



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: FEBRUARY 11, 2016

Date: February 1, 2016
Case No.: **2015-004164CUA**
Project Address: **2411-2415 19TH AVENUE**
Zoning: Taraval Street NCD (Neighborhood Commercial District)
65-A Height and Bulk District
Block/Lot: 2406/001
Project Sponsor: Samuel Kwong [agent]
ARCUS Architecture + Planning
61 Walter U Lum Place
San Francisco, CA 94018
Staff Contact: Veronica Flores – (415) 575-9173
veronica.flores@sfgov.org
Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The project sponsor proposes a change of Hours of Operation for the Limited Restaurant d.b.a. Seniore's Pizza. Proposed hours of operation are 11:00AM to 6:00AM daily.

The existing tenant space measures approximately 1,074 square feet, and the size would not change as part of the project. The business will continue selling pizzas, soups, salads, and other food and beverages. The project does not propose any storefront changes.

SITE DESCRIPTION AND PRESENT USE

The project is located on the western side of 19th Avenue, at Taraval Street, Block 2406, Lot 001. The property is located within the Taraval Street Neighborhood Commercial District (NCD) with 65-A height and bulk district. The property is developed with a two-story building with one other commercial business (Sushi Raw) on the ground floor. The subject property involves a corner lot, with approximately 100 feet of frontage on 19th Avenue and approximately 40 feet of frontage on Taraval Street. The subject building covers close to 100% of the lot save for a narrow lightwell openings towards the adjacent lot to the west.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The length of the Taraval Street NCD is approximately one mile. The project site is located at the intersection of 19th Avenue and Taraval Street. To the immediate south is a surface parking lot for an adjacent preschool.

Buildings along this section of 19th Avenue typically range from two to three stories in height and are predominantly single family residences. The surrounding properties are located within the Taraval Street NCD, NC-2 (Neighborhood Commercial, Small Scale), and RH-1(D) (Residential House, Single-Family Detached) Districts. The area is transit-oriented with the Taraval Street and 19th Avenue Lightrail Station at the intersection and several other bus lines on or connecting to 19th Avenue. The Taraval Street NCD is intended to provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market.

ENVIRONMENTAL REVIEW

The Project is not considered a project under the California Environmental Quality Act ("CEQA") because it does not cause either a direct physical change in the environment, or a reasonably foreseeable direct physical change in the environment.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	January 20, 2016	January 20, 2016	22 days
Posted Notice	20 days	January 22, 2016	January 20, 2016	22 days
Mailed Notice	20 days	January 22, 2016	January 22, 2016	20 days

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

PUBLIC COMMENT

- To date, the Department has received two communications in support of the proposal, including the Outer Sunset Merchant's Association.

ISSUES AND OTHER CONSIDERATIONS

- The Commerce and Industry Element of the General Plan contains Guidelines that discourage the overconcentration of eating and drinking establishments within NCD's. The project would maintain an existing limited restaurant, and would not result in a net increase in the number of restaurants in the area.
- Included with the original application was a letter of support describing the business's contributions to the neighborhood including maintaining an eatery in an area with limited late-night food options and employees walking the perimeter of the property to pick up discarded waste in area.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization change hours of operation for subject property located within the Taraval Street NCD, pursuant to Planning Code Sections 741.27.

BASIS FOR RECOMMENDATION

- The project promotes the continued operation of an established, locally-owned business and contributes to the viability of the overall Taraval Street NCD.
- The project would not displace an existing retail tenant providing convenience goods and services to the neighborhood.
- The project meets all applicable requirements of the Planning Code.
- 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 and surrounding neighborhood.

RECOMMENDATION:	Approval with Conditions
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Attachments:

Block Book Map

Sanborn Map

Zoning Map

Aerial Photographs

Context Photographs

Public Correspondence (see also Project Sponsor Submittal)

Project Sponsor Submittal, including:

- Correspondence in Support
- Site Photographs
- Reduced Plans

Attachment Checklist

- | | |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Wireless Telecommunications Materials |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Site Photos | <input type="checkbox"/> RF Report |
| | <input type="checkbox"/> Community Meeting Notice |
| | <input type="checkbox"/> Housing Documents |
| | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |

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

 VAF
Planner's Initials

VF: I:\Cases\2015\2015-004164CUA - 2415 19th Avenue\2015-004164CUA_2411-2415 19th Ave_ExecSummary.doc



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion

HEARING DATE: FEBRUARY 11, 2016

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Recommendation: **Approval with Conditions**

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303 AND 741.27 OF THE PLANNING CODE TO CHANGE HOURS OF OPERATION FOR THE SUBJECT PROPERTY WITH A LOT SIZE OF 4,000 SQUARE FEET WITHIN THE TARAVAL STREET NEIGHBORHOOD COMMERCIAL DISTRICT (NCD) AND A 65-A HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 2, 2015 Samuel Kwong (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Section(s) to change hours of operation for the subject property with a lot size of 4,000 square feet within the Taraval Street Neighborhood Commercial District (NCD) District and a 65-A Height and Bulk District.

