

SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: OCTOBER 6, 2016

Date:	September 26, 2016
Case No.:	2016-000388CUA
Project Address:	1526 Powell Street
Zoning:	North Beach Neighborhood Commercial District (NCD)
	40-X Height and Bulk District
	North Beach SUD
Block/Lot:	0130/025
Project Sponsor:	Charles Chan
	3150 18 th Street, Suite 272
	San Francisco, CA 94110
Staff Contact:	Carly Grob – (415) 575-9138
	<u>carly.grob@sfgov.org</u>
Recommendation:	Approval with Conditions

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

Reception: 415.558.6378

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Planning Information: 415.558.6377

PROJECT DESCRIPTION

The applicant proposes a change of use from Light Industrial (d.b.a. Delucchi Sheet Metal) to a 3,989 square foot Restaurant. The applicant is in the process of attaining an ABC License Type 75. The proposed restaurant would occupy the ground floor and existing mezzanine, and the existing Light Industrial Use would remain at the basement and second floor. The two businesses would operate independently, with separate staff, entrances, operations, and business hours. Alterations to the building include interior tenant improvements and the replacement of a non-original roll-up door on the front façade. The project sponsor has also proposed to use an existing rear deck as an outdoor seating area for patrons.

The concept of the proposed restaurant will be developed around the existing industrial aesthetics of the space. Existing equipment and materials will be reused to create furniture for the restaurant, and a small amount of beer brewing would occur to serve patrons, maintaining an element of production and industry in the restaurant operations. The owner aims to bring a unique restaurant that serves both brunch and dinner to area residents, which is not available in the immediate vicinity.

The proposed hours of operation for the restaurant would be from 11:00 a.m. to Midnight Monday through Thursday, 11:00 a.m. to 2:00 a.m. on Friday, 8:00 a.m. to 2:00 a.m. on Saturday, and 8:00 a.m. to 10:00 p.m. on Sunday. Hours of Operation for outdoor seating would be limited to 10:00 p.m. Sunday through Thursday, 11:00 p.m. on Fridays, and Midnight on Saturdays.

SITE DESCRIPTION AND PRESENT USE

The project is located on the eastern side of Powell Street between Vallejo Street to the south and Green Street (aka Beach Blanket Babylon Boulevard) to the north, Block 0130, Lot 025. The property is located within the North Beach Neighborhood Commercial District with 40-X height and bulk district. The property is developed with a two-story-over basement, Light Industrial building. The subject property is currently occupied by Delucchi Sheet Metal Works, which specializes in custom architectural metalwork. Property owner and Delucchi President, Richard Jones, is looking to focus on small-scale custom work and no longer needs the entire building to operate his sheet metal working business. The subject property is approximately 137.5 feet deep and has approximately 37.75 feet of frontage along Powell Street. Of the property's 9,892 square feet, 5,669 square feet would remain a Light Industrial use and continue to be used by Delucchi Sheet Metal, while the remaining 3,989 square feet would be converted to Restaurant use.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is approximately one and a half blocks south of Washington Square, one and a half blocks north of the eastern end of the Broadway tunnel, and one block west of Columbus Avenue. The section of Powell between Green Street (a.k.a. Beach Blanket Babylon Boulevard) and Vallejo Street is comprised of two- to four-story residential uses, with some ground floor commercial uses including four personal service uses, one bar, one restaurant, one market, and two vacant storefronts. An American Legion meeting hall is adjacent to the subject property to south. A three-story-over garage, six unit residential building is immediately adjacent to the north facing Powell Street. The subject property also abuts two surface parking lots, one along the north property line and one along the east property line.

The Project site is located in the North Beach Neighborhood Commercial District, which functions as a neighborhood-serving marketplace, citywide specialty shopping and dining district, a tourist attraction, and apartment and residential hotel zone. The District is characterized by eating and drinking establishments that attract many tourists, and also contains convenience goods and services for surrounding residents. The project is located approximately one block north of the border of Chinatown and the Chinatown Community Business (CCB) Zoning District.

ENVIRONMENTAL REVIEW

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

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	September 16, 2016	September 14, 2016	22 days
Posted Notice	20 days	September 16, 2016	September 16, 2016	20 days
Mailed Notice	20 days	September 16, 2016	September 15, 2016	21 days

HEARING NOTIFICATION

Executive Summary Hearing Date: October 6, 2016

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the notice for the Conditional Use Authorization hearing.

PUBLIC COMMENT/COMMUNITY OUTREACH

- The project sponsor held a Pre-Application meeting regarding the proposed change of use at the project site on October 21, 2015.
- To date, the Department has received one call from a neighbor across the street from the subject property who has concerns about noise, the amount of foot traffic the business would bring to the street, sidewalk maintenance, and that the project would negatively impact her quality of life.

