

I am a long time resident of San Francisco, was born in San Francisco, raised our 2 children in San Francisco and have lived in San Francisco all of my life.
I support Mama's using the space at 627 Vallejo Street.

If you have any questions feel free to call me on my cellular at 415.341 2782.

Thank you,

Tom Escher

PS: If you have never gone to Mama's, give it a try as it is great because it is Mama's!!

 From:
 Panzz@aol.com

 To:
 Guy, Kevin (CPC)

 Cc:
 Rahaim, John (CPC)

 Subject:
 627 Vallejo Street

Date: Thursday, October 02, 2014 1:54:16 PM

Dear Mr. Guy:

Part of my childhood was spent in the area, as my parents owned a mom-and-pop grocery store at the corner of Powell and Vallejo many years ago. At that time, 627 Vallejo was the site of Rossi's Market, a much larger market than ours, but was not a competitor by any means. Eventually, those longtime businesses started to close with new ones taking over.

In my adult years, I found myself going back to the North Beach area to frequent the restaurants and cafes that have become institutions there. One of them is Mama's. Always a hangout for its great breakfast and brunch menus and of course, their Monte Cristo! Everytime I drive by, there are still always lines out the door before opening because of its small space. I believe that a second Mama's location would be ideal for the neighborhood. Isn't that the spirit of the success of small business in the City? And what better spot than to have it at the corner of Vallejo and Columbus, which has been vacant now for a long while.

I truly hope that you suport and approve the tenancy of Mama's second location at 627 Vallejo Street. I think it would add even more flavor and growth to the area.

Thank you for your consideration.

Pansy Tom Native San Franciscan
 From:
 Guy, Kevin (CPC)

 To:
 Guy, Kevin (CPC)

 Subject:
 FW: 627 Vallejo Street

Date: Wednesday, October 22, 2014 9:54:34 AM

From: Chris G [mailto:chrisg@shrinesf.org]
Sent: Tuesday, October 21, 2014 4:50 PM

To: Rahaim, John (CPC); Kelley, Gil (CPC); Brusatori, Kevin (CPC); Joslin, Jeff (CPC)

Subject: 627 Vallejo Street

October 21, 2014

John Rahaim, Planning Director
Jeff Joslin, Director of Current Planning
Gil Kelley, Director of Citywide Planning
Kevin Brusatori, Planning Information Center Manager
City of San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Good afternoon John, Jeff, Gil, and Kevin. I hope all is well.

I'm writing to ask for your support of Vince, Mike, and the entire Sanchez and Mama's Restaurant families in their desire but, more importantly, our neighborhood's need for them to be able to proceed with their project at the Piazza Market space, 627 Vallejo Street.

As an interested and supportive neighbor, I'm sure you know how important it is that this blighted area of our neighborhood be allowed every opportunity to have a viable, sustainable, and responsible business presence for the residents, fellow businesses, and community of our wonderful North Beach area of San Francisco.

Please do whatever you can to assure this happens. Thank you very much for your time and God bless.

Chris

Chris A. Greenawalt, mba

Business Manager & Special Assistant to the Rector

National Shrine of Saint Francis of Assisi

Archdiocese of San Francisco 610 Vallejo Street

San Francisco, CA 94133 Office: 415 986-4557

Fax: 415 544-9814 Cell: 415 847-4969
 From:
 Rahaim, John (CPC)

 To:
 Guy, Kevin (CPC)

 Subject:
 FW: Mama"s Restaurant

Date: Tuesday, October 07, 2014 9:25:23 AM

From: maria [mailto:mariamana@comcast.net]
Sent: Tuesday, October 07, 2014 8:02 AM

To: Rahaim, John (CPC)
Cc: vince@mamasofsf.com
Subject: Mama's Restaurant

Dear Mr. Rahaim,

I wholeheartedly support Mama's proposed change of use.

Regards, Maria Mana

a Russian Hill resident and consumer at North Beach retail businesses

 From:
 Jenny Rauh

 To:
 Guy, Kevin (CPC)

 Cc:
 Rahaim, John (CPC)

Subject: I support the Mama"s 2nd location

Date: Monday, October 06, 2014 3:46:27 PM

Hi Kevin.

I am in support of the opening of Mama's 2nd restaurant and specialty grocery on Vallejo Street. That location has been vacant for a couple of years. I'm sure the folks that run Mama's will do a great job fixing it up for the community. I can't wait to shop at their store and dine with them. I'm certain this location will be an asset to the North Beach community.

Thank you.

Jenny Rauh

 From:
 Charlene Mori

 To:
 Guy, Kevin (CPC)

 Cc:
 Rahaim, John (CPC)

 Subject:
 Mama"s - Lil Mama"s

Date: Monday, October 06, 2014 7:08:41 PM

Kevin, I am writing in support of opening Mama's & Lil Mama's on Vallejo Street at Columbus. The Sanchez family has been a big figure in North Beach for many a years and is one of the nicest families. The spot has been vacant and hasn't had a long term tenant since Rossi's was there. As far as opening a Hardware store (which we already have a couple in the area on Grant and also Stockton) or a shoe repair shop, the rents are way too high for them to survive.

Let's get this rolling so the space will be filled. This would be a great addition to the area. If you haven't eaten at Mama's, please do so, you will see what I mean. If there is anything else I need to do to support the Sanchez's, please let me know.