On February 11, 2016, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2015-004164CUA.

The Project is not considered a project under the California Environmental Quality Act (“CEQA”) because it does not cause either a direct physical change in the environment, or a reasonably foreseeable direct physical change in the environment.

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. 2015-004164CUA, 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 western side of 19th Avenue, at Taraval Street, Block 2406, Lot 001. The property is located within the Taraval Street Neighborhood Commercial District (NCD) with 65-A height and bulk district. The property is developed with a two-story building with one other commercial business (Sushi Raw) on the ground floor. The subject property involves a corner lot, with approximately 100 feet of frontage on 19th Avenue and approximately 40 feet of frontage on Taraval Street. The subject building covers close to 100% of the lot save for a narrow lightwell openings towards the adjacent lot to the west.
3. **Surrounding Properties and Neighborhood.** The length of the Taraval Street NCD is approximately one mile. The project site is located at the intersection of 19th Avenue and Taraval Street. To the immediate south is a surface parking lot for an adjacent preschool.

Buildings along this section of 19th Avenue typically range from two to three stories in height and are predominantly single family residences. The surrounding properties are located within the Taraval Street NCD, NC-2 (Neighborhood Commercial, Small Scale), and RH-1(D) (Residential House, Single-Family Detached) Districts. The area is transit-oriented with the Taraval Street and 19th Avenue Lightrail Station at the intersection and several other bus lines on or connecting to 19th Avenue. The Taraval Street NCD is intended to provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market.

4. **Project Description.** The project sponsor proposes a change of Hours of Operation for the Limited Restaurant d.b.a. Seniore's Pizza. Proposed hours of operation are 11:00AM to 6:00AM daily.

The existing tenant space measures approximately 1,074 square feet, and the size would not change as part of the project. The business will continue selling pizzas, soups, salads, and other food and beverages. The project does not propose any storefront changes.

The proposed use is an independent use and locally owned, which has been encouraged throughout San Francisco. The proposed use is not a Formula Retail use. The proposal does not require a Section 312-neighborhood notification.

The proposed operation currently has twelve employees. The subject site is well served by public transit so that potential customers should not adversely affect the traffic flow.

5. **Public Comment.** To date, the Department has received two communications in support of the proposal, including the Outer Sunset Merchant's Association.
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 Size.** Planning Code Section 741.21 permits use sizes up to 3,999 square feet, with a Conditional Use Authorization required for use sizes of 4,000 square feet and above, as defined by Planning Code Sections 790.130 and 121.2.

The proposed use size of the retail store is approximately 1,074 square feet.

- B. **Outdoor Activity.** Planning Code Section 741.24 permits Outdoor Activity Areas in front of building, with a Conditional Use Authorization required if located anywhere else, as defined by Planning Code Sections 790.70 and 145.2.

The Project Sponsor does not intend to establish an outdoor activity area.

- C. **Hours of Operation.** Planning Code Section 741.27 permits hours of operation from 6:00AM to 2:00AM, with a Conditional Use Authorization required for maintaining hours of operation from 2:00AM to 6:00AM, as defined by Planning Code Section 790.48.

The Project Sponsor seeks to operate beyond the permitted hours of operation for the Zoning District. The proposed hours of operation for Seniore's Pizza are from 11:00AM to 6:00AM daily, hence the requirement for a Conditional Use Authorization.

- D. **Rear Yard Requirement in the Taraval Street NCD Zoning District.** Planning Code Section 134 states that rear yards shall be provided at grade level, and at each succeeding story of the building.

The proposal does not include any structural expansion.

- E. **Parking.** Planning Code Section 741.22 does not require off-street parking for commercial uses if occupied floor area is less than 5,000 square feet.

The subject property does not propose any off-street parking.

- F. **Street Frontage in Neighborhood Commercial Districts.** Planning Code Section 145.1 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. 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 subject commercial space has approximately 29 feet of frontage along 19th Avenue with close to 100 percent devoted to either the retail entrance or window space. The windows are proposed as clear and unobstructed. There are no changes proposed to the commercial frontage.

- G. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department per Article 6 of the Planning Code.

The proposal seeks to maintain the existing signage. The Project Sponsor does not seek any storefront changes.

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.

The size of the proposed use is in keeping with other storefronts on the block face. The proposal will not impact traffic or parking in the District because it is not a destination retail store. This will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The 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 proposal 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 or loading for a 1,074 square foot retail use. The proposal relies on foot traffic or transit and does not require off street and loading. Furthermore, since the restaurant provides delivery service, the need for parking will be reduced yet still be able to provide late night food service to the immediate neighborhood.