ISSUES AND OTHER CONSIDERATIONS

- Pursuant to Planning Code Section 303(o), the Planning Commission shall consider the existing concentration of eating and drinking uses in the area when considering a Conditional Use Authorization Application for a Restaurant use. Such concentration should not exceed 25% of the total commercial frontage in immediate area. Within 300 feet of the subject property, approximately 17.67% of the commercial frontage is comprised of eating and drinking uses. The project proposes the addition of approximately 15 linear feet of frontage of Restaurant use, which would increase the percentage of eating and drinking uses to 18.14% of the total commercial frontage in the immediate vicinity.
- Delucchi Metal Works would remain as a tenant in the building at the basement and second levels. The two businesses would be operated independently with separate staff, entrances, operations and business hours.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use authorization to allow the establishment of a Restaurant within the North Beach NCD, pursuant to Planning Code Section 722.44, for a use size that exceeds 2,000 square feet pursuant to Planning Code 722.21, and for an Outdoor Activity Area pursuant to Planning Code Section 722.24.

BASIS FOR RECOMMENDATION

- The project would add an active use to the ground floor of the subject property and would reduce the size of a noncomplying Light Industrial use.
- The project would allow the existing sheet metal shop to continue operations by maintaining light industrial use within the basement space and second floor. The project would not result in displacement of a light industrial use.
- The project promotes the establishment of a locally-owned business and contributes to the viability of the overall North Beach 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.

RECOMMENDATION:

Approval with Conditions

Attachments:

Draft Motion Block Book Map Sanborn Map Aerial Photographs Zoning Map Site Photo CEQA Clearance Project Sponsor Submittal, including: - Project overview and description

- Outdoor Activity Area Diagram
- Interior Inspiration photos
- Reduced Plans

Attachment Checklist

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

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

Planner's Initials

CG



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- $\hfill\square$ Affordable Housing (Sec. 415)
- □ Jobs Housing Linkage Program (Sec. 413)
- □ Downtown Park Fee (Sec. 412)
- □ First Source Hiring (Admin. Code)
- □ Child Care Requirement (Sec. 414)
- Other

Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 722.21, 722.24, 722.44, AND 780.3 OF THE PLANNING CODE TO ESTABLISH A RESTAURANT USE AT THE GROUND FLOOR AND MEZZANINE LEVEL, TO ALLOW AN OUTDOOR ACTIVITY AREA, AND TO PERMIT A USE SIZE EXCEEDING 2,000 SQUARE FEET WITHIN THE NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On February 3, 2016, Charles Chan (hereinafter "Project Sponsor") on behalf of Richard Jones (hereinafter "Property Owner") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Section(s) 303, 722.21, 722.24, 722.44, and 780.3 to establish a Restaurant with outdoor activity that exceeds 2,000 square feet within the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District.

On October 6, 2016, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2016-000388CUA.

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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. 2016-000388CUA, 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 eastern side of Powell Street between Vallejo Street to the south and Green Street (aka Beach Blanket Babylon Boulevard) to the north, Block 0130, Lot 025 within the North Beach Neighborhood Commercial District with 40-X height and bulk district. The property is developed with a two-story-over basement, Light Industrial building. The subject property is currently occupied by Delucchi Sheet Metal Works, which specializes in custom architectural metalwork. Property owner and Delucchi President, Richard Jones, is looking to focus on small-scale custom work and no longer needs the entire building to operate his sheet metal working business. The subject property is approximately 137.5 feet deep and has approximately 37.75 feet of frontage along Powell Street. Of the property's 9,892 square feet, 5,669 square feet would remain a Light Industrial use and continue to be used by Delucchi Sheet Metal, while the remaining 3,989 square feet would be converted to Restaurant use.
- 3. **Surrounding Properties and Neighborhood.** The project site is approximately one and a half blocks south of Washington Square, one and a half blocks north of the eastern end of the Broadway tunnel, and one block west of Columbus Avenue. The section of Powell between Green Street (a.k.a. Beach Blanket Babylon Boulevard) and Vallejo Street is comprised of two- to four-story residential uses, with some ground floor commercial uses including four personal service uses, one bar, one restaurant, one market, and two vacant storefronts. An American Legion meeting hall is adjacent to the subject property to south. A three-story-over garage, six unit residential building is immediately adjacent to the north facing Powell Street. The subject property also abuts two surface parking lots, one along the north property line and one along the east property line.

The Project site is located in the North Beach Neighborhood Commercial District, which functions as a neighborhood-serving marketplace, citywide specialty shopping and dining district, a tourist attraction, and apartment and residential hotel zone. The District is characterized by eating and drinking establishments that attract many tourists, and also contains

convenience goods and services for surrounding residents. The project is located approximately one block north of the border of Chinatown and the Chinatown Community Business (CCB) Zoning District.

4. **Project Description.** The applicant proposes a change of use from Light Industrial (d.b.a. Delucchi Sheet Metal) to a 3,989 square foot Restaurant. The applicant is in the process of attaining an ABC License Type 75. The proposed restaurant would occupy the ground floor and existing mezzanine, and the existing Light Industrial Use would remain at the basement and second floor. The two businesses would operate independently, with separate staff, entrances, operations, and business hours. Alterations to the building include interior tenant improvements and the replacement of a non-original roll-up door on the front façade. The project sponsor has also proposed to use an existing rear deck as an outdoor seating area for patrons.

