



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Conditional Use Authorization

HEARING DATE: NOVEMBER 16, 2017

*Date:* November 9, 2017  
*Case No.:* **2016-002572CUA**  
*Project Address:* **2534 MISSION STREET**  
*Zoning:* Mission St NCT (Mission St Neighborhood Commercial Transit) District  
Mission Alcohol Restriction Special Use District  
65-B Height and Bulk District  
*Block/Lot:* 3616/211  
*Project Sponsor:* Stephanie Praxis  
P.O Box #291  
Monte Rio, CA 95462  
*Staff Contact:* Esmeralda Jardines – (415) 575-9144  
[esmeralda.jardines@sfgov.org](mailto:esmeralda.jardines@sfgov.org)  
*Recommendation:* **Denial**

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### PROJECT DESCRIPTION

The Project Sponsor seeks to expand an existing restaurant (DBA Foreign Cinema) by merging two commercial units within an existing one-story with mezzanine commercial building and change the use from non-retail professional service to full-service restaurant. The proposal includes interior tenant improvements and exterior façade alterations. The Project would merge a 12,563 square-foot restaurant (2534 Mission Street) with a 5,633 square-foot non-retail personal service unit (2540 Mission Street). The commercial merger would create a 18,196 square-foot restaurant, inclusive of: basement, mezzanines, a courtyard and storage.

### SITE DESCRIPTION AND PRESENT USE

The Project site is located on the west side of Mission Street between 21st and 22nd Streets on Lot 211 in Assessor's Block 3616. The project site currently contains a one-story with mezzanine commercial building constructed in 1926. The subject lot is rectangular in shape and measures approximately 73 feet wide by 158 feet deep. 2534 Mission Street is currently a full-service restaurant with: a bar, courtyard, mezzanine and storage. 2540 Mission Street is vacant commercial space last used as a non-retail professional service.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Project site is within the Mission St NCT (Mission Street Neighborhood Commercial Transit) Zoning District, the Mission Alcoholic Beverage Special Use District, and a 65-B Height and Bulk district. Uses in the immediate vicinity are primarily mixed-use, multi-family, multi-story residential structures with

ground floor commercial and some office buildings. The project site is within the Mission commercial corridor. The adjacent buildings to the south are the New Mission Theater and the 85-foot tall, 8-story, 114-unit apartment building with three commercial units. The abutting block-faces are characterized by residential buildings of mixed architectural style. The surrounding properties are located within the Mission NCT (Mission Street Neighborhood Commercial Transit), Valencia NCT (Valencia Street Neighborhood Commercial Transit), (Zoning Districts RTO-M (Residential Transit-Oriented, Mission), P (Public) and NC-1 (Neighborhood Commercial Cluster).

## 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	October 27, 2017	October 25, 2017	22 days
Posted Notice	20 days	October 27, 2017	October 24, 2017	23 days
Mailed Notice	20 days	October 27, 2017	October 27, 2017	20 days

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

## PUBLIC COMMENT/COMMUNITY OUTREACH

- To date, the Department has received public comments inquiring about the project as well as expressing opposition and support of the proposal. The Department has received one email expressing concern and opposition as well as some additional inquiries about the project scope. A member of the public in opposition has expressed a concern about huge upscale restaurant conversations and the effect it will have to family displacement on Mission Street. He expressed that there is widespread concern as it is believed this is in direct opposition to the goal of preserving Mission Street corridor for low-income families.
- Six letters of support have also been submitted. Letters of support have been submitted from: Human Rights Campaign, Sisters of Perpetual Indulgence, Mission Graduates, Lyric-Center for LGBTQ Youth, Magnum PR, and Noe Valley Nursery School.

## ISSUES AND OTHER CONSIDERATIONS

- *Motion No. 14761.* On December 17, 1998, the Planning Commission previously approved a Conditional Use Authorization to permit a non-residential use size above 6,000 square feet to establish a full-service restaurant, bar and an outdoor activity area, cumulatively measuring 12,456 square feet.

- *Use Size.* Planning Code Section 121.2 requires non-residential uses to be limited to 6,000 square feet in size within the Mission NCT Zoning District. The existing restaurant currently measures approximately 12,563 square feet and is proposing an additional 5,633 square feet, cumulatively measuring 18,196 square feet inclusive of the bar, courtyard, mezzanines and storage.
- *Neighborhood-Serving Business.* Per Planning Code Section 102, the proposed expanded restaurant is not a neighborhood-serving business in that the aforementioned use does not provide goods and/or services which are needed by residents and workers in the immediate neighborhood to satisfy basic personal and household needs on a frequent and recurring basis, and which if not available require trips outside of the neighborhood.
- *Commercial Frontage.* The existing restaurant's commercial frontage is approximately 47 feet and would increase said frontage by 55% when adding an additional 26 feet to the existing restaurant's frontage. A 73 foot commercial frontage is out of scale with the neighborhood and the Mission Street NCT Zoning District.
- *General Plan.* The Commerce and Industry Element of the General Plan contains Guidelines that discourage the overconcentration of eating and drinking establishments within NCDs. While the proposed use is an eating establishment, the percent of commercial frontage in the subject zoning district within 300' of the project site that would be devoted to restaurant and limited-restaurant uses would increase from 14.7% to 15.3%, remaining below the 25% maximum that Planning Code Section 303 (o) states should be maintained.

## **MISSION ACTION PLAN 2020**

The project site falls within the area of the ongoing Mission Action Plan 2020 (MAP2020). MAP 2020 is a community initiated collaboration between community organizations and the City of San Francisco. The goals are to create and preserve affordable housing and retain and attract low to moderate income residents and community-serving businesses, artists, and nonprofits in order to strengthen and preserve the socioeconomic and cultural diversity of the Mission neighborhood.

One of the chief concerns of the community is the loss of neighborhood-serving retail establishments to destination venues, and in particular those serving alcohol. Community advocates have indicated their desire for regulations and incentives that retain and favor community serving retail and cultural institutions and prevent the overconcentration of restaurants and other alcohol dispensing establishments.

These community concerns gave rise to the Mission Interim Zoning Controls, adopted by the Planning Commission on January 14, 2016. The Mission Interim Controls provide the Commission with additional information to consider in its deliberation related to a project's contribution to the goals of neighborhood stabilization and whether they are addressing any potential negative effects such as direct displacement of residents or businesses. The Mission Interim Controls can be found here:

[http://sfplanninggis.org/docs/PlanningProvisions/MissionIntCont2017MGB\\_FINAL.pdf](http://sfplanninggis.org/docs/PlanningProvisions/MissionIntCont2017MGB_FINAL.pdf)

The Mission 2016 Interim Zoning Controls also afford the City, working with community stakeholders, time to craft permanent land use regulations and neighborhood stabilization strategies. Staff, in conjunction with the community, is in the process of exploring the following:

- Controls for restaurants and other alcohol dispensing uses related to concentration of establishments and other space (e.g. size) and operating characteristics (e.g. hours of operation);
- Retention and attraction strategies for community serving retail establishments;
- Production, Distribution and Repair (PDR) and Arts Activities retention strategies;

While these strategies are explored, the Mission Interim Controls help inform the Commission's decision-making process. More information on the neighborhood trends, the MAP2020 process and the Mission Action Plan endorsed by the Commission on March 2017 can be found at:

<http://sf-planning.org/mission-action-plan-2020>

## **MISSION 2016 INTERIM ZONING CONTROLS**

Planning Commission Resolution No. 19865 requires any restaurant to obtain a Conditional Use Authorization from the Planning Commission per Planning Code Section 303.

Planning Code Section 754 principally permits a Restaurant on the first story within the Mission NCT (Mission Street Neighborhood Commercial Transit) Zoning District.

Per the Mission 2016 Interim Zoning Controls currently in effect through January 2018, Conditional Use Authorization from the Planning Commission is required for any project which proposes a change of use to Restaurant within the Interim Control Area.

## **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant Conditional Use Authorization to allow the change of use from a non-retail professional service to restaurant and to allow a non-residential use size larger than 6,000 square feet for the expansion of an existing restaurant (DBA Foreign Cinema), pursuant to the Mission 2016 Interim Zoning Controls (Planning Commission Resolution No. 19865) and Planning Code Sections 121.2, 202.2, 249.60, 303 and 754.

## **BASIS FOR RECOMMENDATION**

- The Project was already previously granted a Conditional Use Authorization for exceeding the use size limits of the zoning district. This proposal would be an intensification of what the Planning Commission previously approved.
- The existing restaurant's commercial frontage would increase by 55%.
- The existing restaurant is not a neighborhood-serving business as defined in Planning Code Section 102.
- The Projects does not meet all applicable requirements of the Planning Code and General Plan.



<b>RECOMMENDATION:</b> <b>Denial</b>
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**Attachments:**

Draft Motion  
Parcel Map  
Sanborn Map  
Zoning Map  
Height and Bulk District Map  
Aerial Photographs  
Site Photographs  
Environmental Determination  
Project Plans  
Eating/Drinking Frontage Concentration Map  
Public Correspondence: Support, Inquiries, and Opposition

Attachment Checklist

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

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

EJ

Planner's Initials



# SAN FRANCISCO PLANNING DEPARTMENT

*Subject to: (Select only if applicable)*

- ☐ Affordable Housing (Sec. 415)
- ☐ Jobs Housing Linkage Program (Sec. 413)
- ☐ Downtown Park Fee (Sec. 412)

- ☐ First Source Hiring (Admin. Code)
- ☐ Child Care Requirement (Sec. 414A)
- ☐ Other

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## Planning Commission Motion No. XXXXX

HEARING DATE: NOVEMBER 16, 2017

*Case No.:* 2016-002572CUA  
*Project Address:* 2534 MISSION STREET  
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ADOPTING FINDINGS RELATING TO THE DENIAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 121.2, 202.2, 249.60, 303 AND 754 OF THE PLANNING CODE AND THE MISSION 2016 INTERIM ZONING CONTROLS (PLANNING COMMISSION RESOLUTION NO. 19865), FOR THE EXPANSION OF AN EXISTING RESTAURANT (DBA FOREIGN CINEMA) INVOLVING THE CHANGE OF USE FROM A NON-RETAIL PROFESSIONAL SERVICE TO RESTAURANT AT 2540 MISSION STREET AND A NON-RESIDENTIAL USE SIZE LARGER THAN 6,000 SQUARE FEET WITHIN THE MISSION NCT (MISSION NEIGHBORHOOD COMMERCIAL TRANSIT ZONING DISTRICT, THE MISSION ALCOHOLIC BEVERAGE SPECIAL USE DISTRICT, THE 65-B HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT..

### PREAMBLE

On February 25, 2016, Stephanie Praxis (Project Sponsor) filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections: 121.2, 202.2, 249.60, 303, 754, and 781.80 to merge two commercial units and permit a restaurant expansion at 2534 Mission Street and to allow a non-residential use larger than 6,000 square feet within the Mission NCT (Mission Neighborhood Commercial Transit) Zoning District, Mission Alcoholic Beverage Special Use District, and a 65-B Height and Bulk District.

On November 16, 2017, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2016-002572CUA.

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

The Planning Commission Secretary is the custodian of records, located in the File for Case No. 2016-002572CUA at 1650 Mission Street, Fourth Floor, San Francisco, California.

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 denies the Conditional Use Authorization requested in Application No. 2016-002572CUA for the commercial merger of 2534 Mission Street with 2540 Mission Street, 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. **Project Description.** The Project Sponsor seeks to expand an existing restaurant (DBA Foreign Cinema) by merging two commercial units within an existing one-story with mezzanine commercial building and change the use from non-retail professional service to full-service restaurant. The proposal includes interior tenant improvements and exterior façade alterations. The Project would merge a 12,563-square foot restaurant (2534 Mission Street) with a 5,633-square foot non-retail personal service unit (2540 Mission Street). The commercial merger would create a 18,196-square foot restaurant, inclusive of: basement, mezzanines, a courtyard and storage.
3. **Site Description and Present Use.** The Project site is located on the west side of Mission Street between 21st and 22nd Streets on Lot 211 in Assessor's Block 3616. The project site currently contains a one-story with a mezzanine commercial building constructed in 1926. The subject lot is rectangular in shape and measures approximately 73 feet wide by 158 feet deep. 2534 Mission Street is currently a full-service restaurant with: a bar, courtyard, mezzanine and storage. 2540 Mission Street is vacant commercial space last used as a non-retail professional service.
4. **Surrounding Properties and Neighborhood.** The Project site is within the Mission Street NCT (Mission Street Neighborhood Commercial Transit) Zoning District, the Mission Alcoholic Beverage Special Use District, and a 65-B Height and Bulk district. Uses in the immediate vicinity are primarily mixed-use, multi-family, multi-story residential structures with ground floor commercial and some office buildings. The project site is within the Mission commercial corridor. The adjacent buildings to the south are the New Mission Theater and the 85-foot tall, 8-story, 114-unit apartment building with three commercial units. The abutting block-faces are characterized by residential buildings of mixed architectural style. The surrounding properties are located within the Mission NCT (Mission Street Neighborhood Commercial Transit), Valencia NCT

(Valencia Street Neighborhood Commercial Transit), (Zoning Districts RTO-M (Residential Transit-Oriented, Mission), P (Public) and NC-1 (Neighborhood Commercial Cluster).

5. **Public Comment.** To date, the Department has received public comments inquiring about the project as well as expressing opposition and support of the proposal. The Department has received one email expressing concern and opposition as well as some additional inquiries about the project scope. A member of the public in opposition has expressed a concern about huge upscale restaurant conversions and the effect it will have to family displacement on Mission Street. He expressed that there is widespread concern as it is believed this is in direct opposition to the goal of preserving Mission Street corridor for low-income families.

Six letters of support have also been submitted. Letters of support have been submitted from: Human Rights Campaign, Sisters of Perpetual Indulgence, Mission Graduates, Lyric-Center for LGBTQ Youth, Magnum PR, and Noe Valley Nursery School.

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Restaurant Use.** Planning Code Section 754 principally permits a restaurant on the first story within the Mission NCT (Mission Street Neighborhood Commercial Transit) District. Per the Mission 2016 Interim Zoning Controls, Conditional Use Authorization is required for any project which proposes a change of use to restaurant within the Interim Control Area.

*The Project Sponsor seeks to change the use of a non-retail professional service to restaurant to permit the existing restaurant's expansion and is seeking Conditional Use Authorization for the project.*

- B. **Neighborhood-Serving Business.** Planning Code Section 102 defines a neighborhood-serving business as defined below:

A neighborhood-serving business cannot be defined by the type of use, but rather by the characteristics of its customers, types of merchandise or service, its size, trade area, and the number of similar establishments in other neighborhoods. The primary clientele of a "neighborhood-serving business," by definition, is comprised of customers who live and/or work nearby.

While a neighborhood-serving business may derive revenue from customers outside the immediately surrounding neighborhood, it is not dependent on out-of-neighborhood clientele.

A neighborhood-serving use provides goods and/or services which are needed by residents and workers in the immediate neighborhood to satisfy basic personal and household needs on a frequent and recurring basis, and which if not available require trips outside of the neighborhood.

A use may be more or less neighborhood-serving depending upon its trade area. Uses that, due to the nature of their products and service, tend to be more neighborhood-serving are those which sell convenience items such as groceries, personal toiletries, magazines, and

personal services such as cleaners, laundromats, and film processing. Uses that tend to be less neighborhood-oriented are those which sell more specialized, more expensive, less frequently purchased comparison goods such as automobiles and furniture.

For many uses (such as stores selling apparel, household goods, and variety merchandise), whether a business is neighborhood-serving depends on the size of the establishment: the larger the use, the larger the trade area, hence the less neighborhood-oriented.

Whether a business is neighborhood-serving or not also depends in part on the number and availability of other similar establishments in other neighborhoods: the more widespread the use, the more likely that it is neighborhood-oriented.

*As defined above, the proposed restaurant expansion is not a neighborhood-serving business as the existing restaurant is a destination eating and drinking establishment with predominantly an out-of-neighborhood clientele.*

- C. **Use Size.** Planning Code Section 121.2 requires non-residential uses to be limited to a maximum of 6,000 square feet in size within the Mission NCT Zoning District. Modifications to this requirement may be granted through the Conditional Use Authorization process.

Per Planning Commission Motion No. 14761, the Commission approved 12,456 gross square feet to establish a full-service restaurant, bar and outdoor activity area (DBA Foreign Cinema), per the plans appended as "Exhibit B" in application number 1998.751C on December 17, 1998.

*The project proposes to expand an existing restaurant, after the commercial merger would provide a 18,196 square-foot restaurant, inclusive of basement, mezzanines, courtyard and storage. Thus, the project exceeds the use size requirement for the Mission NCT Zoning District. Therefore, the Project is seeking a second Conditional Use Authorization for exceeding the use size limit.*

- D. **Hours of Operation.** Planning Code Section 754 states that there is no limit to hours of operation.

Per Planning Commission Motion No. 14761, the Commission approved hours of operation from 7:00 AM to no later than 2:00 AM (DBA Foreign Cinema), per the noise attenuation agreement appended as "Exhibit C" in application number 1998.751C on December 17, 1998.

*The proposed hours of operation for the expanded restaurant are Monday through Wednesday 5:30 PM- to 10:00 PM, Thursday through Sunday 5:30 to 11:00 PM, as well as Saturday and Sunday from 11:00 AM to 2:30 PM. The proposed restaurant expansion will operate within the principally permitted hours of operation.*

- E. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces

housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

*The subject commercial spaces have approximately cumulatively 73 feet of frontage on Mission Street and all said commercial frontage is devoted to the bar, restaurant and the non-retail professional service use. Thus, the project demonstrates compliance as the entirety of said frontage provides transparency and is devoted to active uses.*

- F. **Mission Alcoholic Beverage Special Use District (SUD).** This SUD, which has been in effect since 1987, was established to prohibit new establishments or expansion of existing establishments, selling alcoholic beverages within the area (generally bounded by Guerrero Street, San Jose Avenue, Randall Street, Mission Street, Cesar Chavez Street, Potrero Avenue and Fourteenth Street) and to prohibit the transfer of liquor licenses. However, certain alcohol-related uses are allowed within the SUD, including a Restaurant Use. Per Sections 781.80 and 249.60 of the Planning Code, a Restaurant Use, as defined in Section 102, operating as a Bona Fide Eating Place, as defined in Section 102, shall be permitted to serve alcoholic beverages in this SUD.

