



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: JULY 6, 2017
CONTINUED FROM JUNE 1, 2017

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Date: June 26, 2017
Case No.: **2016-001273CUA/VAR/COA**
Project Address: **302 Greenwich Street/1531 Montgomery Street**
Historic Landmark: Julius' Castle: Landmark No. 121
Zoning: RH-3 (Residential, House - Three Family)
40-X Height and Bulk District
Block/Lot: 0079/004-005
Project Sponsor: Paul Scott
Pier 9, The Embarcadero, Suite 100
San Francisco, CA 94111
Staff Contact: Jonathan Vimr – (415) 575-9109
Jonathan.vimr@sfgov.org
Recommendation: **Approve with Conditions**

PROJECT DESCRIPTION

The proposed project ("Project") is a change of use to return the property at 302 Greenwich Street to its historic use as a Restaurant (dba "Julius' Castle"). The Project would feature a street level bar with dining at the second and third floors, including the third floor terrace located at the rear of the property.

SITE DESCRIPTION AND PRESENT USE

The project site is located at the north side of Greenwich Street at the end of Montgomery Street in the North Beach neighborhood, Assessor's Block 0079, Lots 004 and 005. The property, Julius' Castle (City Landmark No. 121), occupies two lots that in sum are approximately 3,906 square feet in area. The landmark building is a three (3) story wood frame building constructed in 1923 and expanded in 1928 and again 2007 without benefit of permit or entitlement. The property operated as a restaurant from 1923 until 2007. It has been vacant since 2007.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located within the North Beach/Telegraph Hill neighborhood at the north side of Greenwich Street at the end of Montgomery Street, approximately 150 feet downslope from Coit Tower on Telegraph Hill. Beyond Coit Tower, surrounding development consists almost entirely of a variety of low-density residential buildings. These residential buildings have a range of heights corresponding to topography, but structures rarely exceed four stories above grade. The surrounding zoning is primarily RH-3 (Residential, House - Three Family) and P (Public) for Pioneer Park.

ENVIRONMENTAL REVIEW

The project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	June 16, 2017	June 14, 2017	22 days
Posted Notice	20 days	June 16, 2017	June 14, 2017	22 days
Mailed Notice	20 days	June 16, 2017	June 16, 2017	20 days

PUBLIC COMMENT/COMMUNITY OUTREACH

To date, the Planning Department ("Department") has received twenty-five (23) letters in support of the proposed Project and twelve (11) letters in opposition. Two (2) petitions in support of the project have been received, with signatures from eighteen individuals in total; one (1) petition opposing the project has been received, representing twelve individuals. One (1) neighborhood organization, the Telegraph Hill Neighborhood Center, has also expressed its support. Those in support of the Project speak to the landmark's long history as a neighborhood institution as well as a desire for the increased activity that it could bring. The concerns of opposing parties pertain to the potential for increased traffic and related pedestrian safety issues, as well as noise and activity that may emanate from the restaurant. One property owner noted concerns pertaining to the cracked roadway and the settling of rubble underneath the street.

The project sponsor is working with the Telegraph Hill Dwellers to develop an agreement, outside of the standard Conditions of Approval that will be tied to this Conditional Use, pertaining to: hours of operation, live entertainment, and traffic management. The sponsor included a draft of this document as an attachment to his Conditional Use Authorization Application filed on February 23, 2017. This document includes communications between the sponsor and Aaron Peskin, who was not at that time serving on the Board of Supervisors.

ISSUES AND OTHER CONSIDERATIONS

- Background: The subject building is Julius' Castle, City Landmark No. 121, which was constructed in 1923 and expanded in 1928 by architect Louis Mastropasqua. It is one of San Francisco's oldest continuously operated restaurants and retains its original location and name. Per the landmark ordinance, the significance of the building lies in its architectural design and its role as a restaurant that serves as "a living slice from the history of the local Italian and restaurant communities."

Julius' Castle operated as a restaurant from its date of construction, 1923, until 2007, when this use was halted by the previous property owner, James Payne. Mr. Payne purchased the property in 2006 and subsequently performed work without benefit of permit or entitlement, including an

addition over the front staircase and the expansion of a small vertical addition at the northwest corner of the building (this vertical addition is referred to as a “detached building” in the various Certificate of Appropriateness cases as it is distinct from the main building’s massing and can be accessed at grade due to the steeply-sloping topography of the site). In response to this work, a complaint was filed in January 2016 with the Planning Department subsequently issuing a Notice of Violation on May 17, 2007. Mr. Payne was issued a Certificate of Appropriateness (COA) (Case No. 2007.0653A) on December 17, 2008 with conditions of approval for abating the violation, but did not pursue the project and the COA expired on December 17, 2011.

The current property owner, Paul Scott, purchased the property in April 2012 and submitted an updated COA application. This COA (Motion No. 0213, Case No. 2012.1197A) was issued with conditions of approval by the Historic Preservation Commission (HPC) on October 16, 2013. The HPC requested that the Planning Commission consider a condition of approval as part of its potential conditional use authorization that all scopes of work defined in the COA be completed prior to the building operating as a restaurant.

In the case report for COA 2012.1197A, Department staff indicated that the project would require a rear yard variance to legalize portions of the building and a Conditional Use Authorization to restore the Restaurant use. Overall, the project would return the building to its condition prior to completion of all non-permitted work other than the expansion of the vertical addition. In its approval, the HPC assessed means of improving the architectural compatibility of the non-permitted expansion, which entailed the replacement of non-historic windows and doors at the vertical addition with more appropriate versions, and with the understanding that the Planning Commission and Zoning Administrator approvals may require further refinement of the proposed project. Building Permits to complete this work were issued in January, 2016 (Permit Nos. 2016.0122.7812 and 2016.0122.7818). An Administrative COA (2016-001273COA) was approved on July 21, 2016 to complete minor work not addressed in the approval for COA 2012.1197A.

- Conditional Use Authorization: The proposal requires Conditional Use Authorization pursuant to Planning Code Sections 186.3, 303, and 710.44 to allow the restoration of a Restaurant use at the subject property located within a RH-3 Zoning District. In a Letter of Determination dated August 14, 2014, the Zoning Administrator found that the legally nonconforming restaurant use at the landmark property had been discontinued for a period of at least three years. This use may be restored pursuant to Planning Code Section 186.3, which states that any use permitted as a principal or conditional use on the ground floor of the NC-1 Zoning District is allowed in a structure on a landmark site (designated pursuant to Article 10 of the Planning Code) with Conditional Use Authorization provided that the use: 1) conforms to the provisions of Section 303; and, 2) is essential to the feasibility of retaining and preserving the landmark. Restaurant uses are permitted on the ground floor of the NC-1 Zoning District; therefore Conditional Use Authorization may be sought to allow restoration of a restaurant use at the subject property.
- Variance: The project sponsor is also seeking a Variance from rear yard requirements in order to legalize the horizontal expansion of the rear addition at the northwest corner of the property. The entirety of this expansion is located within the required rear yard and also extends over the rear property line and into Pioneer Park by approximately 2'. The Historic Preservation Commission reviewed this portion of the proposed project under COA Case No. 2012.1197A for

compatibility with the character-defining features of the subject property and its policies and guidelines. The HPC granted the COA with the understanding the Zoning Administrator, in his discretion, may require the rear addition to return to its original footprint based on other factors not related to historic preservation. This reduction in scope would not require the HPC to review the proposed project as it would require the rear addition to return to its historic condition.

- Eating and Drinking Establishments: There are currently no eating and drinking establishments within a 300' radius of the property. The restoration of the Restaurant use at this property would not affect the historic concentration rate in the surrounding neighborhood.
- Operations Conditions: The Sponsor has agreed to implement the operations conditions sought by the Telegraph Hill Dwellers as outlined in the attachment to the Sponsor's application. The Department has included several of these conditions as conditions of approval; however several of their agreements are not enforceable under the Planning Code and must remain in the format of a private agreement.

As an additional means of monitoring the effects of the project on the surrounding neighborhood, Condition of Approval No. 15 in the attached Draft Motion stipulates that the Project Sponsor shall submit a written performance update six (6) months after the property begins operation as a Restaurant. This update will include any recorded complaints with the San Francisco Police Department as well as any other general feedback from neighbors regarding operation of the Restaurant use. The Planning Commission may request a full hearing in response to this memo at their discretion.

REQUIRED COMMISSION ACTION

For the project to proceed, this Commission must grant Conditional Use Authorization to allow the restoration of a Restaurant use at the landmark site pursuant to Planning Code Sections 186.3, 303, and 710.44.

BASIS FOR RECOMMENDATION

- The proposal returns a popular, historic neighborhood-serving use and fills a space that has been vacant for approximately ten years. Julius' Castle was originally built as a restaurant and acted as such for its entire history until becoming vacant under the previous property owner. As stated in the landmark ordinance, this type of use is a character-defining feature of the property and is therefore essential to be maintained for the preservation of the landmark. The Historic Preservation Commission reinforced this in its approval of Certificate of Appropriateness Case No. 2012.1197A (Motion No. 0213), in which exterior restoration of the building was approved with the understanding that a Conditional Use Authorization would be filed in the future to restore the property's historic operation as a restaurant.
- Beyond the Restaurant use being a character-defining feature of the landmark, abandoning this use and converting the property into housing may necessitate significant interior and exterior alterations that would damage the building's historic material and character.
- Returning the property's historic function as a Restaurant would provide residents throughout the city the opportunity to experience and enjoy a local landmark. This opportunity would be eliminated if the property were converted to a private residence.

- The subject site is accessible via public transit, including Muni bus lines 38 and 82X as well as the E and F streetcars running along the Embarcadero.
- Motor vehicle traffic is not perceived as a recent problem in this area and Julius' Castle operated as a restaurant as recently as 2007. Various voluntary traffic calming measures have been included as part of the project as conditions of approval to address the concerns of several area residents. The rise in ride-sharing as a means of transportation may help to ameliorate parking issues.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for and compatible with the surrounding neighborhood in that it facilitates the preservation of a highly-visible historic property and restaurant use that has operated with minimal interruption at the site since 1923.

RECOMMENDATION: Approve with Conditions

Attachments:

Draft Motion

Block Book Map

Sanborn Map

Zoning Map

Aerial Photograph

Site Photographs

Project Sponsor Submittal, including:

- Applications
- Operations agreement developed with Telegraph Hill Dwellers
- Recreation and Park Department letter of support for Variance
- Reduced Plans

Landmark Designation Ordinance

Case Report, Case No. 2012.1197A

HPC Motion No. 0213

Administrative COA, Case No. 2016-001273COA

Public Correspondence

Letter of Determination (August 14, 2014)

Exhibit 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 type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Block Book Map | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Aerial Photos | <input type="checkbox"/> Community Meeting Notice |
| <input checked="" type="checkbox"/> Context Photo | <input checked="" type="checkbox"/> Public Correspondence |
| <input checked="" type="checkbox"/> Site Photo | |

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

IV
Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Planning Commission Draft Motion

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Project Address: **302 Greenwich Street/1531 Montgomery Street**
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40-X Height and Bulk District
Special Use District: Telegraph Hill-North Beach Residential Special Use District
Block/Lot: 0079/004-005
Project Sponsor: Paul Scott
Pier 9, The Embarcadero, Suite 100
San Francisco, CA 94111
Staff Contact: Jonathan Vimr – (415) 575-9109
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Recommendation: **Approve with Conditions**

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 186.3, 303, 710.44 OF THE PLANNING CODE TO ALLOW A RESTAURANT USE (D.B.A. JULIUS' CASTLE) WITHIN THE RH-3 (RESIDENTIAL, HOUSE – THREE FAMILY) ZONING DISTRICT, TELEGRAPH HILL – NORTH BEACH RESIDENTIAL SPECIAL USE DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On February 23, 2017 Paul Scott (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 186.3, 303, and 710.44 to allow a Restaurant (d.b.a. Julius' Castle) use within the RH-3 (Residential, House – Three Family) Zoning District, Telegraph Hill – North Beach Residential Special Use District (SUD), and a 40-X Height and Bulk District (hereinafter "Project").

On November 16, 2016 Project Sponsor filed an application with the Department for a Rear Yard Variance under Planning Code Sections 134 to legalize the previous expansion of the building at the rear without benefit of permit or entitlement.

On July 21, 2016 the Department approved an Administrative Certificate of Appropriateness pursuant to Article 10 of the Planning Code to address items that were not included, and to clarify certain scopes of work, in the Certificate of Appropriateness approved on October 16, 2013 in Motion No. 0213 (Case No. 2012.1197A). All other aspects of the project approved in Historic Preservation Commission Motion No. 0213 remain unchanged.

The Planning Department Commission Secretary is the custodian of records; the file for Case No. 2016-001273CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

On July 6, 2017, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2016-001273CUA.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2016-001273CUA, 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 north side of Greenwich Street at the end of Montgomery Street, Block 0079, Lots 004 and 005 in the Telegraph Hill/North Beach neighborhood. The property is located within the RH-3 (Residential, House – Three Family) District, Telegraph Hill – North Beach Residential SUD, and 40-X Height and Bulk District. The property is developed with an existing three-story structure which is currently vacant. The subject property is a corner lot, with approximately 63 feet of frontage along Greenwich Street. The lot is approximately 87% covered by the irregularly shaped subject building, with portions of the northern and eastern ends of the building extending approximately 2' over property lines. The property is known as Julius' Castle, City Landmark No. 121, which was built in 1923 and expanded in 1928 by Architect Louis Mastropasqua. Operated as a restaurant from 1923 until becoming vacant in 2007, Julius' Castle was one of San Francisco's oldest continuously operated restaurants in its original location. The building's design relies heavily from a number of popular stylistic movements at the time, including Storybook and Roadside architecture; while its design motifs are primarily derived from the Gothic Revival and Arts & Crafts styles. The prominent character-defining features include its corner turret and crenellated parapet, painted wood shingle cladding, and large-scale painted signage visible from the waterfront. Per the landmark

ordinance, the significance of the building lies in its architectural design and its role as a restaurant that serves as “a living slice from the history of the local Italian and restaurant communities.”

3. **Surrounding Properties and Neighborhood.** The property is located approximately 150 feet downslope from Coit Tower on Telegraph Hill. Surrounding development is almost exclusively multi-family and single-family homes. The Project Site is located in a RH-3 District with few neighborhood-serving commercial uses nearby. Residential buildings define the district. The surrounding properties are located within the RH-3 (Residential, House – Three Family) and P (Public) Districts.
4. **Project Description.** The applicant proposes to restore the abandoned Restaurant Use of City Landmark No. 121, Julius’ Castle. The building fulfilled this use from its construction in 1923 to 2007 when it became vacant. The building would not be enlarged, aside from the proposal to legalize an approximately 120sqft expansion of the building at the northwest corner of the property. This expansion has existed at the site since approximately 2007, as outlined in Variance Case No. 2016-001273VAR.

A building permit for tenant improvements has not yet been filed. The proposed commercial use will occupy a floor area of approximately 4,892 square feet, which is under 5,000 square feet in size and therefore has no on-site parking requirement. The proposed Restaurant would include 30-35 employees over the course of the day, including waiters, valets, kitchen staff, management, and janitorial staff. The Project Sponsor intends to hire from the surrounding neighborhood as is feasible. With a maximum occupancy of 152 people, the operation would accommodate a maximum of approximately 115 guests at a given time. Although the subject site is served by public transit (stops for the 39 and 82X bus lines as well as the E and F streetcar lines are within a ¼ mile of the Property), due in part to the terrain of the neighborhood, the Project Sponsor has agreed to implement certain traffic calming and operations measures, as described in Conditions of Approval No. 11 and No. 20, so that customers will not adversely affect traffic flow or pedestrian safety. The Restaurant is intended to primarily operate from 5pm to 10pm, daily, and may provide a brunch service from 11am-2pm on weekends.

5. **Public Comment.** Residents of the area have sent twenty-three letters in support of the proposal and eleven in opposition. Two supporting petitions with signatures from a total of eighteen individuals have been received, with one opposing petition representing twelve individuals having also been received. One neighborhood organization, the Telegraph Hill Neighborhood Center, has also stated its support for the proposal. The concerns of opposing parties relate to increased traffic and related pedestrian safety issues, as well as noise and activity that may emanate from the Restaurant.
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. **Non-Residential Use in Landmark Buildings in RH and RM Districts.** Planning Code Section 186.3 states that any use listed as a principal or conditional use permitted on the

ground floor in an NC-1 District, when located in a structure or landmark site designated pursuant to Article 10 of the Planning Code, is permitted with Conditional Use Authorization pursuant to Section 303, provided that such authorization conforms to the applicable provisions of Section 303 and the authorized use is essential to the feasibility of retaining and preserving the landmark.

A Restaurant Use is a conditionally-permitted use on the ground floor in the NC-1 District, pursuant to Planning Code Section 710.44. The subject property is Julius' Castle, City Landmark No. 121. It was constructed as a restaurant in 1923 and served that purpose until 2007 when it became vacant. Its use as a restaurant is a significant aspect of its historic character per the landmark ordinance. Further, conversion of the building to residential use may necessitate dramatic alterations to the historic material and character of the property. Built as and for a restaurant, serving this purpose for its entire history, and significant in part because of this use, restoring a restaurant use at Julius' Castle is essentially to retain and preserve the landmark. This was reflected by the Historic Preservation Commission's approval of Certificate of Appropriateness Case No. 2012.1197A (Motion No. 0213), which entailed exterior work to restore the building to the historic operation of a landmark restaurant. The case report for 2012.1197A specifically noted that the building was constructed as a restaurant and would maintain this historic use through Conditional Use Authorization.

- B. **Rear Yard Requirement in the RH-3 District.** Planning Code Section 134 states that the minimum rear yard depth shall be equal to 45 percent of the total depth of a lot in which it is situated, but in no case less than 25 percent, or 15 feet, whichever is greater.

The project seeks to legalize an expansion at the northwest corner of the property that encroaches entirely into the required 15.75' rear yard, extending to the rear property line. This expansion was built without benefit of permit around 2007 and will be addressed under Variance Case No. 2016-001273VAR.

- C. **Parking.** Planning Section 151 of the Planning Code requires off-street parking for every 200 square-feet of occupied floor area, where the occupied floor area exceeds 5,000 square-feet.

The Subject Property contains approximately 4,892 square-feet of occupied floor area and thus does not require any off-street parking.

- D. **Signage.** Any signage associated with a City Landmark must comply with Article 10 of the Planning Code for treatment of historic properties, as well as any other applicable sign controls of Article 6.

Currently, there is not a proposed sign program on file with the Planning Department. The proposed business will retain the historic Julius' Castle name as well as the existing painted sign on the east façade. Any new signs will comply with Article 10 of the Planning Code, as well as any other applicable sign controls.

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 that of the historic restaurant. The proposed Restaurant will not adversely affect traffic or parking in the neighborhood. A restaurant operated in this location for approximately 85 years, and the new operations plan proposed by the applicant will help to calm traffic. This will return a service currently unavailable in the neighborhood and contribute to its economic vitality by revitalizing a vacant building.

- 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 building. The proposed work will not change the existing 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 4,892 square-foot Restaurant Use, but it does require additional Class 2 bicycle parking. The proposed use should not generate significant amounts of vehicular trips from the immediate neighborhood and traffic calming measures will be incorporated as part of the Sponsor's agreed-to operations plan, detailed more fully in Condition of Approval No. 11.

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

The proposed use is subject to the standard conditions of approval for Restaurants as outlined in Exhibit A. Conditions 10 and 18 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 Department shall review all interior tenant improvements, lighting, and and new signs proposed for the business. All conditions of approval in Certificate of Appropriateness Case No. 2012.1197A (Motion No. 0213) will be satisfied before restaurant operation can begin in accordance with Condition 6.

- 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 – aside from the required rear yard, which is being reviewed by the Zoning Administrator through a Rear Yard Variance request – 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 Residential District.

The Project is not consistent with the stated purposed of RH-3 Districts, but pursuant to Planning Code Section 186.3, this use is permitted as it conforms to the applicable provisions of Section 303 and is essential to the feasibility or retaining and preserving City Landmark No. 121: Julius' Castle.

7. **Additional Findings for Eating and Drinking Uses.** Pursuant to Section 303(o), for Conditional Use Authorization applications for a Restaurant, Limited-Restaurant, and Bar uses, the Planning Commission shall consider the existing concentration of eating and drinking uses in the area. 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-feet of the subject property and also located within the same Zoning District.

Within a 300-foot radius, there are no other eating and drinking uses, and no other commercial properties. Although this results in a concentration of over 25% of the total commercial frontage as measured in linear feet within 300' of the subject property and also with the RH-3 District (since the subject property is the only commercial property within 300'), the historic concentration of eating and drinking uses will not be affected in this neighborhood as a result of this project, since this property was built as a Restaurant in 1923.

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 desirable goods and services to the neighborhood and will provide resident employment opportunities to those in the community. The return of a Restaurant use at this location will not result in undesirable consequences.

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 return a commercial activity that was present in this location from 1923-2007 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.

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. The proposed use is a neighborhood serving use. 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 Project would enhance the district by returning a landmark restaurant in an area that is not over concentrated by restaurants. The business would be locally owned and would create 30-35 more employment opportunities for the community. The proposed alterations are within the existing building footprint.

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

The existing housing in the surrounding neighborhood would not be adversely affected. The Restaurant would operate from 5pm to 10pm, daily, and would have no service at the roof terrace after 9pm so as to minimize noise concerns.

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

No housing would be removed as part of this Project.

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

The site is on the north side of Greenwich Street where Montgomery Street ends and is served by transit. It is presumable that the employees would commute by transit or walking, thereby alleviating possible on-street street parking congestion. Additional traffic calming measures will be incorporated to further ensure street parking is not overburdened.

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

The Project will not displace any service or industry establishment. The Project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this Project.

- 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's Building Code. This Project will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The Project will restore the historic restaurant use of the landmark building while also returning activity to the landmark, which has been vacant since 2007. All associated exterior alterations were approved by the Historic Preservation Commission in Certificate of Appropriateness Case No. 2012.1197A (Motion No. 0213) and Administrative Certificate of Appropriateness Case No. 2016-001273COA; the Department will review any future interior tenant improvements for conformity with the Secretary of the Interior's Standards.

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

The project will have no adverse effect on existing parks and open spaces as the expansion seeking legalization is two-stories tall and under 40' in height. Furthermore, the portion of the expansion (approximately 2') built without permit that extends into Pioneer Park will be required to be removed as part of this project.

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. 2016-001273CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 16, 2017, 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 July 6, 2017.

Jonas P. Ionin
Commission Secretary

AYES: X

NAYS: X

ABSENT: X

ADOPTED: July 6, 2017

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a Restaurant Use (d.b.a. “**Julius’ Castle**”) located at 302 Greenwich Street/1531 Montgomery Street, Block 0079, Lots 004-005 pursuant to Planning Code Section(s) **186.3, 303, and 710.44** within the **RH-3** District and a **40-X** Height and Bulk District and subject to conditions of approval reviewed and approved by the Commission on **July 6, 2017** under Motion No. **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **July 6, 2017** 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

6. **Additional Project Authorization.** The Project Sponsor must obtain/maintain approvals for a Rear Yard Variance and Certificate of Appropriateness to allow legalization of an expansion at the rear of the structure and to allow for exterior restoration work, respectively, and satisfy all the

conditions thereof. The conditions set forth below are additional conditions required in connection with the Project. If these conditions overlap with any other requirement imposed on the Project, the more restrictive or protective condition or requirement, as determined by the Zoning Administrator, shall apply.

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

DESIGN – COMPLIANCE AT PLAN STAGE

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

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

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

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

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

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

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

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

PARKING AND TRAFFIC

11. **Traffic and Parking.** The owner and owner's lessee shall be required to submit an operations plan to the Planning Department prior to the Department's approval of the first Site or Building Permit. Said plan shall include details on the following operational aspects of the Restaurant: 1)

valet parking; 2) employee parking; and 3) customer access to the Restaurant (vehicular, public transit, etc.).

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

12. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1 and 155.4, the Project shall provide no fewer than 6 (six) Class 2 bicycle parking spaces. SFMTA has final authority on the type, placement and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact the SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA's bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

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

MONITORING

13. **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.

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

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

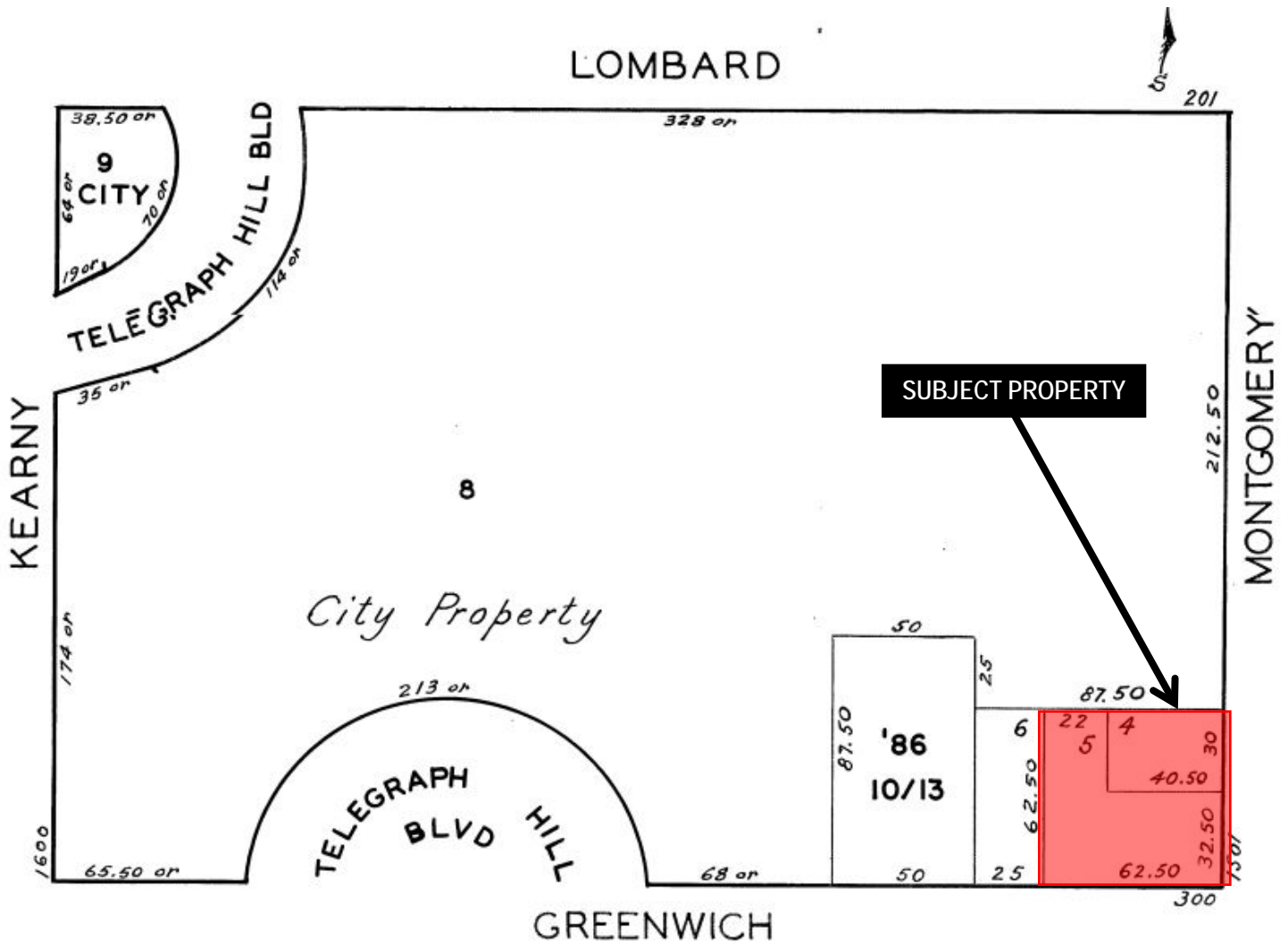
15. **Written Performance Update.** A written performance update shall be provided to the Planning Commission six (6) months after the property begins operation as a Restaurant. The update memo should include any recorded complaints with the San Francisco Police Department and any other general feedback from neighbors regarding operation of the Restaurant use and adherence to the Conditions of Approval. The Commission may request a full hearing at their discretion.

For information about compliance, contact the Case Planner, Planning Department at 415-575-9017, www.sf-planning.org.