Thank you

Charlene Fachner Mori 808 Greenwich Street SF Ca 94133 415-441-6445 From: Wells Whitney

To: Guy, Kevin (CPC); Rahaim, John (CPC)
Subject: Mama"s application in North Beach
Date: Monday, October 06, 2014 6:17:53 PM

Kevin and John,

I am following up on a call I made just now to your voice mail regarding the application of Mama's for a combined restaurant and grocery on Vallejo St. in North Beach. I represent not only myself, a resident of North Beach Telegraph Hill for over 25 years, but also a board member of RENEW SF, a neighborhood organization in the northeast sector of San Francisco. I, and we, have worked with the management of Mama's for years now, encouraging them to move forward with their application for their business on Vallejo St. It would enhance the neighborhood as well as fill an empty space that has been vacant now for years. They are a family business and already have been good participants in the neighborhood with their current location.

Please consider their application very seriously. Thanks - Wells Whitney

Wells Whitney 1308 Montgomery St. San Francisco CA 94133

415 203 5826 Wells' cell 415 398 5077 home in SF 707 996 4750 home in Glen Ellen
 From:
 Estrella Madani

 To:
 Guy, Kevin (CPC)

 Cc:
 Rahaim, John (CPC)

Subject: Mama"s at 627 Vallejo Street

Date: Monday, October 06, 2014 2:44:19 PM

Good Afternoon,

I'm writing in support of Mama's adding a location at 627 Vallejo Street.

As a former employee of 627 Vallejo back when it was Piazza Market, I'm saddened to see the building empty and put to no use. It is a large space that could be used for many purposes, and a well-established restaurant with a solid reputation like Mama's seems like the most logical fit.

It would be nice to see another Mama's location simply because the line and wait for the current location is long and discouraging. As a resident of San Francisco for 5 years, it would be nice to see such a popular business expand and be able to accommodate more people.

Thank you for your consideration.

Regards,

Estrella

 From:
 Roger Kaufman

 To:
 Guy, Kevin (CPC)

 Cc:
 Rahaim, John (CPC)

Subject: Mama"s at 627 Vellejo Street

Date: Thursday, October 02, 2014 3:29:54 AM

Kevin

I am sending in my support of approving Mama's request to open a second location at 627 Vellejo. They have been staple in the neighbor for Many years and the lines to get in are out of sight a second location seems like a positive move for the customers. The space has be cosed for years which is not good for the neighborhood.

I am out of town and will not return until, after the meeting, October 10.

Roger S Kaufman Sent from my iPad
 From:
 gfchun@aol.com

 To:
 Guy, Kevin (CPC)

 Cc:
 Rahaim, John (CPC)

Subject: 627 Vallejo St. "Mama"s CU application"

Date: Monday, October 06, 2014 9:22:54 PM

Dear Kevin,

I'm writing you in support of approval of Mama's CU application.

This property has been vacant far too long. The proposed uses would be a huge benefit to the neighborhood.

Please provide your support to this worthy project.

Sincerely,

Gregory Chun A San Francisco native From: Robert Mittelstadt

To: <u>Guy, Kevin (CPC)</u>; <u>Rahaim, John (CPC)</u>

Cc: Wells Whitney; Mary Kasoff; Rod Freebairn-Smith

Subject: Mama"s in the Rossi space

Date: Monday, October 06, 2014 6:38:17 PM

Gentlemen:

I am writing in support of this project as a neighborhood participant: my practice has been located in North Beach

since 1990 and I am a board member of RENEWSF.

We and our friends on Telegraph Hill are frustrated that this worthy project has been delayed for reasons that elude us,

and which seem to have no bearing on the value this business will bring to the neighborhood.

We urge you to approve this project.

Sincerely, Bob Mittelstadt

ROBERT MITTELSTADT ARCHITECT

1736 STOCKTON STREET, STUDIO 4 SAN FRANCISCO, CA 94133 TEL 415-397-6895 www.RMArch.net rm@RMArch.net From: Rod Freebairn - Smith

To: Rahaim, John (CPC); Guy, Kevin (CPC)

Subject: Mama"s in the Rossi Space

Date: Monday, October 06, 2014 8:51:46 PM

John,

Let me add to Bob's endorsement.

- 1. We (through our Planning Commission) are (fortunately) not a Mall under a controlling single ownership that can determine a retail mix. offerings based on a personal concept, nor we do we join in taking financial risk or assign to our neighborhood a "suitable mix" of tenancies.
- 2. We are not within a redevelopment area where a city or prime developer can "adjust" tenancies to balance notions of a full retail offering.
- 3. The Telegraph Hill Dwellers cannot self appoint themselves to determine land use or tenancies, having no such authority. I was once their President and scrupulously avoided designating tenancies. We can only voice what we think may be needed.
- 4. As a fifty-five year business, and a forty-five year resident of Telegraph Hill, I can assure you there are virtually no other more continuously successful interpreters of what we residents, and what our visitors want in a food menu than Mama's. None of our other food establishments can match Mama's waiting lines...week days...week-ends. Neither Planning nor we have any business attempting to tell Mama's where and how to risk investments in new retail. That is entirely their business. We're lucky they are willing to risk activating an old, failed, medium sized uneconomic market space that had its good innings, but was unable to survive in today's situation. No one wants to force Mama's into a failed format; we San Franciscans, through your Commission, don't relish carrying the blame as we will have to, if we guess that we know more about retailing than they do.
- 5. The hardware store argument is mildly, or perhaps just frankly anti-Chinese. That is not acceptable. We had the fabulous, old but tiny and boutique Figone Hardware when we were a dominantly Italian community.