*The restaurant use is proposed to operate as a bona fide eating place as defined by Planning Code Section 102. Thus, the project is permitted by the SUD to serve alcohol in conjunction with a bona fide eating place.*

- G. **Eating and Drinking Uses.** Planning Code Section 202.2 outlines the location and operating conditions for eating and drinking uses. Eating and drinking establishments include bars, sit-down restaurants, fast food restaurants, self-service restaurants, and take-out food. Associated uses, which can serve similar functions and create similar land use impacts, include ice cream stores, bakeries and cookie stores. Guidelines for eating and drinking establishments are needed to achieve the following purposes:

- Regulate the distribution and proliferation of eating and drinking establishments, especially in districts experiencing increased commercial activity;
- Control nuisances associated with their proliferation;
- Preserve storefronts for other types of local-serving businesses; and
- Maintain a balanced mix of commercial goods and services.
- The regulation of eating and drinking establishments should consider the following:



- Balance of retail sales and services;
- Current inventory and composition of eating and drinking establishments;
- Total occupied commercial linear frontage, relative to the total district frontage;
- Uses on surrounding properties;
- Available parking facilities, both existing and proposed;
- Existing traffic and parking congestion; and
- Potential impacts on the surrounding community.

*The proposed restaurant expansion would be required to comply with the conditions outlined in Section 202.2, as it relates to keeping the main entrance and surrounding streets and sidewalks clear of trash and debris; ensuring that the space is properly insulated to prevent noise in excess of the noise levels specified in the San Francisco Noise Control Ordinance; installation of proper odor control equipment to prevent any noxious or offensive odors from escaping the premises; and the proper storage and disposal of garbage, recycling and composting.*

- A. **Signage.** Article 6 of the Planning Code outlines the requirements for exterior signage.

*Currently, there is not a proposed sign program on file with the Planning Department. Any proposed signage will be subject to the review and approval of the Planning Department.*

7. **Conditional Use Authorization.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does not comply with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

*The proposed restaurant expansion use is approximately 18,196 square feet in size; thus, the restaurant is not appropriately sized for the block face, which is currently predominantly occupied by the remaining smaller scale commercial frontages. Though the restaurant use will provide services which are compatible with the neighborhood; the proposed use size is not compatible. Therefore, the proposed restaurant expansion is not considered to be necessary or desirable for the surrounding neighborhood.*

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

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

*The proposed restaurant expansion will operate within the existing building. The project does not propose exterior expansion of the building envelope. The new restaurant use will occupy a former non-retail professional service. However, the existing restaurant and bar's commercial frontage is 47 feet along Mission Street. With the proposed expansion, the commercial frontage would merge with an additional 26 feet of frontage along Mission Street; thus, increasing the frontage by 55% for a total of 73 feet along a commercial corridor with a prevailing pattern of smaller commercial frontages. The size of the storefront is out of scale with the surrounding neighborhood uses, and is not considered to be compatible with the neighborhood.*

- 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 off-street parking in the Mission NCT District; limits are set forth in Planning Code Section 151.1. Further, per Planning Code Section 150, off-street parking and loading spaces are required for a "major addition". The aforementioned is defined as any enlargement, alteration, change of occupancy or increase in intensity of use which would increase the number of off-street parking spaces required for uses other than dwelling units by at least 15% or by at least five spaces, whichever is greater; or which would increase the requirement for off-street freight loading spaces by at least 15%.*

*Loading requirements apply to retail sales and service uses that are 10,000 gross square feet or more. The new expanded restaurant will measure approximately 18,196 square feet; however, the aforementioned is not considered a "major addition" and therefore, no off-street parking and loading is required.*

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

*The proposed restaurant expansion would be subject to the standard conditions of approval for a restaurant use. The aforementioned conditions specifically obligate the Project Sponsor to mitigate odor and noise generated by the proposed use. However, the proposed project is not recommended for approval.*

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

*The Planning Code does not require any off-street parking or loading for the proposed project. The Project does not require any additional landscaping, or screening.*

- 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 does not comply with all relevant requirements and standards of the Planning Code and is not 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 Use District.

*As stated in Planning Code Section 754, the Mission NCT Zoning District is described as:*

*The Mission Street Commercial Transit District's commercial area provides a selection of goods serving the day-to-day needs of the residents of the Mission District. Eating and drinking establishments contribute to the street's mixed-use character and activity in the evening hours. The District is extremely well-served by transit, including regional-serving BART stations at 16th Street and 24th Street, major buses running along Mission Street, and both cross-town and local-serving buses intersecting Mission along the length of this district.*

*New neighborhood-serving commercial development is encouraged mainly at the ground story. Continuous retail frontage is promoted by requiring ground floor commercial uses in new developments and prohibiting curb cuts.*

*The proposed restaurant use, though consistent with the stated purpose of the Mission NCT Zoning District in that the intended use is located at the ground floor and will provide a compatible eating and drinking establishment for the immediately surrounding neighborhoods, and is in character with the unique mix of specialty commercial uses found within the Zoning District, is not proposed at an appropriate size.*

8. **Additional Conditional Use Criteria for Eating and Drinking Uses.** Planning Code Section 303(o) establishes criteria with regard to a Conditional Use Authorization application for a Restaurant use in a Neighborhood Commercial District. Section 303(o) requires the Planning Commission to consider, in addition to the criteria set forth in Code Section 303(c), the existing concentration of eating and drinking uses in the area. Such concentration should not exceed 25% of the total commercial frontage as measured in linear feet within the immediate area of the subject site. For the purposes of Code Section 303(o), 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.

*Based on a land use survey completed by the project sponsor, the total commercial frontage dedicated to eating and drinking establishments located within 300 feet of the Project Site is approximately 14.7% of the total commercial frontage as measured in linear feet. With the subject change of use from a non-retail professional service use to a restaurant expansion, the total aforementioned commercial frontage dedicated to eating and drinking establishments will increase by .6%, for a total of 15.3%. Therefore, the proposal would be in compliance with the requirements of Code Section 303(o).*

8. **Planning Code Section 121.2** establishes additional criteria for the Planning Commission to consider when reviewing applications for non-residential use size larger than 6,000 square feet within the Mission NCT Zoning District. On balance, the project does not comply with said criteria in that:

- (1) The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area.

*The Project will foreclose the location of other uses, since the proposed commercial frontage merger would prohibit a neighborhood-serving use from potentially occupying the unit in the area. This further prohibits a mix of uses which is a stated goal of the Mission NCT Zoning District.*

- (2) The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use requires a larger size in order to function.

*Per the Mission NCT Zoning controls, eating and drinking uses are confined to the ground story. Though the Project will provide an expanded eating and drinking option in an area that has been determined to not be overly concentrated with the aforementioned, the proposed use will serve not serve the immediate neighborhood. The existing restaurant currently exceeds the principally permitted use size, currently measuring 12,563 square feet and would further intensify this non-conformity by adding an additional 5,633 square feet. Currently, this zoning district has a non-residential use size limit of 6,000 square feet.*

- (3) The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district.

*The Project is proposed along the Mission Street corridor; both existing commercial frontages front Mission Street. Though both frontages read as distinct from one another, the proposed interior improvements would merge two commercial frontages. Thus, the proposed size of the restaurant is out of scale with the development in the district.*

9. **General Plan Compliance.** The Project is, on balance, consistent with some of 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 not provide desirable goods and services to the neighborhood. As explained above, the proposed restaurant expansion is not a neighborhood-serving business.*

**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 proposed Project would permit a restaurant expansion that would prohibit a new potential commercial activity.*

**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 as the subject unit in question has been vacant; however, the project would prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.*

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

**Eating and Drinking Establishments**

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

- Regulate the distribution and proliferation of eating and drinking establishments, especially in districts experiencing increased commercial activity;
- Control nuisances associated with their proliferation;
- Preserve storefronts for other types of local-serving businesses; and
- Maintain a balanced mix of commercial goods and services.
- The regulation of eating and drinking establishments should consider the following:

- Balance of retail sales and services;
- Current inventory and composition of eating and drinking establishments;
- Total occupied commercial linear frontage, relative to the total district frontage;
- Uses on surrounding properties;
- Available parking facilities, both existing and proposed;
- Existing traffic and parking congestion; and
- Potential impacts on the surrounding community.

*There is a concern with the potential over-concentration of food-service establishments within certain neighborhoods. The Commerce and Industry Element of the General Plan contains Guidelines for Specific Uses. For eating and drinking establishments, the Guidelines state, "the balance of commercial uses may be threatened when eating and drinking establishments occupy an overconcentration of commercial frontage. Proposals for eating and drinking establishments which would increase the proportion of total occupied commercial frontage above what is prescribed in the Planning Code should be reviewed to ensure that they would not reduce the variety of neighborhood-serving uses; nor create substantial noise, traffic, parking problems, or other nuisances in the district or surrounding neighborhood." The Project Sponsor has performed a site survey of the Mission NCT District, where the proposed project is located. Currently, approximately 14.7% of the commercial frontage of the Mission NCT District within 300 feet of the project site is attributed to eating and drinking establishments and will increase .6% with the addition of the Project, to a total of 15.3%. As per Planning Code Section 303(o), the concentration should not exceed 25% as measured in linear feet within the immediate area of the subject site; therefore, the proposed change of use from non-retail professional service to permit the restaurant expansion will be within the prescribed 25% linear feet as per the Planning Code.*

**Policy 6.2:**

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

*An independent entrepreneur is sponsoring the proposal. This is not a Formula Retail use. However, the restaurant expansion does not foster small business enterprises from occupying the vacant non-retail professional service unit.*

**MISSION AREA PLAN**

**Objectives and Policies**

**OBJECTIVE 1.8:**

MAINTAIN AND STRENGTHEN THE MISSION'S COMMERCIAL AREAS.

**Policy 1.8:**

Ensure that the Mission's neighborhood commercial districts continue to serve the needs of residents, including immigrant and low-income households.

*The proposed project would not serve the needs of the residents of the Mission nor immigrant or low-income households.*

10. **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 site does not possess any existing neighborhood-serving retail uses. As explained above, the existing restaurant is not a neighborhood-serving business. Thus, the proposed expansion would intensify a non-neighborhood-serving business size.*

- 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 units in the surrounding neighborhood may be adversely affected; permitting the restaurant expansion would prohibit another potential establishment from adding economic diversity to the neighborhood.*

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

*The existing building does not contain any residential units.*

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

*The Project is located along the Mission commercial corridor and is well-served by transit. MUNI Lines: 12, 14, 14-R and 49 are within a 1/4 mile from 2534 Mission Street. Additionally, the 16<sup>th</sup> Street BART Station is .6 miles away; the 24th Street BART station is located approximately .3 miles from the site.*

- 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 for commercial office development. The Project does not involve new commercial office development.*

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

*The proposed Project will not change the seismic and fire safety standards of the Building.*

- G. That landmarks and historic buildings be preserved.

*A landmark building does not occupy the Project site. 2534 Mission Street is not a historic resource.*



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

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

11. The Project is, on balance, not consistent with and would not promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would not contribute to the character and stability of the neighborhood and would not constitute a beneficial development.
12. The Commission hereby finds that denial 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 **DENIES Conditional Use Application No. 2016-002572CUA** pursuant to Planning Codes Sections 121.2, 202.2, 249.60, 303 and 754 for the expansion of an existing restaurant and the establishment of a non-residential use larger than 6,000 square feet within the Mission St NCT (Mission St Neighborhood Commercial Transit) Zoning District, Mission Alcoholic Beverage Special Use District, and a 65-B Height and Bulk District.

**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 94012.

**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 November 16, 2017.

Jonas P. Ionin  
Commission Secretary

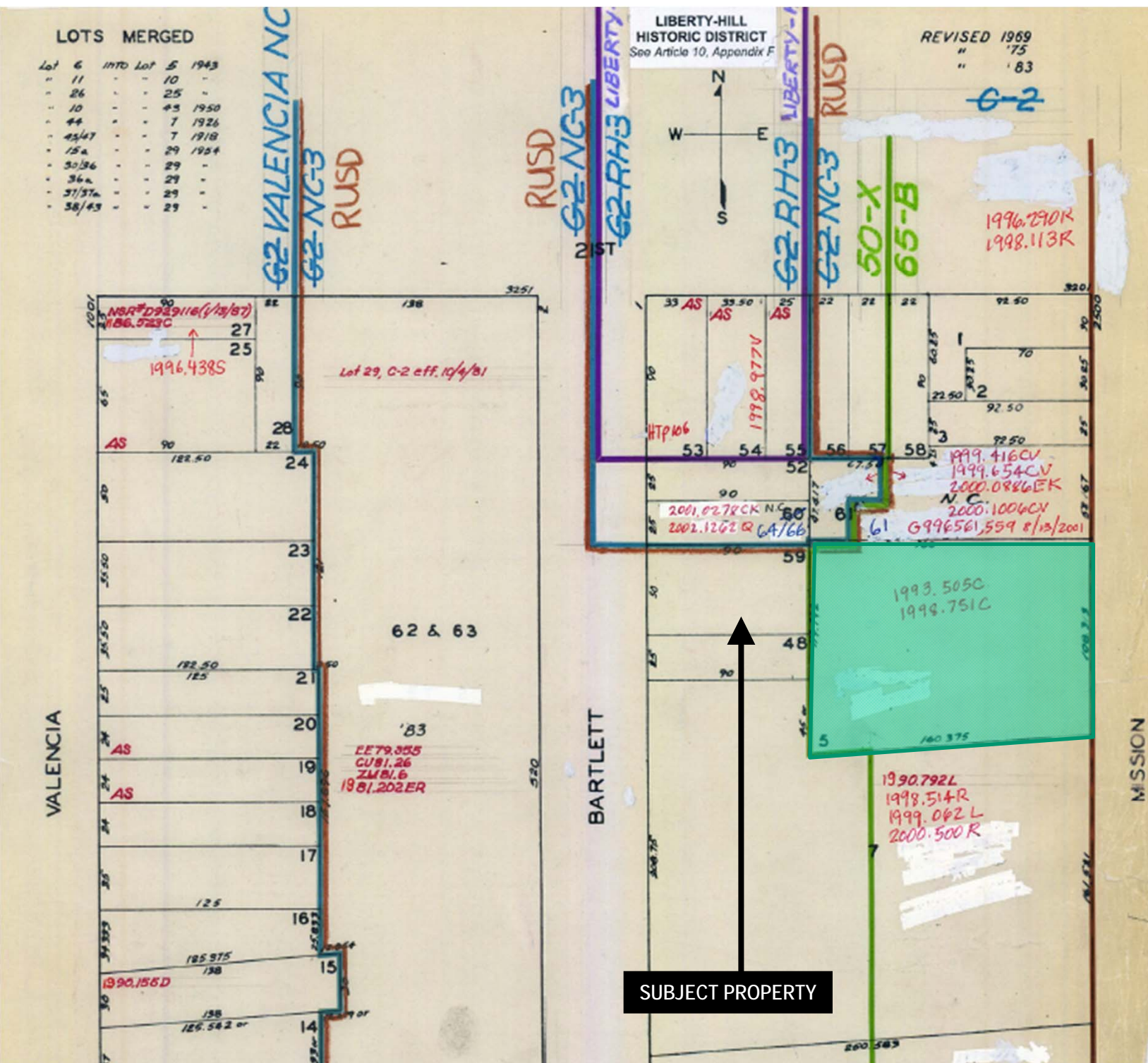
AYES:

NAYS:

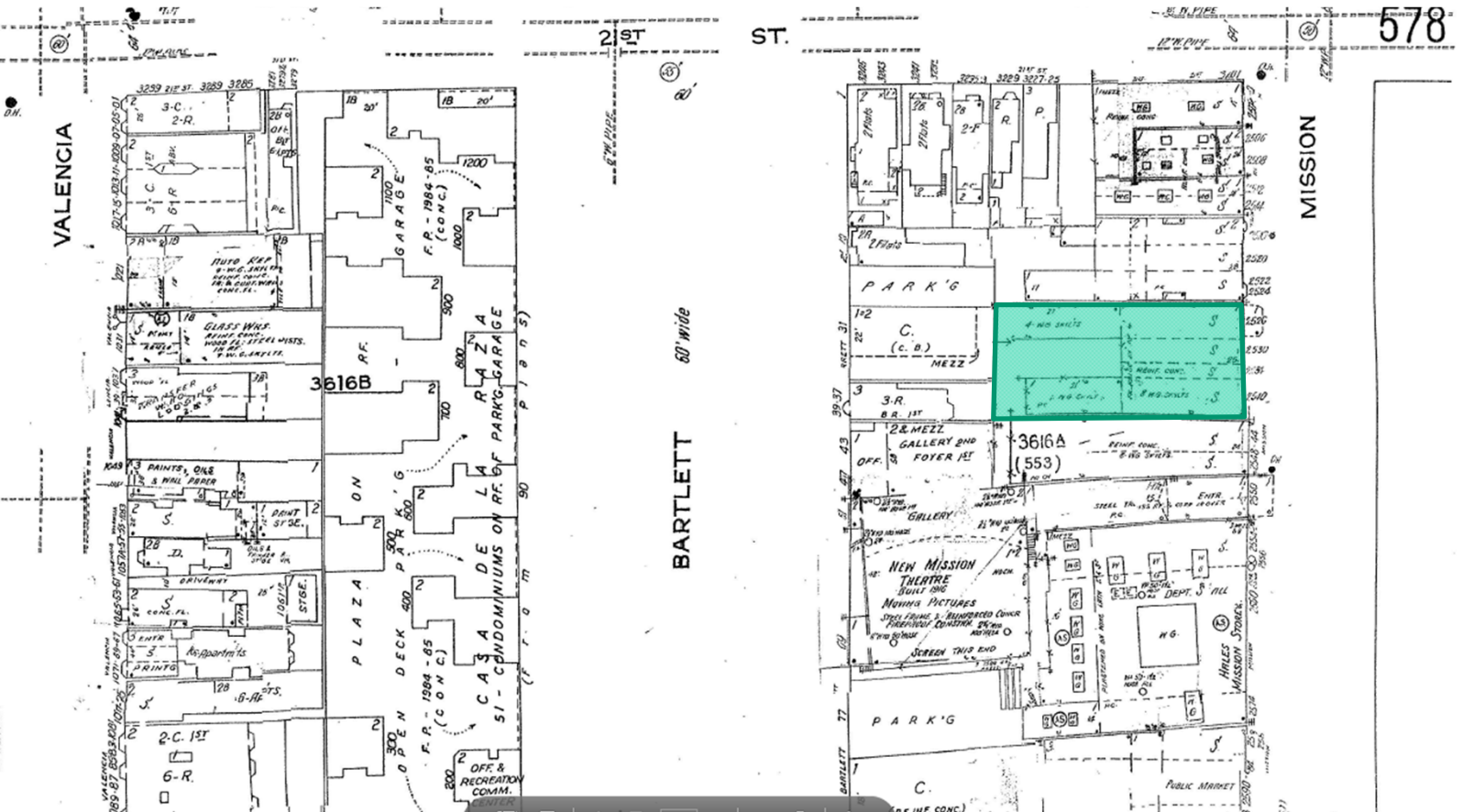
ABSENT:

ADOPTED: November 16, 2017

# Parcel Map



# Sanborn Map\*



SUBJECT PROPERTY

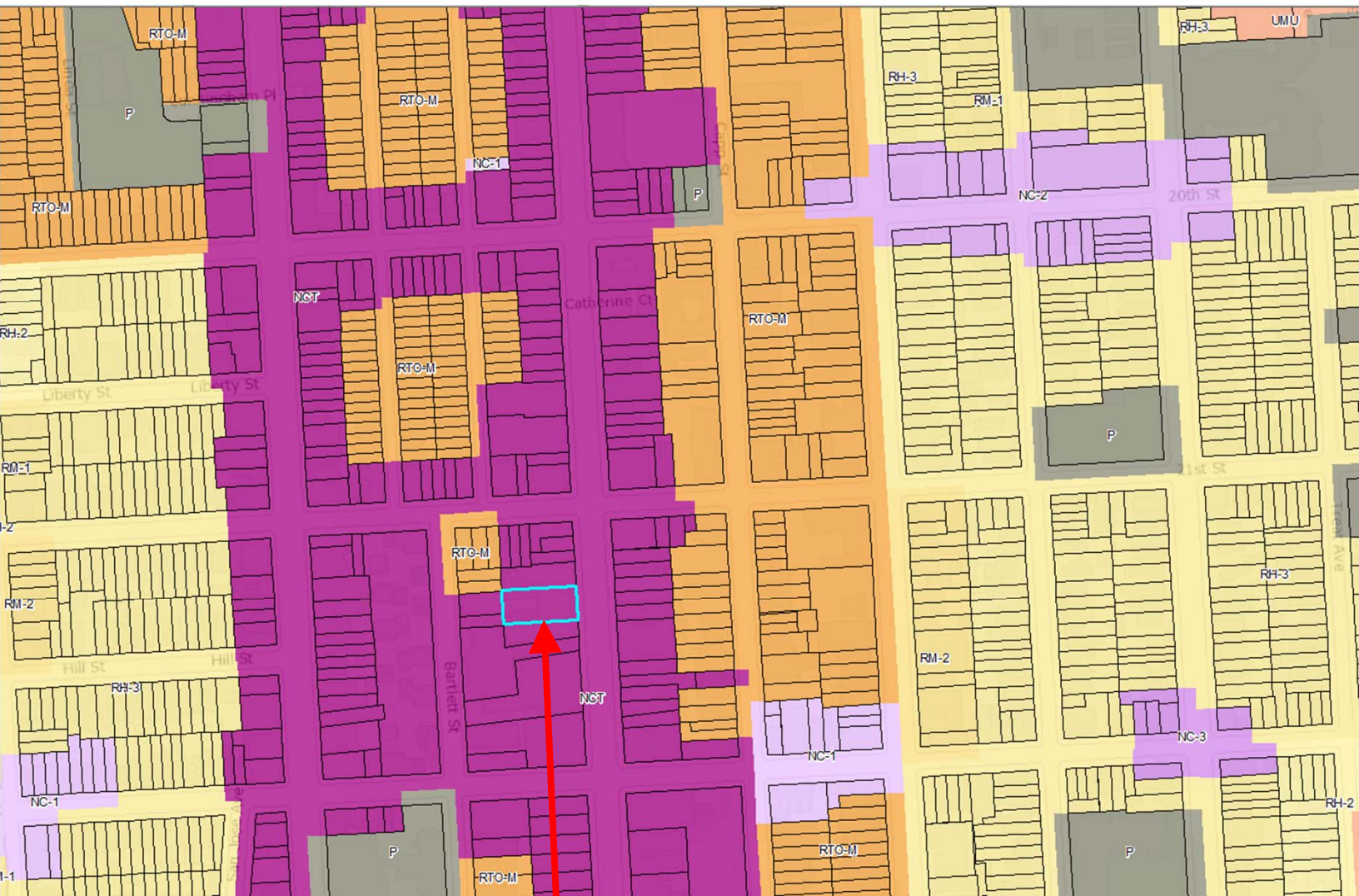
\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization Hearing  
Case Number 2016-002572CUA  
2534 Mission Street



# Zoning Map

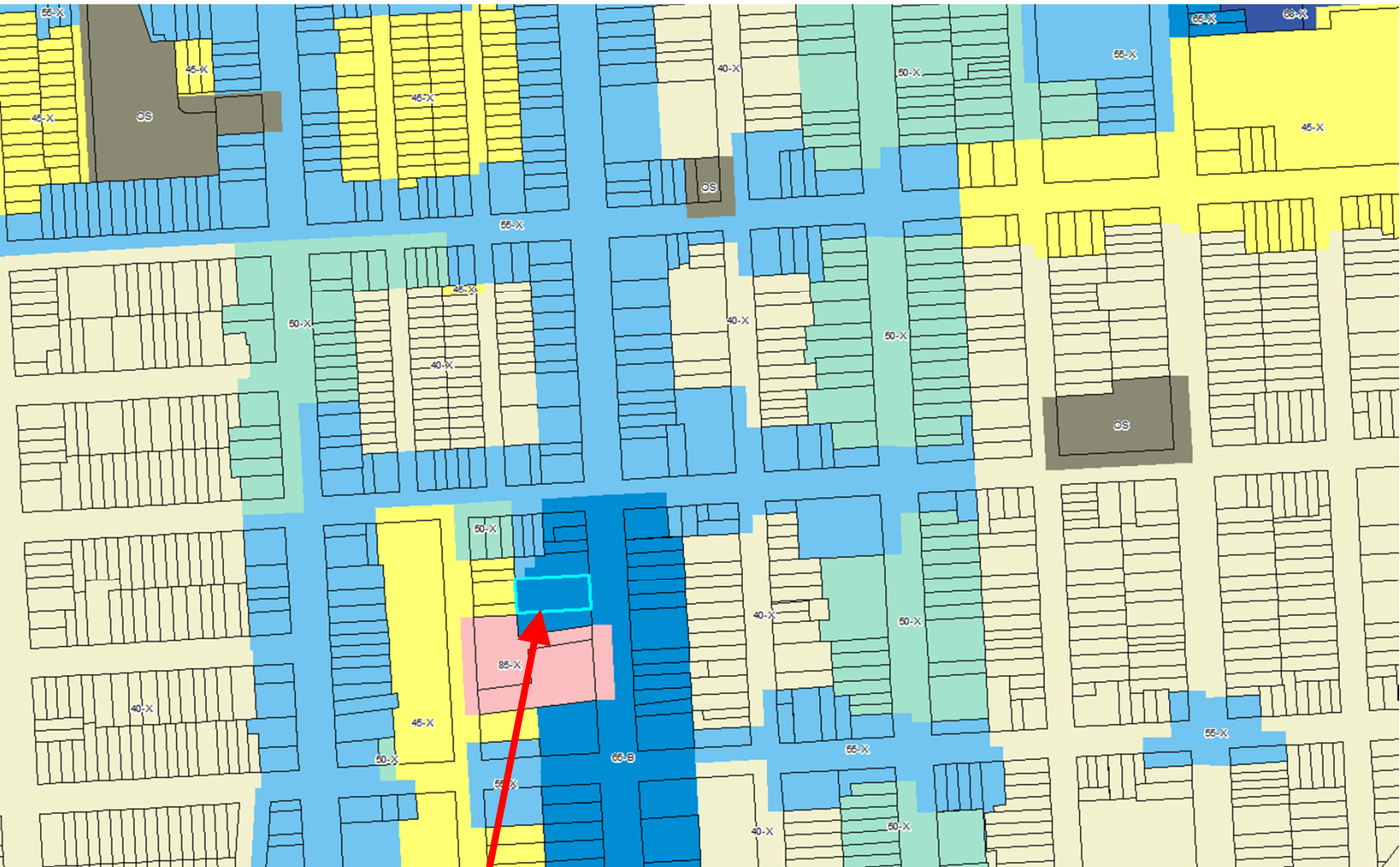


## SUBJECT PROPERTY



Conditional Use Authorization Hearing  
Case Number 2016-002572CUA  
2534 Mission Street

# Height & Bulk Map



SUBJECT PROPERTY



Conditional Use Authorization Hearing  
Case Number 2016-002572CUA  
2534 Mission Street



SUBJECT PROPERTY

# Site Photographs



Conditional Use Authorization Hearing  
Case Number 2016-002572CUA  
2534 Mission Street



# Aerial Photographs

SUBJECT PROPERTY



SUBJECT PROPERTY

Conditional Use Authorization Hearing  
Case Number 2016-002572CUA  
2534 Mission Street

# Environmental Determination

Conditional Use Authorization Hearing  
Case Number 2016-002572CUA  
2534 Mission Street





# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
2534 Mission Street		3616/211	
Case No.	Permit No.	Plans Dated	
2016-002572CUA	201710242101	August 7, 2017	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. Interior tenant improvement and change of use from a non-retail professional service to permit a restaurant expansion at 2534 Mission Street.			

### STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

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

### STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

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

	<i>Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap &gt; Maher layer).</i>
<input type="checkbox"/>	<b>Transportation:</b> Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	<b>Archeological Resources:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	<b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	<b>Slope = or &gt; 20%:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Landslide Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Liquefaction Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report will likely be required.</b>
<b>If no boxes are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.</u></b>	
<input checked="" type="checkbox"/>	<b>Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.</b>
<b>Comments and Planner Signature (optional):</b>  Though 2534 Mission Street is within a Maher area, there is no proposed excavation, soil disturbance, nor a change of use from industrial to residential. Thus, no ESA Phase 1 is required.	

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

<b>PROPERTY IS ONE OF THE FOLLOWING:</b> (refer to Parcel Information Map)	
<input type="checkbox"/>	<b>Category A:</b> Known Historical Resource. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	<b>Category B:</b> Potential Historical Resource (over 45 years of age). <b>GO TO STEP 4.</b>
<input checked="" type="checkbox"/>	<b>Category C:</b> Not a Historical Resource or Not Age Eligible (under 45 years of age). <b>GO TO STEP 6.</b>

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

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

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

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

<input type="checkbox"/>	<p>9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):</p> <p>(Requires approval by Senior Preservation Planner/Preservation Coordinator) _____</p>
<input type="checkbox"/>	<p>10. <b>Reclassification of property status.</b> (Requires approval by Senior Preservation Planner/Preservation Coordinator)</p> <p style="padding-left: 40px;"> <input type="checkbox"/> Reclassify to Category A      <input type="checkbox"/> Reclassify to Category C         </p> <p style="padding-left: 40px;">a. Per HRER dated: _____ (attach HRER)</p> <p style="padding-left: 40px;">b. Other (specify): _____</p>
<p><b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b></p>	
<input type="checkbox"/>	<p><b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b></p>
<input type="checkbox"/>	<p><b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b></p>
<p><b>Comments (optional):</b></p>  	
<p><b>Preservation Planner Signature:</b></p>	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION  
TO BE COMPLETED BY PROJECT PLANNER**

<input type="checkbox"/>	<p><b>Further environmental review required.</b> Proposed project does not meet scopes of work in either (check all that apply):</p> <p style="padding-left: 40px;"> <input type="checkbox"/> Step 2 – CEQA Impacts  <input type="checkbox"/> Step 5 – Advanced Historical Review         </p> <p><b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b></p>			
<input checked="" type="checkbox"/>	<p><b>No further environmental review is required. The project is categorically exempt under CEQA.</b></p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><b>Planner Name:</b></p>   <p><b>Project Approval Action:</b></p> <p style="padding-left: 20px;">Building Permit</p> <p style="font-size: small;">If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p> </td> <td style="width: 50%; vertical-align: top;"> <p><b>Signature:</b></p> <div style="font-size: 2em; font-weight: bold; text-align: center;">Esmeralda Jardines</div> <div style="font-size: small;">           Digitally signed by Esmeralda Jardines            DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Esmeralda Jardines,            email=Esmeralda.Jardines@sfgov.org            Date: 2017.11.06 19:51:19 -08'00'         </div> </td> </tr> </table> <p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>		<p><b>Planner Name:</b></p> <p><b>Project Approval Action:</b></p> <p style="padding-left: 20px;">Building Permit</p> <p style="font-size: small;">If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p>	<p><b>Signature:</b></p> <div style="font-size: 2em; font-weight: bold; text-align: center;">Esmeralda Jardines</div> <div style="font-size: small;">           Digitally signed by Esmeralda Jardines            DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Esmeralda Jardines,            email=Esmeralda.Jardines@sfgov.org            Date: 2017.11.06 19:51:19 -08'00'         </div>
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## STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT TO BE COMPLETED BY PROJECT PLANNER

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

### PROPERTY INFORMATION/PROJECT DESCRIPTION

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

### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required. <b>ATEX FORM</b>	

### DETERMINATION OF NO SUBSTANTIAL MODIFICATION

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



# Project Plans

# Restaurant Expansion

## Interior Renovation Project

### 2534 Mission Street

### San Francisco, CA 94110

- REVISIONS:
- 1 Revision #1  
May 12, 2016
  - 2 Revision #2  
May 8, 2017
  - 3 Revision #3  
Aug. 4, 2017

2 project

Restaurant Expansion  
Interior Renovation  
2534 Mission Street  
San Francisco, CA  
9 4 1 1 0

- These drawings are to be used for construction only when officially issued for construction by PRAXIS Architects as clearly noted and dated within the title block. PRAXIS Architects will not be held responsible for construction errors arising from inaccurate information shown on drawings that have NOT been issued for construction by this office.
- Architectural documents govern all engineering documents unless noted otherwise. General Contractor will verify all construction items with the architectural, structural, mechanical and electrical drawings before ordering or beginning installation of any item. All discrepancies are to be brought to the attention of the Architect.
- Any error, omission or conflict found in the various parts of construction documents will be brought to the Architects attention prior to proceeding with the work.
- All construction work will conform to the applicable federal, state and local codes, laws and regulations.
- All work including new insulation, fixtures, appliances, windows and skylights as indicated on the drawings will conform to current Title 24 Energy Efficiency Requirements. All work will comply with current Title 24 Americans with Disabilities Act and life safety requirements.
- General Contractor is responsible for payment and obtaining all sub-contractor permits required to complete the work.
- General Contractor will verify all dimensions and conditions at the job site.
- General Contractor to verify that no conflicts exist in location of any and all structural, mechanical, electrical, lighting, plumbing, telephone, data cabling and related equipment (to include all piping, ductwork and conduit) and that all required clearance for installation and maintenance of equipment and systems listed above are provided.
- All conduit will be concealed above the ceiling, below the floor or within the walls whenever possible.
- General Contractor to verify dimensions and coordinate work with installation of "not in contract" (N.I.C.) items and equipment.
- General Contractor to review with PRAXIS Architects the layout and exact location of all new electrical sub-ups, lights and switches as marked in the field prior to construction and notify PRAXIS Architects of any discrepancies.
- Written dimensions take precedence over scaled dimensions. DO NOT SCALE DRAWINGS.
- All dimensions indicated in plan are to face of finish unless noted otherwise.
- All dimensions indicated in elevation are to finished ceiling line or finished floor unless noted otherwise.
- Details indicated are typical. Similar details apply in similar conditions.
- The General Contractor is responsible for the design, coordination and execution of all construction methods and procedures.
- Patch and repair all disturbed areas to match adjacent systems, materials and finishes unless noted otherwise.
- The General Contractor will protect new and existing work, equipment, materials and finishes. Damaged items will be repaired or replaced at the expense of the General Contractor.
- The General Contractor will, during the course of construction, keep the building and site premises and all adjoining premises including street and other areas assigned to or used by the General Contractor free from accumulation of waste material and rubbish caused by the General Contractors employees or work.
- At completion of the work, remove from the building, site and premises all surplus materials and debris and clean all of the work thoroughly to the satisfaction of PRAXIS Architects and the Owners.
- General Contractor to provide strict control of job cleaning, preventing dust and debris from being released from construction areas. Keep all areas clean.
- General Contractor to alert PRAXIS Architects and the Owner to any existing building materials containing hazardous materials prior to containment or removal. General Contractor to contain or remove hazardous materials (including asbestos, lead based paint, etc.) via appropriate OSHA and related standards.
- Base building life safety system components will remain intact and operative at all times during construction.
- Substitutions, changes and revisions will have prior written approval from PRAXIS Architects and/or the Owners. Do not substitute materials or manufacturers when specified without approval.