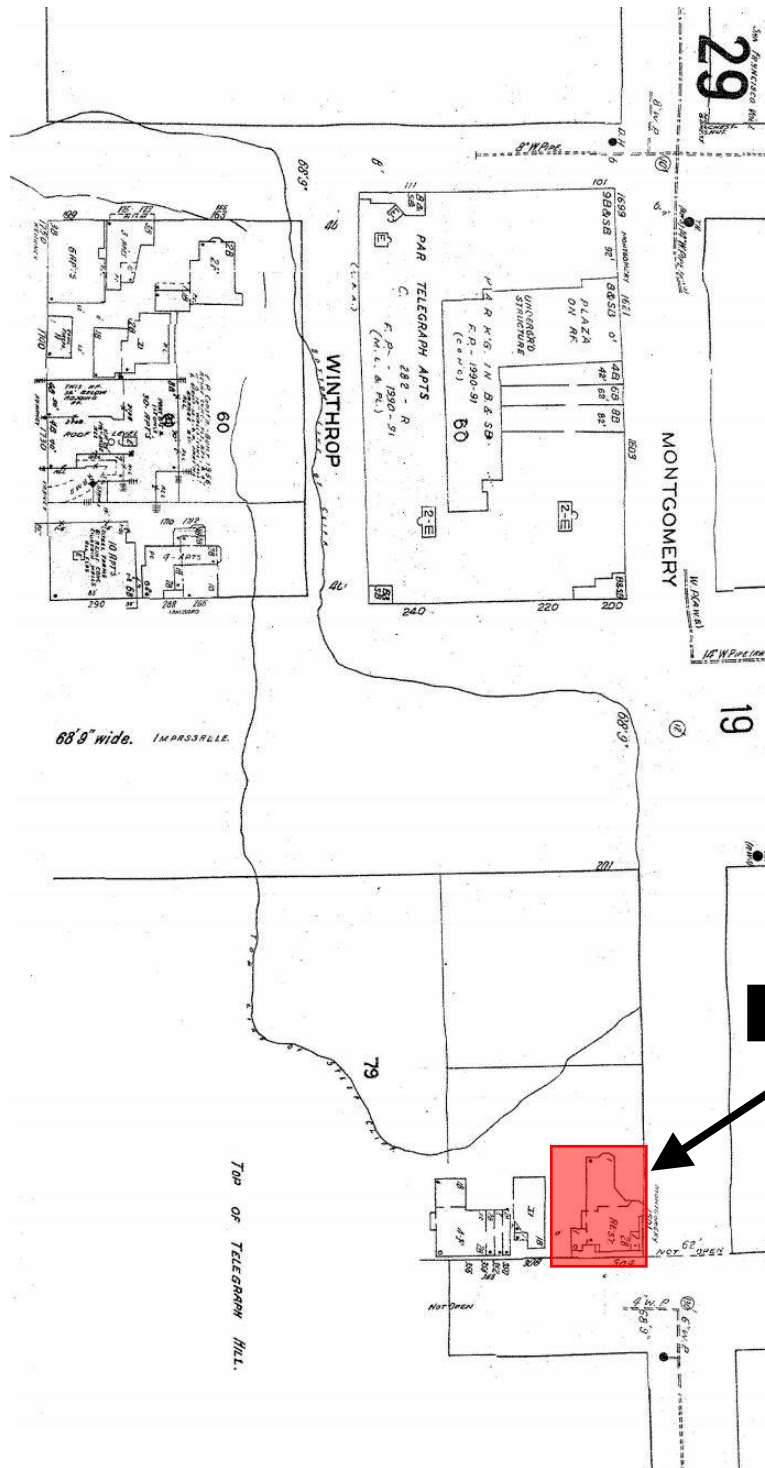
OPERATION

16. **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>
17. **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>
18. **Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.
For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
19. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
20. **Hours of Operation.** The subject establishment is limited to principally-permitted hours of operation allowed in the NC-1 District, with the following additional limitations: the roof terrace shall be closed by 9:00 pm, daily.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
21. **Amplified, Live Entertainment.** The Restaurant shall not permit any amplified, live entertainment.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Block Book Map



Sanborn Map*

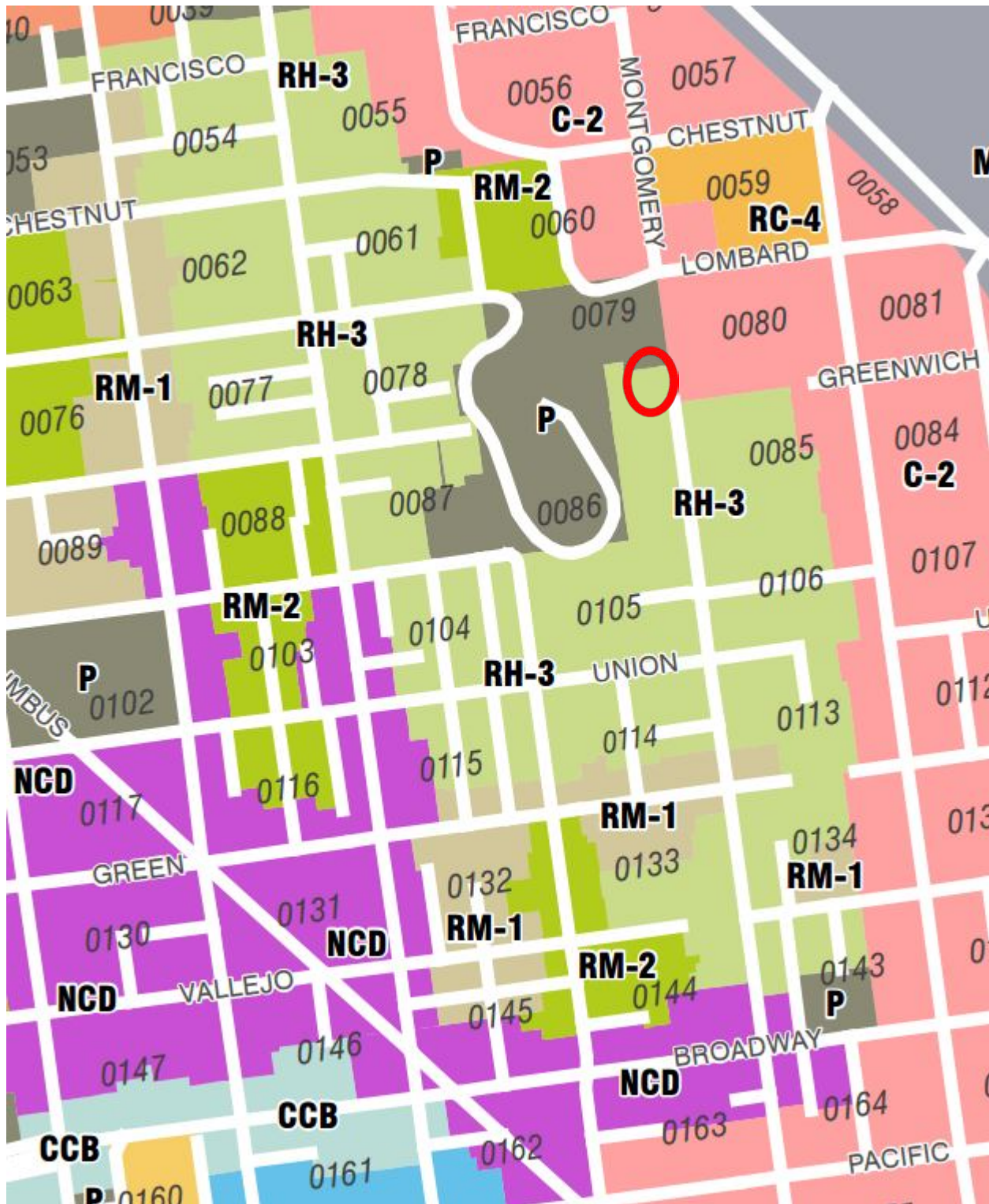


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization/Variance
Case Number 2016-001273CUAVARCOA
Julius' Castle
302 Greenwich Street/1531 Montgomery Street

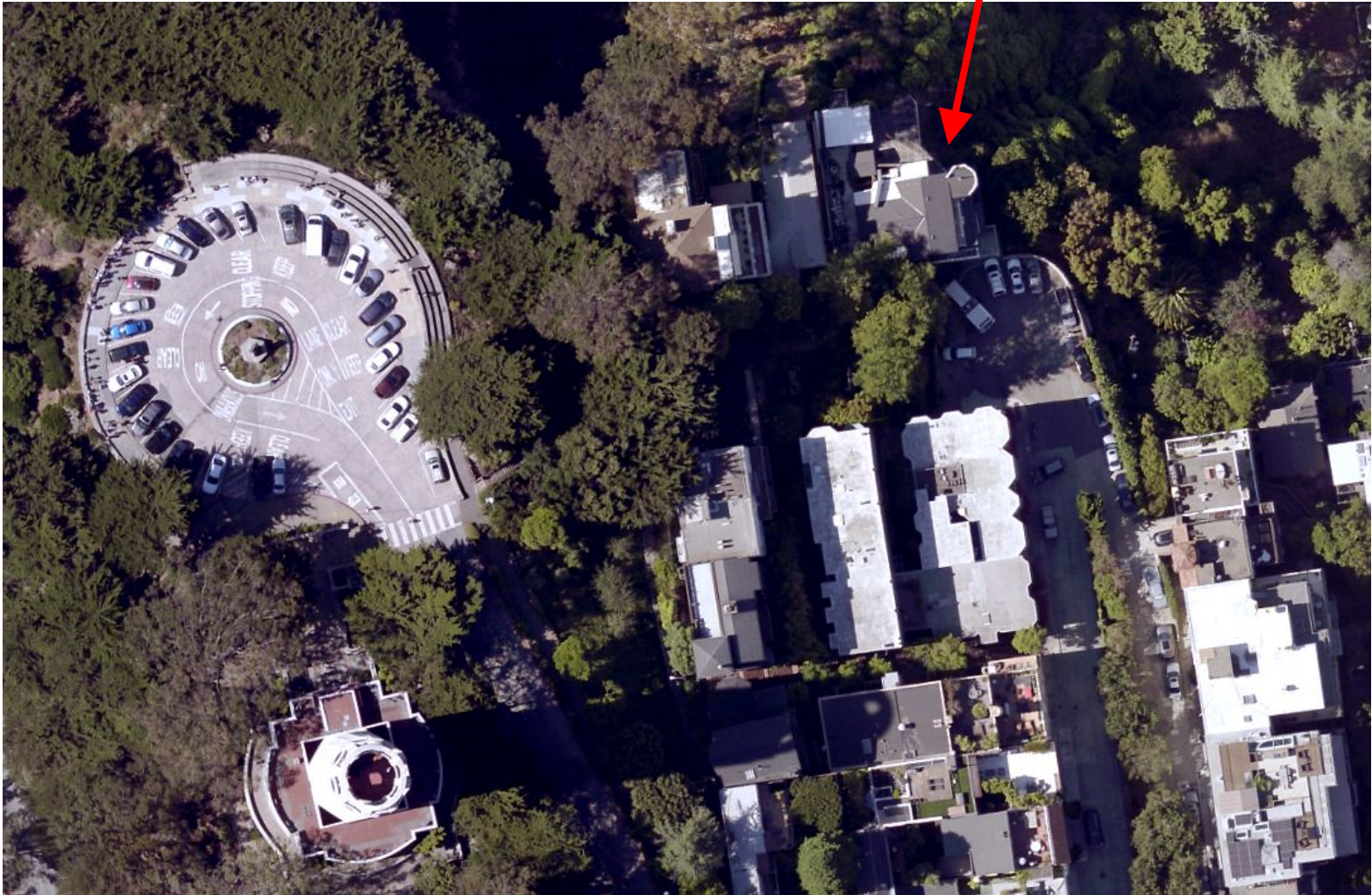
Zoning Map



Conditional Use Authorization/Variance
Case Number 2016-001273CUAVARCOA
Julius' Castle
302 Greenwich Street/1531 Montgomery Street

Aerial Photo

SUBJECT PROPERTY



Aerial Photo

Approximate Expansion at Rear
Completed Without Permit



Site Photo

**SUBJECT PROPERTY FROM INTERSECTION OF
MONTGOMERY AND GREENWICH STREETS**

SUBJECT PROPERTY



Conditional Use Authorization/Variance
Case Number 2016-001273CUAVARCOA
Julius' Castle
302 Greenwich Street/1531 Montgomery Street

Site Photo

EAST FAÇADE OF SUBJECT PROPERTY

SUBJECT PROPERTY



Conditional Use Authorization/Variance
Case Number 2016-001273CUAVARCOA
Julius' Castle
302 Greenwich Street/1531 Montgomery Street

Site Photo

EAST AND NORTH ELEVATIONS OF SUBJECT PROPERTY

SUBJECT PROPERTY



Conditional Use Authorization/Variance
Case Number 2016-001273CUAVARCOA
Julius' Castle
302 Greenwich Street/1531 Montgomery Street

Context Photo

**LOOKING SOUTH DOWN MONTGOMERY STREET FROM
SUBJECT BUILDING**



Conditional Use Authorization/Variance
Case Number 2016-001273CUAVARCOA
Julius' Castle
302 Greenwich Street/1531 Montgomery Street

Historic Photo

*photo circa 1930-1940

SUBJECT PROPERTY



Conditional Use Authorization/Variance
Case Number 2016-001273CUAVARCOA
Julius' Castle
302 Greenwich Street/1531 Montgomery Street

Historic Photo

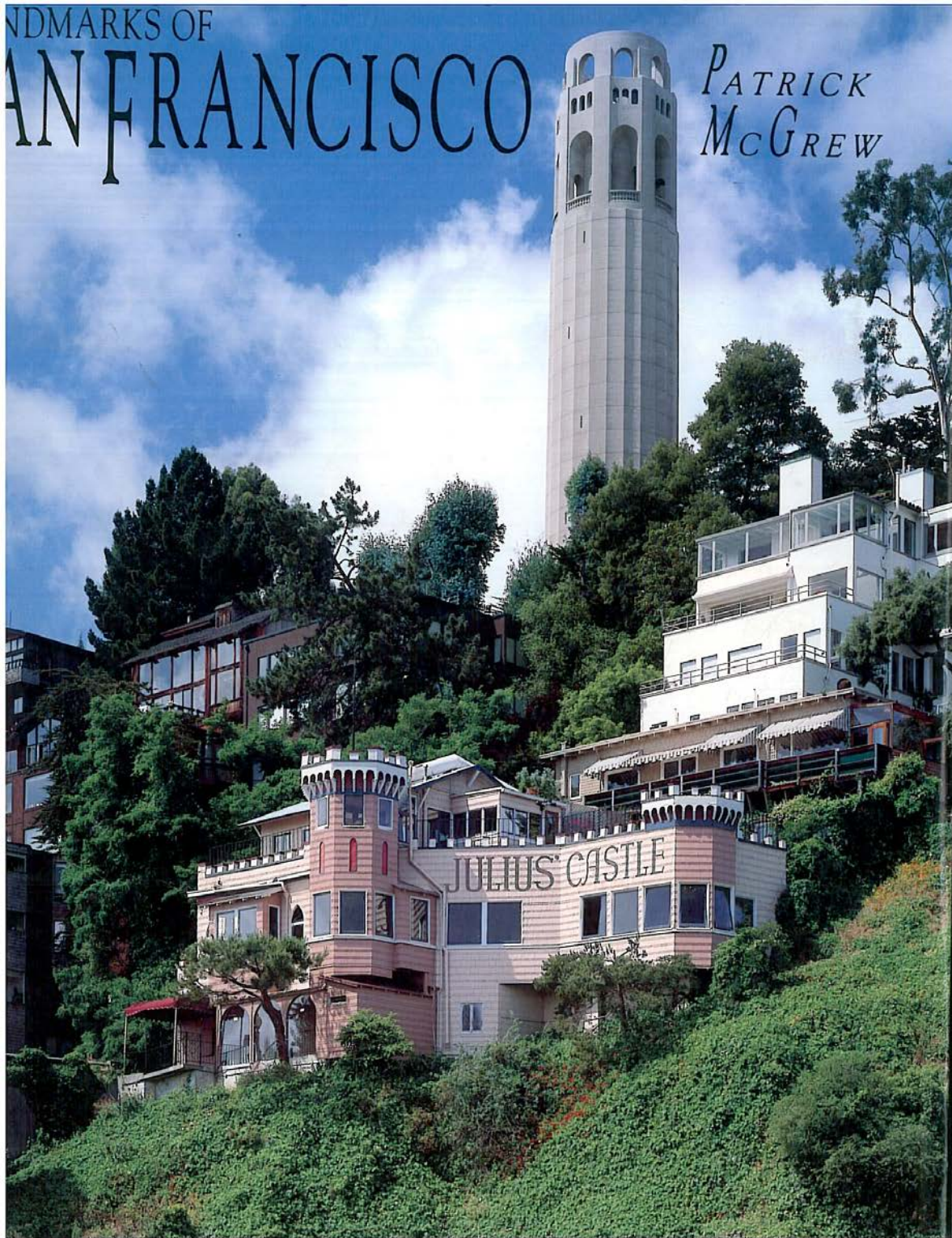
*date unknown



Conditional Use Authorization/Variance
Case Number 2016-001273CUAVARCOA
Julius' Castle
302 Greenwich Street/1531 Montgomery Street

Historic Photo

*photo circa 1991



Conditional Use Authorization/Variance
Case Number 2016-001273CUAVARCOA
Julius' Castle
302 Greenwich Street/1531 Montgomery Street

APPLICATION FOR Conditional Use Authorization

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:	
Paul D. Scott	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
Pier Nine, Suite 100, The Embarcadero San Francisco, CA 94111	(415) 225-4482
	EMAIL:
	paul@juliuscastle.com

APPLICANT'S NAME:	
Same as Above <input checked="" type="checkbox"/>	
APPLICANT'S ADDRESS:	TELEPHONE:
	()
	EMAIL:

CONTACT FOR PROJECT INFORMATION:	
Same as Above <input checked="" type="checkbox"/>	
ADDRESS:	TELEPHONE:
	()
	EMAIL:

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR):	
Same as Above <input checked="" type="checkbox"/>	
ADDRESS:	TELEPHONE:
	()
	EMAIL:

2. Location and Classification

STREET ADDRESS OF PROJECT:	ZIP CODE:
Julius' Castle, 1531 Montgomery St./302 Greenwich St.	94133
CROSS STREETS:	
Montgomery Street & Greenwich Street	

ASSESSORS BLOCK/LOT:	LOT DIMENSIONS:	LOT AREA (SQ FT):	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
0079 / 4&5	62.5x62.5	3906.25	RH-3	40-X

3. Project Description

(Please check all that apply)		PRESENT OR PREVIOUS USE:	
<input type="checkbox"/> Change of Use	ADDITIONS TO BUILDING:	Historic landmark restaurant with halted operations.	
<input type="checkbox"/> Change of Hours	<input type="checkbox"/> Rear	PROPOSED USE:	
<input type="checkbox"/> New Construction	<input type="checkbox"/> Front	Resume restaurant use of historic landmark in RH-3 District.	
<input type="checkbox"/> Alterations	<input type="checkbox"/> Height	BUILDING APPLICATION PERMIT NO.:	DATE FILED:
<input type="checkbox"/> Demolition	<input type="checkbox"/> Side Yard		
<input checked="" type="checkbox"/> Other CUA to operate restaurant 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				
Hotel Rooms				
Parking Spaces				
Loading Spaces				
Number of Buildings	2	2	0	2
Height of Building(s)	42'	42'	0	42'
Number of Stories	3	3	0	3
Bicycle Spaces				
GROSS SQUARE FOOTAGE (GSF)				
Residential				
Retail				
Office	330	330	0	330
Industrial/PDR <i>Production, Distribution, & Repair</i>				
Parking				
Other (Specify Use)	4640 (restaurant)	4640 (restaurant)	-78 (restaurant)	4562 (restaurant)
TOTAL GSF	4970	4970	-78	4892

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

(Attach a separate sheet if more space is needed)

This application for a Conditional Use Authorization to operate a restaurant is requested pursuant to Section 209.9(e) and Section 303 of the Planning Code. An application for a Variance of the Rear Yard Setback required under 132(a)(2) of the Planning Code is jointly requested in a separately filed application.

Separate building permits have been obtained which include plans to restore the historic features of the building and cure violations resulting from work performed without permit by the previous owner of the property. Work is underway on those permits.

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

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. The proposed use is the historical use of the landmark property and is broadly supported across the City and in the local community.

2. The proposed design has been discussed with the neighborhood and has been approved by the Historic Preservation Commission. After consultations with neighbors, the Project Sponsor has agreed to the conditions set forth in Ex. A, attached hereto.

3. The subject property has been operated historically as a restaurant. Authorization for a conditional use permit to resume restaurant operations is permissible under the applicable provisions of the Code (see e.g., Sec. 185) and is consistent with the goal of preserving landmarks and the Master Plan.

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;

Julius Castle, a historic landmark restaurant built in 1923, halted restaurant operations in or around 2007 when a prior owner was instructed to cure building alterations performed without required permits. Since then, continued efforts have been made to resume restaurant operations, and the restaurant has changed ownership to a neighborhood resident. Julius Castle should resume its historical use as a restaurant, because it would restore an important part of San Francisco's history and also create jobs and opportunities for residents.

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

Julius Castle operated as a restaurant on Telegraph Hill well before most of the neighboring homes were built there. Restoring the building as a restaurant will allow it to contribute once again to the unique spirit and character of the Telegraph Hill neighborhood in which it is located.

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

The proposed project would not reduce the City's supply of affordable housing.

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

Patrons utilizing Julius Castle are not expected to disrupt Muni service because of the limited size of the restaurant. The applicant has agreed to the conditions specified in Ex. A, items 2(a) - (e), to address potential concerns regarding traffic and 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 project is not a commercial office development and would offer job opportunities to residents.

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

The project includes deferred maintenance work in compliance with relevant building code provisions. Additionally, the presence of restaurant employees and others responsible for oversight of the property will increase the probability that any problems are promptly discovered and cured.

7. That landmarks and historic buildings be preserved; and

Julius Castle is a historic landmark (No. 121) that historically operated as a restaurant.

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

There is no development which threatens access to views, sunlight, open space or vistas.

Estimated Construction Costs

TYPE OF APPLICATION:	
Conditional Use Authorization	
OCCUPANCY CLASSIFICATION:	
A-2 Restaurant	
BUILDING TYPE:	
Wooden Frame	
TOTAL GROSS SQUARE FEET OF CONSTRUCTION:	BY PROPOSED USES:
ESTIMATED CONSTRUCTION COST:	
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: 2/4/17

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

Paul D. Scott

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 checked="" type="checkbox"/>
300-foot radius map, if applicable	<input checked="" type="checkbox"/>
Address labels (original), if applicable	<input checked="" type="checkbox"/>
Address labels (copy of the above), if applicable	<input checked="" type="checkbox"/>
Site Plan	<input checked="" type="checkbox"/>
Floor Plan	<input checked="" type="checkbox"/>
Elevations	<input checked="" type="checkbox"/>
Section 303 Requirements	<input checked="" type="checkbox"/>
Prop. M Findings	<input checked="" type="checkbox"/>
Historic photographs (if possible), and current photographs	<input checked="" type="checkbox"/>
Check payable to Planning Dept.	<input checked="" type="checkbox"/>
Original Application signed by owner or agent <i>gsta</i>	<input checked="" type="checkbox"/>
Letter of authorization for agent <i>n/a</i>	<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 checked="" 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:

Jonathan Vimer

Date:

02/23/2017



**SAN FRANCISCO
PLANNING
DEPARTMENT**

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.*

Julius' Castle (1541 Montgomery St.) Conditional Use Authorization conditions (in addition to requirements to restore the building):

If Julius' Castle is to be returned to restaurant use, there must be enforceable conditions of approval as part of a Conditional Use Authorization (CUA) placed on the property to lessen the impacts it will have on residents in this residential neighborhood. These must include:

- 1) Hours of operation – No new customers after 10 PM.
- 2) Traffic & parking issues – Owner and Owner's lessee will make best efforts to have an enforceable plan in place with regard to vehicular traffic and parking issues caused by the operation of a restaurant which will include the following:
 - (a) No valet street parking. *valet parkers shall only park cars in off site parking lots.* Valet parkers to obey speed limits when driving to and from the restaurant.
 - (b) Non-resident restaurant employees shall not be allowed to park in the neighborhood (i.e., on Montgomery Street between Green and Greenwich Streets, or on Alta Street or Montague Street), except that the property shall be limited to no more than two (2) Residential Parking Permits for the Owner and the Owner's lessee.
 - (c) Restaurant patrons will be discouraged from parking in the neighborhood.
 - (d) The white zone in the turn-around area will be limited to the north side of Greenwich street, starting at the retaining wall at the North West corner of Greenwich and Montgomery Streets and running to the light standard located at the North East corner of Greenwich and Montgomery Streets (i.e., no larger than the white zone that was operated by the prior owner Jeffrey Pollack), and it will be effective for no more than the period from one hour before the restaurant opens to one hour after the restaurant closes.
 - (e) Owner and Owner's lessee will make their phone numbers publicly available to take complaints, if any, by neighborhood residents regarding speeding by valet parkers and any other violations of the above stated conditions.
- 3) *based on prior tree damage and given narrow roadway on Montgomery St,* Owner will make best efforts to ensure that Owner's lessee receives deliveries of supplies to the restaurant in bobtail trucks 12'6" or lower in height. *require*
- 4) No "Roof Terrace" service *(after 9:00 pm. (food or alcohol))*
- 5) No amplified, live entertainment.
- 6) Dealing effectively with odors and garbage generated by restaurant use: To the extent feasible, all garbage will be stored in a secure area under the front stairs for collection. Excess garbage, if any, will be placed in bin(s) behind the locked front gate. Keys will be provided to the sanitation company for removal.

If the Owner, Paul Scott, agrees to these conditions as part of a Conditional Use Authorization by the Planning Commission, we will actively support the CUA.

Alan R. H. AND I will make best efforts to have THD support a CUA with these conditions, above. *AS*

APPLICATION FOR Variance from the Planning Code

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:	
Paul D. Scott	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
Law Offices of Paul D. Scott, P.C. Pier Nine, Suite 100, San Francisco, CA 94111	(415) 225-4482
	EMAIL:
	paul@juliuscastle.com

APPLICANT'S NAME:	
Same as Above <input checked="" type="checkbox"/>	
APPLICANT'S ADDRESS:	TELEPHONE:
	()
	EMAIL:

CONTACT FOR PROJECT INFORMATION:	
Same as Above <input checked="" type="checkbox"/>	
ADDRESS:	TELEPHONE:
	()
	EMAIL:

2. Location and Classification

STREET ADDRESS OF PROJECT:		ZIP CODE:
Julius' Castle, 1531 Montgomery St./302 Greenwich St.		94133
CROSS STREETS:		
Montgomery Street & Greenwich Street		

ASSESSORS BLOCK/LOT:	LOT DIMENSIONS:	LOT AREA (SQ FT):	ZONING DISTRICT:	HEIGHT/BULK DISTRICT:
0079/ 004 & 005	62.5x62.5	3906.25	RH-3	40-X

3. Project Description

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

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				
Hotel Rooms				
Parking Spaces	2	2	0	2
Loading Spaces				
Number of Buildings				
Height of Building(s)	42'	42'	0	42'
Number of Stories	3	3	0	3
Bicycle Spaces				
GROSS SQUARE FOOTAGE (GSF)				
Residential				
Retail				
Office	330	330	0	330
Industrial/PDR <i>Production, Distribution, & Repair</i>				
Parking				
Other (Specify Use)	4640 (restaurant)	4640 (restaurant)	-78 (restaurant)	4562 (restaurant)
TOTAL GSF	4970	4970	-78	4892

Please describe what the variance is for and include any additional project features that are not included in this table. Please state which section(s) of the Planning Code from which you are requesting a variance.
(Attach a separate sheet if more space is needed)

Pursuant to Section 305 of the Planning Code, a variance of the rear yard setback, required under Section 130 and 132(a)(2), is requested.

The rear yard setback issue is associated with a previous owner's alterations to a detached structure which was originally built slightly beyond the North property line, bordering a cliff face on Telegraph Hill that is part of Pioneer Park. The Historic Preservation Commission found that the rear structure "is not visible from the public rights-of-way," is a "secondary elevation," and that "its alteration as completed does not adversely impact the subject building and meets the Secretary of Interior's Standards." (See COA 2007.0653A, and COA Motion No. 0213, Case No. 2012.1197A). The Recreation and Parks Department has written a letter indicating that they have no objection to the structure remaining at its current location. (See Exhibit A).

Variance Findings

Pursuant to Planning Code Section 305(c), before approving a variance application, the Zoning Administrator 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 there are exceptional or extraordinary circumstances applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same class of district;
2. That owing to such exceptional or extraordinary circumstances the literal enforcement of specified provisions of this Code would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;
3. That such variance is necessary for the preservation and enjoyment of a substantial property right of the subject property, possessed by other property in the same class of district;
4. That the granting of such variance will not be materially detrimental to the public welfare or materially injurious to the property or improvements in the vicinity; and
5. That the granting of such variance will be in harmony with the general purpose and intent of this Code and will not adversely affect the Master Plan.

1-3. Julius' Castle was built in the 1920s and operated as a restaurant from 1923 until 2007. It is designated as Historic Landmark No. 121. The detached structure is located on the third floor of the property, which sits just over the North property line. The prior owner of the property expanded the detached structure, without permits, in an Easterly direction along the North property Line above the existing structure below. Upon acquiring the property, the current owner worked with Historic Preservation staff in the Planning Department to arrive at satisfactory plans for modification of the detached structure in a manner consistent with the property's status as a landmark. The Historic Preservation Commission subsequently approved the agreed upon plans. Under those plans, the rear structure will not be expanded. The front door and certain windows will be replaced with historically appropriate replacements. Rec Park has also written a letter indicating their consent that the structure to remain. See Exhibit A. The detached structure is important to the operation of Julius Castle, for there is already a shortage of storage, office and other space on the property which is critical to the successful operation of a restaurant at that location.

4. Granting the variance will not be detrimental to the public welfare or any properties in the area, for it will simply legalize an existing condition that is not visible from the public way and causes no detriment to views or neighbors. Indeed, to the contrary, the variance will allow the current owner to proceed with plans to renovate and restore the historic structure, after years of non-operation, with a high level of quality consistent with its landmark status, and thus materially improve the neighborhood.

5. The variance is complimentary to the character and intent of the Planning Code, and would conform to San Francisco's Master Plan, as it will further the goal of preserving a historic use at a landmark location.

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;

Julius Castle, a historic landmark restaurant built in 1923, halted restaurant operations in or around 2007 when a prior owner was instructed to cure building alterations performed without required permits. Granting the variance will facilitate the restoration of the building to its historical use and thus provide employment opportunities for residents.

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

The detached structure has never had, nor will it have in the future, any negative impact on neighborhood character. It is not within sight of any public rights of way.

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

This variance will not subtract any housing from the market.

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

The rear yard variance could not be reasonably expected to have any impact on traffic or 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;

As explained above, granting the requested variance will facilitate the restoration of Julius Castle to its historic use and thus help provide service sector jobs and employment. It would not affect commercial office development.

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

The existing structure does not currently increase the risk of injury or damage by earthquake. Granting the rear yard variance will ensure the Project Sponsor is better able to restore and upkeep the structure and ultimately ensure its active use, all of which will contribute to greater preparedness.

7. That landmarks and historic buildings be preserved; and

The Project site is a historic landmark (No. 121), and granting the rear yard variance, as noted above, would not detract from the character and style of the structure. Instead, the rear yard variance will facilitate the historical use of the landmark building, thus allowing it to be preserved and enjoyed by the public.

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

The existing rear structure extends into the restaurant deck area, is set at a lower elevation, and currently sits in the NW corner of the lot where it does not block sun, vistas, visibility of views, or open space. Rec Park has specifically said that they do not object to the structure remaining in place. See Exhibit A.

Estimated Construction Costs

TYPE OF APPLICATION:	
Variance	
OCCUPANCY CLASSIFICATION:	
RH-3	
BUILDING TYPE:	
Wood Frame	
TOTAL GROSS SQUARE FEET OF CONSTRUCTION:	BY PROPOSED USES:
Existing Structure	
ESTIMATED CONSTRUCTION COST:	
Structure is already in place \$9,500.00	
ESTIMATE PREPARED BY:	
PDS	
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: _____

11/16/16

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

Paul D. Scott - Owner

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 checked="" 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: _____



Edwin M. Lee, Mayor
Philip A. Ginsburg, General Manager

August 3, 2016

Scott F. Sanchez
Zoning Administrator
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Acknowledgement by San Francisco Recreation and Park Department of a Variance application for expansion of a non-complying structure within the required rear yard of 302 Greenwich Street, with a portion of the expanded structure requiring such Variance extending onto Recreation and Park Department property (Block 0079, Lot 008).

Dear Mr. Sanchez:

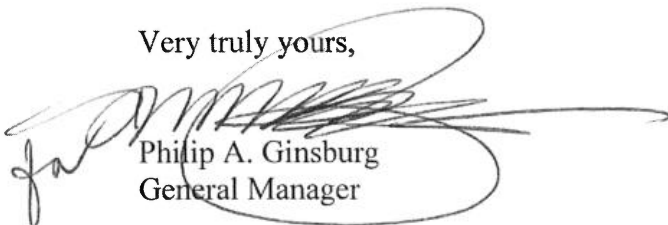
The City and County of San Francisco is the owner of certain real property in San Francisco, California, known as Pioneer Park (Block 0079, Lot 008), which is under the jurisdiction of the City's Recreation and Park Commission and is managed by the San Francisco Recreation and Park Department (the "Park Department"). The owner of certain real property adjacent to Pioneer Park, commonly known as 302-304 Greenwich/1531 Montgomery Street, has applied for a Variance for the expansion or alteration of a non-complying structure on the property. A portion of the non-complying structure encroaches onto Pioneer Park.

This letter confirms that the Park Department is aware of the Variance application and has no objection to it being granted.

This letter does not serve as authorization by the Park Department of any future request by the property owner to expand or add on to that portion of the non-complying structure in a manner that would increase the footprint of the encroachment onto Pioneer Park or authorization for the property owner to construct or place any additional temporary or permanent structure or improvements in or on Pioneer Park other than the existing structure.

Please call me if you have any questions.