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

The proposed project does not change the current operation of the restaurant and existing equipment. Additionally, there have not been any complaints filed.

- 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 require additional exterior improvements or new signage, nor does the project require parking or loading. Deliveries are made as follows:

- *A major restaurant supplier makes deliveries at 7:00AM twice a week when the business is closed.*
- *A small supplier makes a delivery once a week. The vendor parks the van in available nearby parking meter spaces.*

Additionally, the average hourly delivery orders are approximately 20 per hour, and pizza delivery vehicles park in available street spaces to pick up delivery. The business offers delivery services between 6:00PM to 9:00PM, and again between 1:00AM to 2:00AM.

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

The proposed project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below. The existing business has been recently remodeled and is currently compliant with the Building Code and Planning Code.

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

The proposed project is consistent with the stated purposes of the Taraval Street NCD in that the intended use is located at the ground floor, will provide limited convenience goods for the immediately surrounding neighborhoods.

- E. With respect to a Eating and Drinking Use, the Commission shall make the following findings:

- i. The concentration of such establishments should not exceed 25 percent of the total commercial frontage as measured in linear feet within the immediate area of the subject site. For the purposes of this Section of the Code, the immediate area shall be

defined as all properties located within 300' of the subject property and also located within the same zoning district.

The proposal is to change the hours of operation for an existing limited restaurant. There is no increase in the concentration of eating and drink establishments in the area.

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 WORKING ENVIRONMENT.

Policy 1.1:

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

Policy 1.2:

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

Policy 1.3:

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

The proposed development will provide specialty goods and services to the neighborhood and will provide 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 retain an existing commercial activity and will enhance the diverse economic base of the City.

OBJECTIVE 6:

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

Policy 6.1:

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

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

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

Policy 6.2:

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

An independent entrepreneur is sponsoring the proposal. 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 enhance the district by extending the hours of operation of an existing commercial establishment in the area and provide late night meals for residents of the neighborhood. The business has been in operation for 11 years and is locally owned. There are no proposed changes to the existing storefront.

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

There are no residential units on the subject property, and existing units in the surrounding neighborhood would not be adversely affected.

- 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 site is on 19th Avenue and is well served by transit. It is presumable that the employees would commute by transit thereby mitigating possible effects on street parking. The area is well-served by the Taraval Street and 19th Avenue Lightrail Station at the intersection and several other bus lines on or connecting to 19th Avenue. Furthermore, since the restaurant provides delivery service, the need for parking will be reduced yet still be able to provide late night food service to the immediate neighborhood.

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

The project will not displace any service or industry establishment. The change in hours of operation may create opportunities for employment for neighborhood residents in the future.

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

This proposal will not impact the property's ability to withstand an earthquake. The existing limited restaurant was remodeled in 2013 under Building Permit #2013.10.22.9973 and has been upgraded structurally.

- G. That landmarks and historic buildings be preserved.

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

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

The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.

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. 2015-004164CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated September 29, 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 February 11, 2016.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: February 11, 2016

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to change hours of operation of subject property on an Taraval Street Neighborhood Commercial District (NCD) on a lot that is 4,000 square feet in size located at 2411-2415 19th Avenue, Block 2406, and Lot 001 pursuant to Planning Code Section 741.27 within the **Taraval Street NCD** District and a **65-A** Height and Bulk District; in general conformance with plans, dated **September 29, 2015**, and stamped "EXHIBIT B" included in the docket for Case No. **2015-004164CUA** and subject to conditions of approval reviewed and approved by the Commission on **February 11, 2016** under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **February 11, 2016** under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