#### DWG# SHEET DESCRIPTION

- A0.1 COVER SHEET, PROJECT INFO
- A0.2 EXISTING SITE PLAN
- A0.3 EXISTING FIRST FLOOR PLAN
- A0.4 EXISTING SECOND FLOOR PLAN
- A0.5 EXISTING PHOTOGRAPHS
- A1.0 EXISTING FIRST FLOOR DEMOLITION PLAN
- A1.1 EXISTING SECOND FLOOR DEMOLITION PLAN
- A2.0 PROPOSED GROUND FLOOR PLAN
- A2.1 PROPOSED SECOND FLOOR PLAN
- A2.2 PROPOSED BASEMENT FLOOR PLAN
- A2.3 PROPOSED ROOF PLAN
- A3.0 EXISTING & PROPOSED ELEVATION - MISSION ST
- A3.1 EXISTING ELEVATIONS - COURTYARD NORTH, SOUTH & WEST
- A3.2 EXISTING ELEVATION - COURTYARD WEST
- A3.3 PROPOSED EXTERIOR ELEVATIONS @ PROPERTY LINES
- A3.2 PROPOSED EAST ELEVATION & BUILDING SECTIONS
- A3.3 DETAILED SECTIONS @ PROPOSED STOREFRONT

#### 4 DRAWING INDEX

W/	WITH	DTL	DETAIL	INT.	INTERIOR
A/C	AIR CONDITIONING	DM	DIMENSION	INV.	INVERT
ACOUS.	ACOUSTICAL	DN	DOWN	MAX.	MAXIMUM
AP	ACROUSTICAL PANEL	DR	DOOR	MECH.	MECHANICAL
ACT	ACROUSTICAL TILE	D.S.	DOWN SPOUT	MIN.	MINIMUM
ADJ.	ADJACENT	DWG	DRAWING	MTD.	MOUNTED
A.F.F.	ABOVE FINISHED FLOOR	EA	EACH	MTL	METAL
ALT.	ALTERNATE	E.J.	EXPANSION JOINT	NO	NEW
AL	ALUMINUM	EL	ELEVATION	N.I.C.	NOT IN CONTRACT
ALON	ALIGN	ELEC.	ELECTRICAL	N.T.S.	NOT TO SCALE
AND	AND/ODD	ELEV	ELEVATOR	O.C.	ON CENTER
AP	ACCESS PANEL	EQ.	EQUAL	OPNG.	OPENING
A.V.	AUDIO/VIDEO	EXIST.	EXISTING	PL	PLATE
AWP	ACROUSTICAL WALL PANEL	EXP.	EXPANSION	PR	PAIR
BD.	BOARD	EXT.	EXTENDING	PTD	PAINTED
BLK.	BLOCK	EXT.	EXTENDING	PROF	PROPERTY
B.LG.	BUILDING	F.B.	FACE OF BRICK	QTY	QUANTITY
B.M.	BENCH MARK	FRD	FURNISHED BY OTHERS	RM	ROOM
BD.	BOTTOM	F.D.	FLOOR DRAIN	RSL	RESILIENT
BSG.	BEARING	FDN.	FOUNDATION	RTG	RETAINING
BRK.	BREAK	F.E.	FIRE EXTINGUISHER	SHT	SHEET
CABT.	CABINET	F.E.C.	FIRE EXTING. CABINET	SM.	SIMILAR
C.F.	CONTRACTOR FURNISHED	FINISH	FINISH	SSL	STAINLESS STEEL
C.I.	CONTRACTOR INSTALLED	FRNT.	FRONT	STL	STEEL
CJ	CORNER GUARD	FL	FLOOR	STRUC.	STRUCTURAL
C.J.	CONTROL JOINT	FLASH.	FLASHING	SUSP.	SUSPENDED
CL	CENTER LINE	GRD.	GRADE	TYP.	TYPICAL
C.L.G.	CEILING	GA.	GAUGE	V.F.F.	VERY IN FIELD
CMU	CONCRETE MASONRY UNIT	GL	GLASS/GLAZING	WD.	WOOD
COL.	COLUMN	GLV.	GALVANIZED STEEL		
CNC	CONCRETE	GWB	GYPSPUM WALL BOARD		
CONT.	CONTINUOUS	GYP.	GYPSPUM		
CONV.	CONVECTOR	HT	HEIGHT		
CONTR.	COUNTER	HM	HOLLOW METAL		
CPT.	CABINET	HVAC	HEATING, VENTILATING		
C.T.	CERAMIC TILE	HT	HOT WATER LINE		
OW	COLD WATER LINE	INSUL.	INSULATION		
DBL.	DOUBLE				

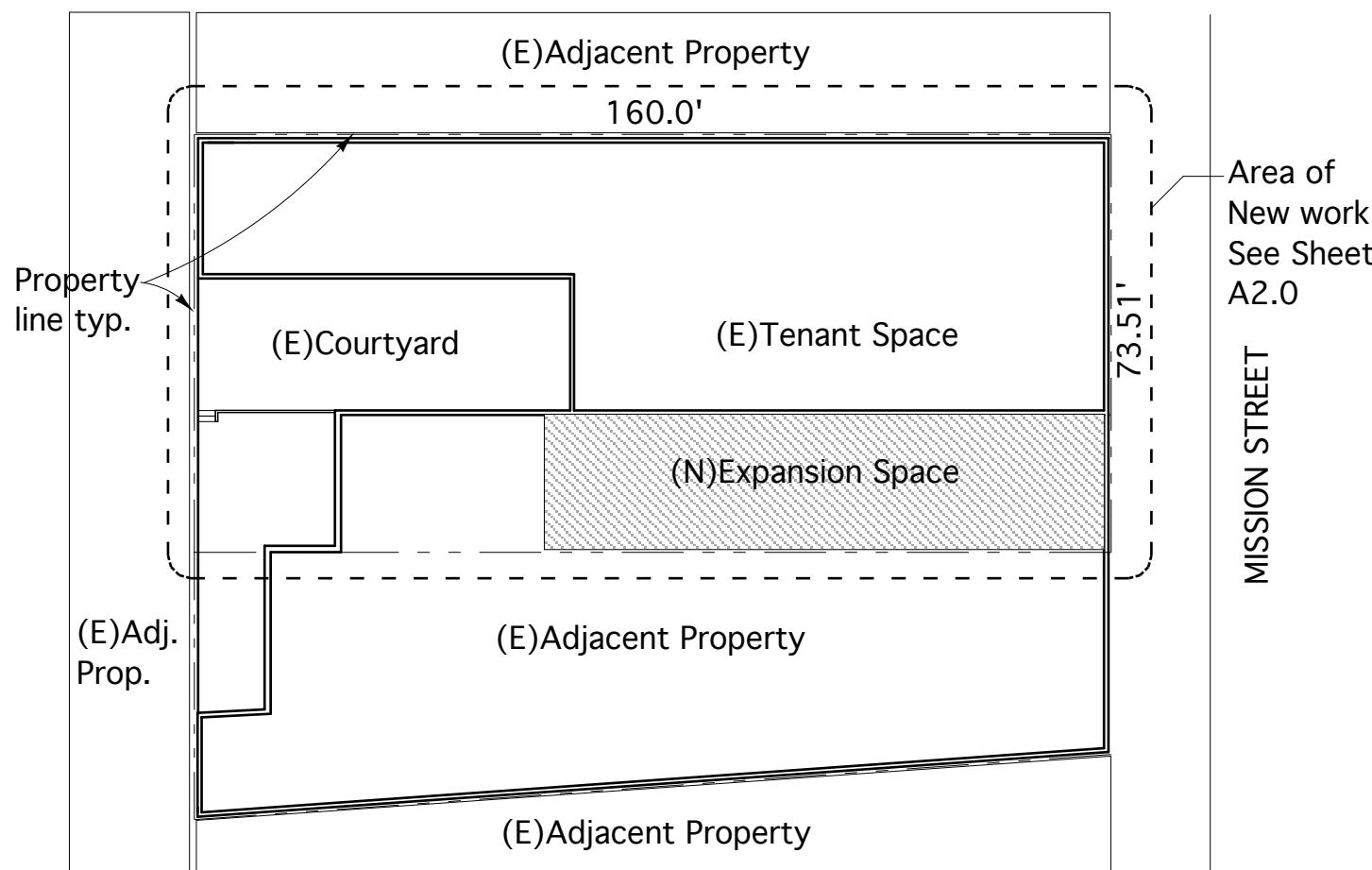
#### 5 ABBREVIATIONS

Project Address: 2534 Mission Street; San Francisco, CA 94110  
Block Number: 3616 Lot Number: 211  
Applicable Codes include 2016 California Building Code (CBC), 2016 California Residential Code (CRC), 2016 California Electrical Code (CEC), 2016 California Mechanical Code (CMC), 2016 California Plumbing Code (CPC), 2016 California Energy Efficiency Standards Code (CEES), 2016 California Fire Code (CFC), 2016 California Green Building Standards Code (CGBS or CALGreen) and 2016 California Historical Building Code (CHBC)

Project Description: Proposed work includes expansion of an existing restaurant with a change in use of an existing retail space and interior renovation.

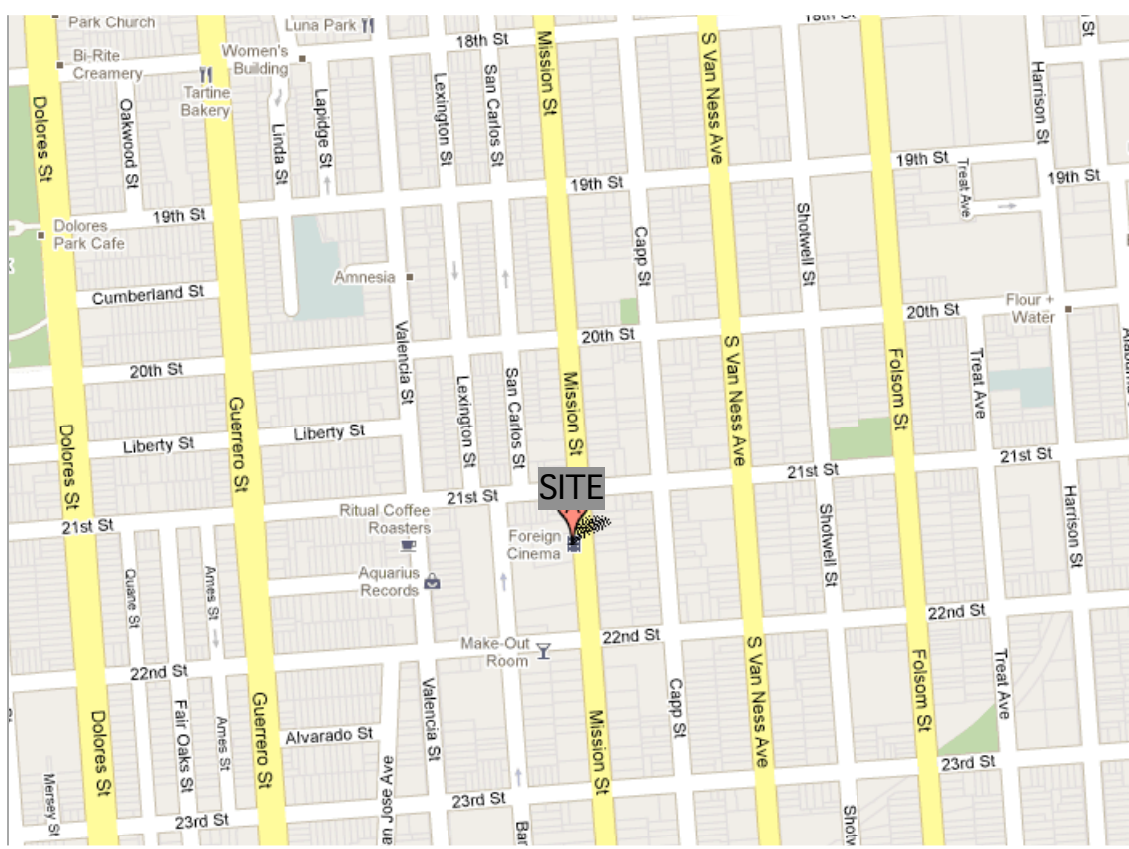
Zoning: NCT  
Construction Type: Type III-B (fully sprinkled)  
Occupancy Class: A-2  
Client: Variety Lights dba Foreign Cinema  
Architect: PRAXIS Architects  
Post Office Box 291; Monte Rio, CA 95462  
tel: 707-869-9595

#### 3 PROJECT DESCRIPTION



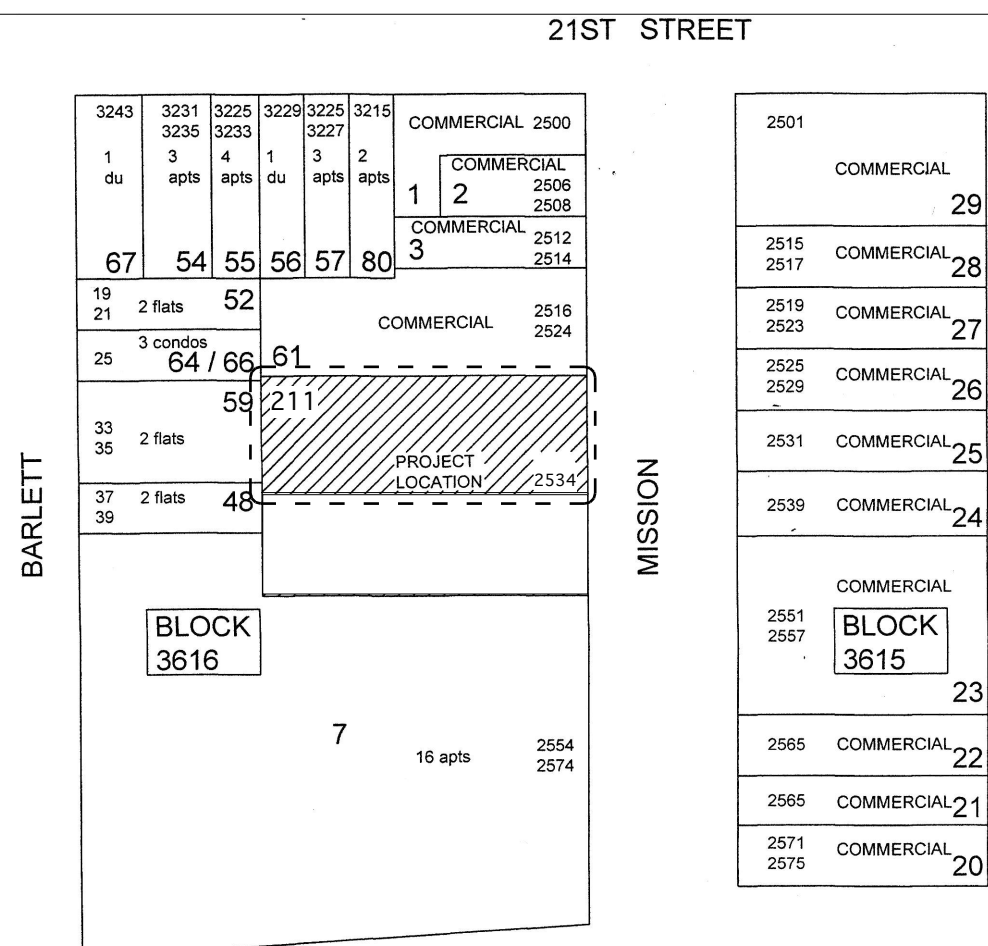
#### 4 PLOT MAP

1/32"=1'-0"

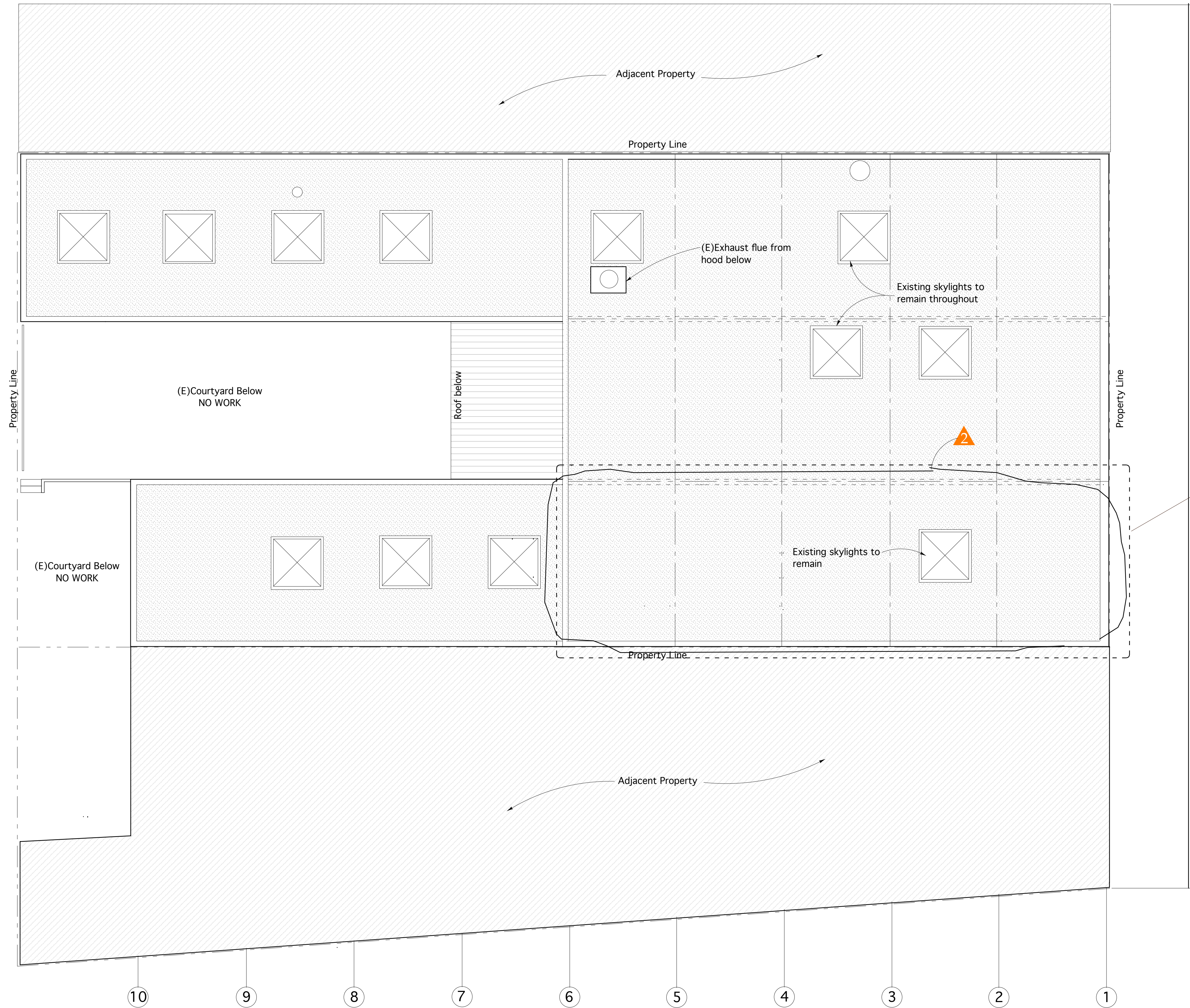


#### 1 VICINITY MAP

Not to scale



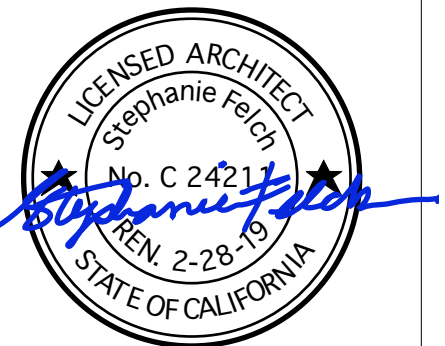




Note:  
Scope of work this permit  
See Sheet (A2.1) - Detail #1 for additional  
information

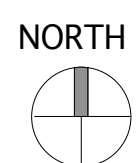
- REVISIONS:
- 1 Revision #1  
May 12, 2016
  - 2 Revision #2  
May 8, 2017