We are more and more Asian, and we have long had the Asian hardware store on Stockton and a weaker one on Grant. The first is an old, successful business. There are two more for us, long established, English speaking, on nearby Polk Street and another, often considered better, on Fourth near Market. We buy hardware in all of them. A competing hardware (Record) on Columbus at Filbert failed more than fifteen years ago, due in major part to its weak market share and perhaps due to residents' loyalties to existing stores.

It would appear politics that the Planning Department is foolish to get drawn into, are currently creating a financially punishing, utterly unfair, and possibly prosecutable (?) set of unreasonable costs and delays for Mama's. Instead, Mama's should hear you encouraging them to test a new business plan. Get out of their way.

RETURN THIS SENSITIVE PLACE IN THE CORE OF OUR CAFE AND COMMUNITY LIFE TO A VIVACIOUS PRESENTATION, DONE AS FAST AND WITH THE LEAST GOVERNMENTAL DELAYS AND CHARGES AS POSSIBLE.

Sincerely, Rod

R.T. Freebairn-Smith Architect, Urban Planner, Principal Freebairn-Smith & Crane, LEED AP, APA, SAH, RIIA

Past Civic Design Commissioner, SF City and County

Sent from my iPhone

On Oct 6, 2014, at 6:38 PM, Robert Mittelstadt < rm@rmarch.net> wrote:

Gentlemen:

I am writing in support of this project as a neighborhood participant: my practice has been located in North Beach since 1990 and I am a board member of RENEWSF.

We and our friends on Telegraph Hill are frustrated that this worthy project has been delayed for reasons that elude us,

and which seem to have no bearing on the value this business will bring to the neighborhood.

We urge you to approve this project.

Sincerely, Bob Mittelstadt

ROBERT MITTELSTADT ARCHITECT

1736 STOCKTON STREET, STUDIO 4 SAN FRANCISCO, CA 94133 TEL 415-397-6895 www.RMArch.net rm@RMArch.net
 From:
 Tom Lent

 To:
 Guy, Kevin (CPC)

Subject: Mama"s

Date: Tuesday, October 07, 2014 1:36:46 PM

Dear Mr Guy:

Just a short note to say how much I support the application of Mama's restaurant at the 627 Vallejo site. I hope you will look favorably on the restaurants' application.

Thank you,

Thomas Lent

 From:
 Kent Clay

 To:
 Guy, Kevin (CPC)

 Cc:
 Rahaim, John (CPC)

Subject: Mamas

Date: Tuesday, October 07, 2014 10:10:00 AM

Dear Mr. Guy,

I am a North Beach resident and believe that Mamas in the old Rossi Market location. I am concerned that the vacant building is a blight to our neighborhood. I disagree with the THD's Stalinist approach to micro-planning our neighborhood. I believe this issue should be weighed on the merits. It is well known in our neighborhood that Nancy Shannahan is pursuing a vendetta against the current owner and her objections are illegitimate.

Sincerely, Kent Clay

Sent from my iPhone

 From:
 STROSE66@aol.com

 To:
 Guy, Kevin (CPC)

 Cc:
 Rahaim, John (CPC)

Subject: Mama"s

Date: Monday, October 06, 2014 10:58:39 PM

Please approve. North Beach needs another place for breakfast.

North Beach of the 50's, 60's, 70's, and 80's had Valton's, Dollies, Curly's and probably one or two I forgot.

The merchants of the new North Beach probably don't eat traditional American type breakfasts. But, if the visitors have to leave North Beach to go eat breakfast, a lot of money that would be kept in this community is being spent elsewhere. If people go over the Union St. hill or somewhere else they are more likely not to shop here.

Thank-you, Jacklyn D'Angelo Hanratty Native Daughter of S.F.
 From:
 marv kasoff

 To:
 Guy, Kevin (CPC)

Cc: Rahaim, John (CPC); mark.lewellen@sfgov.org

Subject: Re: Support for Mama"s on Vallejo and Columbus

Date: Monday, October 06, 2014 8:44:32 PM

Dear Members of the Planning Staff;

I am a former Board Member of the Telegraph Hill Dwellers, and the co-founder and Vice President of RENEWSF, a neighborhood group seeking to work to improve the Northeast and Waterfront of San Francisco. Our group was responsible for The Language of the Birds public arts project on the corner of Broadway and Columbus; the Parklet Project on Columbus; the streetscape project currently underway on Columbus; and a number of other neighborhood improvement projects undertaken in conjunction with other local organizations.

We would like to work together with the Planning Department to bring a number of improvements to our area, a goal which I believe we share with you. The proposal to open a second Mama's on Vallejo and Columbus is just such a worthy project. I hope that you will do whatever you can to expedite this project, and bring to an end a boarded-up empty storefront on this important corner.

Marvin Kasoff 48 San Antonio Pl. S.F. 94133 415-819-3361
 From:
 Janet Hetzel

 To:
 Guy, Kevin (CPC)

 Cc:
 Rahaim, John (CPC)

Subject: Support for Mama"s @ 627 Vallejo Street
Date: Monday, October 06, 2014 2:18:29 PM

Mr. Kevin Guy,

I have been witness to the struggles over the past several years at 627 Vallejo Street.

When Piazza Market opened, there was finally activity at this darkened corner. They really put so much time and investment into developing a beautiful Italian scene, with food and grocery items. Most of the neighbors seemed unappreciative.

Then when Piazza closed, the building stay vacant for years, such a waste of potential.