The concept of the proposed restaurant will be developed around the existing industrial aesthetics of the space. Existing equipment and materials will be reused to create furniture for the restaurant, and a small amount of beer brewing would occur to serve patrons, maintaining an element of production and industry in the restaurant operations. The owner aims to bring a unique restaurant that serves both brunch and dinner to area residents, which is not available in the immediate vicinity.

The proposed hours of operation for the restaurant would be from 11:00 a.m. to Midnight Monday through Thursday, 11:00 a.m. to 2:00 a.m. on Friday, 8:00 a.m. to 2:00 a.m. on Saturday, and 8:00 a.m. to 10:00 p.m. on Sunday. Hours of Operation for outdoor seating would be limited to 10:00 p.m. Sunday through Thursday, 11:00 p.m. on Fridays, and Midnight on Saturdays.

- 5. **Public Comment**. The project sponsor held a Pre-Application meeting regarding the proposed change of use at the project site on October 21, 2015. To date, the Department has received one call from a neighbor across the street from the subject property who expressed concerns about noise, the amount of foot traffic the business would bring to the street, sidewalk maintenance, and potential negative impact her quality of life.
- 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. **Restaurant Use.** Planning Code Section 722.44 states that a Conditional Use Authorization is required to establish a Restaurant Use within the North Beach NCD. Restaurant use is only permitted with Conditional Use Authorization at the ground floor.

The applicant is seeking Conditional Use Authorization to establish a Restaurant in the North Beach NCD. The applicant proposes to establish restaurant use at the ground floor and mezzanine level. According to the definition of a story described in Planning Code Section 102, a mezzanine is considered to be part of the floor below as long as the mezzanine is at least 50% open along the interior side of the room or story and does not exceed one-third of the floor area of the story or room in which it is located. The proposed mezzanine occupies 582 square feet, which is less than one-third of the 2,690 square feet occupied by the restaurant at the ground floor indoors. A 42" glazed railing would be installed at the mezzanine level, which would otherwise open to the interior of the ground floor.

B. North Beach Special Use District. Pursuant to Planning Code Section 780.3, Restaurants are permitted as a Conditional Use at the ground level if the Planning Commission finds that the Restaurant does not occupy 1.) a space that was last occupied by a Basic Neighborhood Sale or Service Use, or 2.) a vacant space last occupied by a nonconforming use or permitted conditional use that has been discontinued or abandoned. A Basic Neighborhood Sale or Service Use is a use which provides goods and/or services which are needed by residents and workers in North Beach and surrounding neighborhoods, including but not limited to Other Retail Sales and Services, Personal Services, Medical Services, Liquor Stores, Trade Shops, Animal Hospitals, and Limited Restaurants. A use is considered discontinued or abandoned in the North Beach NCD if there has been a period of non-use for 18 months, except for Restaurant uses, which would be considered discontinued after a period of non-use for three years.

The applicant proposes to establish Restaurant Use within a space that is currently occupied by Delucchi Sheet Metal works, which is a Light Industrial Use and is not considered a Basic Neighborhood Sale or Service Use. Delucchi Sheet Metal is still operating within the space that is proposed for a change of use, so the proposed Restaurant use will not occupy a vacant space that was formerly occupied by a nonconforming use that has been discontinued or abandoned.

- C. **Outdoor Activity.** Planning Code Section 722.24 states that a Conditional Use Authorization is required for an Outdoor Activity Area that is not located in the front of the subject property. An Outdoor Activity Area is defined in Planning Code Section 790.70 as an area located outside of a building or in a courtyard which is provided for the use or convenience of patrons of a commercial establishment including, but not limited to, sitting, eating, drinking, dancing, and food-service activities. In addition to the criteria listed in Section 303, the Planning Commission shall find that:
 - 1. The nature of the activity operated in the outdoor activity area is compatible with surrounding uses;
 - 2. The operation and design of the outdoor activity area does not significantly disturb the privacy or livability of adjoining or surrounding residences;
 - 3. The hours of operation of the activity operated in the outdoor activity area are limited so that the activity does not disrupt the viability of surrounding uses.

The Project Sponsor is seeking Conditional Use Authorization to use an existing rear deck as additional seating for the proposed Restaurant Use. The outdoor area would be used for dining during business hours, but hours of operation would be limited. The proposed hours of operation on the deck are from 11:00 a.m. to 10:00 p.m. Monday through Thursday, 11:00 a.m. to 11:00 p.m. on Friday, 8:00 a.m. to Midnight on Saturday, and 8:00 a.m. to 10:00 p.m. Sunday. The deck would close earlier than the interior portion of the restaurant to reduce the potential for disruptive noise to surrounding neighbors. In addition, the deck would be lined with planters for sound screening, and the sponsor will also add umbrellas to patio tables to further mitigate noise. Although there are residential uses adjacent to the subject property, the outdoor activity area is compatible with the majority of uses surrounding the rear of the property, which includes two surface parking lots and a mortuary.