Very truly yours,

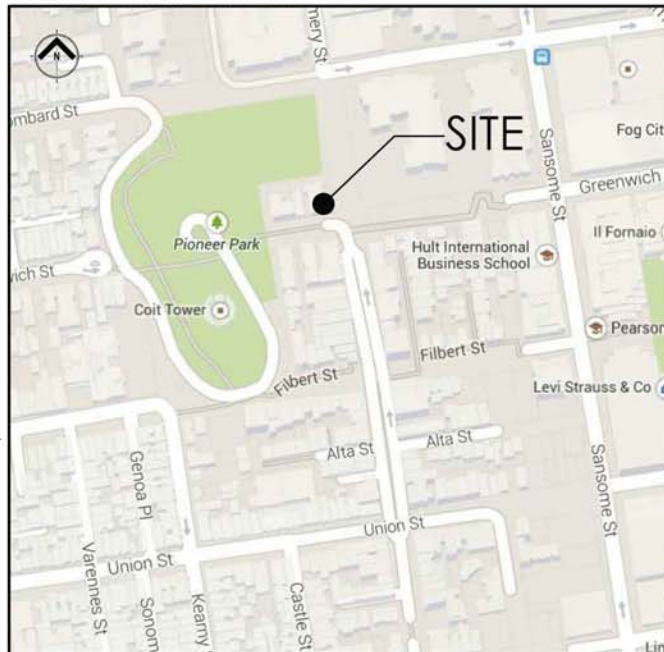


Philip A. Ginsburg
General Manager

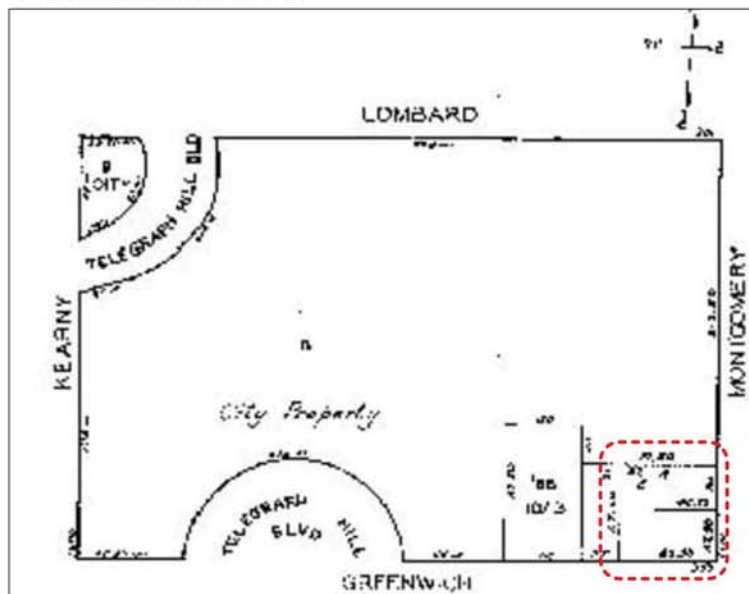
cc: Dana Ketcham, Director Property Management, Permits and Reservations
M. Pilar LaValley, LEED AP, Planning Department (via email: pilar.lavalley@sfgov.org)
Judith A. Boyajian, Deputy City Attorney (via email: judy.boyajian@sfgov.org)
Anita L. Wood, Deputy City Attorney (via email: anita.wood@sfgov.org)

Ex A

LOCATION PLAN



ASSESSOR'S MAP



FRONT FACADE



AERIAL VIEW



CODE ANALYSIS

NOTE:

ALL WORK SHALL BE IN COMPLIANCE WITH ALL APPLICABLE LOCAL AND STATE LAWS AND REGULATIONS INCLUDING THE FOLLOWING:

APPLICABLE CODES	
2013 EDITION OF TITLE 24, CALIFORNIA CODE OF REGULATIONS (CCR)	
PART 1 - CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE	
PART 2 - CALIFORNIA BUILDING CODE	
PART 2.5 - CALIFORNIA RESIDENTIAL CODE	
PART 3 - CALIFORNIA ELECTRICAL CODE	
PART 4 - CALIFORNIA MECHANICAL CODE	
PART 5 - CALIFORNIA PLUMBING CODE	
PART 6 - CALIFORNIA ENERGY CODE	
PART 8 - CALIFORNIA HISTORICAL BUILDING CODE	
PART 9 - CALIFORNIA FIRE CODE	
PART 10 - CALIFORNIA EXISTING BUILDING CODE	
PART 11 - CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGreen CODE)	
PART 12 - CALIFORNIA REFERENCE STANDARDS CODE	
SAN FRANCISCO PLANNING GUIDE	
THE 2013 SAN FRANCISCO BUILDING CODE	
THE 2013 SAN FRANCISCO ELECTRICAL CODE	
THE 2013 SAN FRANCISCO ENERGY CODE	
THE 2013 SAN FRANCISCO HOUSING CODE	
THE 2013 SAN FRANCISCO MECHANICAL CODE	
THE 2013 SAN FRANCISCO PLUMBING CODE	

PROJECT DATA

LOT AREA:	3,906 S.F.
NUMBER OF STORIES:	3
BUILDING HEIGHT:	42'-0"
A.P.N.:	0079 -004/ 005
ZONING DISTRICT:	RH-3
APPLICABLE CODES:	2013 CALIFORNIA BUILDING CODE W/ SAN FRANCISCO AMENDMENTS

CONDITIONAL USE PERMIT
AND VARIANCE APPLICATIONS

302 GREENWICH ST. SAN FRANCISCO, CA

PROJECT SUMMARY

THIS PERMIT IS TO ADDRESS THE SCOPE OF WORK PER CERTIFICATE OF APPROPRIATENESS (COA) MOTION NO. 0213 ISSUED ON OCTOBER 16, 2013 FOR EXTERIOR RENOVATIONS OF THE STRUCTURE.

-REPLACEMENT OF THE NON-HISTORIC WINDOWS AND DOORS AT THE DETACHED BUILDING WITH NEW WOOD WINDOWS AND DOORS THAT ARE COMPATIBLE WITH THE LANDMARK PROPERTY.

-CONDITIONAL USE AUTHORIZATION FOR RESTAURANT USE AT LANDMARK SITE.

-VARIANCE FROM REAR YARD REQUIREMENTS TO LEGALIZE PORTION OF REAR STRUCTURE COMPLETED IN VIOLATION.

EXHIBIT
B

PROJECT DIRECTORY

NAME TITLE COMPANY	ADDRESS City, ST Zip	PHONE, MOBILE, FAX, E MAIL
Paul D. Scott	302 Greenwich Street, SF, CA 94133	Cell: 415-225-4482 email: paul@juliuscastlesf.com
Francisco Matos - Architect Architect-SF	1390 Market street, SF, CA 94102	Tel: (415) 519-4954 Email: francisco@architect-sf.com Web: http://www.architect-sf.com/

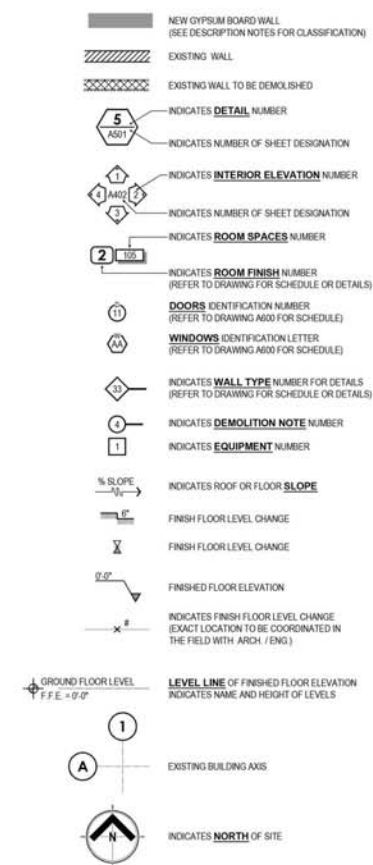
GENERAL NOTES

- ALL WORK SHALL BE PERFORMED IN COMPLETE COMPLIANCE WITH ALL APPLICABLE CODES, LAWS, ORDINANCES AND REGULATIONS OF ALL AUTHORITIES HAVING JURISDICTION OVER THE WORK. ALL CONTRACTORS SHALL HOLD HARMLESS THE ARCHITECT/ENGINEER AND THE OWNER FROM ALL DAMAGES AND/OR PENALTY ARISING OUT OF VIOLATION THEREOF.
- ALL ATTACHMENTS, CONNECTIONS OR FASTENING OF ANY NATURE ARE TO BE PROPERLY AND PERMANENTLY SECURED IN CONFORMANCE WITH THE BEST PRACTICE OF THE BUILDING INDUSTRY. DRAWINGS SHOWS ONLY SPECIAL REQUIREMENTS TO ASSIST THE CONTRACTOR AND DO NOT ILLUSTRATE EVERY DETAIL.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, MEASUREMENTS AND CONDITIONS IN THE FIELD BEFORE BEGINNING WORK. ANY DISCREPANCIES, ERROR OR OMISSIONS SHALL BE BROUGHT TO THE ARCHITECT/ENGINEER'S ATTENTION IMMEDIATELY.
- UNLESS OTHERWISE NOTED, ALL ANGLES SHALL BE RIGHT ANGLES, ALL LINES WHICH APPEAR PARALLEL SHALL BE PARALLEL, AND ALL ITEMS WHICH APPEAR CENTERED SHALL BE CENTERED. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL LINES TRUE LEVEL, PLUMB AND SQUARE.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SHORING AND PROTECTION DURING CONSTRUCTION. ALL EXISTING IMPROVEMENTS TO REMAIN SHALL BE PROTECTED. ALL MATERIALS DELIVERED TO THE SITE SHALL BE PROPERLY STORED AND PROTECTED UNTIL INSTALLATION. ALL LUMBER SHALL BE PROTECTED FROM MOISTURE AND STORED ABOVE GROUND.
- DETAILED AND/OR LARGER SCALE DRAWINGS SHALL TAKE PRECEDENCE OVER GENERAL AND SMALLER SCALE DRAWINGS. FIGURED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS. ALL SCALED DIMENSIONS SHALL BE VERIFIED.
- ALL WORK SHALL BE DONE UNDER PERMIT. PLANS AND CALCULATIONS, IF REQUIRED, SHALL BE SUBMITTED TO AND APPROVED BY THE BUILDING DEPARTMENT. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED PERMITS.
- SITE PLAN WAS PREPARED BASED ON (E) FENCE LINES AND SURROUNDING BUILDINGS. FOR VERIFICATION OF PROPERTY LINE, AN ACCURATE SURVEY MAP IS REQUIRED BY A LICENSED SURVEYOR.
- CONTRACTOR AND SUBCONTRACTORS TO PROTECT EXISTING HISTORIC ELEMENTS TO REMAIN IN PLACE DURING CONSTRUCTION AND REFER TO THIS SPECIFICATION. SHOULD DAMAGE OCCUR DURING CONSTRUCTION, PLEASE CONTACT THE OWNER'S REPRESENTATIVE SO THAT HE/SHE CONTACTS THE PLANNING DEPARTMENT FOR REVIEW.

DRAWING INDEX

00 - GENERAL	
G-000	COVER SHEET & SHEET INDEX
G-001	MOTION NO. 0213
ARCHITECTURAL DRAWINGS	
A-101	PRIOR TO MODIFICATION SITE PLAN
A-102	EXISTING SITE PLAN
A-103	PROPOSED SITE PLAN
A-104	EXISTING FIRST AND SECOND FLOOR PLAN
A-105	EXISTING AND DEMOLITION THIRD FLOOR PLAN
A-106	PROPOSED THIRD FLOOR PLAN
A-201	EXISTING SOUTH ELEVATION
A-202	PROPOSED SOUTH ELEVATION
A-203	EXISTING & PROPOSED NORTH ELEVATION
A-204	EXISTING & PROPOSED WEST ELEVATION
A-205	EXISTING EAST ELEVATION
A-206	PROPOSED EAST ELEVATION

SYMBOLS LEGEND:



Project Title:

CORRECTIVE WORK BY NEW OWNER IN RESPONSE TO
NOTICE OF VIOLATION # 200679034
302 Greenwich Street, San Francisco, CA 94133

PERMIT SET (07 / 07 / 2014)
Drawing Title:

COVER PAGE AND INDEX

Francisco J. Matos, Architect
License C34078
a.: 1390 Market St.
San Francisco, CA 94102
p.: (415) 519-4954
e.: francisco@architect-sf.com
w.: www.architect-sf.com



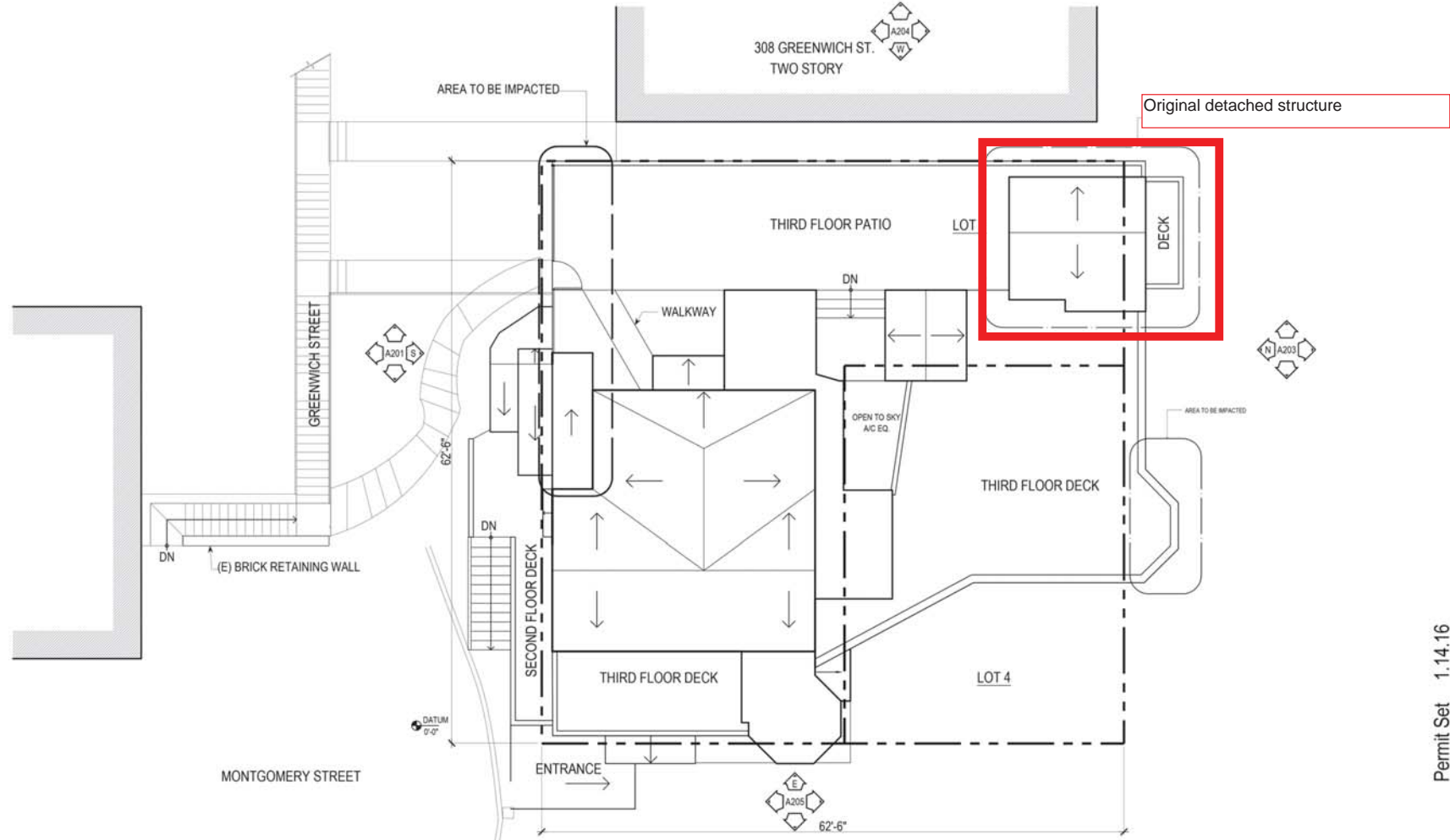
SHEET INFO	
Project No.	US-05-CA-034
Set Date:	2013.11.12
Drawn by:	LGALARZA
Dwg. Date:	2013.11.22

Revisions	
Number	Description
1	Permit Set 11.14.16
2	Rev 11.15.16
3	Rev 11.15.16
4	Rev 11.15.16
5	Rev 11.15.16

Sheet: G000

PROTECTION OF HISTORIC
ELEMENTS DURING CONSTRUCTION

CONTRACTORS AND SUBCONTRACTORS TO PROTECT EXISTING HISTORIC ELEMENTS
ELEMENTS TO REMAIN IN PLACE DURING CONSTRUCTION. PLEASE REFER TO THIS
SPECIFICATION #14 SHOULD DAMAGE OCCUR DURING CONSTRUCTION. PLEASE
CONTACT THE OWNER'S REPRESENTATIVE SO THAT HE/SHE CONTACTS THE PLANNING
DEPARTMENT FOR REVIEW.



PRIOR TO MODIFICATION SITE PLAN
SCALE: 1/8"=1'-0"

Permit Set 1.14.16

Project Title:

CORRECTIVE WORK BY NEW OWNER IN RESPONSE TO
NOTICE OF VIOLATION # 200679034
302 Greenwich Street, San Francisco, CA 94133

PERMIT SET (07 / 07 / 2014)
Drawing Title:

PRIOR MODIFICATION SITE PLAN

A101

Revisions

Number	Date	Description
1	1.14.16	Permit Set

Project No.	Set Date	Drawn by	Check Date
US-05-CA-034	2013.11.12	LGALARRZA	2013.11.22



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w.: www.architect-sf.com

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CONTRACTOR SHALL VISIT THE SITE AND ACQUAINT HIMSELF WITH THE CONDITIONS AS THEY ACTUALLY EXIST AND VERIFY LOCATIONS, CONDITIONS AND DETAILS REQUIRED TO COMPLETE THE WORK.

2. DISPOSAL SHALL BE PERFORMED IN ACCORDANCE WITH LOCAL LAWS AND REGULATIONS.

3. THE CONTRACTOR SHALL USE MATERIALS THAT ARE COMPATIBLE TO EXISTING MATERIALS AND COMPLY WITH APPLICABLE REGULATIONS CONCERNING THE REMEDIATION, EXAMINE THE SURFACES TO BE MOVED AND THE CONDITIONS UNDER WHICH THE WORK IS TO BE PERFORMED. IF UNSAFE OR OTHERWISE UNSATISFACTORY CONDITIONS ARE ENCOUNTERED, TAKE CORRECTIVE ACTION BEFORE PROCEEDING WITH THE WORK. CUT, USING SMALL POWER TOOLS DESIGNED FOR SAWING OR GRINDING, NOT HAMMERING AND CHIPPING, RESTORE FINISHES OF PATCHED AREAS AND, WHERE NECESSARY, EXTEND FINISH RESTORATION INTO ADJOINING BUILDINGS.

4. ALL REMOVAL SHALL BE PERFORMED WITH THE APPROVAL OF THE AUTHORITY HAVING JURISDICTION AND IN ACCORDANCE WITH APPLICABLE STANDARDS.

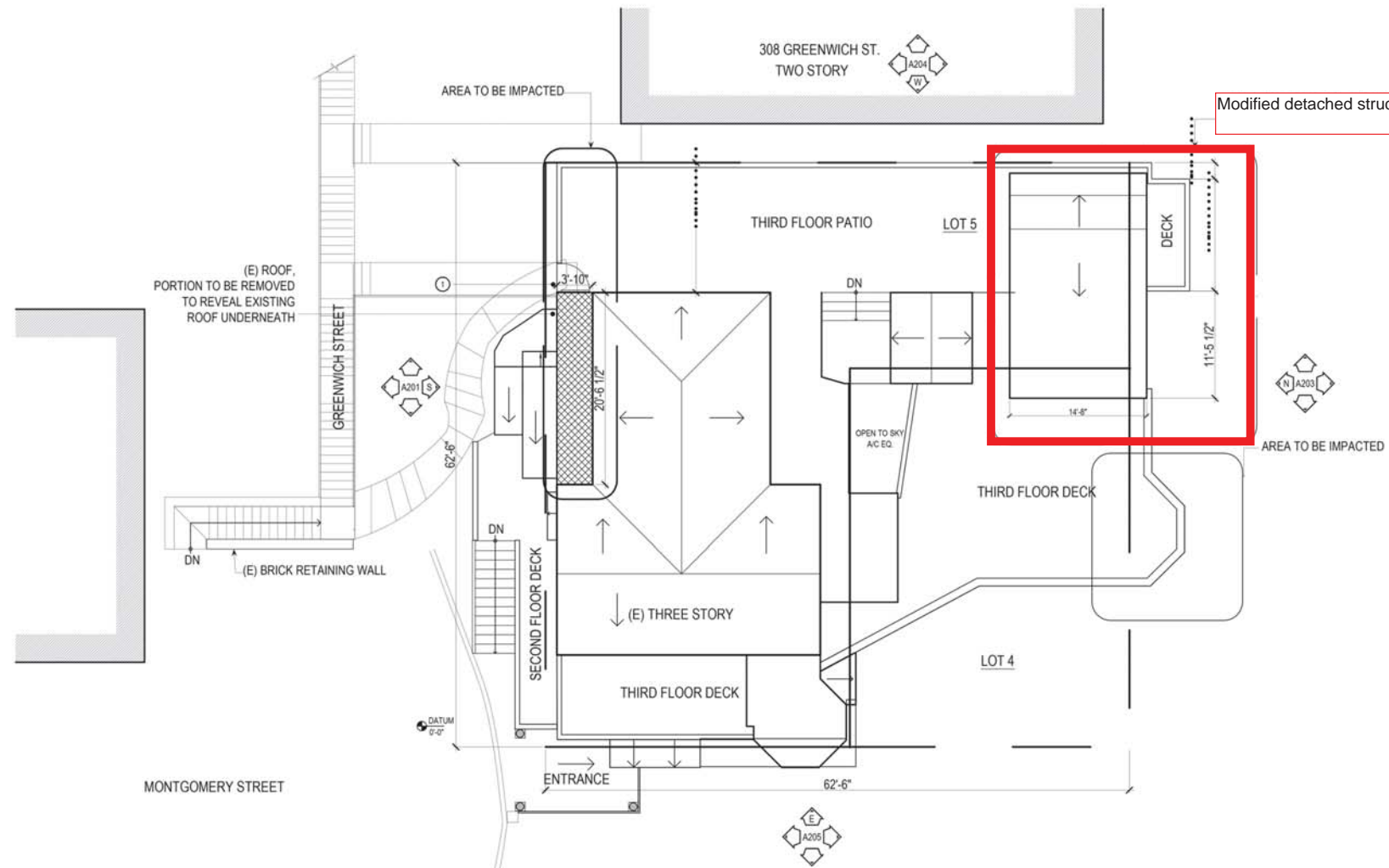
5. AS-BUILT INFORMATION WAS OBTAINED FROM OWNER - PROVIDED DRAWINGS. THE CONTRACTOR SHALL VERIFY EXISTING CONDITIONS AT THE SITE AND SHALL VERIFY ALL MEASUREMENTS.

6. TO PERFORM ALL WORK IN A WORKMANLIKE MANNER, CONTRACTOR TO REPLACE OR REPAIR OR DAMAGE TO EXISTING AREAS TO REMAIN, AS DETERMINED BY THE OWNER. SALVAGE ALL REMOVED ITEMS, SUCH AS DOORS OR LIGHTING FIXTURES, TO BE DISPOSED AS PER OWNER REQUEST.

 ITEM TO BE DEMOLISHED, REMOVED OR MODIFIED

① PORTION OF ROOF TO BE REMOVED

CONTRACTORS AND SUBCONTRACTORS TO PROTECT EXISTING HISTORIC ELEMENTS. ELEMENTS TO REMAIN IN PLACE DURING CONSTRUCTION. PLEASE REFER TO THIS SPECIFICATION #8. SHOULD DAMAGE OCCUR DURING CONSTRUCTION, PLEASE CONTACT THE OWNER'S REPRESENTATIVE SO THAT HE/SHE CONTACTS THE PLANNING DEPARTMENT FOR REVIEW.



EXISTING SITE PLAN
SCALE: 1/8"=1'-0"

Sheet: _____ Project Title: _____

**CORRECTIVE WORK BY NEW OWNER IN RESPONSE TO
NOTICE OF VIOLATION # 200679034**
302 Greenwich Street, San Francisco, CA 94133

PERMIT SET (07 / 07 / 2014)
Drawing Title:

Drawing title:
EXISTING SITE PLAN

Revisions

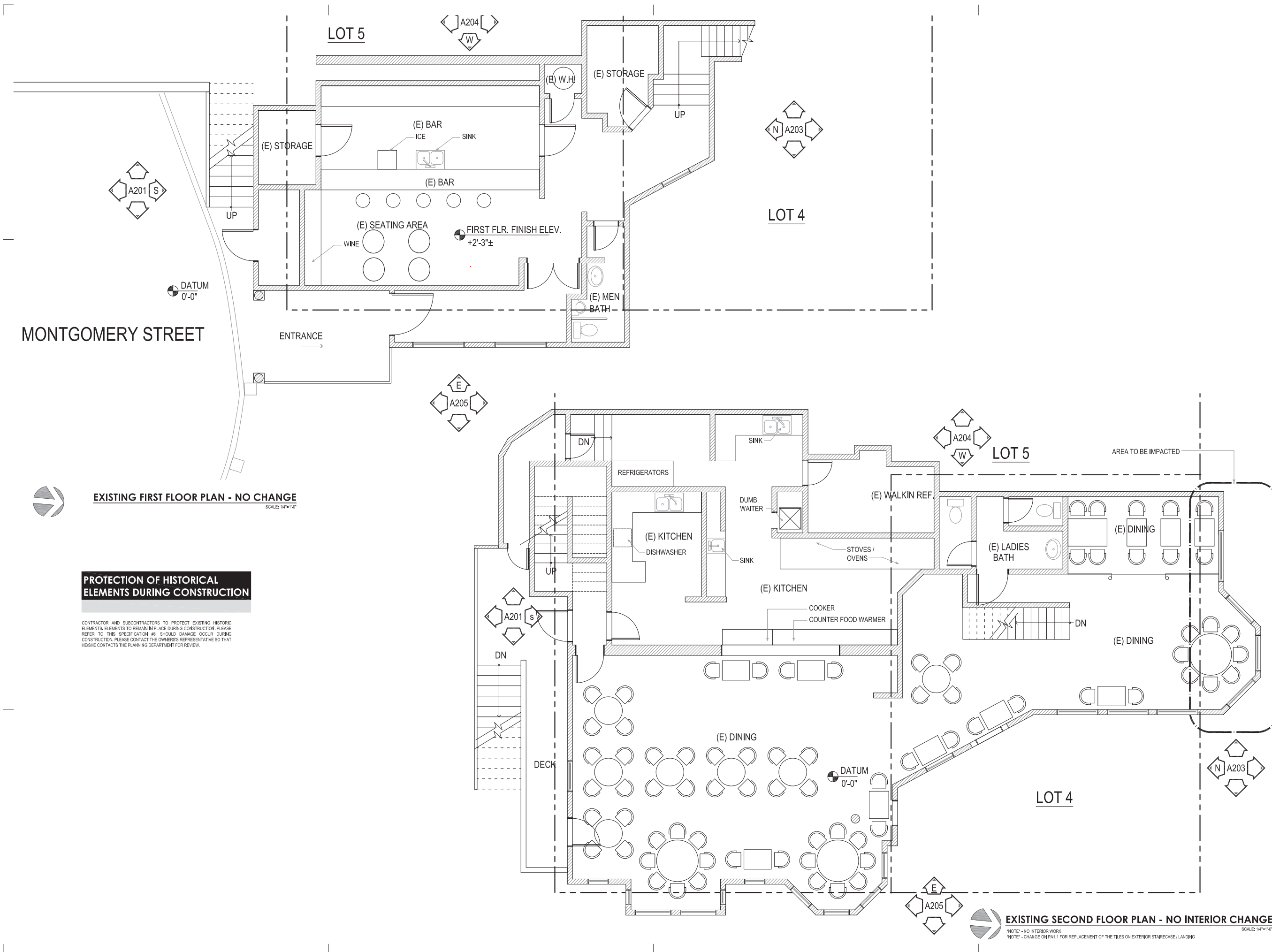
Number	Date	Description
Permit Set	1.14.16	

SHEET INFO.	
Project No.:	US-05-CA-034
Set Date:	2013.11.12
Drawn by:	LGALARZA
Dwg. Date:	2013.11.22



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MVA ARCHITECTS LLP



EXISTING FIRST FLOOR PLAN - NO CHANGE
SCALE: 1/4"=1'-0"

PROTECTION OF HISTORICAL ELEMENTS DURING CONSTRUCTION

CONTRACTOR AND SUBCONTRACTORS TO PROTECT EXISTING HISTORIC ELEMENTS, ELEMENTS TO REMAIN IN PLACE DURING CONSTRUCTION. PLEASE REFER TO THIS SPECIFICATION #6. SHOULD DAMAGE OCCUR DURING CONSTRUCTION, PLEASE CONTACT THE OWNER'S REPRESENTATIVE SO THAT HE/SHE CONTACTS THE PLANNING DEPARTMENT FOR REVIEW.

EXISTING SECOND FLOOR PLAN - NO INTERIOR CHANGE
SCALE: 1/4"=1'-0"

Project Title:
CORRECTIVE WORK BY NEW OWNER IN RESPONSE TO NOTICE OF VIOLATION # 200679034
302 Greenwich Street, San Francisco, CA 94133

Sheet:
A104

Permit Set (07 / 07 / 2014)
Drawing Title:
EXISTING FIRST AND SECOND FLOOR PLAN

Revisions

Number	Date	Description

SHEET INFO.

Project No: JSC05-CA-034
Set Date: 2013.11.12
Drawn by: LGAL-ARZA
Dwg. Date: 2013.11.22

ARCHITECT SF

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DEMOLITION NOTES:

1. CONTRACTOR SHALL VISIT THE SITE AND ACQUANT HIMSELF WITH THE CONDITIONS AS THEY ACTUALLY EXIST AND VERIFY LOCATIONS, CONDITIONS AND DETAILS REQUIRED TO COMPLETE THE WORK.
2. DISPOSAL SHALL BE PERFORMED IN ACCORDANCE WITH LOCAL LAWS AND REGULATIONS.
3. THE CONTRACTOR SHALL USE MATERIALS THAT ARE COMPATIBLE TO EXISTING MATERIALS AND COMPLY WITH APPLICABLE REGULATIONS. BEFORE PROCEEDING, EXAMINE THE SURFACES TO BE MODIFIED AND THE CONDITIONS UNDER WHICH THE WORK IS TO BE PERFORMED. IF UNSAFE OR OTHERWISE UNSATISFACTORY CONDITIONS ARE ENCOUNTERED, TAKE CORRECTIVE ACTION BEFORE PROCEEDING WITH THE WORK. CUT USING SMALL POWER TOOLS DESIGNED FOR SAWING OR GRINDING, NOT HAMMERING AND CHIPPING. RESTORE FINISHES OF PATCHED AREAS AND, WHERE NECESSARY, EXTEND FINISH RESTORATION INTO ADJOINING SURFACES.
4. ALL REMOVAL SHALL BE PERFORMED WITH THE APPROVAL OF THE AUTHORITY HAVING JURISDICTION AND IN ACCORDANCE WITH APPLICABLE STANDARDS.
5. AS-BUILT INFORMATION WAS OBTAINED FROM OWNER - PROVIDED DRAWINGS. THE CONTRACTOR SHALL VERIFY EXISTING CONDITIONS AT THE SITE AND SHALL VERIFY ALL MEASUREMENTS.
6. PERFORM ALL WORK IN A WORKMANLIKE MANNER. CONTRACTOR TO REPLACE OR REPAIR ANY DAMAGE TO EXISTING AREAS TO REMAIN, AS DETERMINED BY THE OWNER. SALVAGE ALL REMOVED ITEMS, SUCH AS DOORS OR LIGHTING FIXTURES, TO BE DISPOSED AS PER OWNER REQUEST.
7. NO WORK AT INTERIOR, ONLY EXTERIOR WORK.