Now that I have learned that Mama's of Washington Square is interested in opening a second location - it is a marvelous opportunity. Mama's is a long standing business in North Beach. Plus, Mama's will extend a part of their space for grocery items and community use.

It is time that we fill this vacancy - and support Mama's plan.

Other neighbors have suggested that 627 Vallejo Street be a hardware store - but there already exists a hardware store at Stockton / Broadway, within the same block. Plus, no hardware store will take on such a large space such as 627 Vallejo St. They will go out of business, and leave another vacancy.

Thank you for your time in considering this letter of support for Mama's -

Janet Hetzel jmvhetzel@gmail.com 415.308.1577

Cassandra (Cassie) Jew From: Guy, Kevin (CPC) To: Cc: Rahaim, John (CPC) Subject: Support for Mama"s at 627 Vallejo - San Francisco Native Date: Monday, October 06, 2014 3:08:07 PM Hello Kevin, Hope all is well. As a local San Francisco native--we are far and few now--I would like to offer my expressed support of allowing the Mama's Restaurant group to occupy the 627 Vallejo Street location. San Francisco thrives on being a supporter of small businesses, and I'd thoroughly like to see one of our local gems inhabit this prime location. Currently, Mama's flagship location at Washington Square is flourishing, and I believe a second location at 627 Vallejo would be a welcomed addition to the North Beach neighborhood. Please consider our support for Mama's at 627 Vallejo Street. Many Thanks,

Cassandra Jew

 From:
 Tom Lent

 To:
 Guy, Kevin (CPC)

Subject: Mama"s

Date: Tuesday, October 07, 2014 1:36:46 PM

Dear Mr Guy:

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Thank you,

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 From:
 Kent Clay

 To:
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 Cc:
 Rahaim, John (CPC)

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Sincerely, Kent Clay

Sent from my iPhone

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 STROSE66@aol.com

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Thank-you, Jacklyn D'Angelo Hanratty Native Daughter of S.F.
 From:
 Kathleen Dooley

 To:
 Guy, Kevin (CPC)

 Subject:
 Piazza Market

Date: Wednesday, May 07, 2014 1:07:42 PM

Hi Kevin,

I have heard that Mamas will be submitting their plans to you this month to change the zoning at the Piazza Market to allow a 125 seat restaurant and a tiny dry goods market area. The main reason for rezoning would be because the owners are unable to find a viable tentative without rezoning. I wanted to let you know that Cole Hardware is very interested in the space - see below. The stumbling block is the listed price of \$3.90/sq ft. I am privy to information that the tentative lease between the owner and Mamas lists the monthly rent as \$2.20/ft with yearly increases ending up after 10 years at under \$3/ft. If offered anything close to this rent, Cole Hardware would easily be able to afford to lease the building for a much needed neighborhood service that would not require a zoning change. You might want to ask to see a copy of the lease before moving forward on any recommendations.

On Saturday, April 26, 2014 11:02 AM, Kathleen Dooley <kathleendooley@att.net> wrote:

---- Forwarded Message -----

From: "northbeachmerchants@yahoo.com" <northbeachmerchants@yahoo.com>

To: Nancy Shanahan <nshan@mindspring.com>

Sent: Monday, March 17, 2014 1:30 PM

Subject: Fw: Re: question regarding hardware store rents

Hardware rents

Sent from Yahoo Mail on Android

From: Rick Karp <rick@colehardware.com>;

To: Kathleen Dooley <northbeachmerchants@yahoo.com>; **Subject:** Re: question regarding hardware store rents

Sent: Mon, Mar 17, 2014 8:25:25 PM

Hi Kathleen

Thanks for your email. We would still love to find a location in North Beach! I've been looking over time, using Santino DeRosa in the neighborhood. I would appreciate your leads to rent or purchase a building that is retail friendly.

Rents vary. We typically pay about 5% of sales which can break down between \$2-\$3 per foot. But "A" retail locations necessitate higher rents. And then you have landlords holding out for much higher knowing they can take a tax-deductible loss on a vacant property at a high rent. I've had two landlords in the City tell me I would lower their property value if they rented to me at affordable rents for independents. Thus they preferred to keep the property vacant!

On Mon, Mar 17, 2014 at 1:04 PM, Kathleen Dooley <<u>northbeachmerchants@yahoo.com</u>> wrote:

Hi Rick.

We are still hoping to locate an independent hardware store in North

Beach. Can you give me an idea what type of rents hardware stores are paying in Russian Hill, North Beach, Pacific Heights?
Thanks,
Kathleen

--

Warm regards, Rick

Rick Karp Cole Hardware 70 4th Street San Francisco, CA 94103 415-846-2004

www.colehardware.com

Follow us on Twitter @colehardware

Join us on Facebook! <u>www.facebook.com/colehardware</u>



Unless I hear from you otherwise, I will add your email address to the mailing list of Cole Hardware's email newsletter. You'll hear from us once or twice a month about news and events pertaining to the store. We will not use your email address for anything else, nor will we rent, sell or loan it out for any reason.

 From:
 marv kasoff

 To:
 Guy, Kevin (CPC)

Cc: Rahaim, John (CPC); mark.lewellen@sfgov.org

Subject: Re: Support for Mama"s on Vallejo and Columbus

Date: Monday, October 06, 2014 8:44:32 PM

Dear Members of the Planning Staff;

I am a former Board Member of the Telegraph Hill Dwellers, and the co-founder and Vice President of RENEWSF, a neighborhood group seeking to work to improve the Northeast and Waterfront of San Francisco. Our group was responsible for The Language of the Birds public arts project on the corner of Broadway and Columbus; the Parklet Project on Columbus; the streetscape project currently underway on Columbus; and a number of other neighborhood improvement projects undertaken in conjunction with other local organizations.