- D. Use Size. Planning Code Section 722.21 states that a Conditional Use Authorization is required to establish a use size between 2,000 square feet and 3,999 square feet. Uses over 4,000 square feet are not permitted in the North Beach NCD. In addition to the criteria of Section 303, the Commission shall consider the following criteria:
 - 1. The intensity of the activity in the District is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area;
 - 2. The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use requires a larger size in order to function;
 - 3. The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district.

The proposed restaurant use would not displace any neighborhood-serving uses, as it would replace existing Light Industrial use at the ground floor. The proposed use is intended to serve area residents, though some foot traffic from tourists coming from the Columbus corridor is anticipated. The proposed size would allow the restaurant owner to manage potentially increased foot traffic from Columbus Avenue while also providing a neighborhood-serving restaurant. Since the building is considered a historic resource, the existing openings and proportions of the façade would not be altered.

E. **Eating and Drinking Uses.** Pursuant to Section 303(o), the Planning Commission shall consider the existing concentration of eating and drinking uses in the area when considering Conditional Use authorization applications for a Restaurant, Limited-Restaurant and Bar uses. Such concentration 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.

Generally, the North Beach NCD has a high concentration of eating and drinking uses, especially along Columbus Avenue. However, the area within 300 feet of the subject property that is located within the North Beach NCD has a more diverse range of commercial offerings, including Personal Services, markets, Financial Services, and assembly halls. Approximately 17.67% of the existing commercial frontage within 300 feet of the subject property is comprised of eating and drinking uses. The project would add approximately 15 feet, three inches of restaurant frontage, which would increase the frontage of eating and drinking uses to 18.14%. The concentration of eating and drinking uses would not exceed 25%. Therefore, the project complies with Section 303(o) of the Planning Code.

F. 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 existing Light Industrial Use is not considered an active use. The proposed Restaurant use would introduce an active use at the ground floor, bringing the property into greater compliance with Section 145.1. To increase storefront transparency, the project proposes to incorporate two glass doors that will remain open during business hours behind the existing historic entry, which consists of two solid doors that are clad with sheet metal pressed with a brick pattern. Historic Preservation Staff at the Planning Department determined that retaining the historic entry is crucial to maintaining the historic character of the building. Although the historic doors are considered noncomplying, and the noncompliance would not be increased by the project.

G. **Bicycle Parking.** Pursuant to Planning Code Section 155.2, one Class 2 bicycle parking space is required for every 750 square feet of Occupied Floor Area. The project includes 3,730 square feet of Occupied Floor Area, and therefore requires five Class 2 Bicycle Parking spaces.

The project sponsor would provide three bicycle racks for a total of six Class 2 bicycle parking spaces in front of the proposed Restaurant. Therefore, the project is compliant with the bicycle parking requirements of Section 155.

- H. **Signage**. Currently, there is not a proposed sign program on file with the Planning Department. The proposed business does not have a name as of this writing. Any proposed signage will be subject to the review and approval of the Planning Department.
- 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 proposed Restaurant use is compatible with the North Beach Neighborhood Commercial District, as it replaces a noncomplying ground floor Industrial use with an active Commercial use. The restaurant operator aims to operate a business that is unique to the district and speaks to the history of the building. He aims to provide a restaurant that serves both brunch and dinner in an area where there are fewer restaurants offering an all-day menu.

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. The proposed work will not affect the building envelope, as the only exterior alterations proposed include the replacement of a non-original roll-up door.

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 3,989 square-foot Restaurant. The proposed use 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 and outlined in Exhibit A, as well as the standard operating conditions for eating and drinking uses described in Planning Code Section 703.5. Conditions 15 and 16 specifically obligate 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 project proposes planters to mitigate sound at the back patio. No screening, parking, additional lighting or open spaces are proposed. In order to maintain the integrity of the historic building, the existing sign reading "John Delucchi Sheet Metal Works" would be retained. Any additional signage will be reviewed by the Department for compliance with Article 6 of the Planning Code as well as preservation staff.

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

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

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

The North Beach NCD controls identify that the District is over concentrated with restaurants, and that the controls are intended to prevent restaurants and bars from replacing neighborhood-serving uses. Although the project would add a restaurant within the District, the proposed project is consistent with the stated purposed of the North Beach Neighborhood Commercial District in that the intended use would not replace a neighborhood serving use. Further, the project would better activate the street frontage with a neighborhood-serving restaurant.

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

COMMERCE AND INDUSTRY

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 project would bring the subject property into greater compliance with Policy 1.3, as it would incorporate an active Commercial use at the ground floor within a Neighborhood Commercial District. The project would reduce size of the noncomplying Industrial use, which is not permitted in the NCD.