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

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

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

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

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

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

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

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

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

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

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

DESIGN

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

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

MONITORING

7. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

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

OPERATION

8. **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>

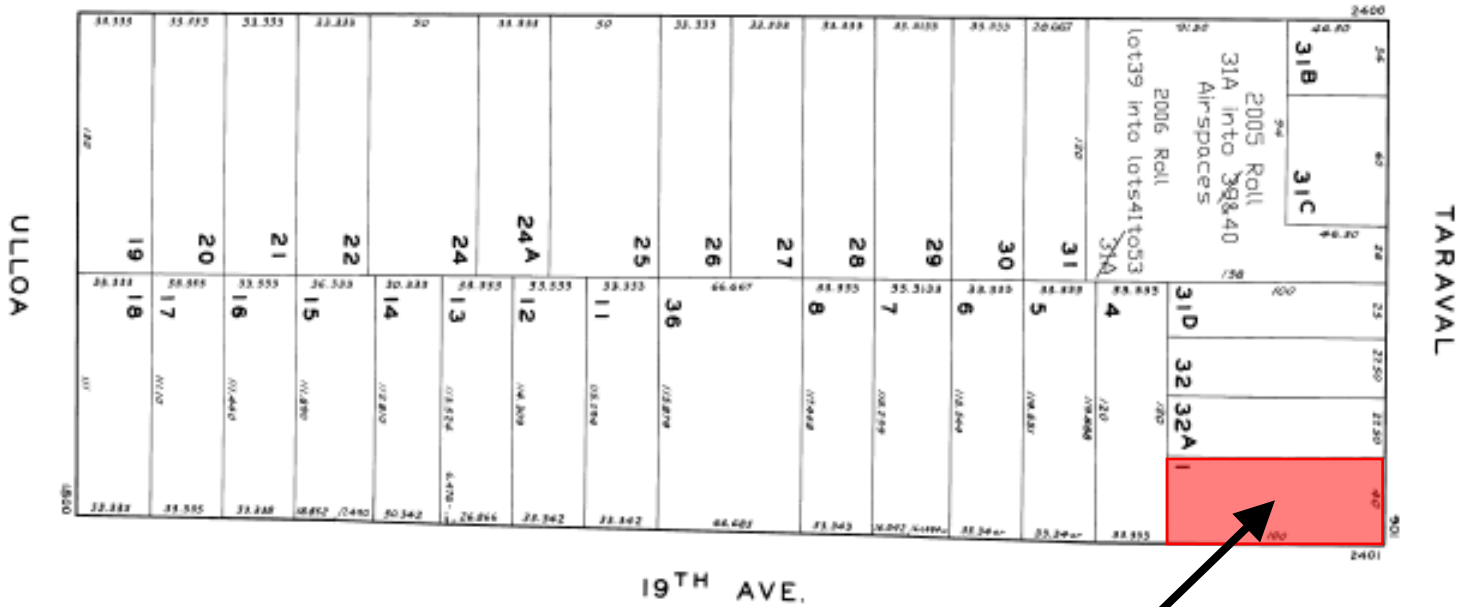
9. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

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

Exhibits

Parcel Map

20TH AVE.