DEMOLITION LEGEND:

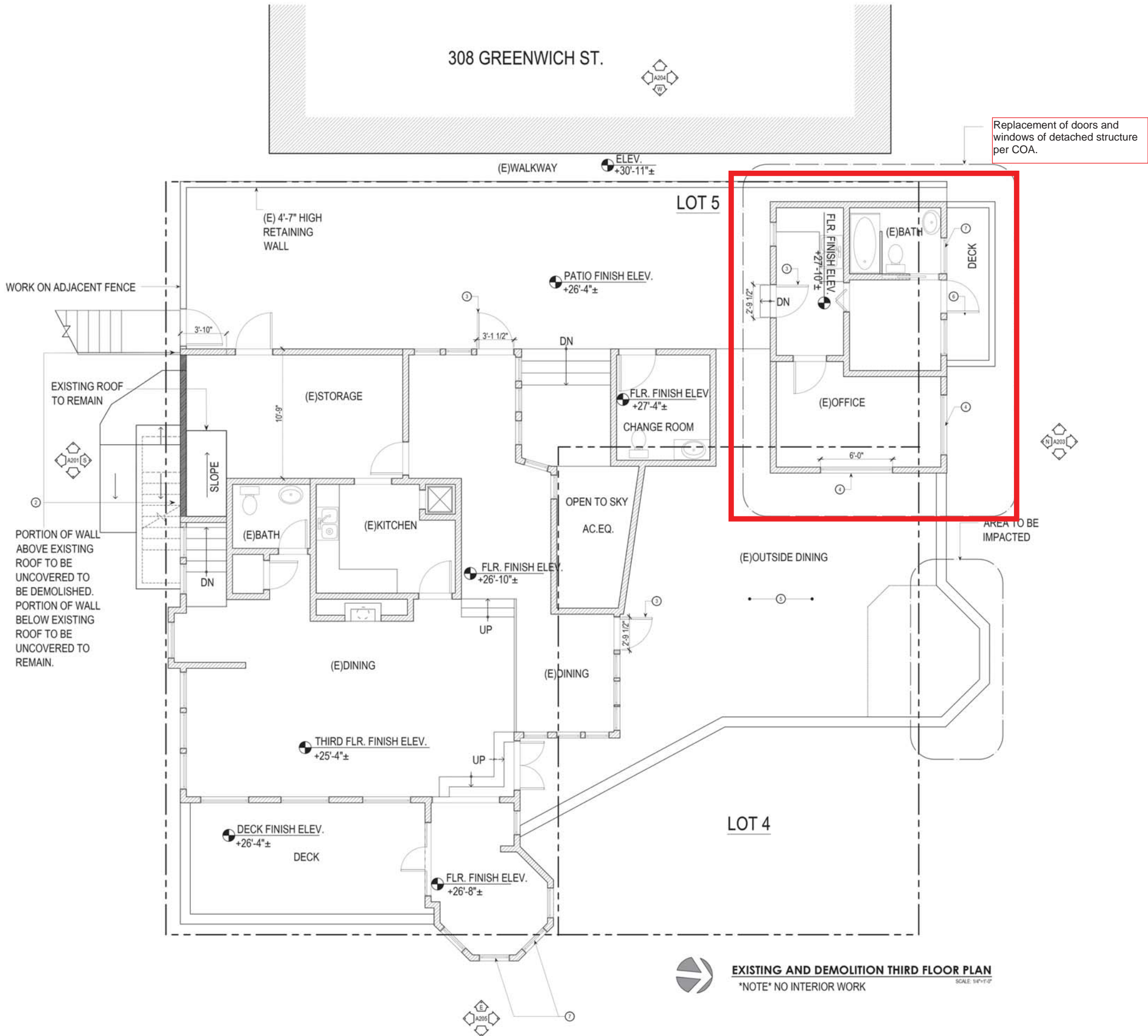
- ITEM TO BE DEMOLISHED, REMOVED OR MODIFIED
- EXISTING WALL

DEMOLITION KEYNOTES:

1. PORTION OF ROOF TO BE REMOVED
2. PORTION OF WALL TO BE DEMOLISHED
3. EXISTING NON HISTORIC DOORS TO BE REMOVED
4. NON MATCHING ALUMINUM WINDOW TO BE REMOVED
5. EXISTING TILES TO BE REMOVED FROM OUTSIDE DINING AREA
6. EXISTING DOOR TO BE REMOVED, UNDER SEPARATE PERMIT
7. EXISTING WINDOW TO BE REMOVED, UNDER SEPARATE PERMIT

PROTECTION OF HISTORIC ELEMENTS DURING CONSTRUCTION

CONTRACTORS AND SUBCONTRACTORS TO PROTECT EXISTING HISTORIC ELEMENTS. ELEMENTS TO REMAIN IN PLACE DURING CONSTRUCTION. PLEASE REFER TO THIS SPECIFICATION #6. SHOULD DAMAGE OCCUR DURING CONSTRUCTION, PLEASE CONTACT THE OWNER'S REPRESENTATIVE SO THAT HE/SHE CONTACTS THE PLANNING DEPARTMENT FOR REVIEW.



EXISTING AND DEMOLITION THIRD FLOOR PLAN
NOTE NO INTERIOR WORK
SCALE: 1/4"=1'-0"

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Revisions		SHEET INFO	
Number	Date	Project No.	Description
1	11.16	US-05-CA-034	
2	11.12	Set Date:	2013.11.12
3	11.12	Drawn by:	LGALARRA
4	11.12	Draw Date:	2013.11.12

Project Title:
**CORRECTIVE WORK BY NEW OWNER IN RESPONSE TO
NOTICE OF VIOLATION # 200679034**
302 Greenwich Street, San Francisco, CA 94133

Permit Set (07 / 07 / 2014)
Drawing Title:
EXISTING AND PROPOSED THIRD FLOOR PLAN

Sheet:
A105

WALL TYPES:

- NEW WALL TO MATCH EXISTING WALLS
- EXISTING WALLS
- NEW WALL

FINISHES SCHEDULE:

FINISHES COLOR AND TEXTURE TO BE SELECTED BY OWNER AS PER FRANCHISE REQUIREMENTS

- 1 FLOOR: PROVIDE SLOPE FOR POSITIVE DRAINAGE.
REPLACE EXISTING TILES WITH NEW TILES.

DOORS SCHEDULE:

REFER TO SHEET PA1.0 FOR DETAILS.

WINDOWS SCHEDULE:

REFER TO SHEET PA1.0 FOR DETAILS.

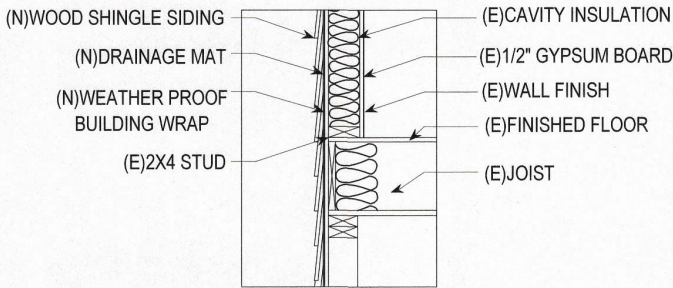
PROTECTION OF HISTORICAL
ELEMENTS DURING
CONSTRUCTION

CONTRACTOR AND SUBCONTRACTORS TO PROTECT EXISTING HISTORIC
ELEMENTS. ELEMENTS TO REMAIN IN PLACE DURING CONSTRUCTION. PLEASE
REFER TO THIS SPECIFICATION #6. SHOULD DAMAGE OCCUR DURING
CONSTRUCTION, PLEASE CONTACT THE OWNER'S REPRESENTATIVE SO THAT
HE/SHE CONTACTS THE PLANNING DEPARTMENT FOR REVIEW.

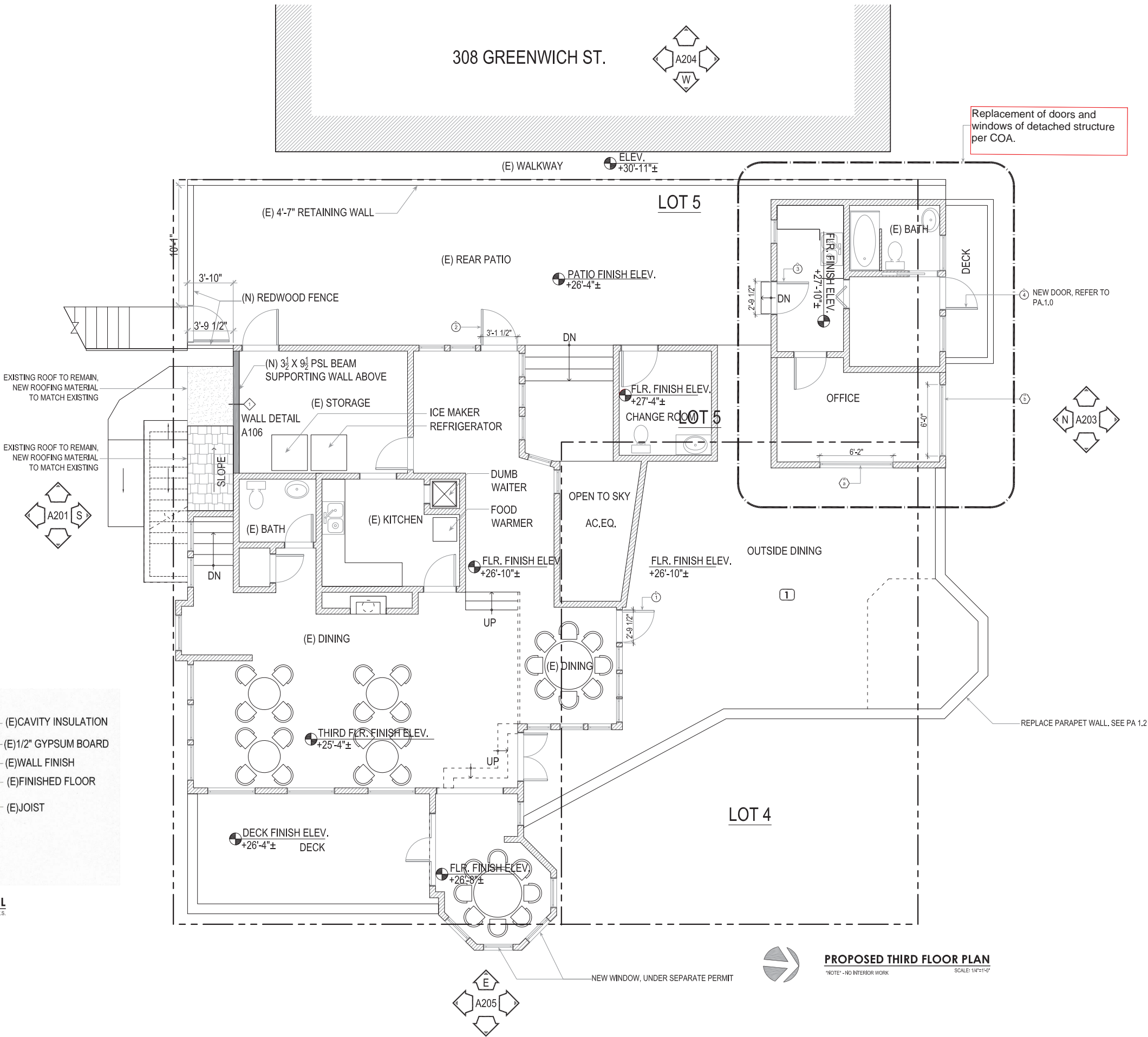
PROJECT SPECIFICATIONS:

- I. WOOD SHINGLES (1.13.2)
II. PAINTING (1.13.4)
III. CEMENT PLASTER (1.13.1)
IV. DECK TILES (1.13.2)
V. CARPENTRY (1.13.5)
VI. PROTECTION OF (E) HISTORICAL ELEMENTS (1.13.4)
VII. ASPHALT SHINGLES (1.13.2)

NOTE - ONLY EXTERIOR WORK TO BE DONE.
NO INTERIOR WORK



WALL DETAIL
SCALE: N.T.S.



PROPOSED THIRD FLOOR PLAN
NOTE - NO INTERIOR WORK
SCALE: 1/4\"/>

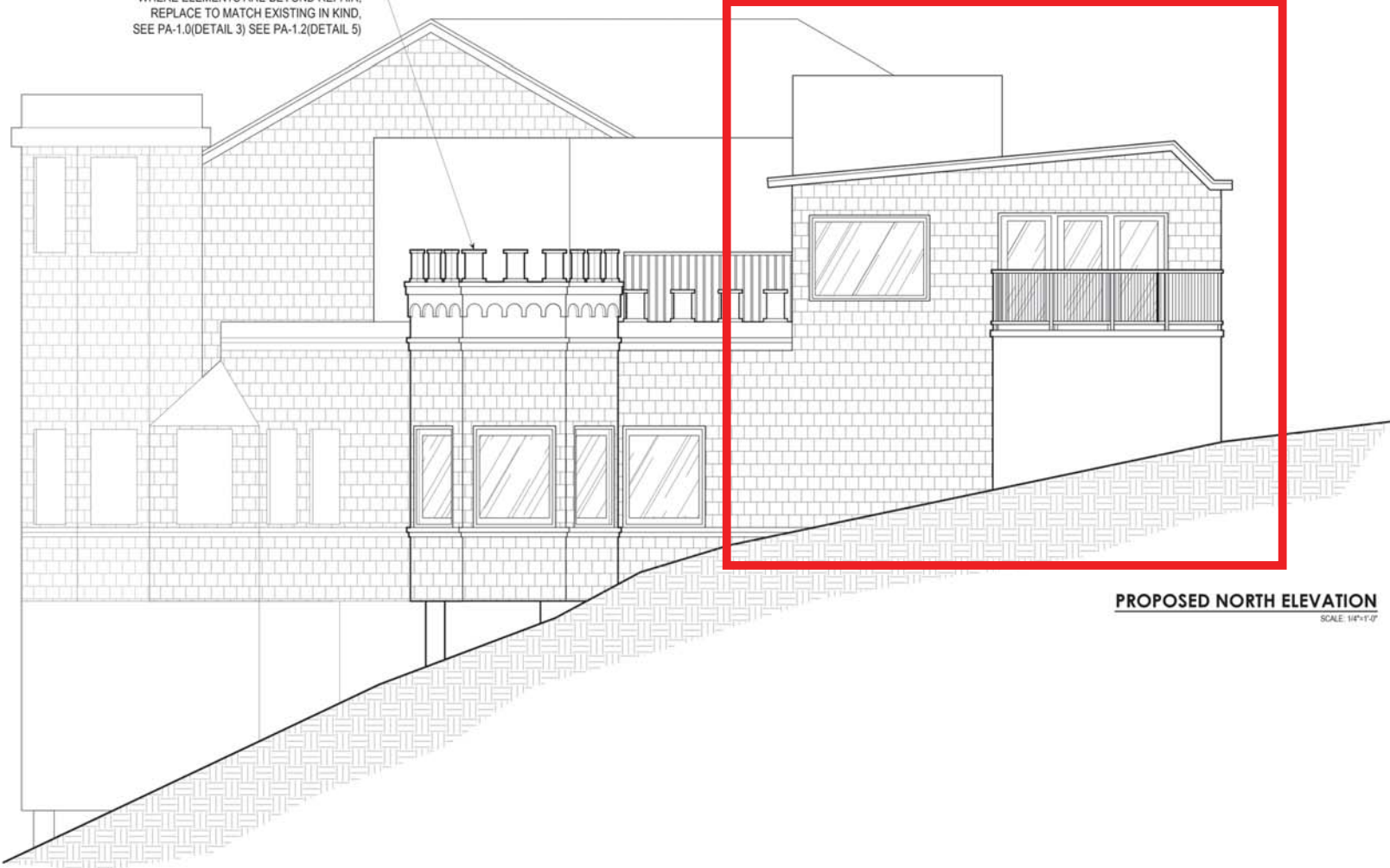
SHEET INFO.	
Project No.	US-45-CO-434
Set Date:	2013.11.12
Drawn by:	LOALARZA
Eng. Date:	2013.11.22

Revisions	
Number	Description



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

REPAIR EXISTING CRENELATION,
PARAPET, CAP, AND PANEL DETAILS.
WHERE ELEMENTS ARE BEYOND REPAIR,
REPLACE TO MATCH EXISTING IN KIND.
SEE PA-1.0(DETAIL 3) SEE PA-1.2(DETAIL 5)



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

**PROTECTION OF HISTORIC
ELEMENTS DURING CONSTRUCTION**

CONTRACTORS AND SUBCONTRACTORS TO PROTECT EXISTING HISTORIC ELEMENTS
ELEMENTS TO REMAIN IN PLACE DURING CONSTRUCTION. PLEASE REFER TO THIS
SPECIFICATION # 8. SHOULD DAMAGE OCCUR DURING CONSTRUCTION, PLEASE
CONTACT THE OWNER'S REPRESENTATIVE SO THAT HE/SHE CONTACTS THE PLANNING
DEPARTMENT FOR REVIEW.

PROJECT SPECIFICATIONS:

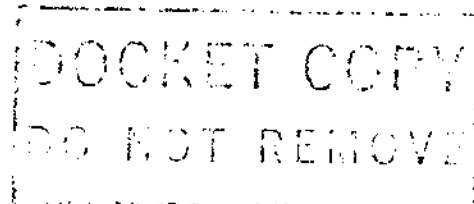
- I. WOOD SHINGLES(1.13.2)
- II. PAINTING(1.13.4)
- III. CEMENT PLASTER(1.13.1)
- IV. DECK TILES(1.13.2)
- V. CARPENTRY(1.13.5)
- VI. PROTECTION OF (E) HISTORICAL ELEMENTS (1.13.4)
- VII. ASPHALT SHINGLES (1.13.2)

SHEET INFO		
Project No.:	US-65-CA-034	
Set Date:	2013.11.12	
Drawn by:	LGALANZA	
Doc. Date:	2013.11.22	

Revisions		
Number	Date	Description
Permit Set	1.14.16	

Project Title:
**CORRECTIVE WORK BY NEW OWNER IN RESPONSE TO
NOTICE OF VIOLATION # 200679034**
302 Greenwich Street, San Francisco, CA 94133

Permit Set (07 / 07 / 2014)
Drawing Title:
EXISTING AND PROPOSED NORTH ELEVATIONS



SAN FRANCISCO
CITY PLANNING COMMISSION
RESOLUTION NO. 8592

WHEREAS, A proposal to designate Julius' Castle at 302 - 304 Greenwich Street as a Landmark pursuant to the provisions of Article 10 of the City Planning Code was initiated by the Landmarks Preservation Advisory Board on February 20, 1980, and said Advisory Board, after due consideration, has recommended approval of this proposal; and

WHEREAS, The City Planning Commission, after due notice given, held a public hearing on May 15, 1980 to consider the proposed designation and the report of said Advisory Board; and

WHEREAS, The Commission believes that the proposed Landmark has a special character and special historical, architectural and aesthetic interest and value; and that the proposed designation would be in furtherance of and in conformance with the purposes and standards of the said Article 10;

THEREFORE BE IT RESOLVED, First, the proposal to designate the aforementioned structure, Julius' Castle at 302 - 304 Greenwich Street, as a Landmark pursuant to Article 10 of the City Planning Code is hereby APPROVED, the precise location and boundaries of the Landmark site being those of Lots 4 & 5 in Assessor's Block 79;

Second, That the special character and special historical, architectural and aesthetic interest and value of the said Landmark justifying its designation are set forth in the Landmarks Preservation Advisory Board Resolution No. 193 as adopted on February 20, 1980, which Resolution is incorporated herein and made a part thereof as though fully set forth;

Third, That the said Landmark should be preserved generally in all of its particular exterior features as existing on the date hereof and as described and depicted in the photographs, case report and other material on file in the Department of City Planning Docket LM80.5;

AND BE IT FURTHER RESOLVED, That the Commission hereby directs its Secretary to transmit the proposal for designation, with a copy of this Resolution, to the Board of Supervisors for appropriate action.

I hereby certify that the foregoing Resolution was ADOPTED by the City Planning Commission at its regular meeting of May 15, 1980.

Lee Woods, Jr.
Secretary

AYES: Commissioners Bierman, Dearman, Karasick, Nakashima,
Rosenblatt, Starbuck.

NOES: None.

ABSENT: Commissioner Sklar.

PASSED: May 15, 1980.



DOCKET COPY
DO NOT REFILE

LANDMARKS PRESERVATION ADVISORY BOARD

100 LARKIN STREET • CIVIC CENTER • SAN FRANCISCO • 94102
FINAL CASE REPORT, JULIUS' CASTLE FEBRUARY 20, 1980

BUILDING NAME Julius' Castle

OWNER: Albert & Loretta Pollack

BUILDING ADDRESS 302-304 Greenwich

BLOCK AND LOT: 79/4 & 5

ZONING RH-3

BACKGROUND

Restaurant with
Original occupant/use: Apartment above.
Current occupant/use: Same
No. of stories: 2 plus basement.
Exterior Materials: Painted shingles.
Window Type: Bay, picture, Gothic, casement.
Interiors: Notable view & rosewood panels.

CRITERIA

A. Architecture

Style: Carpenter Gothic/Arts & Crafts.
Type of Construction: Frame.
Date of Construction: 1923 & 1928
Design Quality: Unique
Architect/Builder: L. Mastropasqua.

B. History

(a brief narrative associating the building with persons, events and/or patterns of significance):

Created and run for over 20 years by Italian immigrant Julius Roz, a colorful local figure. Shape recalls wooden castle built in 1882-4 farther up Greenwich, destroyed 1903. One of SF's oldest restaurants with continuing name & location. Slice of history of Italian & restaurant communities. Celebrity place.

C. Environment

(relation to surroundings in terms of continuity, setting and/or importance as a visual landmark)

A visual landmark. With the tower, the undeveloped hillside around and the painted name, Julius's Castle is notable on the Embarcadero from Montgomery almost to Union. Contributes a whimsical note. Appropriate to neighborhood in bulk and land coverage.

D. Integrity

(cite alterations, if any, and current physical condition)

1928 addition blends with the rest. Painting of originally natural shingles contributes to visual landmark quality. Swiss-chalet-style ballustrades replaced by solid shingled walls. Lean-tos added. Needs replacement shingles, paint.

RATINGS

DCP INVENTORY
1-E7-2

HERITAGE

HERE TODAY
too new

LPAB VOTE 7-0
CPC VOTE

STATE LANDMARK no
NAT'L LANDMARK no
NAT'L REGISTER eligible

STATEMENT OF SIGNIFICANCE

(pertaining to special character or special historical, architectural or aesthetic interest or value)

A unique building, Julius's Castle is a well-known visual landmark on the northeast cliff of Telegraph Hill. Italian architect Louis Mastropasqua planned it to echo Layman's wooden castle which had stood nearby 1882-1903, and to reflect the Arts and Crafts movement in which he had been active. A favorite with celebrities in entertainment, politics and business, the restaurant is a living slice from the history of the local Italian and restaurant communities.

(cont'd on back)

BIBLIOGRAPHY: list original sources
on back of this page.

PREPARED BY Anne Bloomfield

ADDRESS 2229 Webster, S. E. 94115

DATE Jan.-Feb., 1980

SOURCES: David F. Myrick, San Francisco's Telegraph Hill (Berkeley, 1972),
7, 40-51, 63, 67-68, 84, 86-88, 106-07, 109-13, 196-97.

Jerry Flamm, Good Life in Hard Times (SF, c. 1978), 57-58.

Building Permit records for 300-304 Greenwich, especially # 114973
of 20 March 1923 and # 170468 of 24 July 1928.

"Some Recent Work by L. Mastropasqua, Italian Architect,"
Architect and Engineer, xviii/1 (Aug. 1909), 89-92.

Davis' Commercial Encyclopedia of the Pacific Southwest (Berkeley, 1911), 221.

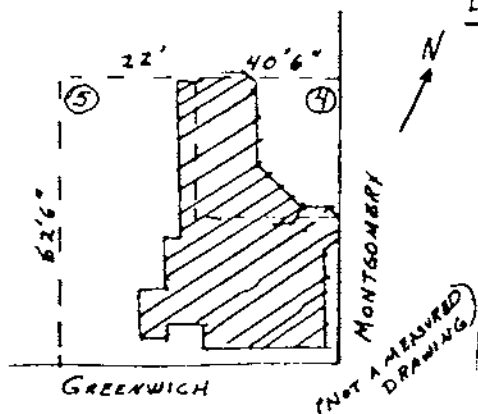
"Julius's Castle", menu/postcard (at CHS), hand dated "1928".

Edith Shefton and Elizabeth Field, Let's Have Fun in San Francisco
(SF, 1939), 60.

City and Telephone directories.

interviews with: Mrs. Ruth Cuneo, Robert Bertini, Mario Ciampi,
George Cruny, Mrs. Balfour Douglas, David Myrick,
Alan Palmer, Diana Parker.

CASE REPORT



JULIUS' CASTLE
302-304 Greenwich
OWNER: Albert & Loretta
Pollack

LOCATION:
302-304 Greenwich,
northwest corner of
Montgomery, being lots
4 & 5 in Assessor's
Block 79.

STATEMENT OF SIGNIFICANCE: A unique building, Julius' Castle is a well-known visual landmark on the northeast cliff of Telegraph Hill. Italian architect Louis Mastropasqua planned it to echo Layman's wooden castle which had stood nearby 1882-1903, and to reflect the Arts and Crafts movement in which he had been active. A favorite with celebrities in entertainment, politics and business, the restaurant is a living slice from the history of the local Italian and restaurant communities.

QUALITY RATING: 1-E7-2 on the 1976 Architectural Survey, DCP; its construction date excludes it from Here Today.

HISTORY: Julius' Castle was built in 1923 and 1928 as a restaurant with apartment above. In 1923 restaurateur Julius Roz hired architect Louis Mastropasqua to design and supervise construction of the tower and the part of the building to its west and south, two stories with basement. In 1928 Roz, without architect, engineer or contractor, extended only the restaurant story to the north of the tower.

While Julius' Castle is not on the very top of Telegraph Hill, it is only about 150 feet away from the Coit Tower parking lot where another towered and battlemented wooden castle used to serve refreshments and views in the nineteenth century. Real estate man Frederick O. Layman built the "German" castle in 1882, enlarging it in 1884, as an attraction for business on his short-lived Telegraph Hill cable car line. The castle made the cover of Harper's Weekly on 23 May 1886, as background for one of the medieval-style sword contests on horseback staged by Duncan Ross, the castle's lessee at the time. After that novelty wore off, various operators tried the castle's observatory-and-refreshments business, but transportation was a problem and the castle stood empty, labeled "Layman's Folly." Early in 1903 it was opened again by the Emile Vincent family, only to be finally destroyed by fire in July of the same year. In his ballad of "Telygraff Hill" (composed some time before Sunset published it in May 1904), Wallace Irwin wrote:

Sure Telygraff Hill has a castle from Wales
Which was built by a local creator.
He made it av bed-slats wid hammer and nails
Like a scene in a stylish the-ay-ter.
There's rats in th' castle o' Telygraff Hill,
But it frowns wid an air of its own
For it's runnin th' bloof that owld Telygraff Hill
Is a sthrong howld of morthur and shtone.

As both Julius Roz and Louis Mastropasqua had arrived in San Francisco from Italy in 1902, just in time to appreciate this earlier castle, they must have had it in mind in their 1923 construction. Each of the castles focused on a hexagonal tower with similar battlements. Each had living quarters for the proprietor upstairs, and public rooms downstairs where the view was appreciated and food served. The unique-in-San Francisco style and the isolated hilly site have made each castle a visual focus from the flatland and waterfront northeast of Telegraph Hill. Julius' Castle differs from its predecessor in being smaller, and successful. Perhaps the castle idea was also suggested by Roz' customers at a former restaurant, Harry and Mary Lafler, who encouraged Roz to build a restaurant near them on the hill.

HISTORY
(CONT.):

His building site at the northwest corner of Greenwich and Montgomery had housed Michael Crowley's two-story, false-front grocery store at least as early as 1886, before quarrying destroyed a row of houses to its north on Montgomery. Later the John B. Mini family built their home here, on a large concrete foundation which remained after the house was destroyed by fire probably about 1918. That year the Minis sold the site to Mary Frances Smith, who resold it to Julius Roz, the sale recorded 17 Jan. 1923. Roz lost no time. Mastropasqua's Building Permit Application #114873 is dated 20 March 1923, and "Julius' Castle" appears among the restaurant listings of the April 1923 phone book, though probably it had not yet opened. It did open later that year.

This 1923 food service date places Julius' Castle among the dozen or two oldest SF restaurants operating with both their present names and locations. Older, of course, are Jack's, the Far East Cafe, John's Grill and Kaye's Oyster House on Polk. While the Poodle Dog, Sam's, Tadisch's and Fior d'Italia are all older as restaurant identities, their locations have changed; Julius' Castle's has not.

The original Mastropasqua building covered a space only about 36 feet wide by 32½ feet deep, the latter dimension being exactly the depth of this leg of Roz' L-shaped Lot 5. In November 1926 he was able to buy Lot 4 to the north, which with Lot 5 completes a 62½-foot square. On 24 July 1928 Roz himself filed Building Permit Application #170468 to "extend dining room on the north side," to the back of Lot 4. Obviously this site offers excellent views for the clientele, in addition to extending the commercial area; the original 32x36-foot space for both kitchen and customers must have limited profits severely. The 1928 application shows no architect, engineer or contractor, but only "day labor." Presumably Julius Roz designed, hired workmen, and supervised construction himself.

Original architect Louis Mastropasqua was a native of Brescia, near Milan. Born in 1870, after schooling in Brescia he attended the University at Naples and graduated in 1899 from the (Italian) Royal Polytechnic School, specializing in civil engineering and architecture. For three years he studied architecture and art in Japan and China, traveling and observing also in India, Java and Africa. On his return in 1902, he stopped over in San Francisco and, though he knew no English, stayed. The bulk of his work was in the Italian community, but he quickly picked up the language and was able to profit by the building boom that followed the 1906 fire. According to Architect and Engineer he designed San Francisco's first reinforced concrete structure to go up after the catastrophe, the Nunziato pasta factory at 415 Broadway near Montgomery. His work included many residences, and buildings for the Iaccheri funeral company at 1548 Stockton, the Domestic Laundry on South Van Ness between 16th and 17th and, by hearsay, several other restaurants. Members of his wife's family the Cuneos say he designed for them the Canessa Building at 708 Montgomery (1906) and various income residential holdings, including a castle-like one on Marboro Street in Redwood City. He was an artist as well as an architect, and leading cartoonist for the Italian paper La Vita Italiana. His nephew Robert Bertini remembers Mastropasqua had a well-equipped basement workshop where he crafted beautiful items in wood and/or iron; so he seems to have approached the multi-skilled, multi-culture-knowing ideal of the Arts and Crafts movement. In 1909 Architect and Engineer published three of his Arts-and-Crafts designs. Architect Mario Ciampi believes he did a number of garages in the 1920s, work for which his engineering education particularly suited him. As late as 1942 Mastropasqua was practising, as always, at 580 Washington.