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 a portion of the existing industrial activity and will also add commercial activity to the ground floor.

NEIGHBORHOOD COMMERCE

Objectives and Policies

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.

Delucchi Sheet Metal would maintain operations at the basement and second floor of the subject property. The project would retain diversity within the North Beach NCD while activating the ground floor with a Restaurant use and provide a use that is more compatible with the Neighborhood Commercial District than a Light Industrial Use.

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, helping to foster a small business enterprise in the North Beach NCD. This is not a Formula Retail use.

Policy 6.8:

Preserve historically and/or architecturally important buildings or groups of buildings in Neighborhood Commercial Districts.

The project respects the original historic structure, as alterations to façade bring the building closer to how it was originally constructed. The project does not alter the building envelope. In addition, the proposed restaurant concept would reference the historic sheet metal shop.

- 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 proposed business would not negatively impact the existing neighborhood-serving retail uses, as it would occupy a space that is currently occupied by a Light Industrial use. The business would be locally owned and it creates additional employment opportunities for the community.

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

The proposal preserves Delucchi Sheet Metal Works, which has both a physical and cultural history in San Francisco, while also adding economic diversity by providing an active ground floor restaurant. The existing units in the surrounding neighborhood would not be adversely affected. The proposal restricts the use of the outside area so as to mitigate noise concerns.

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 Powell Street and is well served by transit. It is presumable that the employees would commute by transit thereby mitigating possible effects on street parking. There are several MUNI lines within ¼ mile of the subject property, including the 8, 8AX, 8BX, 10, 12, 30, 30X, 41, 45, 59 and 91. The addition of a 3,989 square foot restaurant would not negatively impact transit service or overburden streets with neighborhood parking.

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

The proposed Restaurant Use would occupy a site that is currently occupied by a nonconforming Light Industrial use, which is no longer consistent with the surrounding Neighborhood Commercial District. Furthermore, Delucchi Sheet Metal will not be displaced, as the business will still occupy portions of the existing building and continue to craft custom ornamental metal.

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

The Project is 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 subject property is considered a historic resource. The project proposes minimal alterations to the façade of the existing building, which are limited to the replacement of a non-original roll-up door with a double swing door clad in the same metal as the rest of the building. The proposed façade alterations would reintroduce features from the original building that have been obscured or removed over time. The proposal has been reviewed by Historic Preservation Staff, who have determined that the exterior alterations are compliant with the Secretary of the Interior Standards for the Treatment of Historic Buildings. Therefore, project would preserve the historic building.

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. 2016-000388CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated September 26, 2016, 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 October 6, 2016.

Jonas P. Ionin Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: October 6, 2016

EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use to allow a Restaurant use and Outdoor Activity Area which exceeds 2,000 square feet located at 1526 Powell, Lot 025 in Assessor's Block No. 0130 pursuant to Planning Code Section(s) 303, 722.21, 722.24, 722.44, and 780.3 within the North Beach Neighborhood Commercial District, North Beach Special Use District and a 40-X Height and Bulk District; in general conformance with plans, dated June 24, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2016-000388CUA and subject to conditions of approval reviewed and approved by the Commission on **October 6, 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 **October 6, 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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>.

- Noise. Plans submitted with the building permit application for the approved project shall incorporate acoustical insulation and other sound proofing measures to control noise. For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u>
- 8. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans. Odor control ducting shall not be applied to the primary façade of the building.

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

PARKING AND TRAFFIC

 Bicycle Parking. Pursuant to Planning Code Sections 155.1 and 155.4., the Project shall provide no fewer than five Class 2 bicycle parking spaces. For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

PROVISIONS

10. **Transportation Sustainability Fee.** The Project is subject to the Transportation Sustainability Fee (TSF), as applicable, pursuant to Planning Code Section 411A. *For information about compliance, contact the Case Planner, Planning Department at* 415-558-6378, <u>www.sf-planning.org</u>

MONITORING

- 11. Enforcement. Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction. *For information about compliance, contact Code Enforcement, Planning Department at* 415-575-6863, <u>www.sf-planning.org</u>
- 12. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the

specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

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

OPERATION

- 13. Garbage, Recycling, and Composting Receptacles. Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at* 415-554-.5810, <u>http://sfdpw.org</u>
- 14. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works,* 415-695-2017, <u>http://sfdpw.org</u>
- 15. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

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

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

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

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

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

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

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

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

Parcel Map



GREEN



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



SUBJECT PROPERTY



Zoning Map





Site Photo





SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
	1526 Powell	0	130/025
Case No.	Permit No.	Plans Dated	
2016-000388CUA	2015.1230.6193		6-24-15
Addition/	Demolition	New	Project Modification
Alteration	(requires HRER if over 45 years old)	Construction	(GO TO STEP 7)
Project description for Planning Department approval.			
The proposal is for a change of use from all light industrial use to include a 3,989 square foot restaurant with accessory brewing. The proposed			

restaurant would occupy the ground floor, back patio and existing mezzanine, and the industrial use would remain at the basement level and second floor. Alterations to the building include interior tenant improvements and the replacement of a non-original roll-up door on the front façade.

STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

*Note: If n	*Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.*		
\checkmark	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.		
	Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.; .; change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000 sq. ft. if principally permitted or with a CU.		
	Class		

STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

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

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

	Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).
	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area</i>)
	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Topography</i>)
	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Topography</i>) If box is checked, a geotechnical report is required.
	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones</i>) If box is checked, a geotechnical report is required.
	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones</i>) If box is checked, a geotechnical report will likely be required.
	are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an <i>Environmental</i> Application is required, unless reviewed by an Environmental Planner.</u>
\checkmark	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments	and Planner Signature (optional):

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)		
\checkmark	Category A: Known Historical Resource. GO TO STEP 5.	
	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.	
	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.	

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

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

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

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

	9. Other work that would not materially impair a historic district (specify or add comments):
	(Requires approval by Senior Preservation Planner/Preservation Coordinator)
	 10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation Coordinator) Reclassify to Category A Reclassify to Category C a. Per HRER dated:
Note: I	f ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.
	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.
\checkmark	Project can proceed with categorical exemption review . The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6 .
Comme	ents (optional):
Replac	e non-historic garage roll-up door with matching pressed metal double-leaf door.
Preserv	ation Planner Signature: Marcelle Boudreaux
	: CATEGORICAL EXEMPTION DETERMINATION COMPLETED BY PROJECT PLANNER

	Further environmental review required. Proposed project does not meet scopes of work in either (check				
	all that apply):				
	Step 2 – CEQA Impacts				
	Step 5 – Advanced Historical Review				
	STOP! Must file an Environmental Evaluation Applicati	011.			
\checkmark	No further environmental review is required. The project is categorically exempt under CEQA.				
	Planner Name: Carly Grob	Signature:			
	Project Approval Action:	Carly Digitally signed by Carly Grob DN: dc=org, dc=sfgov, dc=cityplanning, ou=Current Planning, cn=Carly Grob, email=Carly.Grob@sfgov.org Date: 2016.09.08 09:50:14 -07'00'			
	Planning Commission Hearing	ou=CityPlanning, ou=Current Planning, cn=Carly Grob, email=Carly.Grob@sfgov.org			
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	GIOD Date: 2016.09.08 09:50:14 -07'00'			
	Once signed or stamped and dated, this document constitutes a categori of the Administrative Code.	cal exemption pursuant to CEQA Guidelines and Chapter 31			
	In accordance with Chapter 31 of the San Francisco Administrative Cod within 30 days of the project receiving the first approval action.	e, an appeal of an exemption determination can only be filed			

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different that	Block/Lot(s) (If different than	
		front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:

1	
	Result in expansion of the building envelope, as defined in the Planning Code;
	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
Tf at land	to an of the shore house is shorted further environmental region is a suited ATEX FOR

If at least one of the above boxes is checked, further environmental review is required. ATEX FORM

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

	The proposed modifi	cation would not result in any of the above changes.		
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project				
approval and no additional environmental review is required. This determination shall be posted on the Planning				
Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.				
Planner Name:				
Planner I	Name:	Signature or Stamp:		
Planner I	Name:	Signature or Stamp:		
Planner I	Name:	Signature or Stamp:		

3150 18th Street Suite 272San FranciscoCA 94110T:415-307-9865F:415-520-0375

1. Summary of Community Outreach

10.28.14 - Pre-Submittal Meeting with Planning Staff

09.23.15 - Notice of Pre-Application Meeting mailed out to Adjacent Neighbors

10.21.15 - Pre-Application Meeting with Adjacent Neighbors @ 1526 Powell St. [Project Site]

2. Proposal for Restaurant Use

Since Richard Jones' ownership of the property from 1986, the 9,929 sq. ft. business of Delucchi Sheet Metal Works has greatly downsized throughout the years. In light of the lease term ending soon in his other restaurant, Cafe Delucchi on Columbus Avenue since year 2000, Richard is now searching for an opportunity to construct a new location to continue his restaurant business venture. Although the new restaurant space will only occupy 3,989 sq. ft. of the total area, Delucchi Sheet Metal Works will continue to operate within the remaining area of the building, which is more than sufficient and suitable for the current business model. Property Owner - Richard Jones - will be operating the retiring sheet metal shop in parallel with the restaurant.

Having owned and operated the restaurant on Columbus Avenue for the last 16 years, Jones recognizes that local residents are more appealed to restaurants on the outskirts of the Columbus corridor, away from the tourists scene. Areas North of Columbus Avenue and around Washington Square Park for example, are filled with uplifting restaurants popular to the locals, while the South end only has a handful of restaurants for the locals. Provided with nearly 4,000 sq ft. of area, Jones believes that this a great opportunity to extend his vision for his restaurant business on the grounds of the existing Delucchi Sheet Metal Works. Instead of having to create a generic concept for the restaurant, we now have an opportunity to develop our own vision by integrating the building's historic significance, architecture and characteristics. Besides the fact that this building is a historic resource, it is also Jones' wish to preserve the legacy of Delucchi since he inherited the building + business since 1986.