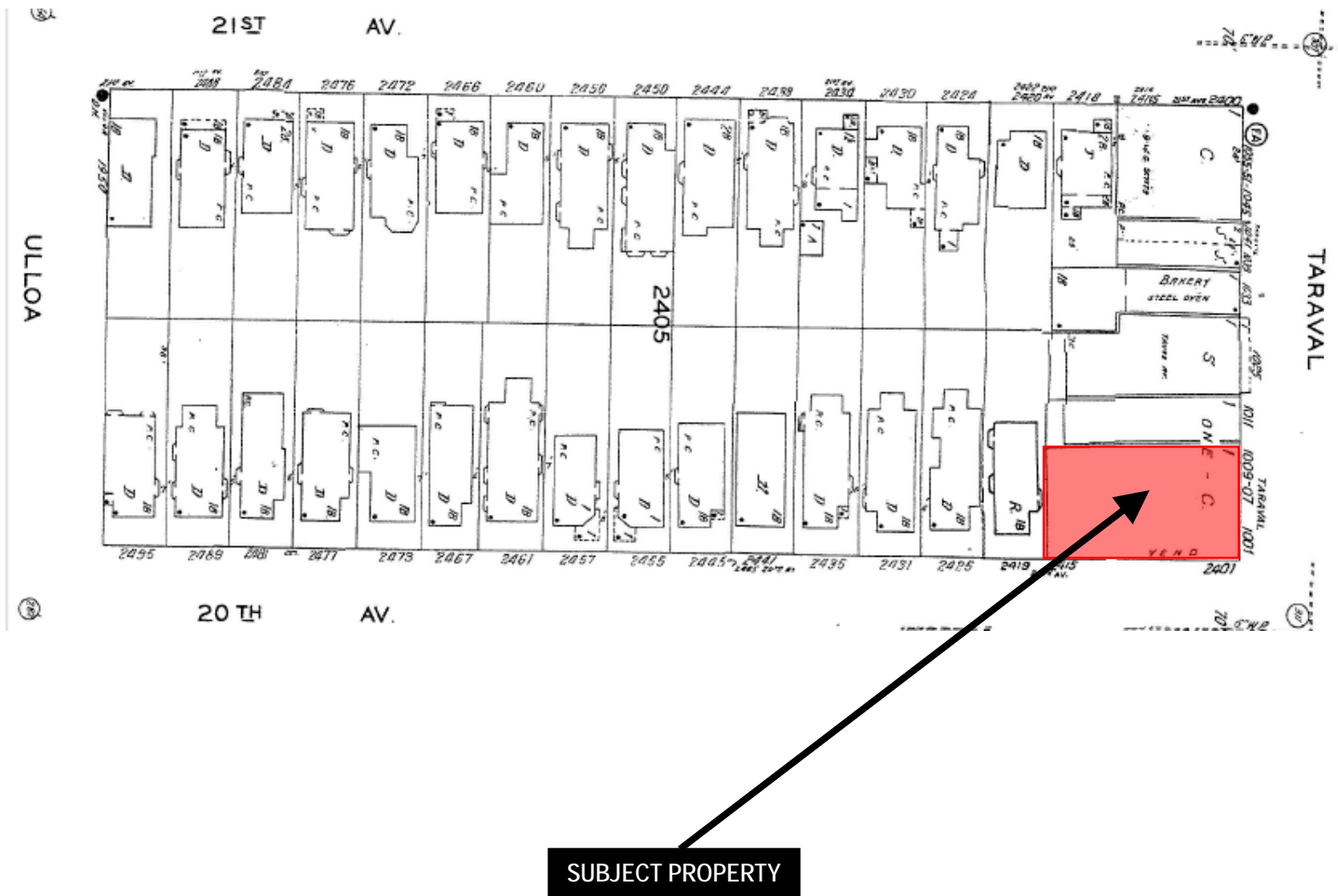


SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2015-004164CUA
2411-2415 19th Avenue

Sanborn Map*



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



Zoning Map



Aerial Photo

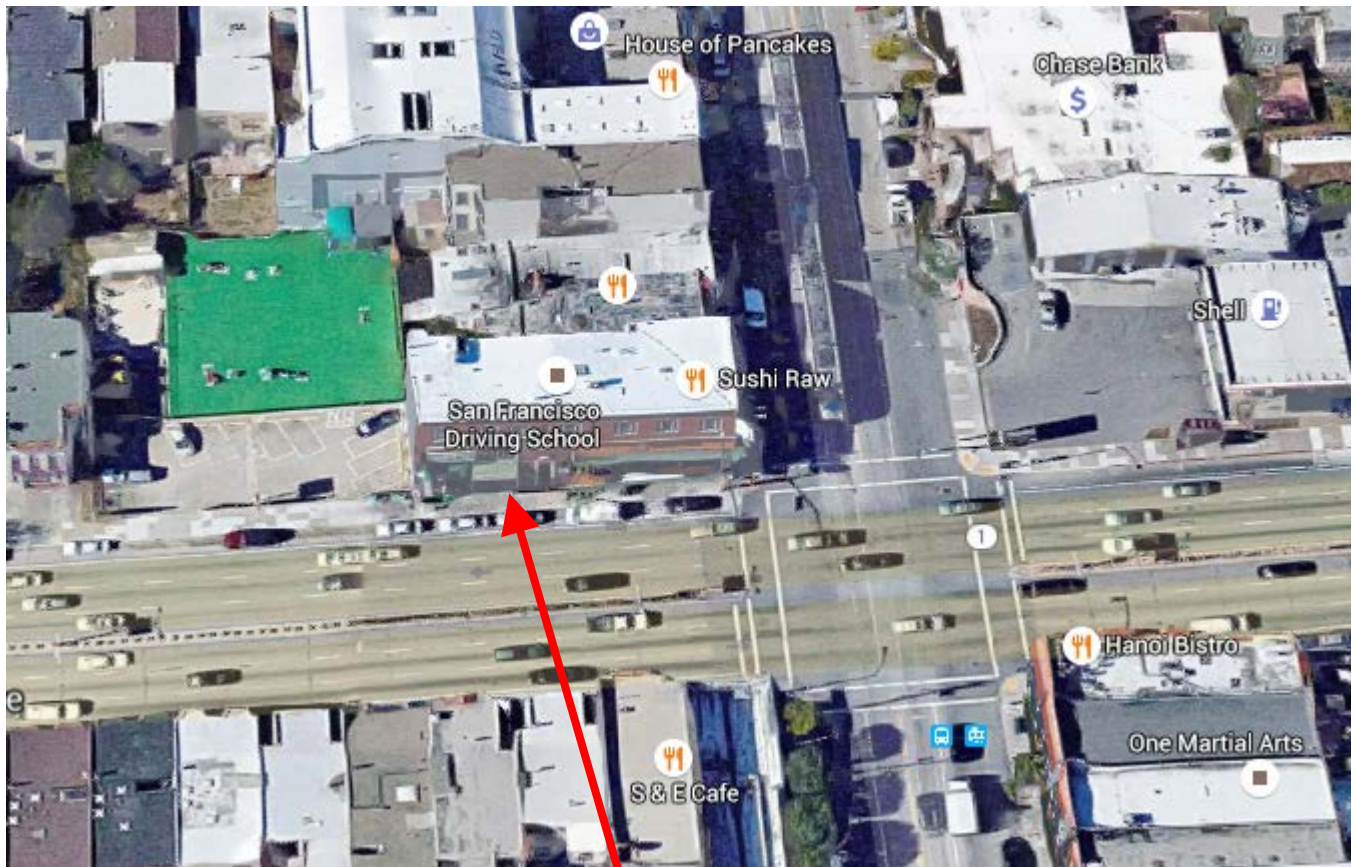


SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2015-004164CUA
2411-2415 19th Avenue