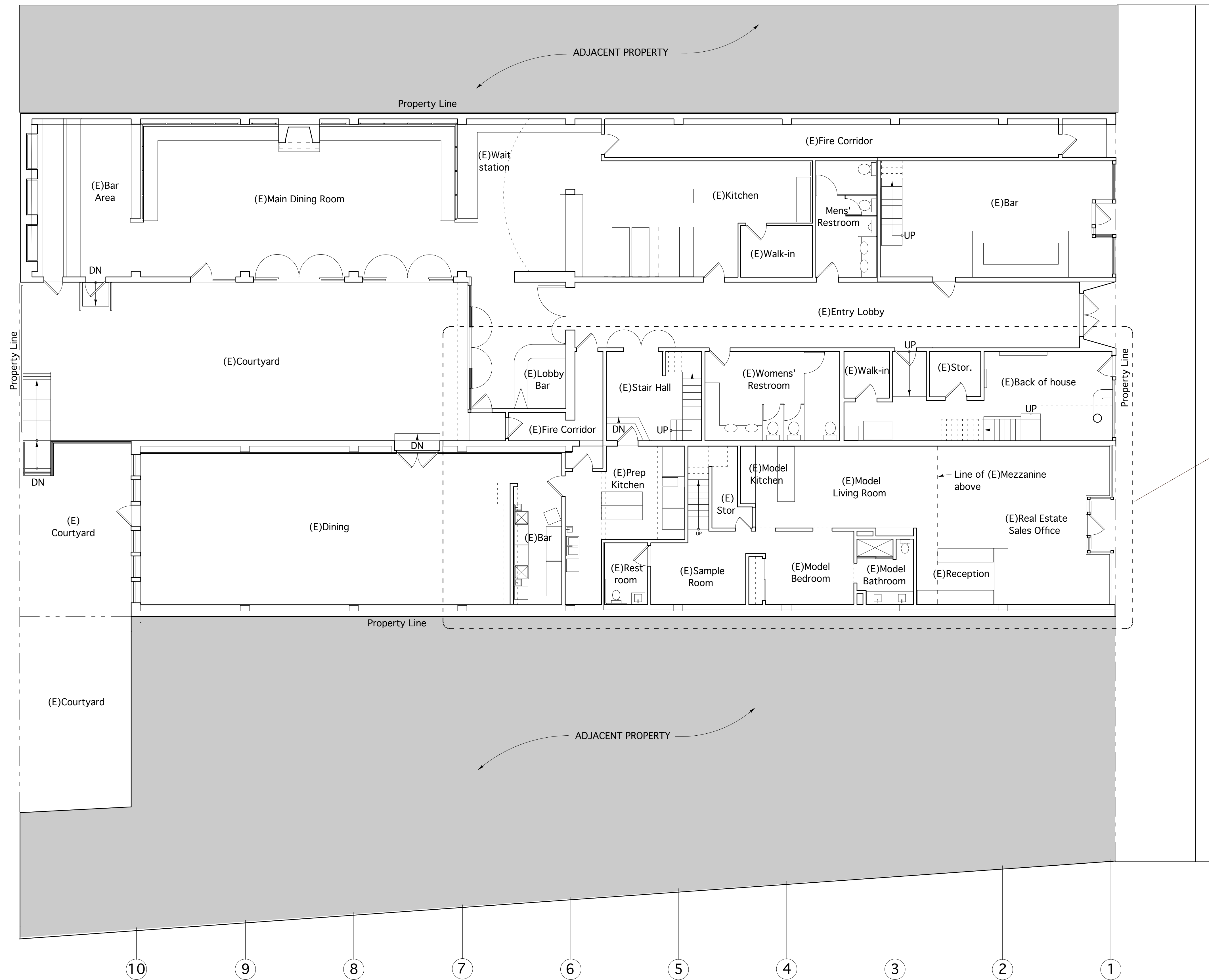
project  
Restaurant Expansion  
Interior Renovation  
2534 Mission Street  
San Francisco, CA  
9 4 1 1 0



print date:  
CUA Revision 12 May 2016  
CUA Revision 8 May 2017

Existing  
Site Plan  
A0.2  
sheet number





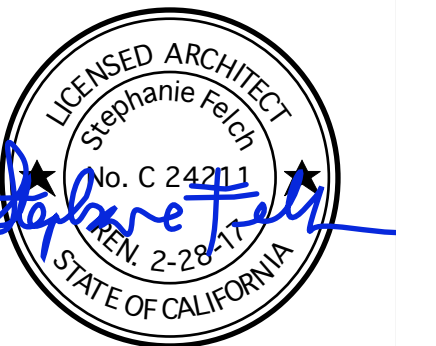
Note:  
Scope of work this permit  
See Sheet A2.0 - Detail #1 for additional  
information

REVISIONS:

1

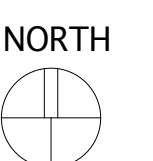
project

Restaurant Expansion  
Interior Renovation  
2534 Mission Street  
San Francisco, CA  
9 4 1 1 0



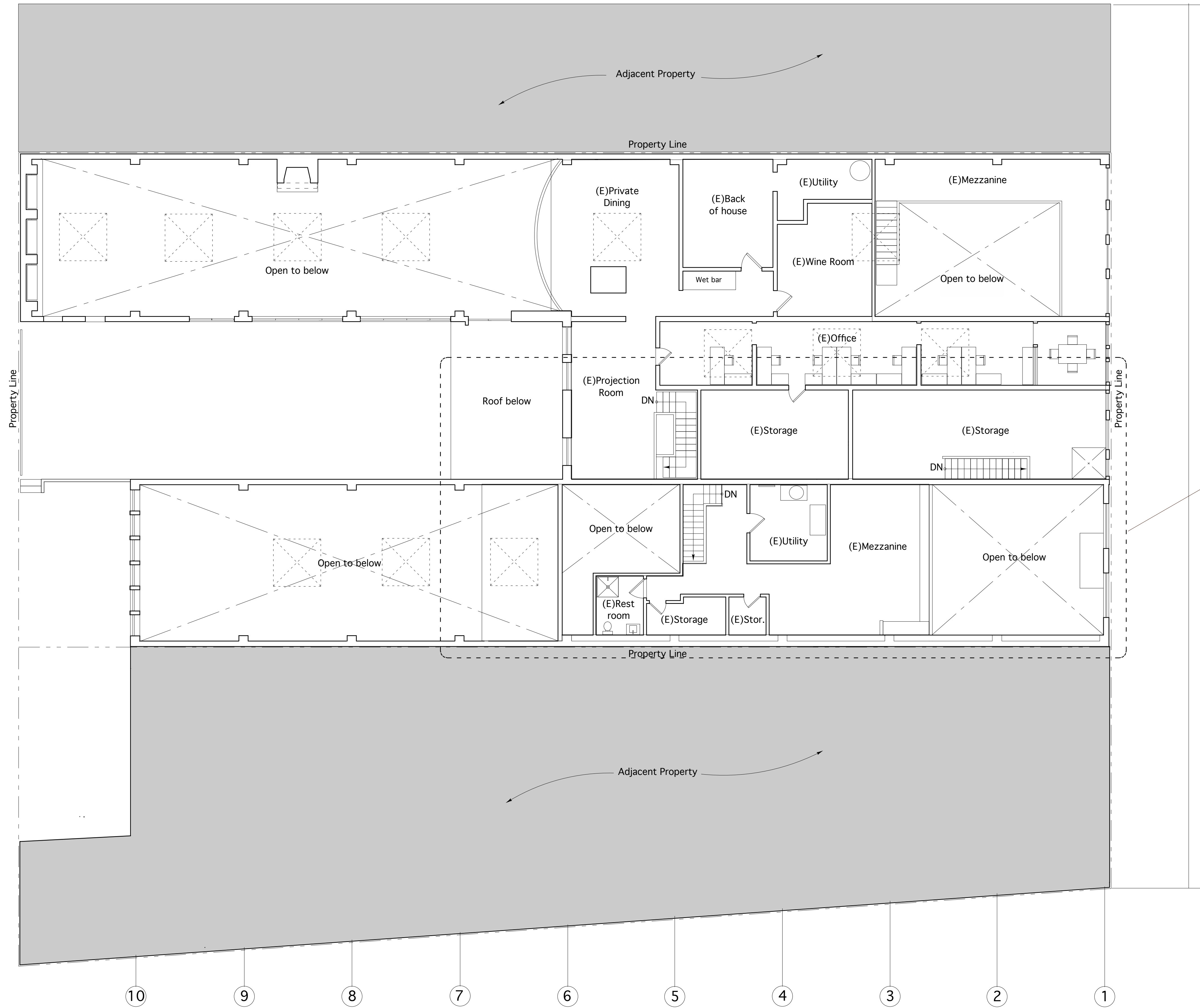
print date:

CUA Intake 25 Feb 2016



Existing  
First Floor Plan

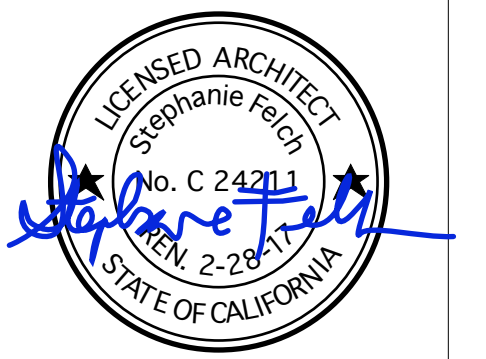
**A0.3**  
sheet number



Note:  
Scope of work this permit  
See Sheet A2.1 - Detail #1 for additional  
information

REVISIONS:  
1

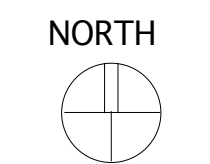
project  
Restaurant Expansion  
Interior Renovation  
2534 Mission Street  
San Francisco, CA  
9 4 1 1 0



print date:  
CUA Intake 25 Feb 2016

Existing  
Second Floor Plan

**A0.4**  
sheet number



1/8"=1'-0"





4 VIEW OF MAIN DINING ROOM



3 VIEW OF EXTERIOR COURTYARD



2 VIEW OF NORTH WALL OF EXTERIOR COURTYARD



1 VIEW OF EXTERIOR COURTYARD LOOKING EAST



VIEW TOWARD PROPERTY FROM SOUTH ON MISSION



VIEW TOWARD PROPERTY FROM ACROSS MISSION



VIEW TOWARD PROPERTY FROM NORTH ON MISSION

5 VIEWS OF SUBJECT PROPERTY FROM MISSION STREET

REVISIONS:

1

project

Restaurant Expansion  
Interior Renovation  
2534 Mission Street  
San Francisco, CA  
9 4 1 1 0



print date:

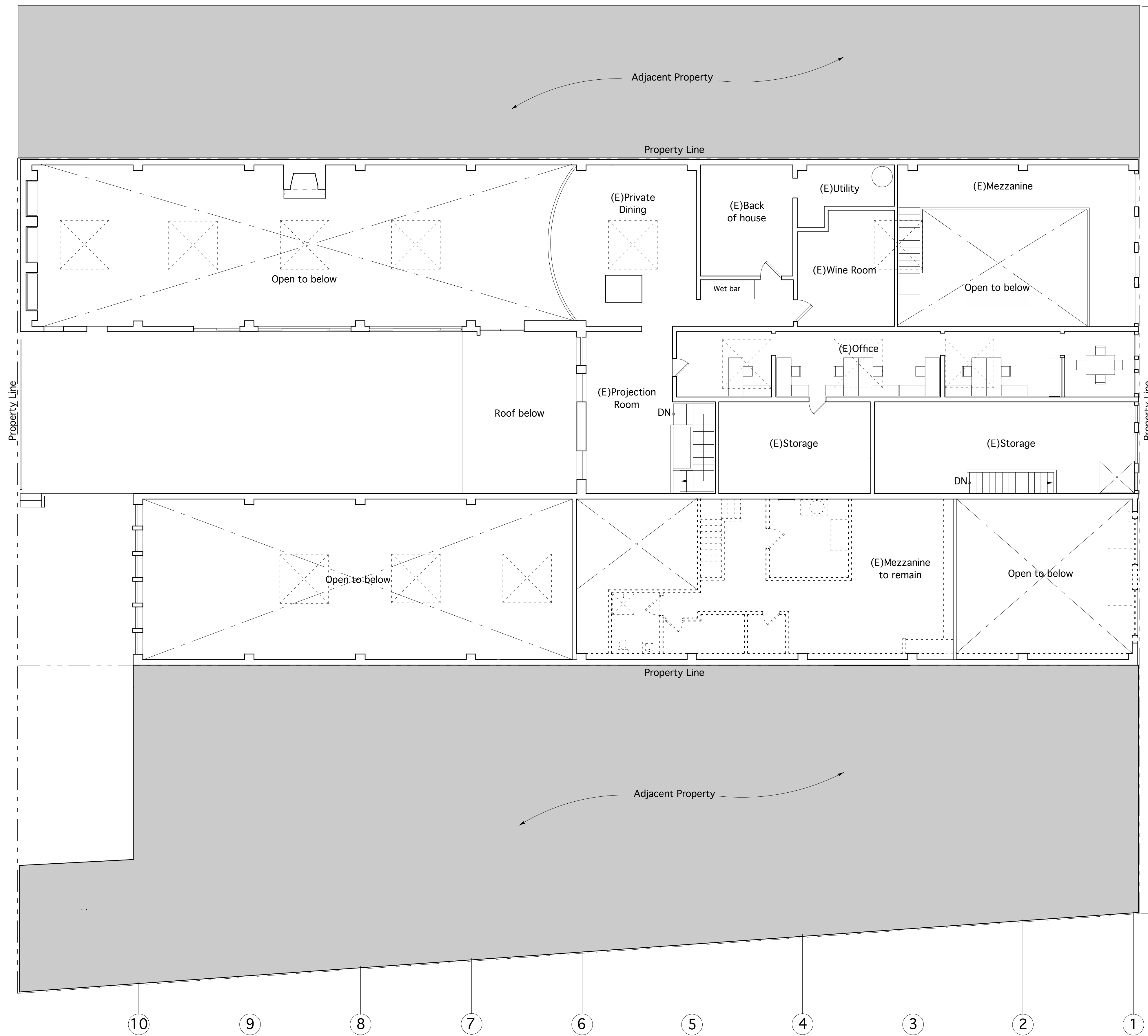
CUA Intake 25 Feb 2016

Existing  
Photographs

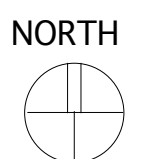
A0.5  
sheet number





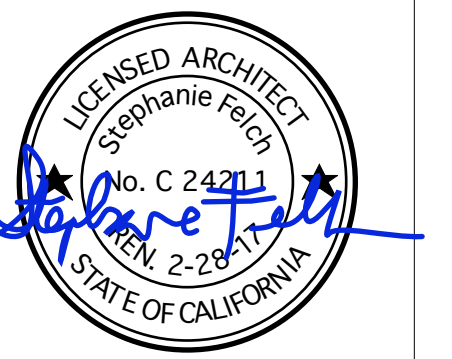


WALL LEGEND	
	Remove (E) non-rated wall assembly
	Existing non-rated wall to remain
	Remove (E) door, window, fixture, etc.
	Object above



REVISIONS:  
1

project  
Restaurant Expansion  
Interior Renovation  
2534 Mission Street  
San Francisco, CA  
9 4 1 1 0



print date:  
CUA Intake 25 Feb 2016







REVISIONS:

- 1 Revision #1  
May 12, 2016
- 2 Revision #2  
May 8, 2017
- 3 Revision #3  
Aug 4, 2017

2

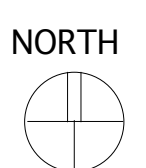
project

Restaurant Expansion  
Interior Renovation  
2534 Mission Street  
San Francisco, CA  
9 4 1 1 0



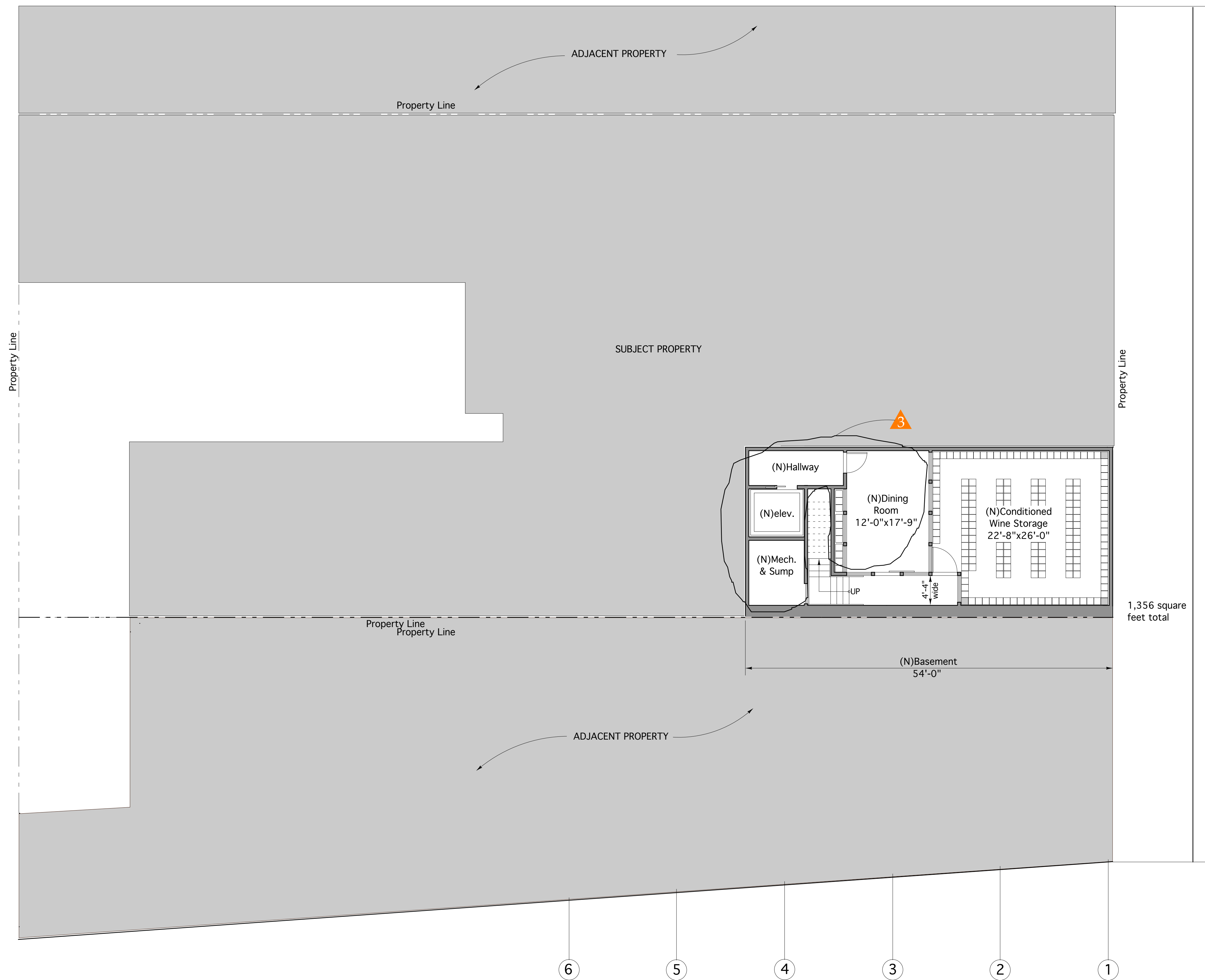
print date:

CUA Intake 25 Feb 2016  
CUA Revision 12 May 2016  
CUA Revision 8 May 2017  
CUA Revision 4 Aug 2017



Proposed  
Second Floor Plan

**A2.1**  
sheet number



- REVISIONS:
- 1 Revision #1  
May 12, 2016
  - 2 Revision #2  
May 8, 2017
  - 3 Revision #2  
Aug 4, 2017

2 project  
Restaurant Expansion  
Interior Renovation  
2534 Mission Street  
San Francisco, CA  
9 4 1 1 0



print date:  
CUA Intake 25 Feb 2016  
CUA Revision 12 May 2016  
CUA Revision 8 May 2017  
CUA Revision 4 Aug 2017