In the early days there were hardly any other buildings near Julius' Castle, except the Laflers' "Compound," at the southwest corner of Montgomery and Greenwich, which has been replaced. Before the 1931 construction of the Montgomery Street cornice, customers driving to the restaurant had to turn their cars around on a turntable rather like those used for cable cars. The restaurant's long-time car hop Victor Merrill used to jump on a customer's running board at Grant, guide him up the hill, manipulate the turntable and drive back down to park for him. At the corner

HISTORY of Union and Montgomery there used to be a hand-shaped sign pointing
(CONCL.): to the Castle.

Food in the early days had a distinctly Italian leaning, as it does today. A Prohibition-era menu--seven courses for two dollars--included the mixed hors d'oeuvre found now in so many places, red-and-white-and-green tagliarini, and banana fritters. This same menu boasted it was "one of the most beautiful spots in creation, and while eating our excellent dinners, patrons will enjoy a marvelous panorama." A 1939 city guide enthused:

Worth the price of a box seat at the Opera, for the incomparable view of the Eastbay, Treasure Island and . . . But Julius has much more than this to offer. To taste his fish sauce supreme, his tagliarini and his banana souffle is to have a glimpse of an epicure's heaven.

Later the place was known for its Smorgasbord-style lunches, but always with mostly Italian food. And the staff used to be about 90% Italian-Americans.

Julius' Castle has had links with a number of other San Francisco restaurants. Roz himself had been a waiter when he first came to town, then he managed the Dante Restaurant at 536 Broadway, later one at 671 Union, and at some time Begin's on Columbus. In the late 1920s he had a partner named William C. Olsen, who simultaneously was a partner in J.J. Olsen & Sons' restaurant at 446 Market. After Roz died in 1943, the Castle was taken over by Emile Brosio who, about five years later, founded the modest Montclair at 550 Green, where the Isle of Capri had been and the New Pisa is now. Brosio also taught at City College's hotel/restaurant school. At the Castle Brosio made a partner of busboy-turned bartender Steve Pedrusci, and then of waiter John Gambertoglio, who together carried on after Brosio left, known for their lunches. Leo Morese, the Castle's chef for 20 years, still works a little at his family's concern, the Columbus on Broadway. The partners sold Julius' Castle in the winter of 1968-69, and the present restaurant owners took over about six months later, first hiring Modesto Lanzone who had been at Vanessi's and went on to found his own Modesto's in Ghirardelli Square. The current management has roots in El Matador, Blue Fox and Los Gallos. The owner of the property has had connections with The Shadows, the Leopard, Tommy's Joynt, the Old Waldorf and others, and he is past president of the S.F. Restaurant Association.

Original owner Julius Roz was a colorful local figure. Born in Turin in northern Italy about 1868, he came to San Francisco in 1901 and worked in various restaurants, mostly in the North Beach area. He was connected with Telegraph Hill's Bohemia through his friends and customers Harry and Mary Lafler, the former an artist and newspaperman, who owned what was called "The Compound" just across the street. This was five cottages or shacks of salvaged lumber where artists lived and poet George Sterling came to visit. After he built Julius' Castle, Roz lived in the apartment upstairs, with his wife, daughter and two dogs from whom he was inseparable. Roz did everything in the restaurant: buyer, chef and maitre d'. Elmer Cavello of Lucca's told Jerry Flamm about him:

I'll never forget him driving down Union Street in North Beach in a (yellow) Chrysler Imperial convertible . . . He had a big, camel-hair polo coat on and wore a hat. He always had the convertible's top down and two beautiful collie dogs in the rumble seat, which had its own windshield and side windows to keep the wind off the dogs. . . . What a magnificent sight!

A hideaway with good food, ambiance, view and decor, Julius' Castle has attracted celebrities in politics, business and journalism. After movies like Dark Victory (1947) and House on Telegraph Hill (1950) were shot in the neighborhood, the latter using some Julius' Castle footage, entertainers came to the restaurant too.

ARCHI- The Department of City Planning's 1976 Survey classifies Julius'
TECTURE: Castle's style as "Miscellaneous Exotic." Its main component styles are Gothic Revival and Arts-and-Crafts.

ARCHI-
TECTURE
(CONCL.):

Structurally the building is wood frame over concrete foundation. The tower is cantilevered and propped over the hillside. Walls are white-painted shingles in alternating broad and narrow rows. Due to the hill's shape the concrete basement contains only the compressor room, storage, wine cellar in the former garage, and a loggia leading to the restaurant above. On the main floor are both the kitchen and the 64-seat restaurant, with a total floor area for both of perhaps 1,600 square feet. The apartment is above the original Mastropasqua building, with a deck over Roz' 1928 addition.

The corner tower is the most notable element in the composition, visible on the Embarcadero most of the way from Montgomery to Union. It gives rise to the name and recalls the earlier castle nearby. The hexagonal tower with its crenelated battlements and machicolation seems to be guarding its hillside, an appearance belied by huge windows on the restaurant level and somewhat smaller ones above. It's obviously a play castle, in the spirit of the Hansel and Gretel Fairyland houses of the 1920s in Berkeley and Carmel. Other Fairyland or Gothic Revival elements are the crenelation of the upper balconies and decks, a battlemented half-tower at the north end, a pair of pointed-arch windows on the east wall south of the tower, and painted-over narrow lancet windows on the tower itself.

Viewed from the auto turnaround the Mastropasqua part of the building is largely Arts and Crafts in style. The apartment above is asymmetrically placed to hug the hill. Its gently gable-ended, overhanging eaves with extended rafters and simple struts are typical of that movement, as are the shingles and the fact that no two openings match. A round-headed recess admits to the apartment; four shouldered openings, all of different sizes, pierce the shingled wall masking the apartment stairs. The restaurant interior is lined with beautiful rosewood arranged in patchworked panels. Natural-colored wood was an Arts and Crafts specialty, and Roz is said to have purchased these panels from the 1915 Panama Pacific Exposition.

Originally Julius' Castle looked more Arts-and-Crafts than it does now. The shingles were unpainted, the restaurant windows had vertical mullions, and the balcony railings were flat cut-out ballustrades in Swiss-chalet style. A photo c. 1930 shows a huge "Julius" sign apparently on a slice of redwood burl, and the shingles are already discredibly white, indicating both color and painted name may date from the 1928 addition. Hidden by the tower, the name is visible only from the waterfront, not to the neighbors. The addition harmonizes well with Mastropasqua's castle and its north tower reinforces the theme. Some of the later and less fortunate changes relate to repairs after fires in 1930, 1945, 1955 and perhaps 1963.

ZONING AND SURROUNDING LAND USE: The property is zoned RH-3; the restaurant is permitted as a limited Non-Conforming Use (NCU) exempt from termination date under Section 186 of the Planning Code. Height limit is 40 feet; subject building is 32 feet high. The property is surrounded on three sides by city land: Pioneer Park and the Greenwich and Montgomery right-of-ways. Apartment buildings are on the fourth side. Most notable in the surroundings is the steepness of the hill: Greenwich is steps in both directions, and Montgomery is entirely cut off. To the south the hill splits Montgomery into two levels, each bordered by apartments. There fore Julius' Castle commands a sweeping view east and north, and it is in turn notably visible from the Embarcadero.

BIBLIOGRAPHY: David F. Myrick, San Francisco's Telegraph Hill (Berkeley, 1972), 7, 40-51, 63, 67-68, 84, 86-88, 106-07, 109-13, 196-97.
Jerry Flamm, Good Life in Hard Times (SF, c. 1978), 57-58.
Building Permit records for 300-304 Greenwich, especially #114973 of 20 March 1923 and #170468 of 24 July 1928.
"Some Recent Work by L. Mastropasqua, Italian Architect," Architect and Engineer xviii/1 (Aug. 1909), 89-92.
Davis' Commercial Encyclopedia of the Pacific Southwest (Berkeley, 1911), 221.
"Julius' Castle" menu/postcard (at CHS), hand dated "1925".
Interviews with: Mrs. Ruth Cuneo, Robert Bertini, Mario Ciampi, George Cruny, Mrs. Balfour Douglas, David Myrick, Alan Palmer, Diana Parker.

PREPARATION: Anne Bloomfield, 2229 Webster, LF 94115, 922-1063; Jan-Feb 1980.



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Appropriateness Case Report

HEARING DATE: OCTOBER 16, 2013

Filing Date: September 19, 2012
Case No.: **2012.1197A**
Project Address: **302 Greenwich Street / 1531 Montgomery Street**
Historic Landmark: No. 121 – Julius' Castle
Zoning: RH-3 (Residential – House, Three Family)
40-X Height and Bulk District
Block/Lot: 0079/004 & 005
Applicant: Paul D. Scott
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PROPERTY DESCRIPTION

302 GREENWICH STREET / 1531 MONTGOMERY STREET is located on the north side of Greenwich Street at the end of Montgomery Street (Assessor's Block 0079; Lots 004 & 005). The subject building is City Landmark #121, Julius' Castle, constructed in 1923 and expanded in 1928 by Architect L. Mastropasqua. The two-story wood-frame building is located on Telegraph Hill about 150 feet downslope from Coit Tower. It is located within the RH-3 (Residential – House, Three Family) Zoning District with an 40-X Height and Bulk District.

Julius' Castle is one of San Francisco's oldest continuously operated restaurants in its original location. Its design relies heavily from a number of popular stylistic movements at the time, including Storybook and Roadside architecture; while its design motifs are primarily derived from the Gothic Revival and Arts & Crafts Styles. The prominent character-defining-features include its corner turret and crenellated parapet, painted wood shingle cladding, and large-scale painted signage visible from the waterfront. The historic apartment structure's character-defining features include its gable roof from, projecting eaves, extended rafters, and recessed apartment stairs with arched openings.

PROJECT DESCRIPTION

A previous Certificate of Appropriateness was reviewed and approved by the Historic Preservation Commission (HPC) at its December 17, 2008 hearing (see attached Certificate of Appropriateness Case No. 2007.06553A) which addressed work cited within a Notice of Violation issued May 17, 2007 for work executed without benefit of permit, a Certificate of Appropriateness, or Zoning Administrator approval. The work associated with the Notice of Violation requires approval for the expansion of a detached structure located at the rear of the building, the expansion of the historic Arts & Crafts style apartment

structure, replacement of exterior doors and window, and replacement of a redwood fence with a new concrete wall. The previous C of A has since expired.

This current project proposes to address the work completed without benefit of permit, as well as additional exterior restoration work of the landmark building and property. The scope of work is limited to the building exterior and includes the restoration of several exterior elements, the removal of the expansion of the historic apartment structure and changing the openings at the detached structure to be compatible with the property. Specifically, the proposal includes:

- **Restore Original Roofline at Main Building.** Restore original roofline over the staircase at the southern elevation of the main building, which is highly visible from Montgomery Street and the Greenwich Steps by removing portions of the expansion that was executed without benefit of permit. The proposed roofline will restore the original Arts and Crafts/Gothic Revival articulation of the asymmetrical roof. Details will match the existing in material, profile, and finish.
- **Replace Non-Historic Wood Windows and Doors at Detached Building.** Replace existing non-historic windows and doors at the detached building and its expansion to doors and windows that are compatible with the landmark property.
- **Restore Redwood Fence.** Restore the redwood fence and gate at the entrance from the Greenwich Steps to match the aesthetic of the building by removing the existing non-historic concrete wall and wrought iron gate.
- **Replace Non-Historic Wood Doors.** Replace select doors with new wood doors compatible with the character of the landmark property.
- **Repair Exterior Wood Shingles.** Replace select areas of painted exterior wood shingles with new shingles to match existing in material, pattern, and finish.
- **Restore Crenellated Wood Parapet.** Restore original wood crenellations, wood parapet cap, and wood paneled moldings beyond repair with new elements that match existing in material, design, profile, and finish.
- **Repair the Third Floor Deck.** Repair the existing third floor deck by removing existing non-historic tiles, replacing existing waterproofing, repairing existing deck floor framing, and installing new tiles compatible with the landmark property.
- **Restore Exterior Stairway.** Clean and repair existing fabric awning. Refinish existing wrought iron handrail and gate. Clean the existing brick stairway wall and leave the brick exposed. Install new wood compatible door.
- **Paint Exterior.** Paint exterior of building including shingles, crenellated parapet, metal handrails and gates, and entrance canopy to colors that are historically accurate based on a historic paint

analysis conducted by a professional architectural conservator. Painting will also be performed with compatible materials and in a manner that are appropriate for the landmark property.

Please see photographs and plans for details.

UPDATE:

The Project Sponsor is proposing to return the subject building back to its condition prior to the above-cited work, except for a small addition to the detached building at the northwest corner of the property.

OTHER ACTIONS REQUIRED

None.

COMPLIANCE WITH THE PLANNING CODE PROVISIONS

The proposed project requires rear yard variance from the Zoning Administrator for the expansion within the required rear yard setback because the Project Sponsor is proposing not to remove the improvements at this location. The proposed project also requires a Conditional Use Permit for a proposed restaurant use since the previous nonconforming use as a restaurant in the RH-3 zoning district has been discontinued for a continuous period of three years.

APPLICABLE PRESERVATION STANDARDS

ARTICLE 10

Pursuant to Section 1006.2 of the Planning Code, unless exempt from the Certificate of Appropriateness requirements or delegated to Planning Department Preservation staff through the Administrative Certificate Appropriateness process, the Historic Preservation Commission is required to review any applications for the construction, alteration, removal, or demolition of any designated Landmark for which a City permit is required. Section 1006.6 states that in evaluating a request for a Certificate of Appropriateness for an individual landmark or a contributing building within a landmark district, the Historic Preservation Commission must find that the proposed work is in compliance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, as well as the designating Ordinance and any applicable guidelines, local interpretations, bulletins, related appendices, or other policies.

THE SECRETARY OF THE INTERIOR'S STANDARDS

Rehabilitation is the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural, or architectural values. The Rehabilitation Standards provide, in relevant part(s):

Standard 1: A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

The proposed work does not include a change of use. The subject building was constructed as a restaurant building, and will remain so. The proposed project is limited to the exterior of the building and property.

Standard 2: The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

The proposed scope of work will focus on removing existing non-historic elements and additions executed without benefit of permit, as well as restoring the exterior of the building and property. The project includes restoring the original roofline over the staircase at the southern elevation of the main building by removing a non-historic addition, replacing non-historic door and window openings at the detached building with new door and window openings compatible with the landmark property, replacing select non-historic doors with new doors that are in character with the property, and removing the non-historic concrete wall and wrought iron gate and replacing it with a redwood fence and gate. The exterior restoration scope of work will mainly be repair and calls for replacement only where necessary. As outlined in the scope of work, architectural elements that can be repaired will be repaired, and only those areas that are structurally unsound or in an advanced state of repair will be replaced with substitute materials and/or elements. Exterior restoration work includes repairing wood shingles, the crenellated wood parapet, the exterior stairway, and painting the exterior of the building.

Standard 5: Distinctive features, finishes, and construction techniques or examples of fine craftsmanship that characterize a property will be preserved.

The distinctive finishes and features of the landmark structure will be retained and preserved. New features introduced are sensitive and compatible to the landmark building and property and will also be differentiated from the existing in order to maintain clarity between what was original and what was added during this project. Staff has reviewed the proposed drawings of proposed replacement elements and confirmed that as outlined in the scope of work, distinctive features such as the crenellated parapet, wood shingles, windows, doors, wall, and roof eave will be preserved.

Standard 6: Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary physical evidence.

When possible, deteriorated features will be preserved through repair techniques such as cleaning, re-finishing, and Dutchman repair. Only where necessary will materials be replaced in like materials or with appropriate substitute materials, and refinished to match existing adjacent elements.

Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

The expansion at the southern elevation of the main building that was executed without benefit of permit will be partially removed to restore the original roofline over the staircase. The expansion at the east end of the detached building which was also executed without benefit of permit will remain but the existing doors and windows will be replaced with new wood doors and windows. The new work will be differentiated from the old and will be compatible with the historic materials, features, features, size, scale and proportion, and massing of the landmark property.

Standard 10: New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The expansion at the east end of the detached building, if rehabilitated with new windows and doors, will not impact the essential form and integrity of the landmark property and its environment if removed in the future.

PUBLIC/NEIGHBORHOOD INPUT

The Project Sponsor met with the Telegraph Hill Dwellers Planning & Zoning Committee on July 12, 2012, March 6, 2013, and September 12, 2013. The Department has received no public input on the project at the date of this report.

ISSUES & OTHER CONSIDERATIONS

The previous Project Sponsor filed a Certificate of Appropriateness (C of A) Application (Case No. 2007.0653A) on June 27, 2007 and received approval by the HPC on December 17, 2008 (see attached decision documents – case report including motion) to restore the existing landmark property back to its original condition prior to the work executed without benefit of permit including restoring the original roofline over the staircase at the southern elevation of the building, removing the expansion of the detached building and restoring the door and window openings on the north elevation, restoring the crenellated wood parapet to its original configuration before the expansion at the detached building, replacing the wrought iron gate and concrete wall with a simple redwood fence and gate, and replacing all doors and windows installed with high-quality materials compatible with the landmark property.

The property has since been purchased by a new owner. The current Project Sponsor (also the new owner) filed a C of A (Case No. 2012.1197A) on September 19, 2012 to address portions of the scope of work outlined in the previous C of A application with the additional restoration scope of work including the replacement of windows and doors at the detached building, repair of exterior wood siding, restoration of existing crenellated wood parapets, repair of the third floor deck, restoration of the exterior stairway, and painting of the building exterior.

STAFF ANALYSIS

Staff has determined that the proposed work with some stipulated conditions will be in conformance with the requirements of Article 10 and the *Secretary of Interior's Standards for Rehabilitation*. Proposed work in conjunction with stipulated conditions will not adversely affect the landmark structure.

Exterior Roof and Wall Alteration & Repair. Staff finds that the historic character of the property will be retained and preserved by the careful repair and limited replacement of historic elements. Although the proposed removal of the southern end of the main building is only a portion of the expansion that was executed without permit, Staff has determined that the proposed removal will restore the original roofline over the staircase at the southern elevation of the building. Additionally, Staff has reviewed a wall and roof assembly details and determined that the restoration is appropriate. A condition of approval has been included to address the alteration to the wall and roof areas.

Window and Doors. Staff has reviewed the proposed window and door details and determined that the replacement of windows and doors at the detached building, as well as replacement of select doors are compatible with the existing landmark. A condition of approval has been included to address the new windows and doors, as well as the infill at walls.

Crenellated Parapet. Staff has reviewed the proposed details for the crenellated wood parapet and determined that repair and/or select replacement will match existing elements in material, design, profile, and finish. A condition of approval has been included to address the work to the repair to parapets including paneled moldings and the transition between the parapet and roof deck.

Third Floor Deck. Staff has reviewed the detail for the third floor roof deck and determined that the proposed deck replacement is appropriate for addressing waterproofing issues. A condition of approval has been included to address the selection of new floor tiles.

Redwood Fence. Staff has reviewed the general concept of a redwood fence and determined that the proposed removal of existing concrete wall and wrought iron fence and replacement with a simple redwood fence and gate is aesthetically compatible with the landmark property. The new redwood fence will have a 4-inch maximum curb as required to retain the southern edge of the property. A condition of approval has been included to address the work at the redwood fence.

Exterior Stairway. Staff has reviewed the treatment of the existing exterior stairway including the cleaning and repair of existing awning, repainting of existing wrought iron handrail and gate, the cleaning of existing brick wall and the installation of a new wood door in character of the property and determined that the approach will restore the building to its original character. Two options have been provided for the finish of the brick stair wall. Option 1 is maintaining the existing brick wall finish as is and Option 2 is to apply a stucco finish over the brick wall. The Project Sponsor proposes to apply a stucco coating over the existing brick veneer wall. Staff recommends that existing brick be left exposed since this stairway was not part of the original building, is differentiated with the historically scored stucco finish at the base of the landmark building, and is more compatible with the surrounding Greenwich Steps and adjacent retaining wall which abuts it. A condition of approval has been included to address the work to the brick wall and new door.

Painting. Staff has reviewed the proposed painting of the building exterior including shingles, crenellated parapet, and entrance canopy and determined that painting is compatible with the landmark property. A condition of approval has been included to address the painting work.

ENVIRONMENTAL REVIEW STATUS

The Planning Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One-Minor Alteration of Existing facility) because the project is a minor alteration of an existing structure and meets the *Secretary of the Interior's Standards*.

PLANNING DEPARTMENT RECOMMENDATION

Planning Department staff recommends APPROVAL WITH CONDITIONS of the proposed project as it appears to meet the *Secretary of the Interior Standards for Rehabilitation*. Staff recommends the following conditions of approval:

- That all work to abate the outstanding violation must be completed as part of this approval including removal of a portion of the expansion at the southern elevation of the main building to restore the original roofline, replacement of windows and doors at the detached building, the replacement of non-historic doors throughout the property, and the removal of the existing non-historic concrete wall and wrought iron gate and the installation of a new redwood fence and gate.
- That if it is determined that more than 50% replacement of the total exterior shingles, crenellated parapet, or any other character-defining features listed in the current scope of work is required, then a full conditions assessment be conducted and submitted for review and approval by the HPC a regularly scheduled hearing.
- That the brick surface at the exterior stair wall to remain unfinished without any coatings to preserve the character of the landmark property.
- Prior to issuance of the Architectural Addendum, dimensioned elevations, details, and sections where required showing all profiles and dimensions for all new proposed replacement elements as well as existing conditions including crenellated wood parapets including moldings at parapet wall, roof details at southern end of main building where the expansion is to be removed, new door for exterior brick stair wall, infill wall details at detached building where new windows and doors will be installed, and new redwood fence and gate details will be forwarded for review and approval by Planning Department Preservation Staff.
- Prior to issuance of the Architectural Addendum, dimensioned elevations showing specific locations where repairs and/or replacement work will be performed based on a conditions assessment will be forwarded for review and approval by Planning Department Preservation Staff
- Prior to issuance of the Architectural Addendum, specifications for exterior wood restoration, brick cleaning and restoration, cement plaster restoration, decorative metal restoration, exterior floor tile, exterior wood shingles, and exterior painting including restoration will be forwarded for review and approval by Planning Department Preservation Staff.
- Prior to issuance of the Architectural Addendum, a paint analysis report detailing the historic paint colors conducted by a professional architectural conservator, as well as the proposed paint colors and samples for the building exterior will be forwarded for review and approval by Planning Department Preservation Staff.

- Prior to issuance of the Architectural Addendum, samples of the new third floor deck tiles, redwood fence, glazing and finish for new wood doors and windows, and finish for new hardware will be forwarded for review and approval by Planning Department Preservation Staff.
- Prior to issuance of the Architectural Addendum, mock-ups of each of the following for review and approval by Planning Department Preservation Staff: 1) Repaired crenellated wood parapet, 2) Repaired wood shingle, and 3) New redwood fence.

ATTACHMENTS

Draft Motion

Parcel Map

Sanborn Map

Aerial Photos

Zoning Map

Site Photos

Previous Certificate of Appropriateness (2007.0653A) Decision Documents, Hearing Date: December 17, 2008

Certificate of Appropriateness Application (Current)

Sponsor Packet

Drawings

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SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Motion 0213

HEARING DATE: OCTOBER 16, 2013

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Hearing Date: October 16, 2013
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Case No.: **2012.1197A**
Project Address: **302 Greenwich Street / 1531 Montgomery Street**
Historic Landmark: No. 121 – Julius' Castle
Zoning: RH-3 (Residential – House, Three Family)
40-X Height and Bulk District
Block/Lot: 0079/004 & 005
Applicant: Paul D. Scott
Pier 9, Suite 100 The Embarcadero
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ADOPTING FINDINGS FOR A CERTIFICATE OF APPROPRIATENESS FOR PROPOSED WORK DETERMINED TO BE APPROPRIATE FOR AND CONSISTENT WITH THE PURPOSES OF ARTICLE 10, TO MEET THE STANDARDS OF ARTICLE 10 AND TO MEET THE SECRETARY OF INTERIOR'S STANDARDS FOR REHABILITATION, FOR THE PROPERTY LOCATED ON LOT 003 IN ASSESSOR'S BLOCK 0175, WITHIN A C-2 (COMMERCIAL BUSINESS) ZONING DISTRICT AND A 65-A HEIGHT AND BULK DISTRICT.

PREAMBLE

WHEREAS, on September 19, 2012, Paul D. Scott (Project Sponsor and Owner) filed an application with the San Francisco Planning Department (hereinafter "Department") for a Certificate of Appropriateness to restore the building located on the subject property located on lots 004 & 005 in Assessor's Block 0079 for restaurant use. The work involves the restoration of the existing landmark property including addressing work executed without benefit of permit, as well as an exterior restoration of the building and property. Specifically, the work includes:

- Restoration of the original roofline over the staircase at the southern elevation of the main building by removing portions of the expansion that was executed without benefit of permit;
- Replacement of existing non-historic windows and doors at the detached building with new wood windows and doors that are compatible with the landmark property;

- Restoration of the redwood fence and gate at the entrance from the Greenwich Steps to match the aesthetic of the building by removing the existing non-historic concrete wall and wrought iron gate;
- Replacement of existing non-historic wood doors with new wood doors compatible with the character of the landmark property;
- Replacement of select areas of painted exterior wood shingles with new shingles to match existing in material, dimension, design, pattern, and finish;
- Restoration of the crenellated wood parapet and wood paneled moldings;
- Repair of the existing third floor deck by removing existing non-historic tiles, replacing existing waterproofing, repairing existing deck floor framing, and installing new tiles compatible with the landmark property;
- Restoration of the exterior stairway including repair of existing fabric awning, painting existing handrail, and restoring the brick wall; and
- Painting of the building exterior and site features.

WHEREAS, the Project was determined by the Department to be categorically exempt from environmental review. The Historic Preservation Commission (hereinafter "Commission") has reviewed and concurs with said determination.

WHEREAS, on October 16, 2013, the Commission conducted a duly noticed public hearing on the project, Case No. 2012.1197A ("Project") for its appropriateness.

WHEREAS, in reviewing the Application, the Commission has had available for its review and consideration case reports, plans, and other materials pertaining to the Project contained in the Department's case files, has reviewed and heard testimony and received materials from interested parties during the public hearing on the Project.

MOVED, that the Commission hereby APPROVES WITH CONDITIONS as modified at the October 16, 2013 hearing the Certificate of Appropriateness, in conformance with the architectural plans dated October 2, 2013 and labeled Exhibit A on file in the docket for Case No. 2012.1197A based on the findings listed below.

BE IT FURTHER MOVED, that the Historic Preservation Commission requests the Planning Commission consider a condition of approval as part of its conditional use authorization for the restaurant use at the property that all scopes of work defined in this Certificate of Appropriateness be completed prior to the building operating as a restaurant.

CONDITIONS OF APPROVAL

In conformance with HPC Motion 0213, the Commission requires:

1. That all work to abate the outstanding violation must be completed as part of this approval including removal of a portion of the expansion at the southern elevation of the main building to restore the original roofline, replacement of windows and doors at the detached building, the replacement of non-historic doors throughout the property, and the removal of the existing non-historic concrete wall and wrought iron gate and the installation of a new redwood fence and gate.
2. That if it is determined that more than 50% replacement of the total exterior shingles, crenellated parapet, or any other character-defining features listed in the current scope of work is required, then a full conditions assessment be conducted and submitted for review and approval by the HPC at a regularly scheduled hearing.
3. Prior to issuance of the Architectural Addendum, specifications for exterior wood restoration, brick cleaning and restoration, cement plaster restoration, decorative metal restoration, exterior floor tile, exterior wood shingles, and exterior painting will be forwarded for review and approval by Planning Department Preservation Staff.
4. Prior to issuance of the Architectural Addendum, a materials board showing materials and finished will be submitted for review and approval by Planning Department Preservation Staff.
5. Prior to issuance of the Architectural Addendum, mock-ups of each of the following for review and approval by Planning Department Preservation Staff: 1) Repaired crenellated wood parapet, 2) Repaired wood shingle, 3) New redwood fence, and 4) Proposed paint scheme with all proposed colors for the building and property.

FINDINGS

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

1. The above recitals are accurate and also constitute findings of the Commission.
2. All previous conditions have been addressed except for the full documentation (written and graphic) describing where each treatment was performed.
3. Findings pursuant to Article 10:

The Historical Preservation Commission has determined that the proposed work is compatible with the character of the landmark.

- The proposed project will not remove distinctive materials, nor irreversibly alter features, spaces, or spatial relationships that characterize the landmark designation;

- The proposed alteration at the south elevation of the main building to restore the original roofline is required to return the landmark property back to its original character and significance;
- The replacement of non-historic windows and doors at the detached building with new compatible wood windows and doors is required to return the detached building back to the character of the landmark property;
- The removal of the non-historic concrete wall and wrought iron gate along the southern edge of the property and installation of a new simple redwood fence and gate is required to bring back the landmark's overall character and significance;
- The proposal to replace select non-historic doors with new compatible wood doors will bring the landmark building back to its original character;
- The proposed repair of the wood crenellated parapet and moldings, wood shingles, awning, third floor deck, and painting are appropriate for the building and property. Damage caused by deferred maintenance requires that repairs be made to address waterproofing issues;
- The proposal is compatible with, and respects, the character-defining features of the landmark designation;
- Proposed work will not damage or destroy distinguishing original qualities or character of the landmark designation; and
- The proposed project meets the following *Secretary of the Interior's Standards for Rehabilitation*:

Standard 1.

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

Standard 2.

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Standard 5.

Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

Standard 6.

Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary physical evidence.

Standard 9.

New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, and scale and proportion, and massing to protect the integrity of the property and its environment.

Standard 10.

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

4. **General Plan Compliance.** The proposed Certificate of Appropriateness is, on balance, consistent with the following Objectives and Policies of the General Plan:

I. URBAN DESIGN ELEMENT

THE URBAN DESIGN ELEMENT CONCERNS THE PHYSICAL CHARACTER AND ORDER OF THE CITY, AND THE RELATIONSHIP BETWEEN PEOPLE AND THEIR ENVIRONMENT.

GOALS

The Urban Design Element is concerned both with development and with preservation. It is a concerted effort to recognize the positive attributes of the city, to enhance and conserve those attributes, and to improve the living environment where it is less than satisfactory. The Plan is a definition of quality, a definition based upon human needs.

OBJECTIVE 1

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

POLICY 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

OBJECTIVE 2

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

POLICY 2.4

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

POLICY 2.5

Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

POLICY 2.7

Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

The goal of a Certificate of Appropriateness is to provide additional oversight for buildings and districts that are architecturally or culturally significant to the City in order to protect the qualities that are associated with that significance.

The proposed project qualifies for a Certificate of Appropriateness and therefore furthers these policies and objectives by maintaining and preserving the character-defining features of the landmark for the future enjoyment and education of San Francisco residents and visitors.

5. The proposed project is generally consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- A) The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

The proposed project will not have any impact on neighborhood serving retail uses.

- B) The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

The proposed project will strengthen neighborhood character by respecting the character-defining features of the landmark in conformance with the Secretary of the Interior's Standards.

- C) The City's supply of affordable housing will be preserved and enhanced:

The project will not have any impact on the City's supply of affordable housing.