Aerial Photo



SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2015-004164CUA
2411-2415 19th Avenue

Aerial Photo



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Aerial Photo



SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2015-004164CUA
2411-2415 19th Avenue

Site Photo



SUBJECT PROPERTY

Conditional Use Authorization Hearing
Case Number 2015-004164CUA
2411-2415 19th Avenue

2411-2415 19th Avenue Photographs



Seniore's Pizza

July 8th 2015

To: Department of City Planning
1650 Mission Street 4/floor
San Francisco CA 94103

Attn: Veronica Flores

Subject: Seniore's Pizza
2411-2415 19th Avenue San Francisco CA
Conditional Use Application 2015-004164 CUA

As Owner of the restaurant at 2411-2415 19th Avenue, I hereby authorize Mr. Samuel Kwong(Consultant) to act on my behalf to apply for the Conditional Use Permit.



Maroan Jaber
Owner

2015-00416 YCWA

APPLICATION FOR Conditional Use Authorization

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:

Marwan Jaber (Lessee)

PROPERTY OWNER'S ADDRESS:2411-2415 19th Avenue
San Francisco, CA 94116**TELEPHONE:**

(415) 512-7566

EMAIL:**APPLICANT'S NAME:**

Suheil Shatara

Same as Above ☐**APPLICANT'S ADDRESS:**Shatara Architecture, Inc.
26 Lakeview Drive
Daly City, CA 94015**TELEPHONE:**

(415) 512-7566 (415) 871-1229

EMAIL:

suheil@shataraarch.com

CONTACT FOR PROJECT INFORMATION:Same as Above ☒**ADDRESS:****TELEPHONE:**

()

EMAIL:**COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR):**Same as Above ☐**ADDRESS:****TELEPHONE:**

()

EMAIL:

2. Location and Classification

STREET ADDRESS OF PROJECT:

2411-2415 19th Ave., San Francisco, CA

ZIP CODE:

94116

CROSS STREETS:

47th Avenue

ASSESSORS BLOCK/LOT:

2406 / 001

LOT DIMENSIONS:

40'X100"

LOT AREA (SQ FT):

4,000 SQ FT

ZONING DISTRICT:

NCD

HEIGHT/BULK DISTRICT:

40-X

3. Project Description

(Please check all that apply)		PRESENT OR PREVIOUS USE:	
<input type="checkbox"/> Change of Use	ADDITIONS TO BUILDING:	Limited Restaurant	
<input checked="" type="checkbox"/> Change of Hours	<input type="checkbox"/> Rear	PROPOSED USE:	
<input type="checkbox"/> New Construction	<input type="checkbox"/> Front	Limited Restaurant	
<input type="checkbox"/> Alterations	<input type="checkbox"/> Height	BUILDING APPLICATION PERMIT NO.:	
<input type="checkbox"/> Demolition	<input type="checkbox"/> Side Yard	DATE FILED:	
<input type="checkbox"/> Other Please clarify:			

4. Project Summary Table

If you are not sure of the eventual size of the project, provide the maximum estimates.

	EXISTING USES:	EXISTING USES TO BE RETAINED:	NET NEW CONSTRUCTION AND/OR ADDITION:	PROJECT TOTALS:
PROJECT FEATURES				
Dwelling Units	0		0	0
Hotel Rooms	0		0	0
Parking Spaces	0		0	0
Loading Spaces	0		0	0
Number of Buildings	1		0	1
Height of Building(s)	26' - 32' +/-		0	26' - 32' +/-
Number of Stories	2		0	2
Bicycle Spaces	0		0	0
GROSS SQUARE FOOTAGE (GSF)				
Residential	0		0	0
Retail	3630 SQ FT			3630 SQ FT
Office	3630 SQ FT			3630SQ FT
Industrial/PDR <i>Production, Distribution, & Repair</i>				
Parking				
Other (Specify Use)				
TOTAL GSF	7260 SQ FT			7260 SQ FT

Please describe any additional project features that are not included in this table:

(Attach a separate sheet if more space is needed)

3657 Taraval street was an existing Retail Shop selling Doors and Windows the commercial space is now vacant and would like to remodel and be used as a full service restaurant serving alcohol.

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

We are requesting a change of Hours of Operation for a Limited Service Restaurant.