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Marvin Kasoff 48 San Antonio Pl. S.F. 94133 415-819-3361 From: <u>Kathleen Dooley</u>
To: <u>Guy, Kevin (CPC)</u>

Subject: Rossi Market in North Beach

Date: Saturday, March 29, 2014 7:04:29 PM

Kevin,

I wanted to thank you for the opportunity you gave me last week by phone to express some concerns regarding the proposed rezoning of Rossi Market to allow the conversion of the nearly 6,000 sq ft space into a 100 seat restaurant with a tiny market area. I mentioned that I had contacted Rick Karp of Cole Hardware and that he indicated that he was very interested in leasing or buying the space for a much needed hardware store. When Mr Karp asked about the availability of Rossi Market, the owner informed Karp's agent that the legislation for rezoning was assured and that it was expected to be approved at a June 2014 Planning Commission hearing. Another hardware store, Papenhausen Hardware, has also expressed interest in establishing a location in North Beach should a suitable location become available. A hardware store is the number one item on the neighborhood wish list and this property is ideal for such a business as it is one of the only properties in the North Beach Commercial district that is suitable for a hardware store. I also discussed that is odd that Mamas would be attempting to occupy a space that will require radical rezoning while there are currently a number of empty restaurant spaces in North Beach that would need no such rezoning if they want to expand their business to a second location. As Mamas is a longtime business in our neighborhood, many of us are supportive of their desire to expand but are distressed to hear that their occupation of Rossi Market would take precedent over locating a much needed neighborhood service in North Beach. Thank you for keeping myself and the North Beach Business Association up to date on this location.

Kathleen

 From:
 Janet Hetzel

 To:
 Guy, Kevin (CPC)

 Cc:
 Rahaim, John (CPC)

Subject: Support for Mama"s @ 627 Vallejo Street
Date: Monday, October 06, 2014 2:18:29 PM

Mr. Kevin Guy,

I have been witness to the struggles over the past several years at 627 Vallejo Street.

When Piazza Market opened, there was finally activity at this darkened corner. They really put so much time and investment into developing a beautiful Italian scene, with food and grocery items. Most of the neighbors seemed unappreciative.

Then when Piazza closed, the building stay vacant for years, such a waste of potential.

Now that I have learned that Mama's of Washington Square is interested in opening a second location - it is a marvelous opportunity. Mama's is a long standing business in North Beach. Plus, Mama's will extend a part of their space for grocery items and community use.

It is time that we fill this vacancy - and support Mama's plan.

Other neighbors have suggested that 627 Vallejo Street be a hardware store - but there already exists a hardware store at Stockton / Broadway, within the same block. Plus, no hardware store will take on such a large space such as 627 Vallejo St. They will go out of business, and leave another vacancy.

Thank you for your time in considering this letter of support for Mama's -

Janet Hetzel jmvhetzel@gmail.com 415.308.1577 From: JANE M WINSLOW

To: Guy, Kevin (CPC)

Cc: Rahaim, John (CPC); mark.lewellen@sfgov.org

Subject: Support for Mama"s on Vallejo and Columbus

Date: Monday, October 06, 2014 5:01:46 PM

Dear Members of the Planning Staff;