REVISIONS:

- 1 Revision #1  
May 12, 2016  
2 Revision #2  
May 8, 2017

2 project

Restaurant Expansion  
Interior Renovation  
2534 Mission Street  
San Francisco, CA  
9 4 1 1 0

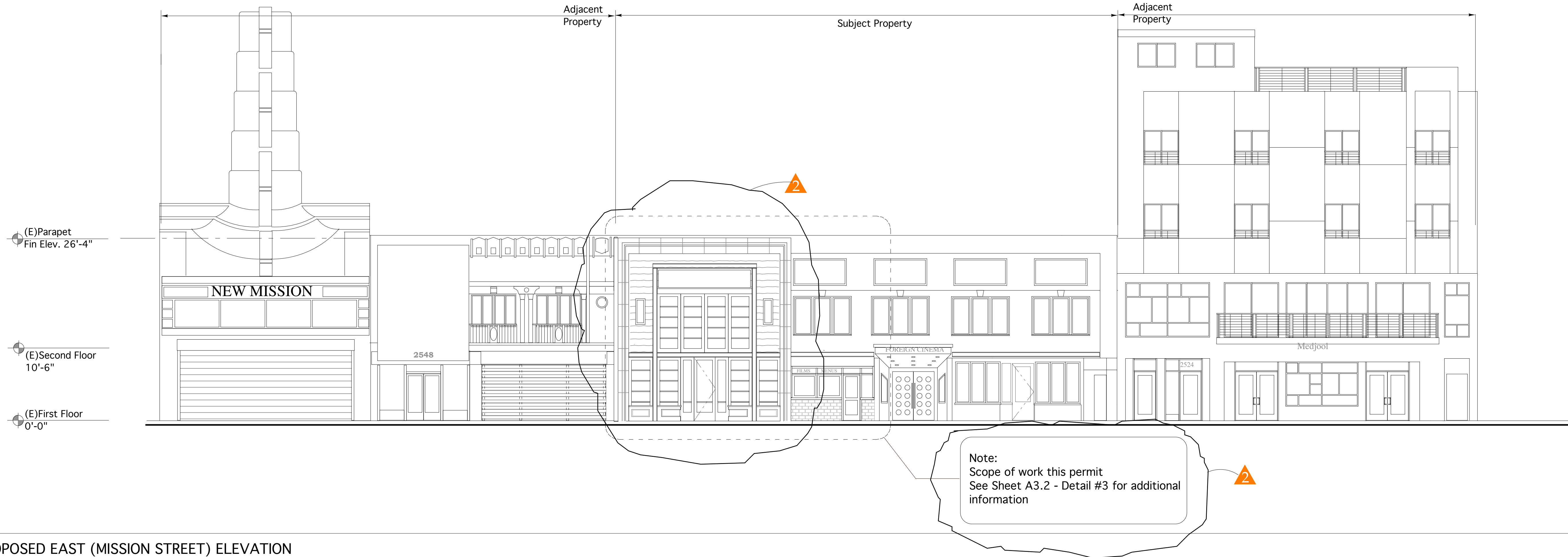


print date:

CUA Intake 25 Feb 2016  
CUA Revision 12 May 2016  
CUA Revision 8 May 2017

Existing and  
Proposed  
Street Elevations

**A3.0**  
sheet number

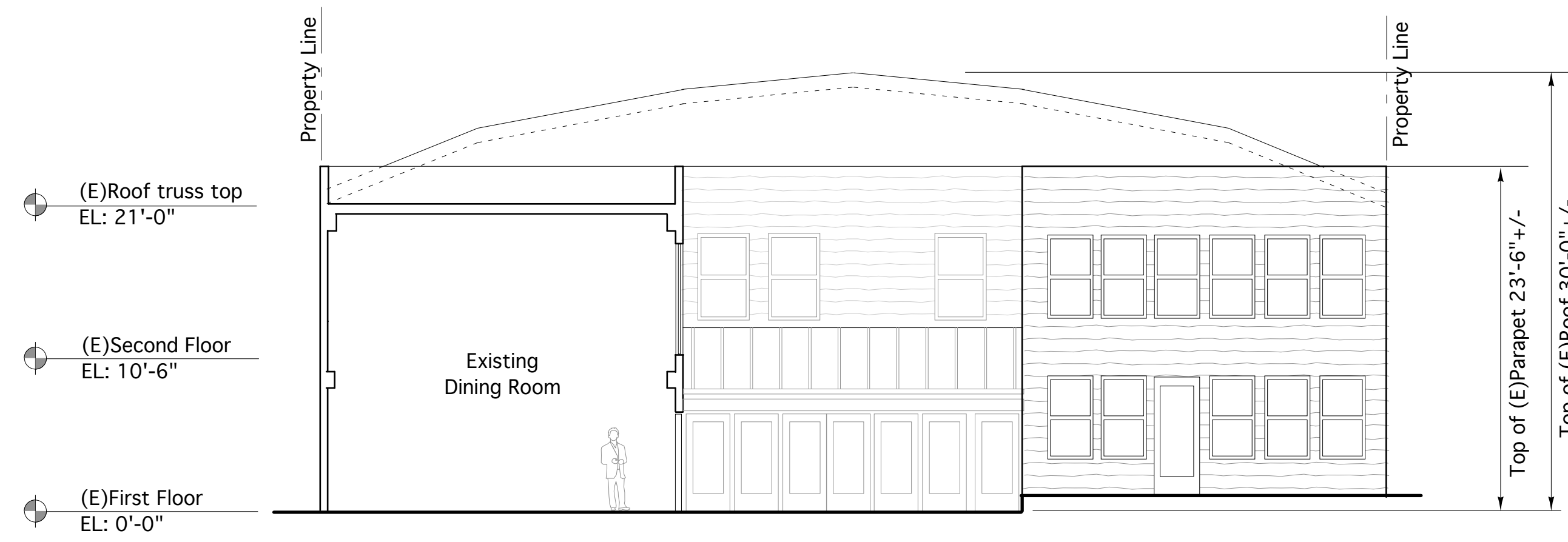


1 PROPOSED EAST (MISSION STREET) ELEVATION



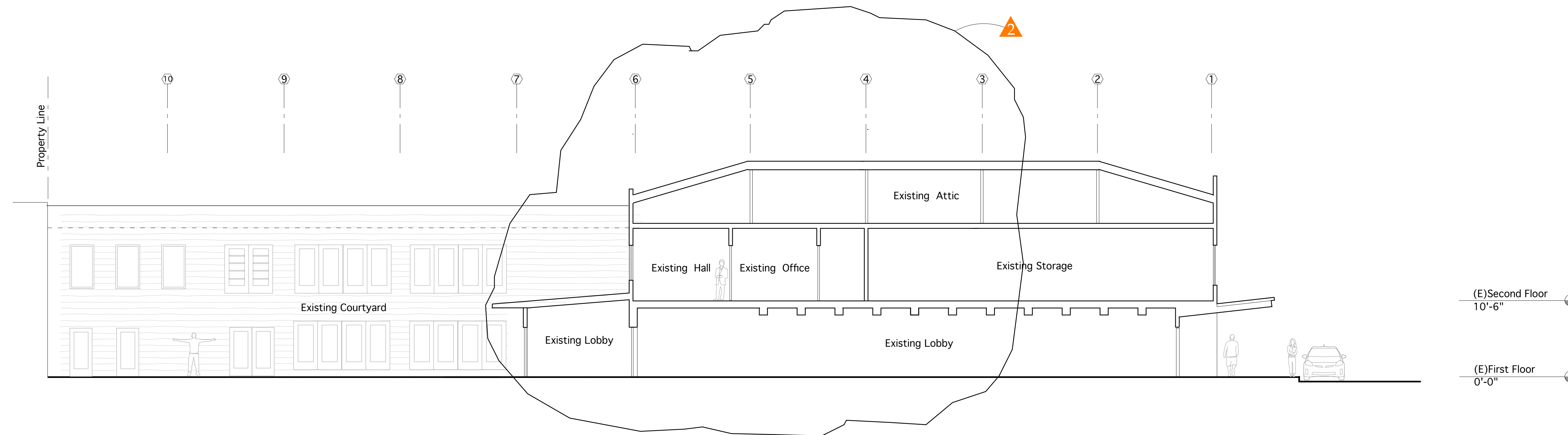
2 EXISTING EAST ELEVATION - FOR REFERENCE ONLY





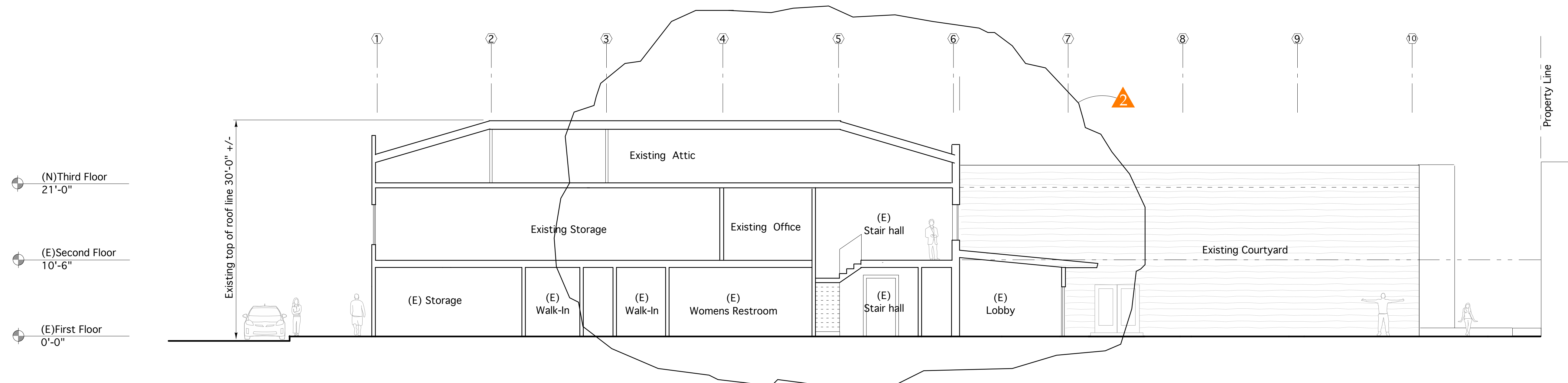
1 EXISTING COURTYARD ELEVATION (WEST) (NO WORK FOR REFERENCE ONLY)

1/8"=1'-0"



1 EXISTING COURTYARD ELEVATION (NORTH) AND SECTION AT EXISTING ENTRY CORRIDOR (NO WORK FOR REFERENCE ONLY)

1/8"=1'-0"



2 EXISTING COURTYARD ELEVATION (SOUTH) AND SECTION THROUGH EXISTING STAIR HALL (NO WORK FOR REFERENCE ONLY)

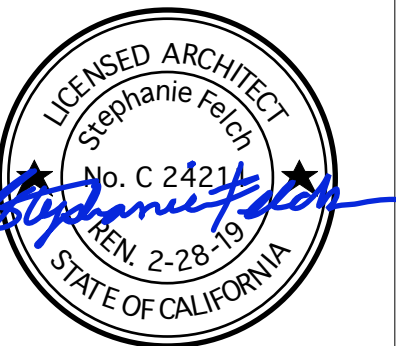
1/8"=1'-0"

REVISIONS:

- 1 Revision #1  
May 12, 2016
- 2 Revision #2  
May 8, 2017

2 project

Restaurant Expansion  
Interior Renovation  
2534 Mission Street  
San Francisco, CA  
9 4 1 1 0

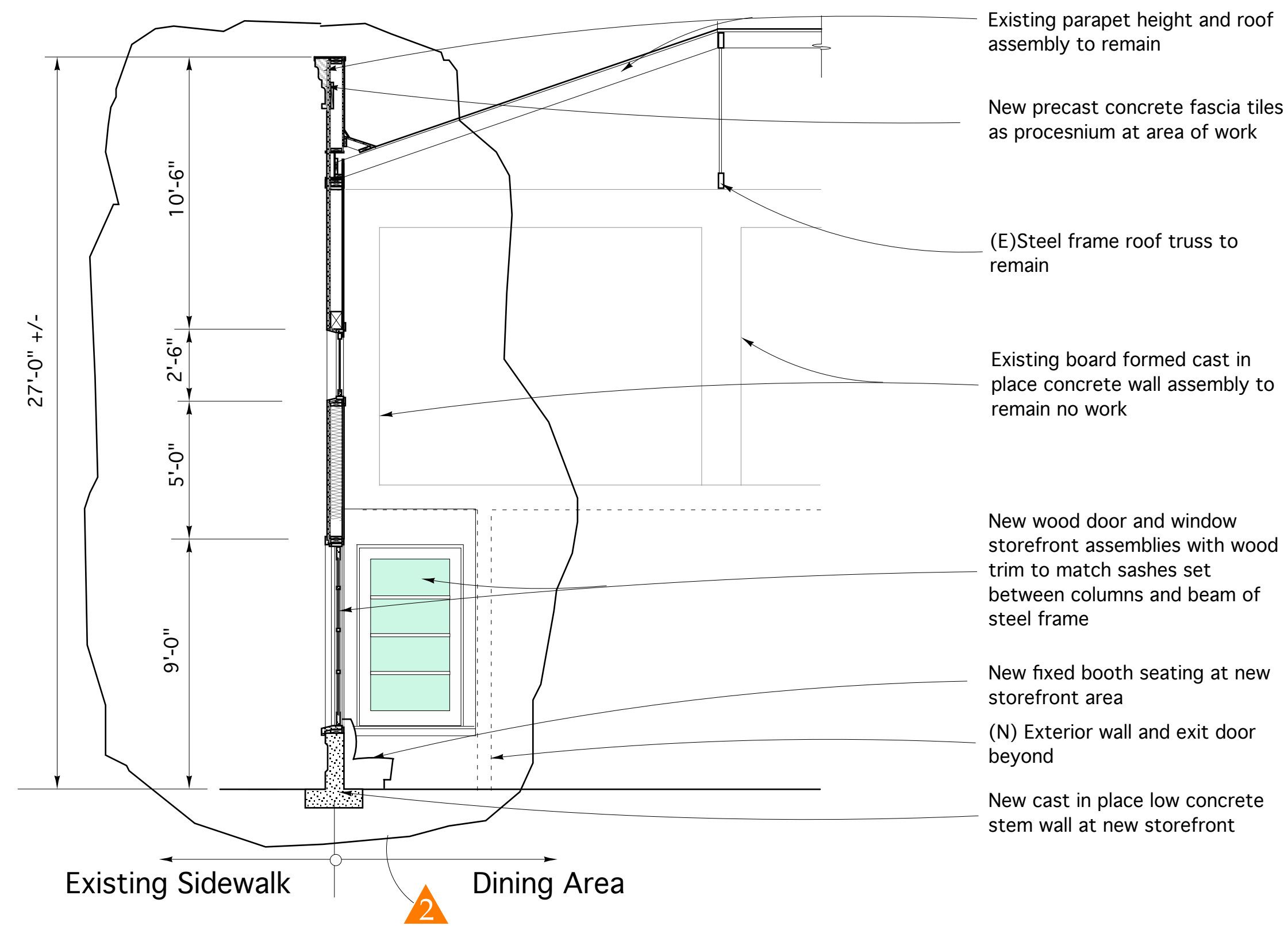


print date:

CUA Revision 12 May 2016  
CUA Revision 8 May 2017

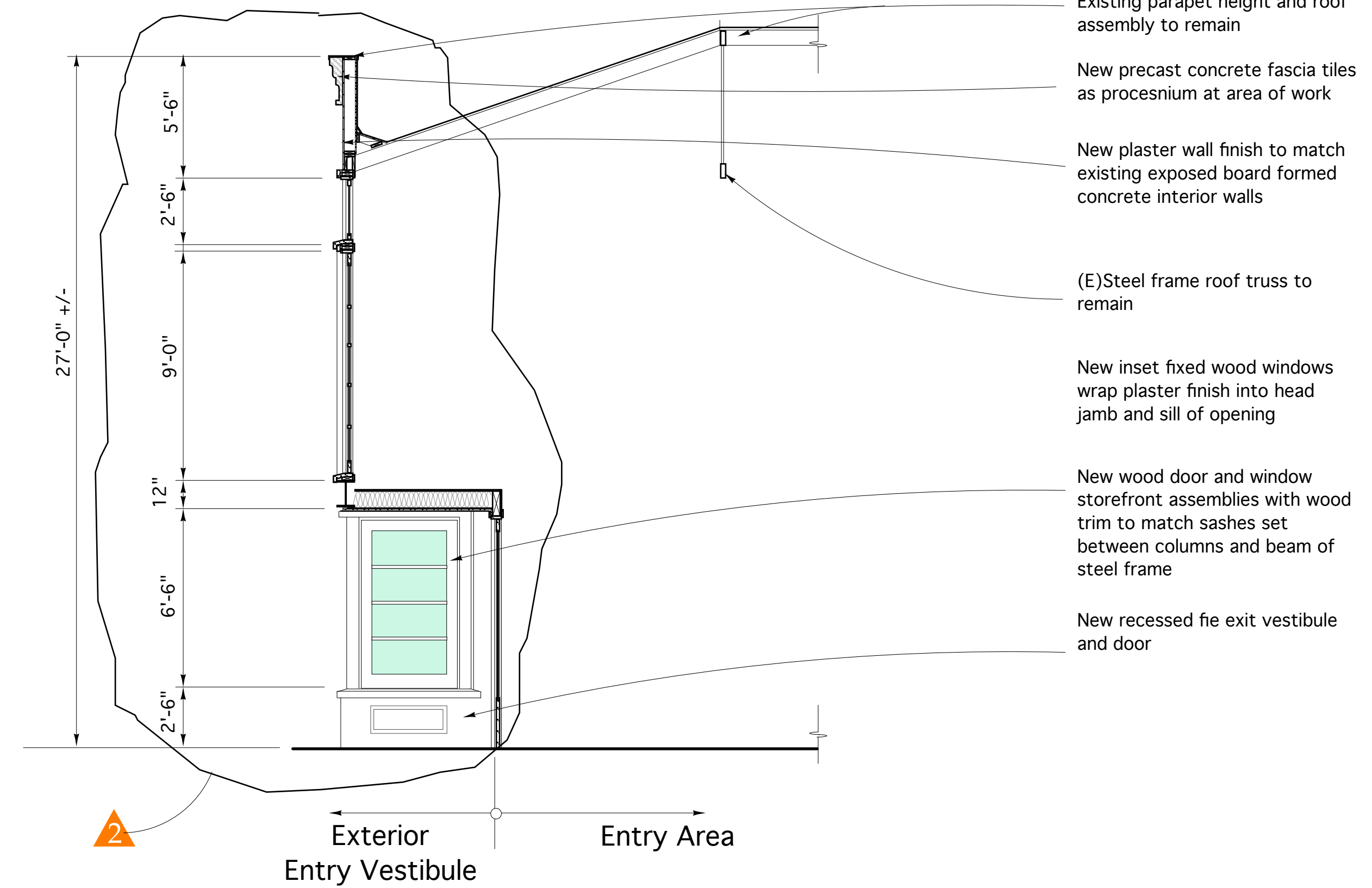
Existing Courtyard  
Elevations  
North, South  
& West