Conditional Use Findings

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

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

1. EXISTING BUSINESS - ASSET TO COMMUNITY, providing jobs.

2. " " INCREASE HOURS OF OPERATION

2a. N/A.

2b. NO CHANGE IN PARKING & TRAFFIC - EXISTING SITE & BUSINESS

2c. NO CHANGE -

2d. NO CHANGE -

3. EXISTING BUSINESS HAS BEEN CODE COMPLIANT - RECENTLY
SENIORE'S PIZZA HAS GONE THROUGH A RENOVATION AND HAS
PROVIDE SEATING & INTERIOR SPACE FOR THEIR PATRONS

Priority General Plan Policies Findings

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the City Planning Code. These eight policies are listed below. Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The Restaurant will enhance the employment opportunities for the neighborhood.

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

There are no Residential Units on site and will not be affect Housing

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

N/A

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

The change of hours of operation for limited restaurant will not impede the Muni transit nor will it overburden the neighborhood parking

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

The change in the hours of operation for limited restaurant will create opportunities for employments for the neighborhood residents

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

The limited restaurant has recently under went a remodel and upgraded structurally the area of remodel during the phase of construction

7. That landmarks and historic buildings be preserved; and

The building is not a historically significant

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

N/A

Estimated Construction Costs

TYPE OF APPLICATION:

Change of Hours of Operation

OCCUPANCY CLASSIFICATION:

B

BUILDING TYPE:

VB

TOTAL GROSS SQUARE FEET OF CONSTRUCTION:

0

BY PROPOSED USES:

Existing Limited Restaurant - change in the
hours of operation

ESTIMATED CONSTRUCTION COST:

\$1.-

ESTIMATE PREPARED BY:

FEE ESTABLISHED:

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature:



Date:

4-2-15

Print name, and indicate whether owner, or authorized agent:

Suheil Shatara, Shatara Architecture Inc.

Owner / Authorized Agent (circle one)

Application Submittal Checklist

Applications listed below submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent and a department staff person.**

APPLICATION MATERIALS	CHECKLIST	
Application, with all blanks completed	<input type="checkbox"/>	
300-foot radius map, if applicable	<input type="checkbox"/>	
Address labels (original), if applicable	<input type="checkbox"/>	
Address labels (copy of the above), if applicable	<input type="checkbox"/>	
Site Plan	<input type="checkbox"/>	
Floor Plan	<input type="checkbox"/>	
Elevations	<input type="checkbox"/>	
Section 303 Requirements	<input type="checkbox"/>	
Prop. M Findings	<input type="checkbox"/>	
Historic photographs (if possible), and current photographs	<input type="checkbox"/>	
Check payable to Planning Dept.	<input type="checkbox"/>	
Original Application signed by owner or agent	<input type="checkbox"/>	
Letter of authorization for agent	<input type="checkbox"/>	
Other: Section Plan, Detail drawings (ie. windows, door entries, trim). Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (ie. windows, doors)	<input type="checkbox"/>	

NOTES:

- ☐ Required Material. Write "N/A" if you believe the item is not applicable, (e.g. letter of authorization is not required if application is signed by property owner.)
- ☒ Typically would not apply. Nevertheless, in a specific case, staff may require the item.
- ☐ Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

After your case is assigned to a planner, you will be contacted and asked to provide an electronic version of this application including associated photos and drawings.

Some applications will require additional materials not listed above. The above checklist does not include material needed for Planning review of a building permit. The "Application Packet" for Building Permit Applications lists those materials.

No application will be accepted by the Department unless the appropriate column on this form is completed. Receipt of this checklist, the accompanying application, and required materials by the Department serves to open a Planning file for the proposed project. After the file is established it will be assigned to a planner. At that time, the planner assigned will review the application to determine whether it is complete or whether additional information is required in order for the Department to make a decision on the proposal.

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____



FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception

1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**

FAX: **415 558-6409**

WEB: **<http://www.sfplanning.org>**

Planning Information Center (PIC)

1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**

*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

AFFIDAVIT FOR Formula Retail Establishments

1. Location and Classification

STREET ADDRESS OF PROJECT: 2411-2415 19th Avenue, San Francisco		
ASSESSORS BLOCK/LOT: 2406 / 001	ZONING DISTRICT: NCD	HEIGHT/BULK DISTRICT: 40X

2. Proposed Use Description

PROPOSED USE (USE CATEGORY PER ARTICLE 7 OR 8): Change in the Hours of Operation for Existing Limited Service Restaurant	
PROPOSED BUSINESS NAME: Existing Name - Seniore's Pizza	
DESCRIPTION OF BUSINESS, INCLUDING PRODUCTS AND/OR SERVICES: Pizza Restaurant & Delivery Service	
BUILDING PERMIT APPLICATION NO.: (if applicable)	CONDITIONAL USE CASE NO.: (if applicable)

3. Quantity of Retail Locations

		TOTAL
3.a	How many retail locations of this business are within the United States? Please include any property for which a lease has been executed.	6
3.b	How many of the above total locations are in San Francisco?	2

If the number entered on Line 3.a above is 11 or more, then the proposed use *may* be a Formula Retail Use. Continue to section 4 below.