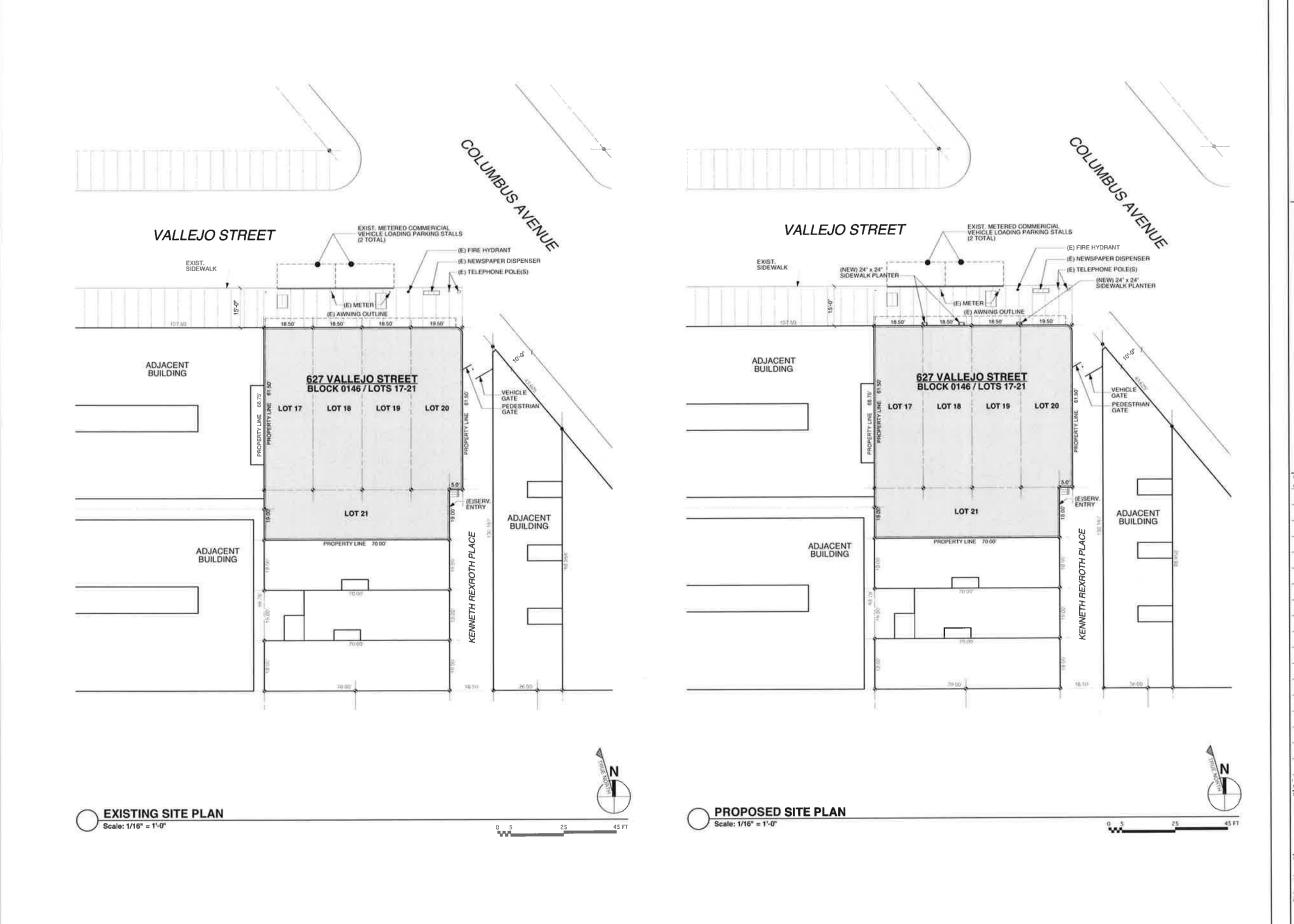
There is a huge empty space on the corner of Vallejo and Columbus Avenue. This important site in North Beach has been vacant way too long--almost 2 years! Several realty companies have tried to rent it; additionally, others have talked to Whole Foods, Bi-Rite, Cole Hardware, etc. None of them want the space; it doesn't work for them.

But the space DOES work for Mama's. A grocery and restaurant combination run by an experienced restaurant-family in North Beach DOES work.

I am a former president and current member of the Telegraph Hill Dwellers. As much as I may respect SOME of their positions, I do not agree with this one. A popular restaurant/specialty store is perfect for this site and will bring additional foot traffic this corner of our neighborhood.

Please work to allow the change of use and MAKE THIS HAPPEN!!

Sincerely, Jane Winslow 1440 Montgomery Street, #22 415 421-1466



MAMA'S • LIL MAMA'S

627 VALLEJO STREET SAN FRANCISCO, CA 94133

BLOCK # 0146 LOT # 017, 018, 019, 020, 021

MERKER ARCHITECTS

P.O. 80X 77725 SAN FRANCISCO, CALIFORNIA 94158 T 415, 536,3200 F 415,284,1111

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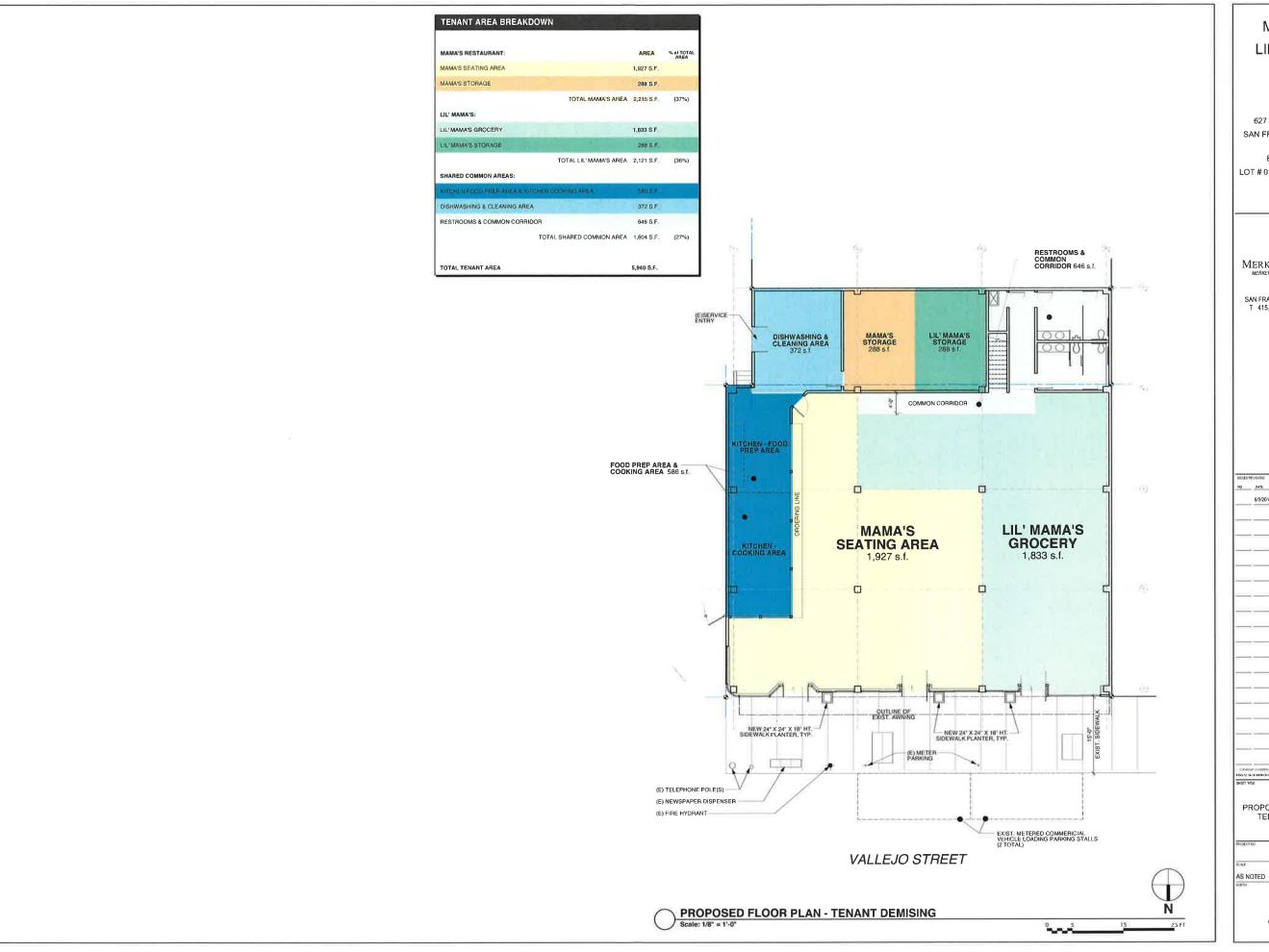
EXISTING SITE PLAN PROPOSED SITE PLAN