- D) The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

The proposed project will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

- E) A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

The proposed will not have any impact on industrial and service sector jobs.

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

Preparedness against injury and loss of life in an earthquake is improved by the proposed work. The work will eliminate unsafe conditions at the site and all construction will be executed in compliance with all applicable construction and safety measures.

G) That landmark and historic buildings will be preserved:

The proposed project is in conformance with Article 10 of the Planning Code and the Secretary of the Interior's Standards.

H) Parks and open space and their access to sunlight and vistas will be protected from development:

The proposed project will not impact the access to sunlight or vistas for the parks and open space.

6. For these reasons, the proposal overall, is appropriate for and consistent with the purposes of Article 10, meets the standards of Article 10, and the Secretary of Interior's Standards for Rehabilitation, General Plan and Prop M findings of the Planning Code.

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 **GRANTS a Certificate of Appropriateness** for the property located at Lots 004 & 005 in Assessor's Block 0079 for proposed work in conformance with the renderings and architectural sketches dated October 2, 2013 and labeled Exhibit A on file in the docket for Case No. 2012.1197A.

APPEAL AND EFFECTIVE DATE OF MOTION: The Commission's decision on a Certificate of Appropriateness shall be final unless appealed within thirty (30) days. Any appeal shall be made to the Board of Appeals, unless the proposed project requires Board of Supervisors approval or is appealed to the Board of Supervisors as a conditional use, in which case any appeal shall be made to the Board of Supervisors (see Charter Section 4.135).

Duration of this Certificate of Appropriateness: This Certificate of Appropriateness is issued pursuant to Article 10 of the Planning Code and is valid for a period of three (3) years from the effective date of approval by the Historic Preservation Commission. The authorization and right vested by virtue of this action shall be deemed void and canceled if, within 3 years of the date of this Motion, a site permit or building permit for the Project has not been secured by Project Sponsor.

THIS IS NOT A PERMIT TO COMMENCE ANY WORK OR CHANGE OF OCCUPANCY UNLESS NO BUILDING PERMIT IS REQUIRED. PERMITS FROM THE DEPARTMENT OF BUILDING INSPECTION (and any other appropriate agencies) MUST BE SECURED BEFORE WORK IS STARTED OR OCCUPANCY IS CHANGED.

I hereby certify that the Historical Preservation Commission ADOPTED the foregoing Motion on October 16, 2013.

Jonas Ionin
Acting Commission Secretary

AYES: Hasz, Hyland, Johnck, Matsuda, Pearlman, Wolfram

NAYS: None

ABSENT: Johns

ADOPTED: October 16, 2013



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Appropriateness ADMINISTRATIVE ACOA16.0204

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: July 21, 2016
Case Number: **2016-001273COA**
Permit Application Nos.: 2016.01.22.7812
Project Addresses: **302 GREENWICH STREET (AKA 1531 MONTGOMERY ST.)**
Historic Landmark: Landmark #121 – Julius' Castle
Zoning: RH-3 (Residential, House – Multi-Family)
40-X Height and Bulk District
Block/Lots: 0079 / 004, 005
Project Sponsor: Paul D. Scott
Pier 9, Suite 100
San Francisco, CA 94111
Staff Contact: Pilar LaValley - (415) 575-9084
pilar.lavalley@sfgov.org
Reviewed By: Tim Frye – (415) 575-6822
tim.frye@sfgov.org

This is to notify you that pursuant to the process and procedures adopted by the Historic Preservation Commission ("HPC") in Motion No. 0241 and authorized by Section 1006.2 of the Planning Code, the scopes of work identified in this Administrative Certificate of Appropriateness for **302 Greenwich Street (aka 1531 Montgomery Street)** has been delegated to the Department. The Department grants **APPROVAL** in conformance with the architectural plans, dated January 14, 2016, labeled Exhibit A on file in the docket for Case No. **2016-001273COA**.

ENVIRONMENTAL REVIEW STATUS

The Planning Department has determined that the proposed project is exempt/excluded from environmental review pursuant to CEQA Guideline Section 15301(g) (Class 1 - Minor alteration of existing facilities with negligible or no expansion of use) because the project is an alteration of an existing structure and meets *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

PROJECT DESCRIPTION

The proposed scope of work is to address items that were not included, or to clarify certain scopes of work, in the Certificate of Appropriateness approved on October 16, 2013 in Motion No. 0213. The scope of work for this Administrative Certificate of Appropriateness is limited to the description provided below. All other aspects of the project approved in Historic Preservation Commission Motion No. 0213 remain unchanged and all associated conditions of approval remain applicable.

The proposed scope of work addressed in this Administrative Certificate of Appropriateness includes:

- Replacement in-kind of existing fabric covering on awning over exterior stairs at south side of building. In the previous Certificate of Appropriateness, the awning cover was proposed to be

repaired; however, the most effective repair approach is replacement. As this exceeds the scope described in the previous approval, a new Certificate of Appropriateness is required. The new cover fabric will be in a color consistent with the historically accurate exterior paint color palette proposed for the building.

- Repair second floor deck at south side of building by removing existing non-historic tiles, replacing waterproofing, repairing existing deck framing, and installing new tiles compatible with the landmark property and consistent with the tile proposed at the third floor deck. Work at the second floor deck was not anticipated during the previous Certificate of Appropriateness, but is now necessary.
- Retain the non-historic concrete wall at the entrance to Greenwich Steps. In the original Certificate of Appropriateness, this wall was proposed to be removed and replaced with a redwood fence and gate. Due to structural and water intrusion concerns, this wall is proposed to be retained with only the top 13-inches removed. It will be painted to match building. No change is proposed for the originally approved redwood gate and new redwood fence between the gate and the building wall.

The proposed work generally conforms to the scopes of work delegated to Department Staff for Administrative Certificate of Appropriateness review in HPC Motion No. 0241. The proposed work at the awning and fence most closely relates to Scope No. 13 (Construction and/or Modification of Landscape Features) as it involves the modification of a non-character-defining fence and walkway in a compatible manner. The proposed work at the second floor deck most closely relates to Scope No. 6 (Construction of non-visible roof deck on flat roof) as the repair and re-tiling will occur on a flat surface that is not visible from the street. All of the work described above is consistent with the *Secretary Standards*.

FINDINGS

This work complies with the following requirements:

1. Compliance with the *Secretary of the Interior's Standards for Rehabilitation* and consistent with the architectural character of the landmark property, as set forth in the designation report:

Standard 1: A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

The proposed project is limited to the exterior of the building and property; no change of use is proposed. The proposed project will not require changes to the building's distinctive materials, features, spaces, or spatial relationships. The proposed scope is limited to non-historic features that will be modified or repaired in a manner that is compatible with the landmark property.

Standard 2: The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

No significant, character-defining historic materials or features that characterize the property will be affected by this scope of work.

Standard 3: Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

The proposed project does not include the addition of conjectural elements or architectural features from other buildings. All proposed work is clearly contemporary and differentiated from historic features of the building.

Standard 5: Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

The distinctive finishes and features of the landmark will be retained and preserved. The new awning cover, tile deck repair, and concrete wall modification will not affect character-defining features or materials of the landmark.

Standard 9: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

The proposed work will not destroy character-defining materials and will be compatible with the character of the Landmark while still being clearly differentiated to avoid creating a false sense of history. The new fabric awning cover will have a color that is consistent with the historically accurate exterior paint color palette proposed for the building to make it more compatible with the landmark. Repair of the second floor deck will reduce water intrusion and damage to the building and compatible new tile will be installed. Modification of the concrete wall will not remove this non-historic feature, but will reduce its height, and painting it to match the building will make it less visually obtrusive and more compatible with the landmark.

Standard 10: New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The essential form and integrity of the Landmark building would be unimpaired if the proposed awning cover, second floor deck tile, and concrete fence were removed at a future date.

2. **General Plan Compliance.** The proposed Administrative Certificate of Appropriateness, on balance, is consistent with the following Objectives and Policies of the General Plan:

I. URBAN DESIGN ELEMENT

THE URBAN DESIGN ELEMENT CONCERNS THE PHYSICAL CHARACTER AND ORDER OF THE CITY, AND THE RELATIONSHIP BETWEEN PEOPLE AND THEIR ENVIRONMENT.

GOALS

The Urban Design Element is concerned both with development and with preservation. It is a concerted effort to recognize the positive attributes of the city, to enhance and conserve those attributes, and to improve the living environment where it is less than satisfactory. The Plan is a definition of quality, a definition based upon human needs.

OBJECTIVE 1

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

POLICY 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

OBJECTIVE 2

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

POLICY 2.4

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

POLICY 2.5

Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

POLICY 2.7

Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

The goal of a Certificate of Appropriateness is to provide additional oversight for buildings and districts that are architecturally or culturally significant to the City in order to protect the qualities that are associated with that significance.

The proposed project qualifies for an Administrative Certificate of Appropriateness and therefore furthers these policies and objectives by maintaining and preserving the character-defining features of the subject building for the future enjoyment and education of San Francisco residents and visitors.

3. **Prop M Findings.** The proposed project is generally consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- a. The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

The proposed project will have no effect on any neighborhood-serving aspects of the building.

- b. The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

The proposed project will strengthen neighborhood character by respecting the character-defining features of the Landmark in conformance with the requirements set forth in HPC Motion No. 0241 and the Secretary of the Interior's Standards.

- c. The City's supply of affordable housing will be preserved and enhanced:

The proposed project will have no effect on the City's supply of affordable housing.

- d. The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

The proposed project will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

- e. A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

The proposed project will not affect the City's diverse economic base and will not displace any business sectors due to commercial office development.

- f. The City will achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Preparedness against injury and loss of life in an earthquake is unaffected by the proposed project. Any construction or alteration would be executed in compliance with all applicable construction and safety measures.

- g. That landmark and historic buildings will be preserved.

The proposed project respects the character-defining features of the subject building and is in conformance with the requirements set forth in HPC Motion No. 0241 and the Secretary of the Interior's Standards.

- h. Parks and open space and their access to sunlight and vistas will be protected from development:

The proposed Administrative Certificate of Appropriateness will not impact the City's parks and open spaces.

For these reasons, the above-cited work is consistent with the intent and requirements outlined in HPC Motion No. 0241 and will not be detrimental to the Landmark building.

Duration of this Administrative Certificate of Appropriateness: This Administrative Certificate of Appropriateness is issued pursuant to Article 10 of the Planning Code and is valid for a period of three (3) years from the effective date of approval by the Planning Department, as delegated by the Historic Preservation Commission. The authorization and right vested by virtue of this action shall be deemed void and canceled if, within 3 years of the date of this Motion, a site permit or building permit for the Project has not been secured by Project Sponsor.

REQUEST FOR HEARING: If you have substantial reason to believe that there was an error in the issuance of this Administrative Certificate of Appropriateness, or abuse of discretion on the part of the Planning Department, you may file for a Request for Hearing with the Historic Preservation Commission within 20 days of the date of this letter. Should you have any questions about the contents of this letter, please contact the Planning Department at 1650 Mission Street, 4th Floor or call 415-575-9121.

cc: Historic Preservation Commission, 1650 Mission Street, Suite 400, San Francisco, CA 94103
San Francisco Architectural Heritage, 2007 Franklin Street, San Francisco, CA 94109
Nancy Shanahan, Planning & Zoning Committee, Telegraph Hill Dwellers, 224 Filbert Street, San Francisco, CA 94133

From: Jim Fisher
To: [Vimr, Jonathan \(CPC\)](#)
Subject: Julius" Castle
Date: Wednesday, May 17, 2017 6:59:11 PM

Jonathan,

I'm writing in support of Paul Scott's efforts to revive Julius' Castle as a neighborhood restaurant. My partner, son, and I have lived in Telegraph Hill since 1999, and rather than see yet another neighborhood institution fall to the wayside or become an office or condo building, we want to see it brought back to what it once was—a restaurant that was frequented by the neighbors, as well as visitors to San Francisco. It's even more significant to us that it's a longtime resident of the neighborhood, someone who like us has been raising his family here, who is the driving force behind making this happen.

I cannot begin to tell you how excited we were when we first learned that the goal was to re-establish a restaurant in our iconic neighborhood in this iconic structure, and our almost 11-year-old son talks regularly about the special nights when we will trot up the hill from our house on Kearny Street to enjoy a drink and a meal.

We also know that we are far from alone in the belief that Julius' Castle makes sense as a restaurant.

Regards,

Jim Fisher

From: Anne Halsted
To: [Vimr, Jonathan \(CPC\)](#)
Subject: Julius Castle
Date: Wednesday, May 17, 2017 7:13:48 PM

I have lived on Montgomery Street near Union for 40 years. I support the reopening on Julius Castle as a restaurant as I felt much safer when there was more activity on the streets at night. I also regarded it as an asset for our urban area ! Please do not overreact to fears of neighbors. Approve this proposal with conditions as specified earlier!

Thanks you!

Sent from Anne's iPhone
Anne Halsted
Mobile 415 359-7385
1308 Montgomery Street
San Francisco, CA 94133

From: Pierre Nallet
To: [Vimr, Jonathan \(CPC\)](#)
Subject: Julius" Castle
Date: Wednesday, May 17, 2017 11:32:46 PM

Hello,

On June 1st, you will be hearing the applications for a Conditional Use Permit and Variance for Julius' Castle. This restaurant has been closed for a while. I support its reopening. I live by on Darrell place.

Best regards,

Pierre Nallet
20 Darrell Place
San Francisco
CA 94133

From: Stuart kaplan
To: [Vimr, Jonathan \(CPC\)](#)
Cc: [Scott Paul](#)
Subject: June 1 calendar--Julius Castle
Date: Thursday, May 18, 2017 7:20:47 AM

There is set for hearing on your June 1 calendar consideration of conditional use permit and variance for the long legendary and fantastically beautiful Julius Castle on Telegraph Hill.

I am a vey, very long time nearby resident, having climbed the local hills for about 40 years! (one reason I am alive and well at 83) . I have no monetary interest in this development and no particular relationship with the applicant. Further, I have frequently strongly opposed various development proposals, e.g. hotel on the waterfront, high rise luxury condos,etc.

The proposal now before you is a most welcome one. It will add even more interest and life in a positive sense to our cherished neighborhood. I urge you to look most favorably on this application.

Thank you.

Stuart Kaplan
Attorney At Law
289 Union Street
San Francisco, CA 94133
Phone: (415) 989-5297
pier5north@earthlink.net

From: Burton Kendall
To: [Vimr, Jonathan \(CPC\)](#)
Subject: 2016-001273CUAVAR
Date: Saturday, May 13, 2017 4:11:34 PM

Dear Mr Vimr,

The following text is in a signed letter that has been placed in the mail. I am sending the email in the off-chance that the letter will be delayed or not arrive.

Thank You,

Burton Kendall
Sally Towse

This letter is in reference to Case No. 2016-001273CUAVAR (Julius' Castle). We live at 34 Darrell Pl. which is ~350 feet distant from the subject property. We have lived at this address for over 13 years. For a number of those years Julius' Castle was an operating restaurant. We enjoyed its presence in the neighborhood and have been looking forward to it being able to operate once more. We urge approval of the conditional use permit and the variances noted in the application.

From: John Stevenson
To: [Vimr, Jonathan \(CPC\)](#)
Subject: julius castle
Date: Thursday, May 18, 2017 8:55:54 AM

Planning Commission

As a neighbor to the proposed restaurant at Julius Castle, I am writing to encourage you to vote in favor of this proposal.

This would be a great addition to Telegraph Hill , as well as a historical revival of this site.

As most customers would arrive by taxi or foot, the impact on parking would be minimal .

Sincerely Yours,

Elizabeth Stevenson

From: david.taylor10@comcast.net
To: [Vimr, Jonathan \(CPC\)](#)
Subject: 302 Greenwich Street- Julius Castle
Date: Thursday, May 18, 2017 10:17:29 AM

Dear Sir,

I am writing to you in full support of the rebuilding of Julius Castle and restoring the restaurant as outlined in Mr. Scott's proposed plans. I own the three buildings directly across the street from Julius Castle at 1460 Montgomery, 1470 Montgomery and 285/287 Greenwich Streets which is the full adjoining corner. If anyone has a reason to complain, it would be me and I have nothing but praise for the project.

I have owned the property for nine years and bought it knowing full well like everyone else in the neighborhood that a restaurant had been across the street for 90 years. My only complaint was the decay of the building and the quality of the food. A new restored building and restaurant will add value to the neighborhood, bring the community together at a local eating establishment, and restore a City historic treasure! I am confident that the noise and traffic mitigation proposed will be adequate and with ride sharing, will probably be less than expected.

Please vote to approve Mr. Scott's plans and bring back some vitality to our neighborhood on Montgomery Street!

Sincerely,

David Taylor
1460 Montgomery Street

From: Alan Steremberg
To: [Vimr, Jonathan \(CPC\)](#)
Cc: [Kelly Steremberg](#)
Subject: Julius' Castle Conditional Use (302 Greenwich)
Date: Friday, May 19, 2017 11:42:04 AM

Dear Mr. Vimr,

We support the Conditional Use Permit for Julius' Castle.

We reside at 1420 Montgomery Street Apt. 4 in San Francisco. We strongly support the restaurant project at Julius' Castle. We have known Paul Scott and his family for several years and live across the street. They are very respectful and courteous. They have a deep respect and love for the neighborhood on Telegraph Hill. We have the utmost confidence they will do their best to create a nice restaurant. Paul has been approachable, upfront and considerate during this process to renovate Julius' Castle. We have confidence this will not change when the restaurant opens.

In 2011, the city lowered Montgomery Street at Alta to save an elm tree. This created a wall that protruded into Montgomery Street. This has resulted in a significant speed reduction by cars. As a driver, you can't zoom down the street like you used to.

A restaurant will be such a wonderful welcome aspect to our unique neighborhood. It was so special having a restaurant at the end of the street and tourists will enjoy the opportunity to rest during the trek along the stairs.

Having a restaurant and the increased activity on the street will make the neighborhood safer. The abandoned spot has been a magnet for homeless and suspicious activity.

Julius' Castle has been a permanent fixture in the neighborhood for many years. We all moved to Telegraph Hill with the assumption that it would remain a working, vibrant restaurant.

Kelly and Alan Steremberg

From: Rod Freebairn -Smith
To: [Vimr, Jonathan \(CPC\)](#)
Cc: [Paul G. Scott](#); [Jane Winslow](#); [Wells Whitney](#); [Anne Halsted](#); [george@pbagalleries.com](#); [John & Gussie Stewart](#); [KoelschKriken@earthlink.net](#); [Gail & Paul Switzer](#); [Gabriel Metcalf](#); [Aaron Peskin](#); [Mark & Leslie Vestrich](#); [SusannKellison@MAC.com](#); [John King](#); [John Sanger](#); [Rahaim, John \(CPC\)](#); [John M. Sanger](#); [Janet Crane](#); [Hartmut Gerdes](#); [John R. McBride](#)
Subject: Julius Castle Use and Variance Application
Date: Sunday, May 21, 2017 9:16:57 AM

Planning Commissioners and staff:

As a forty-five year resident of Telegraph Hill at 460 Vallejo, now living at 880 Lombard... twice past President of the Telegraph Hill Dwellers... past SPUR board member... I write in enthusiastic support of Paul Scott's effort to re-open Julius' Castle.

A much loved pattern for Hill families with our "endless" house guests and visitors year round: Walk them over to Coit Tower, to "The Castle", for the "very San Francisco" uniqueness of the setting, the tree framed staircases, superb bay views, and for lunch or supper.

As an 11 year Commissioner for Civic Design, I'm remain an advocate for protecting and creating precisely this kind of characterful, slightly surprising venue, moments that create special experiences distinguishing San Francisco from bland, uniform, conventional land use patterns typical in the suburbs and in less adventurous cities.

Support this rare statement of confidence and willingness from a competent project, a well known and favorite Hill resident, one reviving and sensitive to re-integrating an important Hill tradition.

Rod Freebairn-Smith

*R.T. Freebairn-Smith
Freebairn-Smith & Crane
Planning, Urban Design,
Architecture
442 Post Street, SF
rf-s@f-sc.com
415-290-8226 cel.*

From: Carol Verburg
To: [Vimr, Jonathan \(CPC\)](#)
Subject: Julius" Castle
Date: Sunday, May 21, 2017 4:59:56 PM
Attachments: [bookcovers-mystery.jpg](#)

Hi,

I'll be away for the June 1 hearing, so I wanted to let you know that I applaud the arduous job Paul Scott has done to bring back & preserve this neighborhood landmark, & I hope the City will help him finish the job of bringing it back to life as a restaurant.

Carol Verburg
carolverburg.com



Vimr, Jonathan (CPC)

From: Erin Messer <ecmesser@gmail.com>
Sent: Tuesday, May 23, 2017 12:23 PM
To: Vimr, Jonathan (CPC)
Subject: Julius' Castle proposed reopening - yes, please!

Dear Mr. Vimr,

I'm writing to express my support of proposed plans by Paul Scott for reopening Julius' Castle as a restaurant in Telegraph Hill. As a resident of neighboring Russian Hill, my husband and I take frequent walks down Filbert or Greenwich, from our side of Columbus to the opposite. We brace ourselves for the hills leading up to Coit Tower, then pause for a few minutes to enjoy the view once we reach the top. We then wind our way leisurely down the Greenwich steps, where we emerge from that miniature urban forest to one of the best views in the city, where Montgomery dead-ends into a property that, when I came upon it for the first time, completely enchanted me.

I could tell that this "Julius' Castle," was no longer in operation, but with that location and those views, I couldn't imagine why. My mother, who used to visit San Francisco on vacation from Southern California in the late 1960s and early 1970s, remembered it well, and even my husband, who has lived in the city since the early 1980s, recalled a visit or two. But by the time I first saw it, it had already closed.

Since then, every time we pass by, my husband and I wonder how, in one of the loveliest neighborhoods in our favorite city in the world--where property is valued, unsurprisingly, at such a premium--a place like Julius' Castle could simply sit there, unused and unable to be enjoyed. Which is why I am so excited to learn of plans to revive it, especially plans that involve it becoming a place of business once again, rather than a private property. How wonderful it would be if my husband and I could end our walks not by trooping back up the stairs, or cutting over to the Filbert steps (making sure to wave hello to the Atlas building, of course!), but with a nice drink and an incredible view at Julius' Castle.

Thank you for taking the time to read my point of view.

All best,
Erin Messer

--

E.C. Messer
ecmesser@gmail.com

Vimr, Jonathan (CPC)

From: Andrea Crawford <acmarmo@gmail.com>
Sent: Tuesday, May 23, 2017 2:41 PM
To: Vimr, Jonathan (CPC)
Subject: Conditional Use Permit for Julius Castle

Dear Mr. Vimr:

As you know, on June 1st, the Planning Commission will review Paul Scott's application for a Conditional Use Permit and Variance for Julius Castle. I am writing today to express my and my family's strong support for this project and to ask that the Planning Commission issue the above mentioned Conditional Use Permit and Variance.

I am not a native San Franciscan, but my husband is. He has many wonderful stories about growing up and traveling from their home in the Richmond District to Julius Castle to have dinner, celebrate an anniversary or graduation, or just relax over a regular meal and enjoy the wonderful Bay view that is unique to this northeast slope of Telegraph Hill.

We now live on Telegraph Hill and since moving here over 6 years ago have looked forward to the reopening of Julius Castle so that we can share similar experiences with our two young children. Historic Julius Castle was built as a restaurant, and for almost 90 years operated as a restaurant. It is not just any restaurant, but part of the historic, Italian-American fabric of North Beach and Telegraph Hill.

We are a middle-class family. We rent a tiny cottage on the West slope of Telegraph Hill and we work hard to make ends meet so that we can live in this beautiful, close-knit community. Our two children attend Garfield Elementary, a fantastic SFUSD school at the base of Coit Tower.

You will hear from other members of the neighborhood who oppose this project. Their opposition basically boils down to this: they own or rent highly coveted real estate next to or near a once bustling, historic restaurant that had always been served by taxis and valets, but they don't want to deal with taxis and valets. For the past 8 years, while JC has been closed, these same residents have had the luck and privilege of not having to deal with taxis and valets. They will ask the Planning Commission to uphold their luck and privilege. But they chose to live near a restaurant. The restaurant was open for 86 years. Indeed, there once were 2 restaurants on the northeast slope of Telegraph Hill.

They will also tell you that we don't need another restaurant in North Beach. What they mean is *they* don't need another restaurant - they get to enjoy the unique, panoramic views from the Julius Castle side of Telegraph Hill all the time, from the comfort of their own homes. There are many of us - who live in the city or those who visit - who do not enjoy those unique views daily, but we would like to enjoy them every once in awhile! Even better that we might relax in a comfortable restaurant and break bread with family and friends in the process.

My husband, my sons and I look forward to the reopening of Julius Castle. I ask that the Planning Commission approve Paul Scott's application for a Conditional Use Permit and Variance for Julius Castle.

Thank you,
Andrea M. Crawford
7 Julius Street 94133
415.361.2981

Vimr, Jonathan (CPC)

From: Paula Mc Cabe <paulamccabe64@gmail.com>
Sent: Tuesday, May 23, 2017 8:14 PM
To: Vimr, Jonathan (CPC)
Subject: Julius Castle Hearing - Conditional Use Permit and Variance

Dear Jonathan,

I am writing to you to let you know that I am in full support of Paul Scott receiving a conditional use permit and variance for Julius Castle. I have lived in the neighborhood for 27 years and have in times past enjoyed a meal or two at Julius Castle before it was closed. It would be wonderful to have it up and running again and serving the neighborhood as it was built to do.

Sincerely,

Paula Mc Cabe

415-244-3787
8 Napier Lane,
San Francisco,
Ca 94133

Vimr, Jonathan (CPC)

From: Larry Habegger <larry@travelerstaes.com>
Sent: Tuesday, May 23, 2017 8:29 PM
To: Vimr, Jonathan (CPC)
Subject: Julius' Castle conditional use permit and variance

Dear Jonathan,

I'm writing in support of Paul Scott's request for a conditional use permit and variance to reopen the historic Julius' Castle on Montgomery Street on Telegraph Hill as a restaurant. Julius' Castle is an iconic SF structure that Paul has saved from ruin. It's a city landmark that was a restaurant from the 1920s until about the last decade, and it deserves a long future as a restaurant serving the community and visitors. I have lived on Napier Lane since 1977 and I look forward to dining again at the Castle, especially because it is owned by a man who has lived in the neighborhood for 20 years or more and who has taken great pains to address the concerns of the community throughout his planning process.

Sincerely,

Larry Habegger
8 Napier Lane, SF 94133
415-734-7780

Vimr, Jonathan (CPC)

From: Catherine Accardi <caacat@comcast.net>
Sent: Thursday, May 25, 2017 1:22 PM
To: Vimr, Jonathan (CPC)
Subject: Saving Julius' Castle
Attachments: Castle on the Hill, The Semaphore, Fall 2011 (page 1).pdf; Castle on the Hill, The Semaphore, Fall 2011 (page 2).pdf

Jonathan,

On several occasions, and in various media, I have presented published, well-researched and heart-felt pieces about Julius' Castle; its extraordinary history, charming atmosphere, and now, its sad and unfortunate potential demise. One of those pieces (a two page article) is attached as it appeared in the Fall 2011 issue of The Semaphore. People tell me reading this article enriched their life.

What horrible damage people can do! An example of a sadly unnecessary situation brings me to write this email.

Under what possible theory would anyone not support the efforts by Paul Scott to save Julius' Castle? Unfortunately I know first hand the answer to that question. I've lived on and around Telegraph Hill all of my 67 years and have been disappointed and disgusted with the state of the politics that have pervaded the neighborhood.

Transparent, self-serving arguments are being presented as the reasons to block the renovation and reopening of Julius' Castle as a restaurant. A restaurant is what the original owner intended. A restaurant is what the neighborhood embraced for decades. A restaurant is what this officially designated landmark embodies. And now, apparently a restaurant is more than some in the "community" can accept.

Hopefully, the end of my Julius' Castle story will be the one that allowed one of San Francisco's historic landmarks to remain what it was meant to be.

Catherine Accardi

Vimr, Jonathan (CPC)

From: Jane Winslow <janewinslo@icloud.com>
Sent: Thursday, May 25, 2017 1:54 PM
To: Vimr, Jonathan (CPC)
Cc: Peskin, Aaron (BOS)
Subject: Julius castle support
Attachments: Julius Castle Petition997.pdf

Sent from my iPhone

Subject: Support for Julius Castle

From: JANE M WINSLOW (janewinslo@sbcglobal.net)

To: jonathan.vimr@sfgov.org;

Cc: aaron.peskin@sfgov.org; paul@juliuscastlesf.com;

Date: Friday, May 19, 2017 12:53 PM

We are long-time residents of the Telegraph Hill/North Beach neighborhood.

We urge you to support the plans for the renovation and re-opening of Julius Castle. This business is a vital piece of the long-time history of Telegraph Hill and San Francisco. We are anxious for it to again welcome visitors and residents of the neighborhood and the City.

Mary B. Reich

Leu Reich

Anna DeBorja

Jane Winslow

Wells Winters

R.T. Seeborn-Smidt

Robert Mammelstadt

Dennis Wishnie

Linda Kenarok

Emily Mia Morrill

Robert B. Morrill

Linda Spence

Vimr, Jonathan (CPC)

From: Cynthia Birmingham <hpssjp@aol.com>
Sent: Friday, May 26, 2017 12:09 PM
To: Vimr, Jonathan (CPC)
Subject: Julius Castle

Dear Sir,

Please relay to the esteemed members of the Planning Commission my support for maintaining a restaurant in the former Julius Castle space on Montgomery Street.

Years ago when I first moved to that block of Telegraph Hill we had The Shadows, Julius Castle and Speedy's. The restaurants and grocery added to the vibrancy of our neighborhood.

Without them there is less traffic, but at a cost to our city and in all honesty to the vibe of our little community.

The Julius Castle space could be a super interesting restaurant locale with wonderful views. It could also become a great place for the neighbors to meet. I'm all for getting the building back in use after it has been vacant for so long. Empty buildings honestly are a nuisance and problematic for any neighborhood.

More over as our city seems to be bursting at the seams we need to look at each and every property to determine its highest and best use. We have all heard talk of Julius Castle being turned into a single family dwelling similar to The Shadows space. In my book if the building continued to be a restaurant it would be much more productive part of our community.

Mine is not the NIMBY attitude. I moved to the hill knowing it was a locale tourists enjoyed and I don't believe it fair to eliminate one of their major draws because it creates some traffic. Those of us who moved to the Hill when the restaurants and Speedy's were operating did so knowing full well of the resultant traffic. We shouldn't be in a position to complain now.

Thank you for considering my input as the decision is made.

Sincerely,
Cynthia Birmingham

Sent from my iPhone

Vimr, Jonathan (CPC)

From: Phil Cousineau <soulcous@aol.com>
Sent: Friday, May 26, 2017 12:30 PM
To: Vimr, Jonathan (CPC)
Subject: Phil Cousineau per Julius's Castle

Phil Cousineau
6-A Montague Place
San Francisco, CA 94133
soulcous@aol.com
www.philcousineau.com
415 606 8128

May 26, 2017

Dear Jonathan,

My neighbor and friend Paul Scott has informed many of us who live up here on Telegraph Hill that there is some modest concern about the reopening of the venerable restaurant, Julius Castle.

For those of us who lived here for a long time (I have lived on Telegraph Hill since 1996 with my wife and son), this is a hearty and important issue for the *vitality* of life here. We miss the castle. It made the far end of Montgomery Street far more exciting than it is now with the doors of the great old restaurant closed for several years now.