**A3.1**  
sheet number



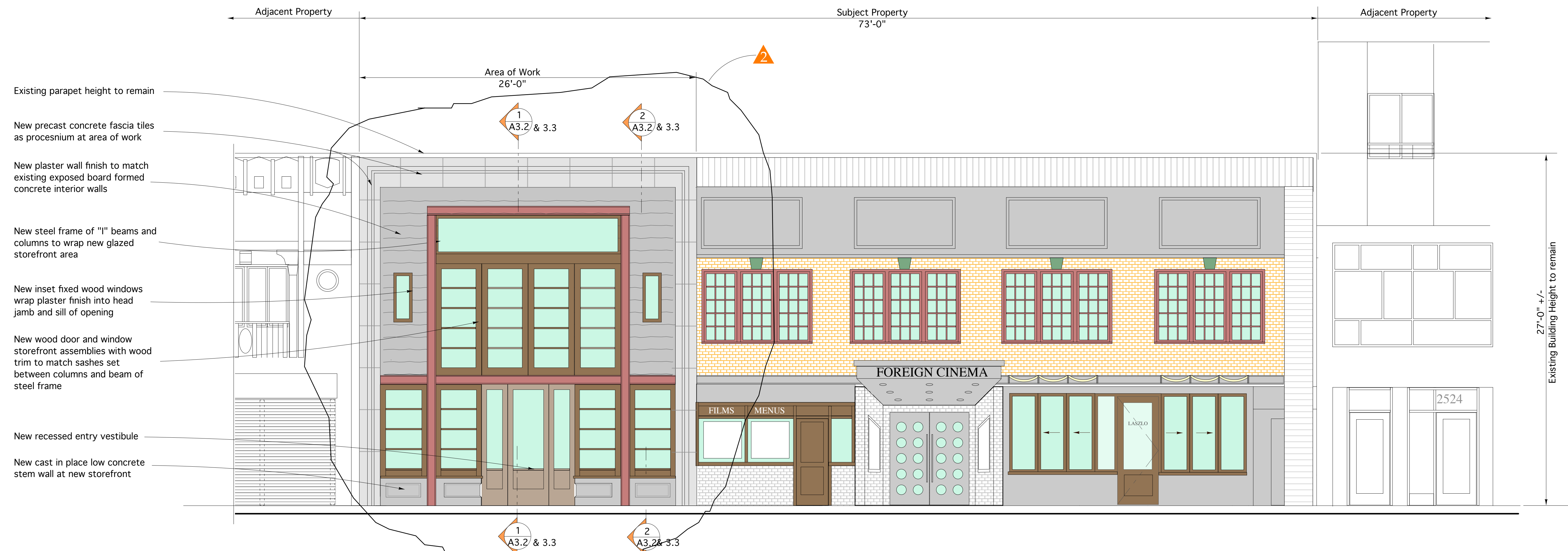
2 PARTIAL BUILDING SECTION AT NEW STOREFRONT

1/4"=1'-0"



1 PARTIAL BUILDING SECTION AT NEW ENTRY VESTIBULE

1/4"=1'-0"



3 PROPOSED EAST (MISSION STREET) ELEVATION

1/4"=1'-0"

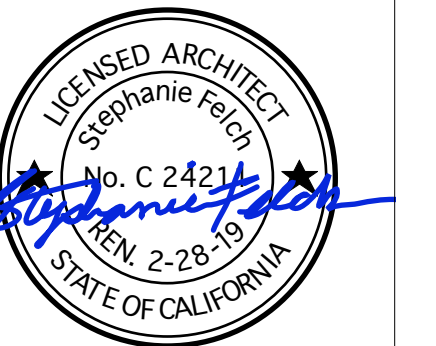
REVISIONS:

- 1 Revision #1  
May 12, 2016
- 2 Revision #2  
May 8, 2017



project

Restaurant Expansion  
Interior Renovation  
2534 Mission Street  
San Francisco, CA  
9 4 1 1 0



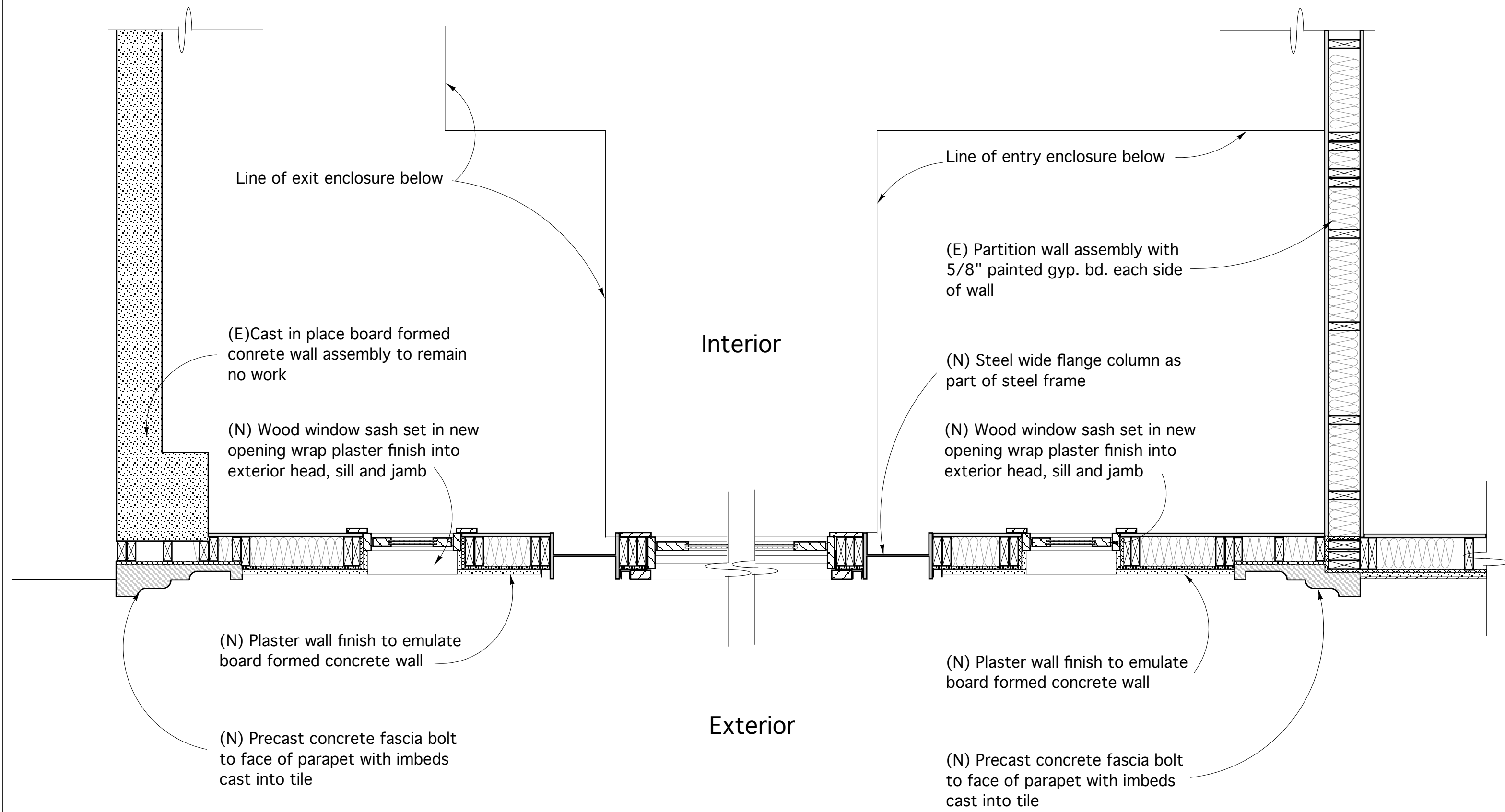
print date:

CUA Intake 25 Feb 2016  
CUA Revision 12 May 2016  
CUA Revision 8 May 2017

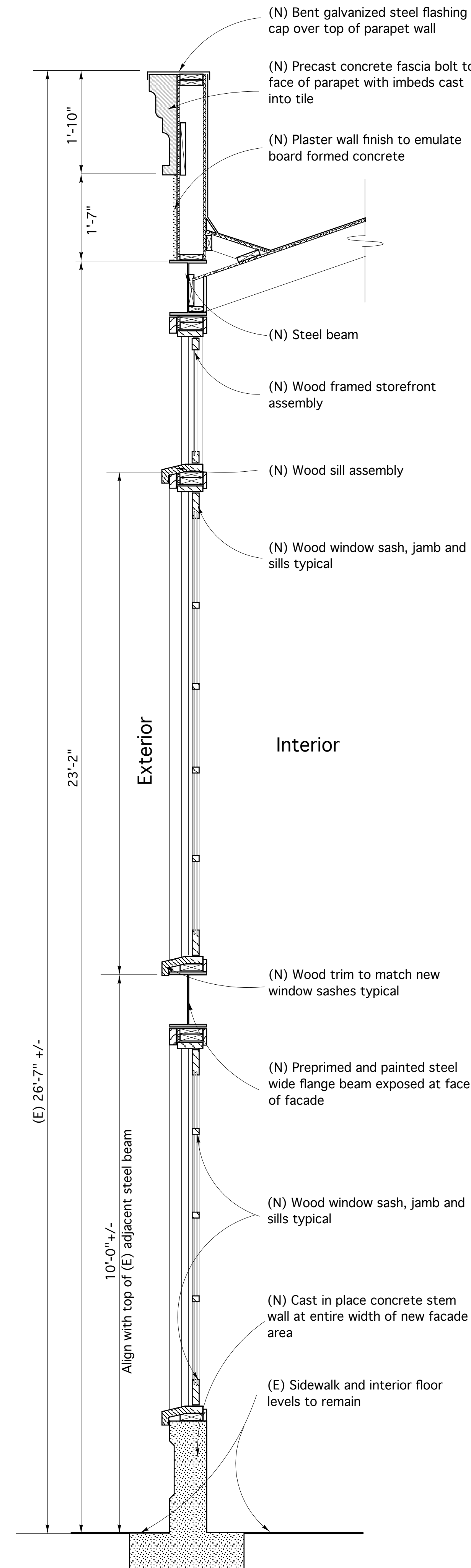
Proposed East  
Elevation &  
Building Sections  
at Storefront

**A3.2**  
sheet number

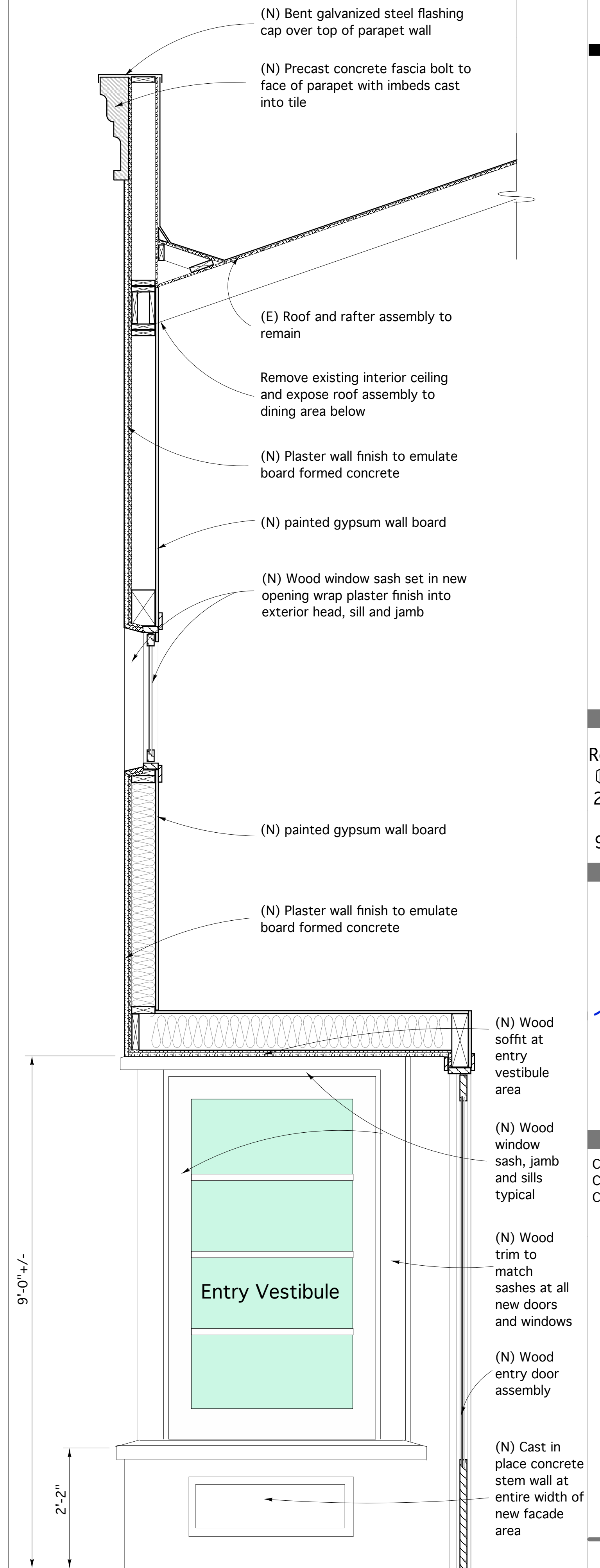




3 DETAILED PLAN AT UPPER LEVEL OF STOREFRONT/FACADE 3/4"=1'-0"



2 SECTION AT STOREFRONT 3/4"=1'-0"



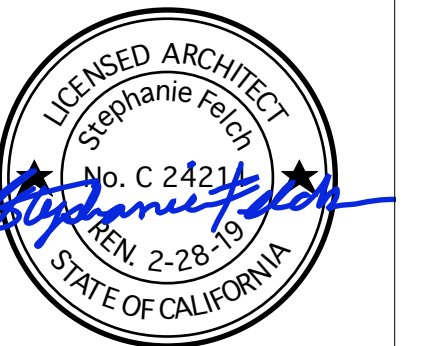
1 DETAILED SECTION AT ENTRY VESTIBULE 3/4"=1'-0"

REVISIONS:

- 1 Revision #1  
May 12, 2016
- 2 Revision #2  
May 8, 2017

project

Restaurant Expansion  
Interior Renovation  
2534 Mission Street  
San Francisco, CA  
9 4 1 1 0



print date:

CUA Intake 25 Feb 2016  
CUA Revision 12 May 2016  
CUA Revision 8 May 2017

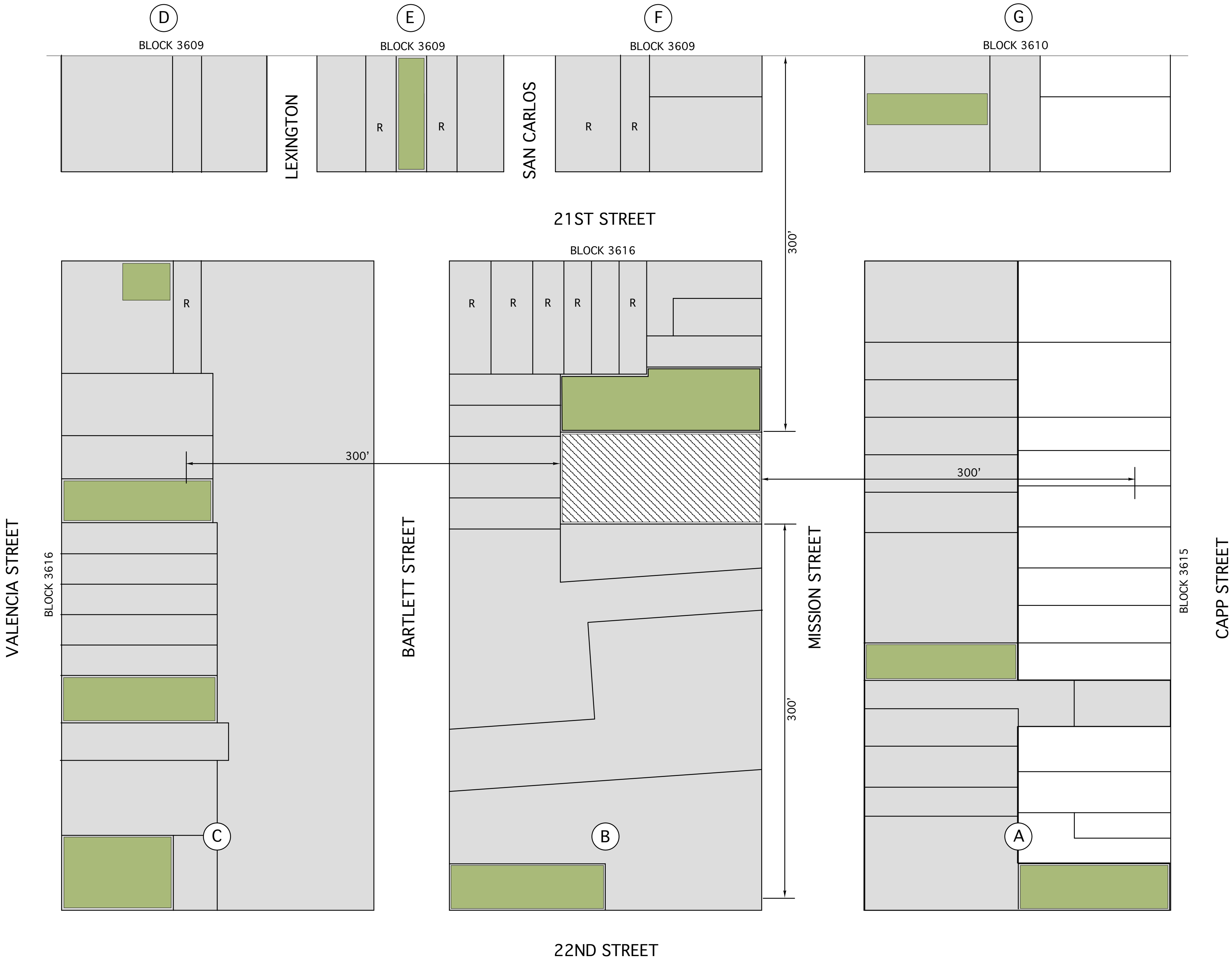
Details at  
Storefront & Entry  
Areas

**A3.3**  
sheet number

# Eating & Drinking Concentration Survey

Conditional Use Authorization Hearing  
Case Number 2016-002572CUA  
2534 Mission Street

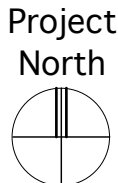




TONE & SYMBOL LEGEND	
symbol	description
	Indicates lot in different zoning district
	Indicates NCT zoning district
	Indicates Subject Property
	Indicates residential lot (not included in calcs)
	Indicates Eating and Drinking street frontage
	Indicates Block reference in calculations

COMMERCIAL FRONTAGE CALCULATIONS			
block	existing commercial frontages	block	eating & drinking frontages
(A)	965 lineal feet	(A)	192.5 lineal feet
(B)	1,314.5 lineal feet	(B)	250.5 lineal feet
(C)	1,540 lineal feet	(C)	251.5 lineal feet
(D)	350 lineal feet	(D)	0 lineal feet
(E)	286 lineal feet	(E)	25 lineal feet
(F)	183 lineal feet	(F)	0 lineal feet
(G)	233 lineal feet	(G)	25 lineal feet
Total	4,871.5 lineal feet	Total	744.5 lineal feet

Under Planning Code Section 303(o), the eating and drinking use concentration within 300' from the proposed restaurant expansion should not exceed 25% of the total commercial frontage. The resulting concentration of use survey indicates that the percentage with the proposed restaurant expansion is 15.3%.