PROJECT NO PROJECT NAME

SCALE

AS NOTED

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MAMA'S • LIL MAMA'S

627 VALLEJO STREET SAN FRANCISCO, CA 94133

BLOCK # 0146 LOT # 017, 018, 019, 020, 021

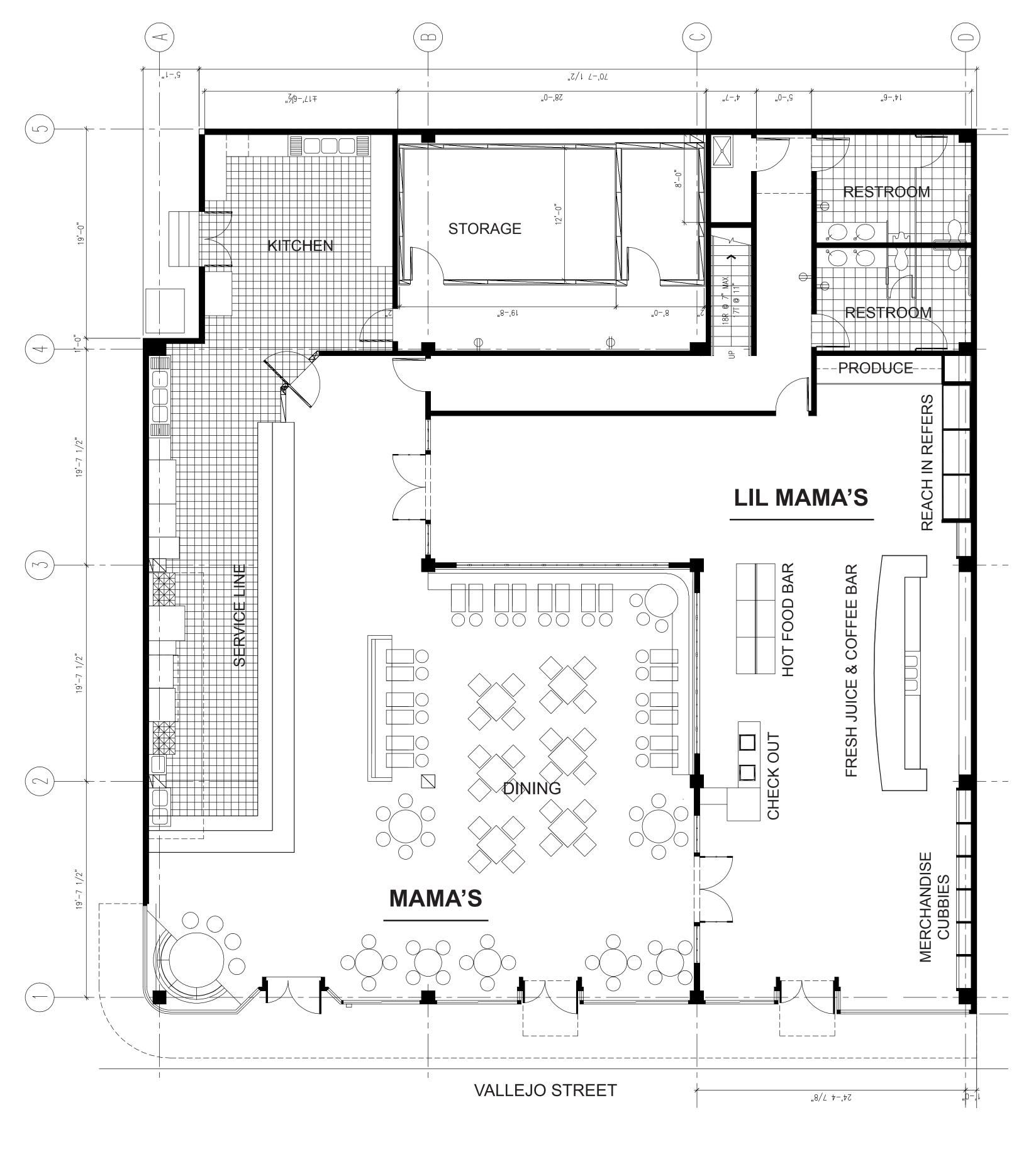
MERKER ARCHITECTS

P.O. BOX 77725 SAN FRANCISCO, CALIFORNIA 94158 T 415, 536,3200 F 415,284,1111

DESCRIPTION 6/3/2014 C.U. APPLICATION

PROPOSED FLOOR PLAN -TENANT DEMISING

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PROPOSED FLOOR PLAN - MAMA'S · LIL MAMA'S
NOT TO SCALE

627 VALLEJO STREET SAN FRANCISCO, CA 94133