I came to San Francisco in 1976 and became a full-time writer and filmmaker a few years later. Many, many of my meetings and interviews took place there, with some of San Francisco's luminaries like Herb Caen and the Warrior's great basketball player Sarunas Marciulionis, as well as countless friends from around the country as well as abroad. For them it was easily one of the highlights of San Francisco, a glimpse into the early twentieth-century, historically and architecturally speaking, as well as one of the most soulful and contemplative places to dine and meet people. The views from the Castle, I suspect, have sparked countless friendships, romances, and business deals, thus adding to the love and lore of the city itself.

Regarding the issue of "noise and traffic," Paul Scott has already addressed that with his brilliant idea of shuttles from the bottom of the hill, thus negating the issue of cars blocking the end of Montgomery Street.

As someone who lives on Montague Place, near the steps, I realize there are only so much parking space, but to block the reopening of this famous restaurant would be like blocking all traffic on our end of Montgomery or blocking the traffic on the end of Union Street. Why? It is actually an honor and a way to keep reviving our love of the Hill to see how many people love coming here.

Finally, I admire Mr. Scott's idea of possibly having a small coffee shop there. As someone who walks daily around the top of the hill, I notice how many travelers - hundreds, thousands a day? - from all over the globe say that after their rather mythic climbing to get there it would be great to have a place to stop for half an hour and have a coffee or iced tea. To block the reopening of Julius Castle is limit access to one of the most legendary and beautiful sources of the legend of the city itself.

To recap, the reopening of Julius Castle, especially under the guidance of Paul Scott, we will add to the *love and admiration of San Francisco itself*. It will add to the democratization of the neighborhood as well to share the beauty, the history, the very neighborliness of North Beach.

Personally, I look forward to not only enjoying the Castle again myself, but *sharing* the experience, sharing the stories of the Hill (Hitchcock, Bogart, Caen!!!), with family and friends from all over the world.

I thank you for your time and attention,

Phil Cousineau,
author, filmmaker, host of the PBS series "Global Spirit," currently running nationwide.

Phil Cousineau
www.philcousineau.net
soulcous@aol.com

Vimr, Jonathan (CPC)

From: Bair, Jack <JBAIR@SFGIANTS.com>
Sent: Tuesday, May 30, 2017 11:40 AM
To: Vimr, Jonathan (CPC)
Subject: Julius Castle: Application for Conditional Use Authorization & Variance
Attachments: juliuscastle053117.pdf

Jonathan: Attached is a personal letter in support of the application for Conditional Use Authorization & Variance for Julius Castle. I would appreciate your help in circulating the attachment to the members of the Planning Commission. Please let me know if you have any questions, (415) 505-1755. Thanks for your consideration. Jack

Jack F. Bair
Executive Vice President & General Counsel
San Francisco Giants
24 Willie Mays Plaza
San Francisco, California 94107
(415) 972-1755
jbair@sfgiants.com

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May 31, 2017

VIA ELECTRONIC MAIL

Rich Hillis
President
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, California 94103

Re: Julius Castle: Request for Conditional Use Authorization & Variance

Dear Commissioner Hillis:

I am a former long-time resident on Telegraph Hill. I lived in three different places, all on or just off the Filbert Steps. When I moved to Telegraph Hill, two historic restaurants were operating in the upper portion of Montgomery Street, Julius Castle and Dalla Torre (formerly known as "The Shadows"). Both restaurants added to the ambiance and uniqueness of the neighborhood. One of my neighbors worked at Julius Castle and others would meet up for a meal or for drinks at the bar. I enjoyed the presence of the restaurants and the neighborhood comradery they fostered. Sadly, a few years later, Dalla Torre closed and was converted to a personal residence. And several years later, the venerable, historic Julius Castle restaurant shuttered as well.

Fortunately, a resident raising his family on Telegraph Hill purchased Julius Castle, not to convert it into a spectacular personal residence, but to re-open the restaurant and preserve this special slice of San Francisco history. He has spent the last few years meeting with neighbors and agreeing to a list of operating rules designed to protect neighborhood interests, but give the restaurant a reasonable chance to succeed. This is a challenging, noble endeavor that deserves the support of the neighborhood and the City. Despite its historic use as a restaurant and extensive efforts to satisfy all reasonable neighborhood concerns, some neighbors have voiced opposition to the re-opening of Julius Castle or advocate further burdensome conditions designed to undermine its viability. I urge you to reject this effort and approve the request for conditional use authorization and the variance necessary to preserve not just the building, but the historic use as well.

Sincerely,



Jack F. Bair

JFB/juliuscastle053017

cc: Vice President, Dennis Richards
Commissioner Rodney Fong
Commissioner Christine Johnson
Commissioner Joel Koppel
Commissioner Myrna Melgar
Commissioner Kathrin Moore
Jonathan Vimr

Vimr, Jonathan (CPC)

From: JANE M WINSLOW <janewinslo@sbcglobal.net>
Sent: Tuesday, May 30, 2017 12:11 PM
To: Vimr, Jonathan (CPC)
Cc: Peskin, Aaron (BOS); paul@juliuscastlesf.com
Subject: Support for 302 Greenwich Street, Julius Castle CU/Variance

May 30, 2017

To: Members of the Planning Commission
From: Residents and Owners at 1440 Montgomery Street, 94133
Jane Winslow
Robert Lee
Karen Kashkin
Mark and Leslie Vestrich
Ursula Bussfeld
Bean Finneran

We are writing in support of the restoration of Julius Castle and its opening again as a restaurant.

As homeowners at 1440 Montgomery Street, which is about 100 feet from Julius Castle restaurant, we are aware of the environment created by this business in the heart of our neighborhood, because the restaurant was open for business when most of us purchased the property.

In recent years, there have been numerous car break-ins in the evening. We are hopeful that with increased “eyes on the street” during the restaurants’ business hours and staffs’ coming and going, some of these break-ins will be curbed. We share the owners’ hopes that neighbors will gather at the restaurant and it will become a catalyst for group interactions.

Please vote to approve this request for a CU and Variance.
Residents and Owners of 1440 Montgomery Street, 94133

Vimr, Jonathan (CPC)

From: ninerchar <ninerchar@comcast.net>
Sent: Tuesday, May 30, 2017 4:09 PM
To: Vimr, Jonathan (CPC); richhillissf@yahoo.com
Subject: Julius' Castle

I am writing to you as a lifelong resident of North Beach. So much has changed here, there are not that many old school places left. The most recent one was the Palace Theater on Powell and Columbus Ave. They've changed the name of our grammar school from Sarah B. Cooper to Yick Wo, changing the name on Hancock School to Chinatown/North Beach when it should be the other way around. Julius' Castle is a landmark, please take into consideration of granting the permits to re-open the Castle. If this doesn't happen it will surely fall apart. I am begging you to please think about it. I would love to see the lights on again and to be able to go there to eat. Save one of the last remaining landmarks in North Beach. PLEASE...

Charlene Fachner Mori
808 Greenwich St.
SF Ca 94133
415-441-6445

Vimr, Jonathan (CPC)

From: Annie Bertram <annie.bertram@icloud.com>
Sent: Tuesday, May 30, 2017 4:12 PM
To: Vimr, Jonathan (CPC)
Subject: Julius Castle

Hello!

I have heard that there is a project to restore and reopen Julius' Castle on Telegraph Hill as a restaurant. As someone who lives in the neighborhood, I just want to say that this would be amazing! My family would love to be able dine there.

Thanks, Annie Bertram

Vimr, Jonathan (CPC)

From: Philip L. Millenbah <millenbah@gmail.com>
Sent: Wednesday, May 31, 2017 10:39 AM
To: richhillissf@yahoo.com
Subject: Julius Castle

Dear Chair and Members of the Planning Commission,

I am writing today to support Mr. Scott's application for a conditional use permit to reopen Julius Castle as a restaurant. I am a North Beach resident and I strongly believe that the use would be a great addition to our community.

In terms of planning issues; a) Use. The use was established years ago and all of us in the community have always believed that the restaurant use would one day return. This isn't equivalent to building a new structure and creating a new use. b) Historical Structure. In order to save historical structures, we need to see that these buildings have uses associated with them that will help them thrive economically. This application does just that. c) Other issues. Through conditions of approval, the Commission can mitigate any other issues such as hours of operation.

I strongly urge you to approve Mr. Scott's application.

Sincerely,
Philip Millenbah
829 Lombard St
San Francisco, CA 94133

Vimr, Jonathan (CPC)

From: Robert McMillan <robert.mcmillan@gmail.com>
Sent: Wednesday, May 31, 2017 6:39 AM
To: Vimr, Jonathan (CPC); richhillissf@yahoo.com
Subject: I support Julius' Castle restaurant

Dear Mr. Vimr,

I'm writing you as a resident of Telegraph Hill to indicate my support of the proposed reopening of Julius' Castle restaurant.

I've lived here long enough to remember when this restaurant was a beloved local institution and I would very much like to see it returned to this status. I have spoken with Mr. Scott about his plans for Julius' Castle and I believe that the reopened restaurant will serve as an neighborhood enhancement for locals such as myself who must now sadly walk by the shuttered building. We'd much rather pop in, have lunch & check out the magnificent view once again.

Regards,

Bob McMillan
624 Filbert Street
San Francisco, CA 94133
415 296-0669

Vimr, Jonathan (CPC)

From: Watty, Elizabeth (CPC)
Sent: Thursday, June 01, 2017 9:54 AM
To: Vimr, Jonathan (CPC)
Subject: FW: Suport reopening Julius' Castle

FYI

Elizabeth Watty, LEED AP

Assistant Director of Current Planning

Direct: 415-558-6620 | **Fax:** 415-558-6409



1650 Mission Street, Suite 400
San Francisco, CA 94103

[Hours of Operation](#) | [Property Information Map](#)



From: Rahaim, John (CPC)
Sent: Thursday, June 01, 2017 9:53 AM
To: Ionin, Jonas (CPC); Watty, Elizabeth (CPC)
Subject: FW: Suport reopening Julius' Castle

Please forward

From: Cautn1@aol.com [<mailto:Cautn1@aol.com>]
Sent: Thursday, June 01, 2017 8:49 AM
To: Rahaim, John (CPC)
Subject: Suport reopening Julius' Castle

John,

As a former resident of Telegraph Hill I strongly support reopening it. Julius' Castle was unique....a place to take special people on special occasions.

Parking and congestion are potential problems; but there are ways of protecting the neighborhood from both.

Regards,

Jerry Cauthen

From: Nestor Fernandez
To: [Vimr, Jonathan \(CPC\)](#)
Cc: [Paul Scott](#)
Subject: Paul Scott, Julius Castle -- Planning Commission Meeting
Date: Wednesday, May 17, 2017 10:25:02 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[Planning Commission -- Julius Castle.pdf](#)

Dear Mr. Vimr,

Attached is a letter that I request that you forward to Mr. Rich Hillis and the Planning Commission regarding the June 1, 2017 hearing of a conditional use permit for Mr. Paul Scott and Julius Castle. Please contact me if you have any questions.

Sincerely,



Nestor L. Fernandez II

Executive Director

Tel Hi Neighborhood Center

660 Lombard Street, San Francisco, CA 94133

C 415.672.5252 F 415.433.1352

nfernandez@telhi.org





May 17, 2017

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SF CA, 94133
TEL: 415-421-6443
FAX: 415-433-1352

Rich Hillis
Commission President
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Mr. Hillis,

As the CEO of the Telegraph Hill Neighborhood Center (TEL HI), I write to express TEL HI's whole hearted support for the restoration of one of San Francisco's beloved icons, Julius Castle. San Francisco is a city that prides itself on celebrating and preserving its rich history and Julius Castle has been an integral part of our city's history since 1923. I would like to encourage the Planning Commission to grant Mr. Paul Scott a conditional use permit so that Julius Castle can return to its historical use as a restaurant. Mr. Scott's efforts to recreate this treasure will benefit both the community of North Beach and all residents of San Francisco.

TEL HI was founded in 1890 and is one of San Francisco's longest running non-profit organizations. Through education, direct services, and community organizing, TEL HI provides programs and services for individuals and families—focusing on those with very low to moderate incomes—to improve the quality of their lives. More than 700 children, youth, families, and seniors participate in TEL HI programs each and every day. It is extremely important to our organization that the community in which we operate is active and economically viable. Because TEL HI is situated just a few blocks from the Julius Castle location, we have a keen interest in seeing the restoration of this building and business back to its rightful place as one of our neighborhood icons. I feel strongly that our community would benefit greatly by having Julius Castle reopen its doors.

Additionally, I cannot think of a better person than Paul Scott to own and operate Julius Castle. Mr. Scott has been an essential part of our community. He has served on TEL HI's board of directors as well as president and board member of the Telegraph Hill Dwellers association. A strong advocate for preserving our environment, TEL HI benefited greatly when Mr. Scott took it upon himself to spearhead the project of installing one of San Francisco's largest solar panel installations on TEL HI's roof as a way for our organization to save money, and as a way to educate the children who participate in our programs about solar energy. Mr. Scott worked tirelessly to raise the funds to make this project a reality – approximately \$250,000 in in-kind, sponsorship, fundraising and personal donations. As someone who has worked side-by-side with Mr. Scott on many community related projects, I am confident that he has the sensitivity, commitment, and the thoughtfulness to restore and operationalize Julius Castle so that it is once again an asset to our community.

I highly encourage the Planning Commission to grant a conditional use permit to Mr. Paul Scott to reopen Julius Castle as a restaurant. Should you have any questions or require any additional information, please contact me at 415-672-5252 or nfernandez@telhi.org.

Sincerely,

Nestor L. Fernandez II
CEO/Executive Director

Vimr, Jonathan (CPC)

From: Silcox, Louis <Louis.Silcox@pacunion.com>
Sent: Monday, May 15, 2017 11:56 AM
To: Vimr, Jonathan (CPC)
Subject: Julius's Castle / Owner's Application for a Conditional Use Permit

Importance: High

Dear Mr. Vimr,

I am a concerned party who has lived within one block of Julius' Castle for most of my adult life. I and many other people, owners and renters alike, who live nearby the property oppose it being reopened as a restaurant for a myriad of reasons. Safety is the most important reason. The increased fast moving traffic day and night was a nightmare for neighbors for many decades. The noise, mostly from placing liquor, wine, beer and water bottles out, usually after midnight and then the collection of same, usually between 2:00 am and 4:00 am was very bothersome, interrupting sleep on a daily basis. Also the noise from the kitchen and dishwashing during operating hours was not pleasant in the evening. The valet parkers as well as taxi drivers, now Uber and Lyft drivers would be added, would speed down narrow and fragile Montgomery Street and then back up to Union Street, creating a dangerous situation indeed. Now with the buildout around the tree at Alta Street, negotiating lower Montgomery Street is much more difficult and frustrating to anyone who would be in a hurry such as commercial drivers. Also, with garbage comes increased rodent, raccoon and coyote populations attracted by easy food. As a realtor, specializing in Telegraph Hill Properties and as a former owner of a home nearby to Julius Castle, I believe that reopening the restaurant would interfere with nearby dwellers "Quite Enjoyment of their Homes" and also potentially have a negative impact upon property values and in turn a loss of property tax revenues to the City and County of San Francisco. Please deny this application. The Conditional Use Permit has long since expired and the owner is not a restauranteur so he cannot personally guarantee how the proposed restaurant would be run.

Sincerely and with kind regards,

Louis J. Silcox, Jr.

Luxury Property Specialist/Senior Marketing Consultant
Pacific Union, Christie's International Real Estate

415 297-2277

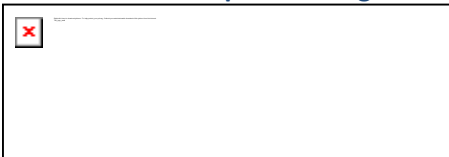
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From: Rob Hammond
To: [Vimr, Jonathan \(CPC\)](#)
Subject: Julius Castle: Owner's Application for a Conditional Use Permit
Date: Tuesday, May 16, 2017 12:18:50 PM
Attachments: [IMG_6741-1.jpg](#)

Hello Mr. Vamr,

I am an owner of 356 Greenwich Street, which is located just above the old Julius Castle. The entire length of my building looks directly onto their roof. My family has owned this property since 1987, so I remember what the neighborhood was like when Julius Castle was open and all the problems that it created.

I strongly oppose reopening the building as a restaurant. I have three main concerns:

1) Noise. Julius Castle is located in a quiet residential neighborhood. My living room looks directly down on their patio, which is approximately 100 feet away. It is so close that we would have conversations with diners on their upstairs patio. Having people drinking and conversing on the patio, as well as coming and going from the restaurant in the evening will be extremely disruptive. Below is a view from our living room, looking down upon the Julius Castle patio.



2) Parking. There is very little parking available in the area. Montgomery Street is one of the few places where a resident can park. Adding diners (either parking or using valet) to the mix will make the situation that much more unbearable. When Julius Castle was open before there was never parking spots available in the evening until after [11PM](#). After the restaurant closed spots would open up, which meant that the few available spots were used by diners.

3) Traffic. Montgomery Street between Union and Greenwich is not a normal residential street. It is an extremely narrow road, with many obstacles such as parked cars, a barrier around a tree at Alta Street, and a steep hill to navigate. The street dead-ends into Julius Castle and requires a three point turn in order to go back up the hill. Valet parking or diners being dropped off will make u-turning at the end of the road much harder. There is also the Greenwich and Filbert Steps nearby, which creates a lot of pedestrian traffic, particularly tourists. The pedestrians often walk in the middle of the road taking photos, oblivious to what is going on. Many just jump out into the street without looking as they are coming off the Filbert steps. Furthermore, there is a section of the Greenwich steps that require you to walk on Montgomery for approximately 150 feet since there is no sidewalk. More cars will lead to someone getting hurt. This section of Montgomery Street cannot handle the increased traffic that a restaurant will create. It is difficult to drive if you have done it many times, but much of the new traffic will be those unfamiliar with the twists and turns as well as people who have been drinking. I would recommend that you drive it yourself to see how unusual the street was designed. I have created a video that shows a drive down the road, which can be viewed at:

<https://youtu.be/bYX1VJFmp8Q>

Please do not approve the conditional use permit for the reopening of Julius Castle.

Thank you,
Robert Hammond
356 Greenwich St.
San Francisco, CA



From: john lee
To: [Vimr, Jonathan \(CPC\)](#)
Subject: Objection to reopening Julius Castle as restaurant
Date: Friday, May 12, 2017 6:40:25 AM

Dear Mr Vimr,

I have lived at 1406 Montgomery Street, half a block from Julius Castle, since 1998. I am opposed to reopening a restaurant on that site due to the safety hazards from additional traffic. During the years when the restaurant was open, there was considerable dangerously fast traffic, usually from taxis, headed north to the restaurant. The valet parkers, who stored the cars in a schoolyard to the west of Telegraph Hill also drove dangerously fast.

If you walk the street during the months from April through October, you will encounter dozens of tourists, usually walking in the middle of the street, due to the inadequate space on the sidewalks. It would not surprise me if there were to be serious accidents.

I am not familiar with environmental law, but I do believe that an environmental impact report should be done, with careful estimates of the amount of traffic. Consider how many car trips one dining group generates. Not just their own arrival and departure, but two more trips will be generated to take the car via valet down the hill to park, and then back up again.

Surely San Francisco has enough new restaurants. The site of Julius Castle is better suited for a single family residence.

Sincerely,

John Lee
415-215-9880

From: Oz Erickson
To: [Vimr, Jonathan \(CPC\)](#)
Cc: [Rina Alcalay \(alcalayrina@gmail.com\)](mailto:alcalayrina@gmail.com)
Subject: Re-opening of Julius Castle
Date: Monday, May 15, 2017 4:58:44 PM
Attachments: [image001.gif](#)
[2014 LOD_1531_Montgomery-302_Greenwich.pdf](#)

Dear John,

I am a professional real estate developer, and over the years I have been in the position of the developer of Julius' Castle, Mr. Paul Scott, many times. I empathize with him greatly. According to many of my neighbors he is a very decent person, and when we had our lunch together, he was most agreeable.

I thus hate to take a formal position opposing his project, but since I live at 1400 Montgomery, just up the hill from Julius Castle, I would not like to see it reopen as an operating restaurant. The problem is traffic.

Along Montgomery from Union Street to Julius' Castle and back up again, there are approximately 138 houses/apartments including all units on Alta, School and Coit. During the day it is hard to imagine that these houses generate more than 270 vehicle trips per day. Even with this limited traffic, I have been caught many times waiting at the foot of Montgomery in front of Julius' Castle while a vehicle in front of me negotiates the 180 degree turn.

The proposed restaurant will have approximately 5,000 square feet with a dining area and bar of probably something approaching 3,000 square feet. At 19 square feet per diner and two turns per night (a la Chez Panisse and many other restaurants), and one turn at lunch, we are talking about potentially seating 392 diners a day. To be generous, let's say that two people per car visit the restaurant (both being delivered and being picked up). That means 400 car trips per day. Throw in restocking trips (20 daily trips?) and 25 daily staff (30 trips?), and one is talking about somewhere on the order of 450 trips per day. WOW! That is a lot of vehicles going down a steep hill, turning around in the most difficult of radiuses, and then going uphill again. One property would thus provide more traffic than the entire group of 138 neighbors living on

the street. And what happens to the availability of neighborhood parking when restaurant goes search for a parking space? Oh, my, oh, my!

Mind you, I loved Julius' Castle and was probably there 50 or 60 times over the years. It was a wonderful place to eat but I always wondered how the neighbors felt as the traffic flow was constant. When I bought my own house in 2014, I thought that Julius' Castle was closed for good as I knew that its non-conforming use had expired. I thought this fact was confirmed by Mr. Sanchez's Letter of Determination of August 14, 2014 (attached to this email). It was thus a surprise to learn that its proposed restaurant use was still being pursued vigorously.

I hate putting Mr. Scott in this difficult position. If the re-establishment of the restaurant use is not approved, and he decides to convert the building to a single-family house, I would wholeheartedly support his efforts. As it stands now, however, I am very much against the re-opening of the facility.

Sincerely yours.

S. Osborn Erickson

S. Osborn Erickson

Emerald Fund, Inc.

The Russ Building

235 Montgomery Street, 27th Floor

San Francisco, CA 94104

T (415) 489-1316 F (415) 777-1317

<http://www.emeraldfund.com>



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From: Dan Lorimer
To: [Vimr, Jonathan \(CPC\)](#)
Subject: letter for Planning Commission package
Date: Monday, May 22, 2017 11:55:11 AM
Attachments: [Sanchez 6-3-14.pdf](#)

Hi, Jonathan —

Thank you for taking the time explain the planning and approval process for Paul Scott's Julius' Castle application this morning.

Please email me the list of conditions/mitigations that Paul has to meet and/or agree to in order to get his Conditional Use Authorization as soon as you have them ready.

Those of us who live on Montgomery now have very little time to prepare for the upcoming hearing. I would appreciate that you consider postponement of the hearing based upon insufficient notice to affected residents. In particular, those of us who have objected in writing to Paul Scott's previous applications and/or have attended the associated hearings should have been noticed, but apparently notices were only sent to residents living within 300' of JC. I only found out about this hearing on Friday, when I was called by another directly-affected neighbor. Many people who may wish that their letters of protest to be in the Planning Commission package for the hearing will be unable to get them to you prior to your cutoff, which is, as I understand it, within the next couple of days.

I include below a letter that I wrote to Scott Sanchez in June of 2014. My concerns remain the same. The letter explains the key problems caused by Julius Castle in the past, some of which can only be expected to be worse now that we have Uber and Lyft. Paul had, by the time of the letter, made it very clear that he had no intention of voluntarily limiting his use of the property in any way unless he was forced to do so by Planning. Unless adequate, enforceable protections are built into his CUA, those of us who live on Montgomery will be at the mercy of an uncooperative operator who has shown no concern for the effects his business will have on us.

Please include this letter in the Planning Commission package.

Thank you,

Dan Lorimer

1315 Montgomery Street
San Francisco, CA 94133
June 3, 2014

Mr. Scott Sanchez
Zoning Administrator
Office of the Zoning Administrator
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Paul Scott's request for exemption from Conditional Use Permit requirements for
Julius' Castle 1541 Montgomery Street/ 302 Greenwich Street

Dear Mr. Sanchez,

Much appreciated you calling me back from my VM of last week. Per your request, I am putting some of the points that I made on the phone yesterday in writing for your further consideration and for the benefit of your staff.

Request for Exemption

The first issue is the expiration of grandfathered rights. Julius' Castle (JC) has been largely closed since some time in 2006, with brief reopenings thereafter, but closed its doors for the last time on 1/19/2008. Paul Scott closed escrow for his purchase of the property on 4/20/2012. At that point, the 3-year window for restarting the nonconforming business had long since closed: when he took title, the restaurant had not been open for 4 years and 3 months. Mr. Scott is an attorney, so it would be unreasonable for him to claim ignorance of the applicable regulations. When he purchased the property, he should have been fully aware that the building came without rights to resume its former nonconforming use. When he applied to you for exemption from these regulations on 4/17/2014, 6 years and 3 months had passed since the restaurant closed, more than double the time allowed to resume operations. On this basis alone, if he wants to reopen the restaurant, he should be required to apply for a new conditional use permit.

Paul's attempt to blame the long period of time that has elapsed upon inefficiencies at Planning is both disingenuous and irrelevant. Disingenuous because he considerably delayed the planning process himself by attempting multiple times to be let off the hook from being required to restore the building to its condition prior to the illegal additions of the previous owner. But even if what he claims were true, the delays in getting his COA are irrelevant: the window for reopening the restaurant had already closed 15 months prior to his purchase of the property. As of today, that window has been closed for more than 3 years and 4 months.

A Neighborhood Nuisance

When it was in operation, Julius' Castle caused numerous problems for its immediate neighbors. The key problems were traffic, parking and noise. Since it has been closed, the difference is profound. Easily 90% of the traffic on Montgomery was generated by the restaurant. Close to 100% of the speeding cars we had here were taxis or valets servicing the restaurant. The valets also took up what little available parking there was, and the valet area knocked out a large block of parking spaces otherwise available to residents. The restaurant stayed open late, so we had to contend with loud, drunk people spilling out of the restaurant past 2AM. Large delivery trucks rumbled down the street during the daytime. Because there is little room to turn around, we were always hearing their backup beepers. And JC sometimes had loud music out on their terraces which echoed up and down Greenwich and Montgomery. For all of this, JC was of essentially no benefit to those of us who live here. If JC had not been here already, certainly no such use would be allowed in this location now. At the very least, there need to be restrictions upon how a restaurant would operate there in the future, thus a CU permit is necessary. It would be far better if the property were simply required to conform to the zoning regulations applicable to all other properties on its block.

Mr. Scott has met with the Telegraph Hill Dwellers' planning and zoning committee several times. Initially, he tried to enlist our support for exemption from Planning stipulations regarding restoration of the structure. Recently, he has tried to enlist our support for his application to operate without a conditional use permit. Our most recent meeting with him was on May 8th. At that meeting, he made it very clear that he would not voluntarily agree to restrictions of any kind on hours of operation, valets or anything else prior to receiving the blessing of some future operator (he does not intend to operate the restaurant himself). That operator, whose financial interests would necessarily be opposed to any such restrictions, would also, under Paul's plan, call the shots. This is obviously unacceptable to the neighborhood. Why Paul thought he would receive any support from neighbors with this kind of proposal remains a mystery. But his lack of cooperation with us underscores the need to have the restrictions in place that would be included in a CU permit. Without such restrictions, it is clear that Mr. Scott is content to let whoever operates the restaurant do whatever he wants.

Paul has tried to sell us on a number of pie-in-the-sky schemes that rely upon either changing customer behavior or city expenditures to mitigate the nuisances created by JC that he is unwilling to address through operational changes. Among these are installing speed bumps on Montgomery to deal with speeding cabs and valets. Having, as president of a neighborhood association planned an extensive traffic-calming implementation in Palo Alto, I can assure you that speed bumps, even were the city willing to spend the money to put them in, are a very poor solution. The City of Palo Alto's consultant for the project said that people who live next to speed bumps invariably complain about noise. In another neighborhood in Palo Alto, bumps were installed to reduce traffic speeds, and had to be ripped out because the noise from cars running over the bumps proved to be a greater annoyance to residents than the traffic problem they were meant to solve. The same thing would surely occur here.

He has also suggested that people who walked to JC might receive a discount from the operator. Leaving aside the issue of whether the operator would offer such discounts unless Paul subsidized them (something which he did not commit to doing), is it realistic to think that people are going to walk up 300 stairs to buy a \$200 dinner even if they did get a few dollars knocked off?

Another one of his extravagant (with other people's money) concepts is a funicular serving his restaurant and Coit Tower from the level of Lombard St. at the bottom of the cliff. He somehow expects us to take these ideas seriously, and based exclusively upon buying into his fantasies rather than upon simply agreeing to run JC within neighborhood-friendly guidelines, support him in getting a free pass to operate without restrictions. Would you fall for this nonsense if you lived in the neighborhood?

Necessary Restrictions

The noise and traffic nuisances imposed by the restaurant, if it is to be allowed to reopen at all, need to be limited. This is a quiet residential neighborhood. Certainly a 10PM closing time, as is typical for many of the restaurants in North Beach, is reasonable.

Valet parking is, in my view, the #1 problem. For each valet parked car, unless the valets park the cars in the neighborhood, which exacerbates the parking shortage we already have, the following trips occur on Montgomery St.:

- (1) trip in for owner of car
- (1) trip down to the remote parking lot by the valet
- (2) round trip by another valet to pick up the valet at the lot
- (2) another round trip to drop the valet at the car
- (1) trip back to the restaurant with the car
- (1) trip out for the owner of the car

That results in a total of 8 car trips up or down Montgomery (and every other street on the route to the parking lot) for every single car. The math is pretty clear: valet parking should not be allowed, regardless of where the valets park the cars.

Beyond this, the issues are delivery trucks, drunk customers and noise from entertainment. We would like to see a 3-ton limit on Montgomery, as currently exists on Green Street. The bar has attracted serious drinkers in the past who frequently rolled out of the restaurant plastered and noisy. If JC reopens, it should not be issued a hard-liquor license. If there is to be live music, it should be allowed inside the building only.

A Middle Ground

It would be possible for JC to reopen in a modified format that eliminated all of the problems listed above. This would be as a bed and breakfast with a café. Such an operation would, like

the restaurant, require a conditional use permit. It would, however, be welcomed by the neighborhood. Traffic volumes for the hotel would be minimal. Hours of operation, would again be a non-issue, since there would be no advantage to the operator in staying open late. The volume of deliveries would also be considerably lower. The problems with drunks and entertainment noise would go away. Overall, this is a neighborhood-friendly solution that allows the building to be used similarly to what it was originally built for. Times have changed. The neighborhood is nothing like it was when Julius' Castle was built in 1922, but JC could, with changes to its mode of operation, still be welcome here. Not if it operates as it has in the past, however. You are welcome to call me at 415-315-1258 to discuss any of the foregoing.

Best wishes,

A handwritten signature in black ink, appearing to read 'Dan Lorimer', with a stylized flourish at the end.

Dan Lorimer

Comments on Application for Conditional Use Authorization
Case # 2016-001273CUAVAR
302 Greenwich Street (Julius Castle)

Introduction

I am a long-time owner of property on Telegraph Hill in close proximity to Julius Castle who will be adversely impacted by the proposed non-conforming restaurant use. The most dominant feature of this CUA process is the lack of and vagueness of information describing (1) the nature of the operation of the proposed non-conforming restaurant business and (2) the nature and adversity of impacts which would arise from the implementing the CUA. No well-deliberated decision can be made from the lack of information. Context is critical in filling the void of reliable information.