Referring to the fact that Delucchi Sheet Metal Works has downsized greatly, the future use of this building becomes an important question for Jones as the property owner. Extending or transforming the current light industrial use of the building is out of the question since Zoning criteria has changed, nor will it ever become a neighborhood serving use in today's setting. Retail or Work office will require an extensive remodel that will retire most of the building's original characteristics, interior, and infrastructure. In other words, bringing in business(es) other than sheet metal works or restaurant will largely jeopardize the future of the building once new ownership/management/operator set foot in the building. Having owned the building for more than 30 years, Jones has no need or desire to share his ownership, including any opportunity that may put the Deluchhi's legacy at risk.

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3. Restaurant Concept

The concept of the restaurant will be strictly developed off of Delucchi Sheet Metal Works. May it be a dining hall, cafeteria, lounge, or a break room, the restaurant is envisioned to be an amenity to this unique sheet metal shop in the yesteryears. The existing equipment will be reused and adapted for dining use - steel racks to be the back bar, work tables to be the dining tables, wood racks to be converted into wine cases, industrial trolley to be converted into table side wine stands; the opportunities are endless. With such unique industrial setting of the building, we are re-creating an experience for the customers to be dining inside a working metal work shop from the early years, having California inspired foods with a variety of locally crafted beers, getting glimpse of the surrounding through the existing industrial windows. We are not creating another new restaurant with generic and heavily engineered rustic aesthetics as seen everywhere else in today's restaurant scene. In fact, all decor elements are already rooted in the building.

The restaurant will be a local destination for brunch and dinner. Restaurants serving both brunch and dinner menus on the South end of Columbus are extremely limited. Given the square footage we have here along with an outdoor patio, this could be the first restaurant of this size serving both on the South end of Columbus. Larger groups and corporate buy-outs can now be an option with our open floor plan and generous mezzanine area. Our application to brew our own beers will further extend such dining experience. The demographics of the customer base will be working individuals from nearby areas, local residents and possibly tourists on their way to the Columbus corridor and further down North Beach.

4. Proposed Hours of Operations:

11am to10pm deck mon.-thurs 11am to12am inside mon-thurs

11am-11pm deck fri 11am-2am inside fri

8am-12am deck sat 8am-2am inside sat

8am-10pm inside and deck sun

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5. Price Range and Menu

The price range per person will range from \$35 Brunch to \$70 in the evening after tax and tips. Establishing this as a destination restaurant, Jones will be pairing more traditional American dishes with local crafted beers, tailored for local residents and working class in the area. Below is the preliminary menu being developed:

Brunch -

Starters Grapefruit Brulee |7 Huckleberry Fritters |9 Berries and Cream |10 Griddle Buttermilk Pancakes |12 Oatmeal Walnut Raisin Pancakes |13 French Toast |13 **Savories** Delucchi Salad |13 Heirloom Tomato |16 Shrimp and Grits |16 Cast Iron Baked Farm Eggs |15 Smoked Salmon Benedict |17 Pan-Fried Corned Beef Hash |16 Delucchi Burger |16

Dinner -

Classic Starters Brussel Sprout Chips - lemon zest and sea salt |9 Smoked Deviled Eggs - bacon, pickled jalapeno and chive |2.5 each Delucchi Fries - truffle, soft-cooked egg and caviar |14 <u>Appetizers</u> Heirloom Tomato -melon, cucumber, basil, feta, toasted almond and vinaigrette |16 Pancetta Wrapped Figs - blue cheese, balsamic emulsion and sunflower |16 Crispy Pork Belly - rice, onion marmalade and pickled mustard seed |15 Beef Tartare - smoked bone marrow, quail egg and crostini |19 <u>Entrees</u> Local Fish Special |29 Delucchi Belly Oven Chop |31 Roasted Lamb Chop |35

3150 18th Street Suite 272 San Francisco CA 94110 T:415-307-9865 F:415-520-0375

Wood Charred New York Steak |38 Roasted Prime Rib |38

6. Noise Management

Although the establishment of the restaurant will create more foot traffic into the building compare to its current state, Jones does not anticipate noise issues that may affect nearby buildings based on the following reasons:

A. this is meant to be developed as a destination restaurant for the locals with crafted menus and higher price range per typical dining pricing standards. Jones has zero intention to serve finger foods or bar menus.

B. From his operation/management of Cafe Delucchi on Columbus Avenue for that past 16 years, there is not one single noise complaint on record or complaints of any kind from the residence hotels above.

C. We are not proposing any outdoor seating on Powell Street. All dining experience will take place within the building with full glass door enclosure at front.

D. The outdoor patio is veiled behind a row of planters for sound screening. Outdoor umbrellas will be added to patio furniture to further reduce potential noise issues.