If the number entered on Line 3.a above is 10 or fewer, no additional information is required. Proceed to section 5 on the next page and complete the Applicant's Affidavit.

4. Standardized Features

Will the proposed business utilize any of the following Standardized Features?

	FEATURES	YES	NO
A	Array of Merchandise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B	Trademark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C	Servicemark	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D	Décor	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E	Color Scheme	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F	Façade	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G	Uniform Apparel	<input type="checkbox"/>	<input checked="" type="checkbox"/>
H	Signage	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TOTAL			

Enter the total number of Yes/No answers above.


If the total YES responses is **two (2) or more**, then the proposed use is a Formula Retail Use.

5. Applicant's Affidavit

NAME: Suheil Shatara		<input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Authorized Agent	
MAILING ADDRESS: (STREET ADDRESS, CITY, STATE, ZIP) 26 Lakeview Drive, Daly City, CA 94015			
PHONE: (4 1 5) 8 7 1 1 2 2 9		EMAIL: suheil@shataraarch.com	

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: Other information or applications may be required.

Applicant's Signature:  Date: 4-2-15

PLANNING DEPARTMENT USE ONLY			
PLANNING CODE SECTION(S) APPLICABLE:			
HOW IS THE PROPOSED USE REGULATED AT THIS LOCATION?			
<input type="checkbox"/> Principally Permitted <input type="checkbox"/> Principally Permitted, Neighborhood Notice Required (Section 311/312) <input type="checkbox"/> Not Permitted <input type="checkbox"/> Conditional Use Authorization Required (Please list Case Number below)			
CASE NO.	MOTION NO.	EFFECTIVE DATE	NSR RECORDED? <input type="checkbox"/> Yes <input type="checkbox"/> No
COMMENTS:			
VERIFIED BY:			
Signature: _____		Date: _____	
Printed Name: _____		Phone: _____	



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Outer Sunset Merchants Professional Association
1290 24th Ave.
San Francisco, CA 94122

Wednesday, March 18, 2015

San Francisco Planning Department
1650 Mission St., # 400
San Francisco, CA 94103

Re: Approval of Conditional Use Permit for Seniore's Pizza at 2411 19th Ave.

Dear Planner,

Please approve the Conditional Use Permit (CUP) request for 2411 19th Ave. The Taraval St. Neighborhood Commercial District Zoning Control Table, see section 741.26, principally permits the restaurant's hours of operation from 6am to 2am. The space requires a CUP from 2am to 6am. We find this use necessary, desirable, and compatible to this neighborhood.

Maroan Jaber is known and respected and can be trusted with this privilege. Mr. Jaber's restaurant is clean, safe, and well lit.

This will be a two step process for Mr. Jaber. If he receives a CUP he will then go to the Entertainment Commission and apply for an After Hours permit. Please approve the conditional use request with the following condition; abide by the good neighbor policy.

Sincerely,

William J. Barnickel
President Outer Sunset Merchant's Association

From: **Stefano Cassolato** stefanocassolato@gmail.com
Subject: Fwd: Security Plan Overview for 2411 19th Ave. at Taraval St.
Date: April 1, 2015 at 10:50 AM
To: maroan jaber maroanjaber@yahoo.com

A full security plan as been established for this space.

Project Address: 2411 19th Ave.

Zoning: Taraval St. Neighborhood Commercial District

Project Sponsors: Maroan Jaber

Project Description: Pizza Parlor, limited restaurant, that does not offer alcohol at this time with two addresses, 2411 and 2415 19th Ave, capacity is less than 49, and includes a delivery component. The project sponsors are seeking extended hours that are conditionally permitted between 2:00AM and 6:00AM.

Mr. Jaber is a known entity in the community for over 10 years. The venue is in the Outer Sunset Neighborhood and this is a harmonious use that supports the district's vitality. The proposed hours also give customers who don't work 9-5 an option to eat between 2:00AM-6:00AM which fills a need as there are limited restaurants open during that timeframe.

The venue's employees will obtain guard cards and currently the store is well lit and well managed. The employees have very good training and an understanding about how to execute Mr. Jaber's vision of providing a very safe, clean, and comfortable space. It is very common for people to

come into the restaurant, share a meal with a friend, and watch the large television that is available. It is also very common for customers to request both take out and delivery.

Mr. Jaber is very adamant about his employees walking a 100' radius around the property to ensure that no discarded trash has been left by a patron.