BLOCK # 0146 LOT # 017, 018, 019, 020, 021

MAMA'S •

LIL MAMA'S

MERKER ARCHITECTS

MERKER ARCHITECTURAL GROUP, INC.

P.O. BOX 77725 SAN FRANCISCO, CALIFORNIA 94158 T 415. 536.3200 F 415.284.1111

6/3/2014 C.U. APPLICATION

5/27/2015 PROP. FLOOR PLAN

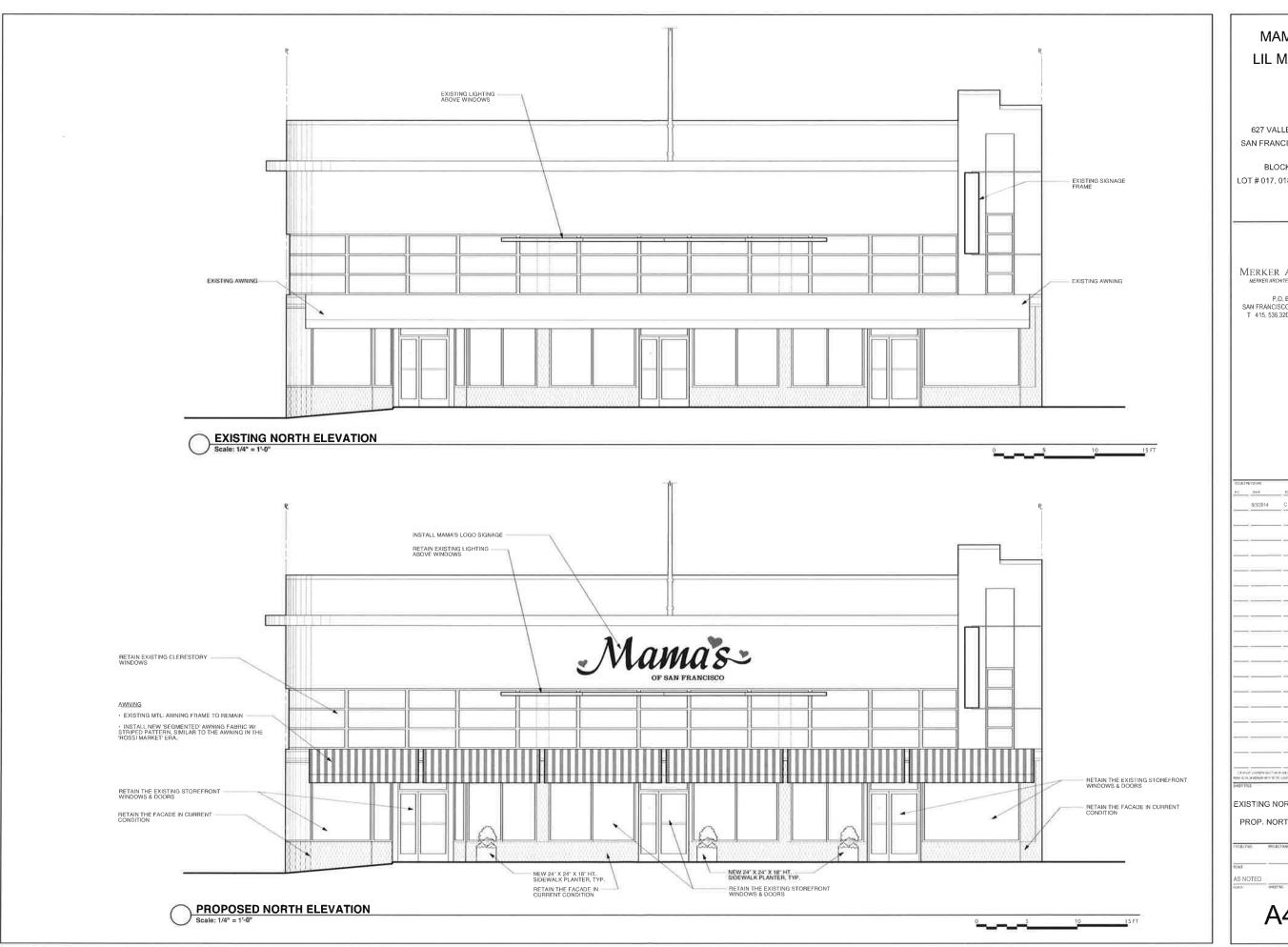
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PROPOSED FLOOR PLAN -MAMA'S • LIL MAMA'S

JECT NO. PROJECT NAME

AS NOTED

A2.1



MAMA'S • LIL MAMA'S

627 VALLEJO STREET SAN FRANCISCO, CA 94133

BLOCK # 0146 LOT # 017, 018, 019, 020, 021

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