E. Per today's building code standards, most of the perimeter walls will be filled with wall insulation and sheetrock to achieve required fire rating assemblies. Sound absorbent panels and walls materials will certainly be included in the build out to achieve proper acoustic ratings per restaurant design standards, and allowing the ambient noise from the dining scene to be contained within the building's envelop.

7. Security Plan

No Security Plan will be implemented according to the current business plan. The grand vision of the business is a destination restaurant with a relaxed environment, the full bar proposed is to accommodate the food menu presented above. Our proposal here must not be mistaken as a drinking lounge or local bar where security measures are necessary.




-RICHARD JONES. OWNER SINCE 1999

-AT THE EPICENTER OF NORTH BEACH DINING, A RELAX, BRIGHT, AND CONTEMPORARY REINTERPRETATION OF THE CLASSIC ITALIAN CAFFE SERVING SIMPLE, AUTHENTIC FOOD.



dinner at delucchi

served daily at 5pm

antipasti

please call.

bruschetta

pasta

capellini e gamberi angel hair pasta with sauteed shrimp and cherry tomatoes in a lightly spiced white wine tomato sauce. 17

farfalle fra diavolo bowtie pasta with sauteed chicken breast, artichoke hearts and sundried tomatoes in a spicy roasted red pepper cream sauce. 15.5

fettucine all agnello housemade flat pasta in a hearty lamb regout with mushrooms, baby

ALAN TSE | CHARLES CHAN ARCHITECTURAL STUDIO CAFFE DELUCCHI **RICHARD JONES**

We do have nightly and weekly pasta, risotto and entree specials.

Although we do our best to keep the website current, prices and

availability are subject to change without notice. For price confirmation,

toasted crostini topped with a fresh mixture of diced roma tomatoes,

Please call the restaurant for current specials.

fresh basil, extra virgin olive oil, and garlic. 8.5

farfalle fra diavolo

Bowtie pasta, chicken breast, artichoke hearts, sundried tomatoes, sicy roasted red pepper cream sauce. 17









1526 POWELL

ALAN TSE | CHARLES CHAN ARCHITECTURAL STUDIO





VACANT LOT

PROPOSED OUTDOOR SEATING ON (E) DECK

PARKING LOT



4 STOREY | RESIDENTIAL

3 STOREY | COMMERCIAL GREEN STREET MORTUARY

COLUMBUS AVE

STOCKTONST

CREEN ST

12.00

0

POWELS

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0

0-

VALLEJO ST

0-----

(III)

17 A

6 STOREY | PUBLIC PARKING GARAGE | CENTRAL POLICE STATION

3 STOREY | RESIDENTIAL

3 STOREY | RESIDENTIAL 1 STOREY | COMMERCIAL ANDY'S JEWELRY CO., INC.

STOREY | RESIDENTIAL 1 STOREY | COMMERCIAL BLUE SKY RESTAURANT | SUN SUN PRODUCE CO.

4 STOREY | RESIDENTIAL

2 STOREY | PUBLIC CATHAY POST NO. 384

PROPOSED OUTDOOR SEATING ON (E) DECK

4 STOREY | RESIDENTIAL

2 STOREY | RESIDENTIAL

3 STOREY | RESIDENTIAL 1 STOREY | COMMERCIAL METAFORM PRODUCT DEVELOPMENT

> 1 STOREY | COMMERCIAL NORTHSTAR CAFE

























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ALAN TSE | CHARLES CHAN ARCHITECTURAL STUDIO









ADDRESS:	1526 POWELL STREET, SAN FRANCISCO CA. 94133	(E) AREA: USE		STORY	USE	AREA	NOTES					arbert St
CROSS ST:	GREEN ST.	MET	AL SHOP	BASEMENT	F-2, S	4,950 SF	UNCONDITIONED OPEN AREA		- 111			Mase
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ZONING:	NCD – NORTH BEACH NEIGHBORHOOD COMMERCIAL	MED	AL SHUP	SECOND FLOOR	F-2	2,081 SF 9,892 SF			Trees	********	Anna Anna Anna Anna Anna Anna Anna Anna	Star St
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PARCEL AREA:	5,257 SF	(1) 4054			1			1		-1	LOHN J. DELUCOM	Mass
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£ -	- ALAN@TC-ARCHSTUDIO.COM			2013 CALIFORNIA F	LUMBING COL	DE			-		1// 1556 DOWELL ST	11 / 21
BUSINESS OWNER:				2013 CALIFORNIA E					ower		1556 POWELL ST. BLOCK 0130 LOT 027	
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CONTACT		BUILDING CODE REFERENCE							1544 POWELL ST.			
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SITE PHOTOS - GROUND FLOOR - PROPOSED RESTAURANT SPACE IN (E) METAL SHOP



BASEMENT WORKSPACE

SECURED STORAGE + WORK SPACE

WORKSPACE VIEWING TOWARDS THE REAR

SITE PHOTOS – BASEMENT – (E) METAL SHOP