Preliminarily, it requires restating that this conditional use (restaurant), legally abandoned at a designated landmark site, cannot be restored on a whim or with a rubber stamp with no regard to significant adverse neighborhood impacts which would result from such use. The San Francisco Planning Code requires an administrative proceeding (CUA) in order for this conditional use to be resumed at this landmark site. The granting of a Conditional Use Authorization at this landmark site is neither automatic nor cursory. Pursuant to the Planning Code, the Planning Commission is obligated to substantively review and to make findings regarding, among other things, the nature and severity of neighborhood impacts, including traffic and noise. For Julius Castle, its landmark designation is not a free pass around the procedural and substantive requirements of the City Planning Code regarding conditional uses.

A. Split Ownership from Operation

Based upon the property owner's prior writing to the City, he does not propose to operate a restaurant at Julius Castle himself. Instead, the running of a restaurant will be by a contractor. This CUA application has been presented as if the property owner's receipt of an authorization for a non-conforming use can be bifurcated from the non-conforming use itself, on the theory that any neighborhood impacts and their mitigation are the responsibility of the contractor/operator, not the property owner. Nonsense. California law does not allow bifurcating the permitting process to avoid analysis of foreseeable impacts.

The two major CEQA-like issues affecting the neighborhood are traffic and noise. How absurd to think that there can be a serious consideration of granting the non-conforming use authorization without reviewing the consequential traffic and noise impacts. Neither the City nor the property owner is excused from this CEQA-like analysis on the assertion that the

existence and severity of traffic and noise impacts are the sole responsibility of the contractor/operator.

Addressing any traffic and noise impacts to the neighbors would require this process to analyze the severity of those impacts. The City would then impose upon the property owner through the CUA authorization mitigation to reduce such impacts to insignificance and, in turn, require the property owner to contractually impose those same conditions and limitations on the restaurant-operating contractor.

Contrast the foregoing process and outcome with imposed mitigation with an alternative process which disregards adverse neighborhood impacts, imposes no conditions to mitigate those impacts, and allows the restaurant to be operated unfettered by concerns for the neighborhood.

B. Nostalgia

There is an abundance of nostalgia evoked by the idea that Julius Castle be reopened, which in some way will bring back glory days from decades gone by. Really? The City and Telegraph Hill have changed dramatically from the nostalgic days of the 1930's, '40's, and '50's. The City and Telegraph Hill are now choked with cars, moving and parked. Demographics have changed, too. Yet, the recent history of Julius Castle is dominated by closure. Whatever the nostalgia of Julius Castle, it has not been a sufficient appeal to make Julius Castle a sustainable restaurant business.

The property owner's recitation of the history of Julius Castle acknowledges its decade-long closure since 2007. Unsuccessful attempts to reopen do not demonstrate that Julius Castle would thrive if only the City would make lots of permit concessions and the neighbors would just accept traffic inconvenience and disruptive noise. Quite the opposite. In these times, no credible evidence supports a notion of a sustainable restaurant business being possible at Julius Castle.

C. Adverse Traffic Impacts

Analysis in the CUA process of potential adverse traffic impacts does not begin and end with the words, "Any congestion/parking impacts from the restaurant will be the responsibility of the restaurant operator." The failure to provide any information about restaurant operation does not prevent a credible back-of-the-envelope analysis using the factual information which is known to the neighbors, plus appropriate assumptions. Below is just such a back-of-the-envelope analysis, using reasonable assumptions which bracket the "worst case" and "probable case" scenarios.

The known fact is that there has been seating for 150 patrons, and usually a staff of about 30. Assumptions on hours of operation: dinner, Sun-Thur, 6:30-11:00 pm sufficient for 2 seatings and dinner Fri-Sat, 6:30-midnight, sufficient for 2 seatings. No information about lunch service is available.

For the purpose of this analysis, it is assumed that half of the 150 seats (75) are at tables for two, and the other half (75) are at tables for four. It would be unreasonable to assume that each patron would drive to the restaurant. But for analytical purposes, it is reasonable to assume that table-for-two patrons arrive together in the same car, totaling 38 ($75/2$) cars. Similarly, assume that table-for-four patrons arrive in the same car, totaling 19 ($75/4$) cars.

1. Congestion Impacts

Congestion impact can be measured by the concentration of vehicles versus time. For purposes of measuring congestion, it does not matter whether the arriving car is a private vehicle, taxi, or Uber.

Two seatings filling all tables equal 114 ($38 + 38 + 19 + 19$) cars arriving at the restaurant each evening. Assume further that 1st seating arrivals concentrate between 6:30-7:30, and 2nd seating arrivals concentrate between 7:30-8:30, which equals 120 minutes of “arrival time.” Hypothetically, if all arrivals were distributed equally over 120 minutes, there would be an arriving car approximately every minute for two hours.

Common sense suggests that distributing arrivals equally over 2 hours is not reality, so that arriving cars will exceed one per minute, causing adverse congestion impacts above level-of-service criteria on all feeder streets. Moreover, the complete inability of Julius Castle staff to process more than one car per minute multiplies the degree of adverse congestion exponentially.

2. Parking Impacts

The same number of cars used in the congestion analysis begin the parking analysis. Under the worst-worst case analysis, parking in proximity to Julius Castle must be available for 114 cars per evening, assuming that departing cars and arriving cars are not synchronized. Where are 114 parking spaces, public or private, available and capable of being dedicated to Julius Castle patrons?

The 1st seating car total is 57 (38 + 19). Same applies to the 2nd seating. What might not be the double-worst-case scenario? Hypothesize liberally that **half** of these arriving cars are taxis, Uber, or other transportation. Consequently, 29 cars must be parked for the 1st seating, and 29 cars must be parked for the 2nd seating. It is reasonable to believe that there would some overlap in 1st and 2nd seating parking. Parking for 57-58 cars per night is still a double-worst case scenario.

Moreover, the adverse parking impact arises not only from the number parking spaces taken by restaurant-related cars but also the duration of parking in each space, which has the effect of denying on-street parking to residents for many, many hours. Assuming 2 hours for each seating, there are 58 parking-hours for each seating (2 x 29), for a total of 116 parking-hours nightly during which the restaurant would cause parking to be unavailable to residents.

So, even if the non-conforming use receives an analytical gift of reducing needed restaurant parking by half, what's the plan to mitigate parking 57 cars in the neighborhood which already has virtually no available on-street parking during the hours of restaurant operation?

But here is an additional analytical gift. Hypothesize further that the restaurant never operates at greater than half full. Nostalgia is not what it used to be. At perpetual half capacity and still assuming taxis and Uber, what is the plan, other than going out of business, that parks 29 cars per evening? Parking for even 29 cars for the evening is still a significant adverse neighborhood impact, and it is *un-mitigable*.

Valet parking for peak arrivals is either a feint to mask parking on neighboring streets or prohibitively expensive for the restaurant to add sufficient staff to shuttle arriving cars away from neighborhood streets and later back to the restaurant.

Every patron parking scenario, except a fairy tale, produces significant, ***un-mitigable*** adverse impacts upon neighborhood residents. But what about parking for approximately 30 employees who begin parking in the morning and remain parked until closing? Without considering patron parking, employee parking itself creates a significant impact on neighborhood parking, based upon the numbers of cars and duration of parking. There is no CUA condition which would reduce adverse parking impacts to a tolerable, let alone acceptable, level. The proof that significant, adverse restaurant parking impacts are un-mitigable is the fact that no *credible* and *effective* parking plan has been submitted in this process. It simply does not exist.

D. Adverse Noise Impacts

Likewise, analysis in the CUA process of potential adverse noise impacts does not begin and end with the words, "Any noise impacts from the restaurant will be the responsibility of the

restaurant operator.” The failure to provide any information about restaurant operation does not avoid a noise impacts analysis. Using past experiences and information which is known to the neighbors, the potentiality and severity of noise impacts can be reliably identified.

There are no fewer than four separate noise issues that, given the aggregating nature of sound, will produce an adverse impact: on-street/entry noise, noise incidental to restaurant operations, outdoor dining, and entertainment.

Loud talking and shouting at the entry and the Montgomery Street turn-around, particularly during evening hours, have characterized Julius Castle during many years of operation. The topography of the Hill exacerbates that noise as it moves up the Hill. Closing car doors and accelerating cars add to the cacophony at a time of night when neighborhood quiet has been the norm.

The annoying noises accompanying food preparation and dishwashing have always been quite audible from the restaurant. The sound of clanging pots and pans and stacking dishes and glasses can be heard throughout the Hill, particularly when the kitchen is often open to the outside for employee comfort.

Reading through the lines of the CUA application, the Julius Castle structure may be modified to accommodate outside dining. Obviously, outdoor dining produces voice noise which compounds with more patrons. The movement of staff and gathering of dishes will add to speech noise.

The issue of entertainment at Julius Castle is a mystery, perhaps deliberately. Indoors, music at a sound level produced by the pianist at Nordstrom or a harpist at the mall would likely cause no significant noise impact. But louder music which is produced by certain instruments which inherently amplify sound (e.g., horns, drums, etc.) reaches the level of adverse impact. If a band and/or vocalist are electronically amplified, they produce a significant adverse noise level completely incompatible with the residential neighborhood environment. Outdoors, there is no entertainment which is not a significant adverse impact.

Conclusion

This application for a Conditional Use Authorization must be denied. A restaurant business at Julius Castle will create significant un-mitigable adverse traffic and noise impacts. For nearly a decade, the non-conforming restaurant business has been legally and defacto abandoned, well in excess of the 3-year legal trigger for abandonment. Due to this decade of abandonment, Telegraph Hill owners and tenants have made economic decisions and lifestyle choices which have contributed to the neighborly ambience of the Hill. If this non-conforming restaurant use were to be foisted upon the neighborhood, the neighborhood would suffer economic damage

as well as disrupted enjoyment of the homes and apartments on the east side of Telegraph Hill.
No known concept of uncompromised planning or simple equity permits such results.

Garret Shean

1445 Montgomery Street

Vimr, Jonathan (CPC)

From: alain.s.rossmann@gmail.com on behalf of Alain Rossmann <alain@the-roffmans.com>
Sent: Sunday, May 28, 2017 8:19 PM
To: Vimr, Jonathan (CPC)
Subject: Julius Castle Conditional Use Permit

Dear Mr. Vimr,

I am the owner of 335/337 Greenwich St and wanted to add my voice in opposition to granting this permit.

Our city needs more housing and increasing our city's housing stock may be the most important strategic issue facing the city at this juncture.

What our city does not need is another high-end restaurant set in an ill-adapted residential area.

Many Telegraph Hill Dwellers have described the safety challenges and problems involved in opening a restaurant in an area accessible through by a narrow dead-end street, in a quiet residential area.

I agree with their point of view, but also feel that reducing the city's housing stock to open a restaurant is simply counter-strategic.

Best regards,

Alain Rossmann

Vimr, Jonathan (CPC)

From: Gordon Francis <gordon.francis@gmail.com>
Sent: Monday, May 29, 2017 10:32 PM
To: Vimr, Jonathan (CPC)
Cc: Sanchez, Scott (CPC)
Subject: 302 Greenwich - 2016-001273CUA
Attachments: J Castle CUA 2017.docx

Dear Mr. Vimr,

Please find attached a letter from the residents of La Colline HOA (1451 Montgomery St.), a property in close proximity to 302 Greenwich. Of the 9 units, 8 owners oppose the re-opening of a restaurant at this property (1 abstention) for the reasons outlined in the letter dealing mainly with noise, traffic, safety and loss of enjoyment of the nature of the neighborhood.

Unfortunately, I personally will not be able to attend the hearings (though did so in the prior iteration of these proceedings in 2014/early 2015) as I will be out of the country. The short notice of these plans (~ 1 month) came at a time when I could not change my international travel plans.

Regards

Gordon Francis
415.699.8126 / 415.874.9210

Mr J. Vimer

Monday, May 29, 2017

Preservation Planner

Planning Department

City & County of San Francisco

Dear Mr. Vimer & Planning Board Members,

We, as homeowners within the 9-unit La Colline HOA at 1451 Montgomery St, are writing to express our objection to the granting of the application for non-conforming use regarding re-opening of Julius Castle restaurant. Our position is based on the balance between what is necessary and desirable to the neighborhood and the negative impact such a CUA will have on local residents.

In terms of “necessary and desirable”, the opinion of the owners within our condominium located within 100 feet of Julius Castle, is that there is no need for a restaurant, nor is it desirable to have one at this location. One could posit that even from a broader perspective than ours alone, there is no need for a restaurant at the site of Julius Castle. The site of the restaurant is within a 5- to 10-minute walk of multiple restaurants in North Beach or the Embarcadero offering a wide range of cuisines and price, presumably amply addressing the needs of residents of, and tourists to, San Francisco alike. Nostalgia is often cited as a strong reason for re-opening but there is little other than hearsay in support of this concept and 2 failures of the restaurant in the past decade argue against this concept. Clearly an owner has rights related to his/her property, but then those negatively impacted do likewise. The absence for a decade (apart from a 9-12 month spurt of restaurant activity over 5 years ago, means that approval of the CUA is not simply a resumption of the norm, but a new imposition on the peaceful enjoyment of property by the neighbors of Julius Castle and its access route. One should approach this as a clean slate.

Following the withdrawal by the owner of his appeal in early 2015 to revive the expired CUA, the owner indicated that he would undertake efforts to clean up the eyesore facing adjacent residents and that before any resubmission, would consult extensively with interested parties regarding his proposal. There has been, until lately, minimal effort to improve the esthetics of the property. It would appear that the extent of contact with interested parties regarding potential impact was via communication with a group called Telegraph Hill Dwellers, a group of those living on or near Telegraph Hill but which does not have any specific authority to speak for the neighborhood, nor does it comprise all those in the neighborhood. Specifically, individuals, such as the owner of 302 Greenwich, not living on the street nor in direct proximity to the building, might fancy a restaurant/bar in the neighborhood given that the disruption to them would be more limited, whereas others not represented by TelHi Dwellers are indeed adversely affected. No attempt has been made by the owner to reach out specifically to those most likely impacted, i.e. those within sightline or earshot of the building. The first notice of the current plans, vague as they are, was the posting on Julius Castle of the notice of the pending hearing (about 1 month ago) and a mailing from the city about the hearing about 2 weeks ago. The failure to keep earlier promises by the owner weakens any statements such as “will endeavor to” In his comments about traffic, noise, garbage etc.

In terms of potential negative effects, when the restaurant was active, the net effect on adjacent residents was of increased vehicular traffic, disrupted traffic circulation, garbage/rodent issues, noise into the late evening/early morning and reduced availability of parking for residents. Parking is particularly problematic. Firstly, 2 zone A permits will be requested, one for the restaurant owner (who presumably already has such permits for his current residence in the area) and for the restaurateur. Additionally, they request white curb marking, which due to 90-degree parking in the area they cite, will consume 4-5 additional parking spots (from 4pm to after midnight). This does not include parking taken by employees and diners. Valet attendants often left cars double- and triple-parked in the cul-de-sac impeding traffic flow, already a challenge, particularly for any vehicle other than cars such as emergency vehicles. In addition, the valets try to secure other parking spots in the neighborhood and as anyone knows who lives in the area, parking is extremely limited without superadded numbers contributed by a restaurant on the street. Assurances that valets will not act this way, that diners will be encouraged to park elsewhere (!), that delivery trucks will only be a certain size, etc., are all meaningless unless there were monitoring methods and sanctions that could be imposed. As it stands now, it is exceedingly difficult to find parking for residents by late afternoon when returning from work. Removing 7 parking spots at a minimum (assuming no diners, employees, valets take any spots) is an additional hardship to residents.

Noise is another serious concern. The proposed hours of operation are 5pm to after midnight (last seating at 10pm means diners, employees, valets until midnight and beyond). During the evening and early morning hours, patron and valet shouts would carry widely in what is a residential area. Garbage handling and removal, delivery trucks, service vehicles and all related traffic further impinge of resident's enjoyment of their property.

Safety is a related aspect as the street is narrow and irregular with limited visibility. Given the amount of pedestrian tourist traffic plus elderly residents and young children living on the street, having people (including taxis, Uber, Lyft) unfamiliar with the area driving around in the evening or valets zooming about placing or retrieving cars is an unnecessary hazard. The street is bifurcated and service trucks often came down the wrong way to avoid difficult navigation going the correct way. Beyond the traffic associated with patrons, a fully operational restaurant would have service vehicles before and after hours for supplies and clean-up. This could potentially involve much of the day if lunch and dinner were served and also potentially every day of the week.

Given the above considerations, we feel strongly that the property mentioned should revert to residential use or other creative day-time commercial use that allows the owner to gain from his ownership without lessening the value and enjoyment of multiple nearby neighbors of their properties.

Sincerely,

Gordon Francis, for:

Members of La Colline Homeowner's Association

Tim Thompson (HOA president)

Susan Snow (HOA vice-president)

Gordon Francis (HOA Treasurer/Secretary) & Anissa Kalinowski

Blair Schmicker

Liz Gans & Rick Newby

Karen Fong & Brian Cassidy

Mohsen & Shala Sanai

Sarah Stewart

Vimr, Jonathan (CPC)

From: Andrew Wiesenthal <awiesenthal@sbcglobal.net>
Sent: Tuesday, May 30, 2017 9:28 AM
To: Vimr, Jonathan (CPC)
Cc: John Lee; Oz Erickson
Subject: Julius's Castle

Mr. Vimr --

My wife and I purchased the property at 1410-12 Montgomery Street several years ago and are now in the middle of an extensive repair and renovation project.

Having looked into the history of the street, we learned (and you already may know) that Montgomery, formerly just a dirt path, was built when the street was extended from Alta in the '20s as access to Julius's Castle. We believe, because of what's happened with our light well, that when they built and leveled upper Montgomery, rather than hauling off the rubble, it was pushed downhill, and used as the base for building and leveling lower Montgomery. That is the reason why our house is the only house with a light well--it is the only house remaining from before the construction of the road.

Our light well was built to allow a window to continue to function when they built lower Montgomery. As our demolition and construction (which did not involve the light well at all) has proceeded, plaster from the sides of the light well began to crack and some of the rubble which may have been used to build and level the sidewalk and road began to spill into the light well. We have repaired it based on our engineer's recommendations. It is fine now, but that indicates to us that Mr. Lee is right in thinking there is a need for an environmental impact study with the extra traffic that will ensue with the reopening of the restaurant. Impacts on the rubble under Montgomery from adjacent framing and construction people moving around have to be a lot less than heavy traffic moving up and down the street for hours. Although the street is certainly further from our house than the light well itself, heavier traffic could cause a similar problem for our house's foundation and push settling rubble against the foundations of all those homes built after the road was built. Maybe this is a non-issue, but an environmental study or soil stability study is certainly warranted to rule out any issues. The cracks in Montgomery shown in Mr. Lee's photos are almost certainly the result of settling of the rubble under the street.

Thanks for your attention.

Andrew M. Wiesenthal
Sent from my iPad

Vimr, Jonathan (CPC)

From: Andrew Wiesenthal <awiesenthal@sbcglobal.net>
Sent: Tuesday, May 30, 2017 6:34 PM
To: Vimr, Jonathan (CPC)
Cc: John Lee; Oz Erickson
Subject: Re: Julius Castle (302 Greenwich, 2016-001273CUAVAR) Hearing - Continuance

Mr. Vimr--

Thank you for the update.

On reflection, I should have mentioned in my earlier message to you that, as part of our renovation, we have upgraded the foundation to our home (1410-12 Montgomery). It turns out that there is so much rubble on our (downhill) side of Montgomery that we had to drill and pour pylons down to a depth of nearly 20' in order to reach bedrock. There is a lot of unstable surface soil present in the area.

Thank you again for your attention.

Andrew Wiesenthal
Sent from my iPad

On May 30, 2017, at 8:13 PM, Vimr, Jonathan (CPC) <jonathan.vimr@sfgov.org> wrote:

All,

As you have messaged me with comments pertaining to the subject case, I am letting you know that it will no longer be heard on Thursday, June 1, but rather continued to a later date. Once this date has been determined, it will be calendared and noticed.

Thank you,

Jonathan Vimr
Preservation Planner

Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9109 **Fax:** 415-558-6409
Email: jonathan.vimr@sfgov.org
Web: www.sfplanning.org

Vimr, Jonathan (CPC)

From: Jean Steyaert <jeansteyaert@me.com>
Sent: Wednesday, May 31, 2017 12:06 PM
To: Vimr, Jonathan (CPC)
Subject: Re: APPEAL FILED, 14-153 @ 1531 MONTGOMERY STREET/ 302 GREENWICH STREET

Hi Jon,

Thank-you for sending this information. It is really astounding that in the almost 3 year period that we have been waiting for information about a city hearing which may award a restaurant permit to Julius Castle, so much has been discussed and almost determined without any attempt to inform the HOA of the building that is in closest proximity to Julius Castle. Every one of the points in the "Basis for Recommendation" to grant the permit can be easily refuted by anyone who experienced living near this extremely unpopular restaurant during the years of its demise. Two owners over a period of several years, had to resort to importing conventioners on huge buses that could barely turn around on this dead end block or drive up the hill, in order to fill even half the available tables. The item claiming public transportation access is ludicrous—very few people, in particular those wearing stiletto heels and clothes that they do not want sweat soaked, in addition to those using a cane or other assistive device, would consider walking down the hill from the Union Street bus stop or climbing the steep Greenwich Stairway, the only access from the trolley stop. As for the concern with changing the interior should Julius become a residence, many historic buildings have changed their interiors and Julius Castle has already been altered—inside and outside, hence the application for a variance to keep the non-permitted back deck which encroaches on a residence above it. With regard to the point that there is no traffic problem on our block, the obvious rebuttal is that the restaurant has been closed for over a decade and has not generated the excessive traffic, noise, confusion, blocking of our garages, etc., that we endured while it was open. We have been blissfully free of these multiple annoyances for the past 10 years. I have never spoken to a single neighbor who misses this restaurant.

As for the list of conditions, which we were never consulted about and which do not address many of our concerns, you report that the planning department cannot enforce them. Who will be in charge of enforcement? I applaud your concern for preserving historic buildings, but allowing this building to house another restaurant in a strictly residential neighborhood is a true disservice. Preservation should extend to preservation of relative tranquility on a beautiful block in a beautiful city. The building could be put to many, many uses that would not impact the peace of our neighborhood which a restaurant will surely do.

Thanks,
Jean

On May 30, 2017, at 4:52 PM, Vimr, Jonathan (CPC) <jonathan.vimr@sfgov.org> wrote:

Hi Jean,

This case will no longer be heard on June 1 and will be continued to a later date. Once determined, this date will be properly noticed.

Thank you,
Jon Vimr

Jonathan Vimr
Preservation Planner

Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-575-9109 Fax: 415-558-6409

Vimr, Jonathan (CPC)

From: ipek sarac <ipeksarac@gmail.com>
Sent: Thursday, June 01, 2017 10:53 AM
To: Vimr, Jonathan (CPC)
Subject: 302 Greenwich (Julius' Castle) Public Hearing

Dear Mr. Vimr,

I'm writing to you about today's public hearing for the 302 Greenwich project, case no. 2016-001273CUAVAR.

Unfortunately I won't be able to attend the hearing so I wanted to reach out to you to express my thoughts on the project: This is a peaceful residential neighborhood, and I'm very concerned about the prospect of having a restaurant here. I live right next door to Julius' Castle. We moved here last summer in the hopes that we could raise our family in a quiet neighborhood. The construction began in the fall and has been quite disruptive as we have a newborn baby at home. Since we are in very close proximity to Julius' Castle having a restaurant here would be much worse in the long run. Julius' Castle has some outdoor space which the construction workers have been renovating for the restaurant and we can hear everything when they are out there talking. When the customers who come to the restaurant have their drinks outside at night we'll be subject to a lot of noise, possibly much more than now.

Another concern we have is traffic. Montgomery is a narrow dead end street. Accommodating the increased traffic from the restaurant would be very difficult and disturbing to this quiet neighborhood.

Please let me know if you would like me to provide you with more information.

Thank you very much for your time and consideration.

Best,
Ipek

Vimr, Jonathan (CPC)

From: Patricia Cornell <pcornell.sf@gmail.com>
Sent: Monday, June 26, 2017 9:23 AM
To: Vimr, Jonathan (CPC)
Subject: Julius' Castle Project Comment
Attachments: Letter to J Vimr_6-24-17.doc

Jonathan,

I have attached a copy of a letter I sent to you regarding my opposition to allowing the site currently known as Julius' Castle to operate as a restaurant in case you do not receive the mail. I spoke to you the day of the previously scheduled hearing (June 1) and expressed my concerns at that time. The sounds associated with the former restaurant as I detailed in my letter that I hear inside my home are horribly disturbing. Right at this moment while inside my home typing to you I hear the workers at the site chatting away as if they were here in the room with me. What recourse would I and the other residents here at 101 Lombard have to prevent this disturbance if the conditional use is authorized?

Thank you,

Patricia Cornell
101 Lombard Street 912W
San Francisco, CA 94111-1121
415-987-0949
pcornell.sf@gmail.com

PATRICIA CORNELL
101 LOMBARD STREET, #912W
SAN FRANCISCO, CA 94111-1121
415/987-0949
pcornell.sf@gmail.com

June 24, 2017

Jonathan Vimr
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479

Re: Case No: 2016-001273CUA/VAR/COA
302 Greenwich Street/1531 Montgomery Street

Dear Jonathan,

As a resident of 101 Lombard since 1988, I can attest to the insufferable noise disturbance that Julius' Castle operating as a restaurant creates for the occupants of at least the 63 units that are located on the hill-facing side of the building. Sounds reverberate off the hill and buildings at this site and are magnified. Even now I hear the voices of the men who are currently working on Julius' Castle throughout my unit. I can tell you how many children they have, how old their father is, where and what they are having for lunch, and more. There is no stopping them even on the weekend. And as witnessed during the operating days of Julius' Castle, the noise level emanating from the restaurant was even worse. People would talk while waiting for their cars after leaving the restaurant and often quite loudly since they had been drinking. I was given Jeffrey Pollack's home phone number and would call him at night when the disturbance would not cease after first contacting someone at the restaurant. Eventually, Jeffrey had installed a glass enclosure leading to the front door to help alleviate this problem. Of course, getting the people to stay within the confines of the enclosure was a problem itself. Then after the restaurant would close for the evening, the cleaners would come later during the night running their vacuums and talking loudly to each other from room to room with the windows open. At two o'clock in the morning, this is most disturbing. And then to add to the disturbance during the night, the recycling truck would arrive and hundreds of glass bottle could be heard crashing into the truck. Of course, the parties held outside on the roof deck were another matter as that sound disturbance continued non-stop for hours.

As you may have guessed, I am strongly opposed to allowing restaurant status for the project. If you or the owner would want to confirm the noise disturbance that comes from the site, I would certainly be most willing to have you come to my place. There is enough stress in the world that being prevented from enjoying my own home is not acceptable. This is a residential area not a commercial one. Please do not authorize the variance.

Respectfully,

Patricia Cornell



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

August 14, 2014

Paul Scott
Pier 9, The Embarcadero, Suite 100
San Francisco CA 94111

Site Address:	1531 Montgomery Street/302 Greenwich Street
Assessor's Block/Lot:	0079/004 and 0079/005 (2 lots)
Zoning District:	RH-3 – Residential House, Three Family District
Staff Contact:	Kelly H. Wong, (415) 575-9100 or kelly.wong@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Dear Mr. Scott:

This letter is in response to your request for a Letter of Determination regarding the property at 1531 Montgomery Street/302 Greenwich Street. This parcel is located in the RH-3 (Residential House, Three Family) Zoning District and 40-X Height and Bulk District. Constructed in 1923, the subject building is City Landmark No. 121 (Julius' Castle) as designated under Article 10 of the Planning Code. The request is to determine if the nonconforming restaurant use once located at this property has been abandoned.

Nonconforming Use

Per Planning Code Section 209 (et. seq.) restaurant uses are not permitted within the RH-3 Zoning District. As such, use of the subject property as a restaurant would be considered a "nonconforming use" as defined in Planning Code Section 180.

Planning Code Section 183 states that whenever a nonconforming use has been changed to a conforming use, or discontinued to a period of three years, or whenever there is otherwise a clear intent on the part of the owner to abandon a nonconforming use, such use shall not be reestablished and the use of the property thereafter shall be in conformity with the limitations of the Planning Code.

Background

Based on your letter, Julius' Castle operated as a restaurant through 2006, when it was sold to a new owner (James Payne) who performed work without benefit of permit. Planning Department records show that a complaint was filed on January 16, 2007 for work executed without benefit of permit and consequently, after a site visit the Department issued a Notice of Violation on May 17, 2007. Based on available records, use of the property as a restaurant terminated around this time (2007).

On December 17, 2008, a Certificate of Appropriateness (COA) (Case No. 2007.0653A) was issued with conditions of approval to the former owner, James Payne for abating the violation. On January 29, 2009, Building Permit Application No. 2009.0129.1093 was submitted for work outlined in the COA; however, the former property owner did not pursue the building permit and abandoned the project. The COA subsequently expired on December 17, 2011 (three years after issuance).

Paul Scott
Pier 9, The Embarcadero, Suite 100
San Francisco CA 94111

August 14, 2014
Letter of Determination
1531 Montgomery Street/302 Greenwich Street

As described in your letter, Mr. Payne appears to have listed the property for sale in February 2010 and entered bankruptcy in September 2011. In April 2012, you purchased the property from Mr. Payne and submitted an updated COA application on September 19, 2012. On October 16, 2013, the Historic Preservation Commission issued a new Certificate of Appropriateness (Motion No. 0213, Case No. 2012.1197A) with a revised scope of work. In the case report, staff indicated that the project required a rear yard variance (to legalize portions of the building) and a Conditional Use Authorization (to restore the previous nonconforming restaurant use which had been discontinued for more than period of three years).

Landmark Status

As noted previously, the subject property is designated as City Landmark No. 121. Per Planning Code Section 209.9(e), any use permitted as a principal or conditional use on the ground floor of the NC-1 Zoning District is allowed in a structure on a landmark site with a Conditional Use Authorization provided that the use 1) conforms to the provisions of Section 303 (Conditional Uses) and 2) is essential to the feasibility of retaining and preserving the landmark. Restaurant uses are permitted on the ground floor of the NC-1 Zoning District; therefore, a Conditional Use Authorization maybe sought to allow restoration of a restaurant use at the subject property.

Determination

Based on the above information, I hereby find that the nonconforming restaurant use at this landmark property (which has been closed since 2007) has been discontinued for a period of at least three years. While the previous owner did list the property for sale in February 2010, they did not 1) operate a restaurant at this location during this time or 2) take sufficient actions with regards to active permits that were necessary to correct violations for illegal construction they performed on the landmark property. As noted previously, a restaurant use may be restored to the subject landmark property pursuant to the requirements of Planning Code Section 209.9(e).

APPEAL: If you believe this determination represents an error in interpretation of the Planning Code or abuse in discretion by the Zoning Administrator, an appeal may be filed with the Board of Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, or call (415) 575-6880.

Sincerely,



Scott F. Sanchez
Zoning Administrator

cc: Kelly H. Wong, Planner
Property Owner
Neighborhood Groups
BBN Requestor (if any)