1"=50'

REVISIONS:  
1

project  
Restaurant Expansion  
Interior Renovation  
2534 Mission Street  
San Francisco, CA  
9 4 1 1 0

print date:  
Planning Submit \* Aug 2017

Existing  
Concentration of  
Eating & Drinking  
Uses  
A0.6  
sheet number

# Foreign Cinema Support



San Francisco Planning Commission  
1 Dr. Carlton B. Goodlett Place  
Room 400 City Hall  
San Francisco, CA 94102-4689  
Attn: Planning Commission Board Members

November 3, 2017

Subject: Conditional Use Application 2016-002572 CUA  
Project: **Proposed Restaurant Expansion Interior Renovation**  
located at 2534 Mission Street; San Francisco, CA 94110

Dear Members of the Planning Commission,  
Our clients, the Foreign Cinema dba Variety Lights and Feed Bag Inc. the property owner have requested that we provide you with additional information to help support the Proposed Project as submitted.

The following is a list of local companies, non-profit organizations and advocacy groups that the Foreign Cinema has demonstrated community support:

Bethany Senior Center  
Dine out for Life  
Casa del Las Madras  
Kids Smart  
Little Kids Rock  
San Francisco Rock Project  
Huckleberry Youth Project  
World Central Kitchen  
Dinner a la Heart – San Francisco Institute on Aging  
Harvey Milk Civil Rights Academy  
Farmer's Market Collective  
LGBT Center  
Mission Local  
Meals on Wheels

Please see Letters of support that include:

Human Rights Campaign  
Sisters of Perpetual Indulgence  
Mission Graduates  
Lyric – Center for LGBTQ Youth  
Magnum PR  
Noe Valley Nursery School

Please see the list of Community Donations from 2014 – 1st half of 2015 in the form of gift certificates.

Please see the list of honors that include:

San Francisco City Proclamation by Mayor Ed Lee proclaiming September 18th, 2014 to be "Foreign Cinema Day" based on celebrating its 15 year anniversary of being in business.





Conditional Use Application 2016-002572 CUA  
Planning Commission Hearing November 16, 2017  
Page Two of Two

November 3, 2017

List of honors continued:

Certificate of Recognition from the California State Senate from Senator Mark Leno congratulating the Foreign Cinema on its 15th anniversary.

Certificate of Recognition from the California State Assembly from Representative David Chiu congratulating the Foreign Cinema on its 18th anniversary.

Please approve the Conditional Use Application as submitted and we thank you for taking this additional information under consideration.

Sincerely,

A handwritten signature in blue ink that reads "Stephanie Felch". The signature is written in a cursive, flowing style.

Stephanie Felch, Project Architect  
PRAXIS Architects

FC-support.3nov2017





The  
Sisters  
of Perpetual  
Indulgence, Inc.®

584 Castro St., PMB392, San Francisco, CA 94114

October 31<sup>st</sup>, 2017

To: The Planning Commission

Re: Conditional Use Permit for 2540 Mission St.

To whom it may concern:

The Sisters of Perpetual Indulgence, Inc. would like to express our support for a Conditional Use Permit to be granted to John Clark for 2540 Mission St.

John Clark and his team at Foreign Cinema have contributed generously to the community over the years. They've hosted numerous events in which the Sisters have participated.

John and his team have a long history in the neighborhood. I believe their expansion plans would be an enhancement to this neighborhood and trust they will continue to work with us and others building community in San Francisco.

Best regards,

James Bazydola  
Sr Selma Soul  
Board Chair, SPI Inc.  
Ph.415-439-9604



November 2, 2018

To Whom It May Concern,

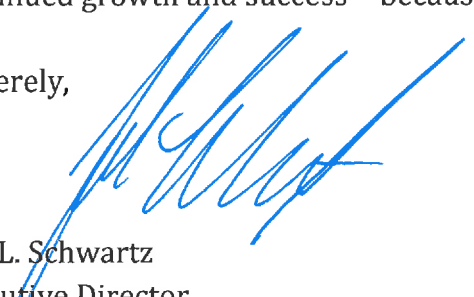
LYRIC (Lavender Youth Recreation and Information Center) would like to offer our support and appreciation for Foreign Cinema Restaurant. As our neighbor in the Mission District of San Francisco, Foreign Cinema has shown themselves as an exemplary member and strong supporter of the community. Their philosophy of improving where we live and work, by giving back to community is not a common practice with many businesses, but Foreign Cinema makes it a priority. We wish more organizations were as aware and generous in their endeavors.

We count on our partnerships with San Francisco residents and business to support LYRIC's Mission - to build community and inspire positive social change through education enhancement, career trainings, health promotion, and leadership development with LGBTQ youth, their families, and allies of all races, classes, genders, and abilities.

When Foreign Cinema held their 14 year anniversary fundraising event, they chose LYRIC as the beneficiary and invited several of our board members to participate in the event. Their generosity and support of us—as well as other groups and non-profits in the area—make it possible to do the important work we do and we can't thank them enough.

LYRIC offers our support to Foreign Cinema in their future endeavors and wish them continued growth and success—because when they succeed, so does our community.

Sincerely,



Jodi L. Schwartz  
Executive Director



October 30, 2017

To Whom It May Concern,

The San Francisco Bay Area Human Rights Campaign Steering Committee would like to pledge our support and appreciation for Foreign Cinema Restaurant. As our neighbor in the Mission District of San Francisco, Foreign Cinema has shown themselves as a standout member and huge supporter of the community. Their philosophy of improving where we live and work, by giving back is not a common practice with many businesses, but Foreign Cinema makes it a priority. We wish more organizations were as aware and generous in their endeavors.

Foreign Cinema recently held their 18 year anniversary fundraising event, of which our organization was the beneficiary. Their generosity and support of us—as well as other groups and non-profits in the area—make it possible to do the important work we do and we can't thank them enough.

In addition, Foreign Cinema employs over 130 members of the community, nurturing and inspiring those in the culinary arts. Some may strive to one day have their own businesses which may also support the community.

As volunteer leaders of the local SF Bay Area Steering Committee of the Human Rights Campaign, we fully endorse and support Foreign Cinema in all of their future endeavors and wish them continued growth and success—because when they succeed, so does our community.

Sincerely,  
Todd Hedgpeth & Matt Hendry  
Co-Chairs

SF Bay Area Steering Committee  
Human Rights Campaign



October 5th, 2017

**Board of Directors**

**Olga Lozovskaya**  
**President**  
Goldman Sachs

Luis Granados  
Mission Economic Development Agency  
2301 Mission Street, Suite 301  
San Francisco CA 94110

**Amelia M Martínez C.**  
**Vice President**  
Human Rights  
Commission of San  
Francisco

Dear Luis;

It is our pleasure to support our friends at Foreign Cinema in their expansion efforts. In their 18 years here in the Mission, Foreign Cinema has, time and time again, proven to be a strong ally to the Mission Community. As one of many community partners that Foreign Cinema supports, we have seen first-hand the positive impact that the staff of Foreign Cinema have in our community, and would welcome any expansion of their service.

**Lillian Chen**  
**Secretary**  
Snagajob

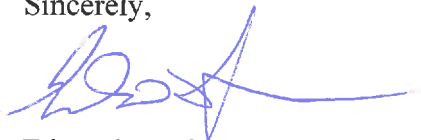
**Joey Castaneda**  
Susie Tompkins Buell  
Foundation

Our friends at Foreign Cinema have proven to be staunch community partners, receptive to the varying needs of the changing Mission landscape. They are a familiar face, in an ever-changing neighborhood, that offers not only stability to their partners, but opportunity for shared growth. If there is any additional information that you need, or any other support that we can offer, please don't hesitate to reach out at [eddie@missiongraduates.com](mailto:eddie@missiongraduates.com) or 415-864-5205 x801.

**Alberto Galindo**  
SummerSearch Institute

**Pete Gilligan**  
Google

Sincerely,



Edward Kaufman LCSW  
Executive Director

**Jen Hamilton**  
Business Consultant

**Kevin Isuiza**  
San Francisco State  
University

**Christine Nash**  
Elizabeth Nash  
Foundation

**Jewelea Rivas**  
Seven Tepees

**Edward Kaufman**  
**LCSW**  
Executive Director



# Noe Valley Nursery School

PO Box 31128, San Francisco, California 94131

(415) 647-2278

Tax ID #94-1681649

November 2, 2017

Dear SF Planning Department,

Noe Valley Nursery School is writing in support of Foreign Cinema. They are an outstanding neighbor and community leader. We are a non-profit cooperative preschool in the neighborhood and every year Foreign Cinema supports our fundraising efforts so that we can offer scholarships and play-based curriculum full of opportunities to explore nature, Spanish, art, friendship, and imagination to children of all financial backgrounds in our community. We treasure the diversity of our community and Foreign Cinema's support that helps our community thrive.

Sincerely,

A handwritten signature in black ink, appearing to read "Maya Kuttan".

Maya Kuttan

Noe Valley Nursery School Board Member



Date: November 2, 2017

Planning Department  
City and County of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

RE:     **2534 Mission Street**  
          **SF, CA 94110**  
          **Foreign Cinema**  
          **Permitting**

To Whom It May Concern:

I reside in close proximity to Foreign Cinema and Laszlo at **3826 17<sup>th</sup> Street Foreign Cinema** has been an invaluable supporter to the Mission neighborhood over its 18 years in business. They are a beacon for the community in the area and have brought about positive change through their fundraising and care for the Mission. I have always enjoyed visiting Foreign Cinema for dinner with my family and friends as the food is authentically San Francisco and is representative of the hard work, creativity, and stewardship of co-owners/co-chefs Gayle Pirie and John Clark.

I understand that owner Gayle Pirie and John Clark are seeking to build a wine bar in the building next to Foreign Cinema.

I strongly support Foreign Cinema because of their unyielding commitment to the neighborhood and their personal principals. Gayle and John are native to the Bay Area and have contributed to the diverse dining scene in San Francisco for decades. Foreign Cinema has been a cornerstone of the Mission District for almost two decades. Gayle and John and their staff have donated countless hours and dollars to the community of the Mission and are forever grateful to be located within such a vibrant community. In a place where things are ever-changing, Foreign Cinema remains a true San Francisco place and the addition of a wine bar will allow more people to enjoy in and learn about wine and the processes by which its made. The wine bar will have the same standards of sourcing and quality care of staff as Foreign Cinema has for more than 18 years.

I would like to express my support for the project and I urge the Planning Commission to approve the project as proposed.

Sincerely,  
Emily Rudisill

3826 17<sup>th</sup> Street  
SF, CA 94114

Organization	Ammount	Date	GC Number	Tax-ID	
Jefferson School	\$200	10-Jan-14		94-6172263	
Jefferson School	\$200	10-Jan-14		94-6172263	
Black Tie Gala	\$150	14-Jan-14	8696		
Black Tie Gala	\$150	14-Jan-14	8697		
Roosevelt Elementary	\$100	21-Jan-14	8707	94-6173865	
La Casa De Las Madres	\$150	21-Jan-14	8708		
Miraloma Elementary	\$125	21-Jan-14	8709	94-6184034	
Oakland Tech High School	\$125	21-Jan-14	8710	94-6174624	
Contra Costa Christian School	\$100	21-Jan-14	8711	94-2722091	
Buen Dia Family School	\$150	21-Jan-14	8712	94-2590868	
Ann Martin Center	\$150	21-Jan-14	8713	94-6099000	
UCP	\$150	21-Jan-14		26-3279530	
Westlake	\$100	21-Jan-14	8715	94-6174766	
Aurora School	\$150	21-Jan-14	8719	94-3168663	
Dianne Feinstein School	\$150	21-Jan-14	8717	71-1015710	
SF Boys Chorus	\$125	21-Jan-14	8718	94-1616811	
Aurora Theatre Co	\$150	21-Jan-14	8716	94-3080476	
Sunnyside Elementary	\$125	21-Jan-14	8720		
Sunergy School	\$150	21-Jan-14	8721	94-2245103	
Claire Lilienthal Alternative School	\$150	21-Jan-14	8722	94-2954256	
Noe Valley Cooperative Nursery S	\$150	21-Jan-14	8723	94-1681649	
American Liver	\$100	21-Jan-14	8724	36-2883000	
49ers	\$150	21-Jan-14	8725		
Saklan School	\$150	21-Jan-14	8726	94-2494910	
Because Justice Matters	\$100	21-Jan-14	8727		
J-Sei	\$100	21-Jan-14	8728		
Lifehouse	\$150	21-Jan-14	8729	94-6050196	
Mercy	\$125	21-Jan-14			
SF Community School	\$150	21-Jan-14	8731	94-3379867	
Clarendon Alternative Elementary	\$125	21-Jan-14	8732	94-2783933	
McKinley Elementary - DogFest	\$125	27-Jan-14	8737	13-4317995	
Hard Rock Café	\$100	5-Feb-14			
Berkeley Cooperative	\$150	6-Feb-14			
Children's Day School	\$150	10-Feb-14		94-3248631	
Miraloma Elementary	\$125	12-Feb-14	8785	94-1294930	
JCCSF	\$100	12-Feb-14	8786	94-3227260	
Huckleberry Youth Program	\$150	20-Feb-14	8790		friend of Bruce
Hack Cancer	\$200	20-Feb-14	8791		friend of Bruce
Unidos y Adelante	\$150	26-Feb-14	8807	48-1266142	Rudy Aguliar
Rooftop Alternative	\$100	27-Feb-14	8810		Rymee - Zuni
Rooftop Alternative	\$100	27-Feb-14	8811		Rymee - Zuni
Bay Area Girls Rock Camp	\$150	3-Mar-14	8815		
Marjorie H. Tobias School	\$125	11-Apr-14	8858	94-6174609	
Taste of Potrero Auction - Daniel	\$150	11-Apr-14	8859	94-6174-741	
Jewish Sports Hall of Fame	\$150	11-Apr-14	8860	26-04933232	
Everet Middle School	\$100	11-Apr-14	8861		

The Berkeley School	\$125	11-Apr-14	8862	94-1571768	
SF Film Festival	\$200	28-Apr-14	8891		
La Cocina Gala	\$250	28-Apr-14	8892		
La Cocina Gala	\$250	28-Apr-14	8893		
Z Space	\$150	28-Apr-14	8894		
Red Barn Montessori	\$150	2-Jun-14	8945	20-4528417	
Red Barn Montessori	\$150	2-Jun-14	8946	20-4528417	
Guide Dogs for the Blind	\$200	27-Jun-14	8997		
Flower Power	\$200	27-Jun-14	8998		
Humane Society	\$150	27-Jun-14	8999		
30th Street Senior Center	\$150	27-Jun-14	8900		
Circulo de Vida	\$100	27-Jun-14	8901		
Hack Cancer	\$200	23-Jul-14	9013		
Noe Valley	\$150	30-Sep-14	9098		
Taste of the Bay	\$150	7-Oct-14	9101	94-1384645	
Jefferson School	\$100	29-Dec-14	9316	94-6172263	
Jefferson School	\$100	29-Dec-14	9317	94-6172263	
Jefferson School	\$100	29-Dec-14	9318	94-6172263	
2015					
North Star Academy	\$150	28-Jan-14	9360	943310787	
Belle's Birthday Bonanza	\$100	4-Feb-15	9375	friend of Bruce	
Jewish Community Center of SF	\$150	9-Feb-15	9381		
The Nueva School	\$100	10-Feb-15	9382		
Synergy School	\$150	20-Feb-15	9402	94-2245103	
West Portal Spring Auction	\$150	20-Feb-15	9403	94-3069763	
Buen Dia Family School	\$150	20-Feb-15	9404	94-2590868	
Ann Martin Center	\$150	20-Feb-15	9405	94-6099000	
Epiphany Center	\$150	20-Feb-15	9406	94-2384035	
Berkeley Rep	\$150	20-Feb-15	9407	94-1679756	
Minds Matter SF	\$150	20-Feb-15	9408		
Legal Services for Children	\$150	20-Feb-15	9409	51-0169463	
Community Living Campaign	\$150	27-Feb-15	9416	26-1697250	
Community Living Campaign	\$150	27-Feb-15	9417	26-1697250	
Woodland School	\$150	19-Mar-15	9425	94-2953220	
Woodland School	\$150	19-Mar-15	9426	94-2953220	
Mission Kids Co-op	\$150	24-Mar-15	9433	20-5809720	
Call of the Sea	\$100	1-Apr-15	9444	94-2951488	

CALIFORNIA LEGISLATURE

# Assembly

## CERTIFICATE OF RECOGNITION

### *Foreign Cinema*

*Eighteenth Anniversary 2017*

\*\*\*

*This certificate is presented to Foreign Cinema in recognition of your eighteenth anniversary and service to the Mission neighborhood in San Francisco. The California Legislature applauds your charitable service to the LGBTQ community in San Francisco and extends its commendation and best wishes.*



A handwritten signature in blue ink, reading "David Chiu".

*Assemblymember David Chiu  
17<sup>th</sup> Assembly District  
September 28, 2017*



S T A T E O F C A L I F O R N I A



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CERTIFICATE OF RECOGNITION

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## *Foreign Cinema*

*Congratulations on the occasion of celebrating 15 years of providing your guests with a unique gastronomic experience. Your blend of culinary, artistic, and cinematic offerings has earned you international acclaim as the quintessential San Francisco Dining experience. Many community organizations and individual lives have been positively impacted as a result of your compassion and generosity. Congratulations and thank you for all you do!*

MARKLENO

Senator, 11<sup>th</sup> District  
September 15<sup>th</sup>, 2014

# Proclamation

City and County of San Francisco

**WHEREAS**, for 15 years, Foreign Cinema has served as one of San Francisco's most enduring and inspiring dining destinations, within an environment that is uniquely San Franciscan; this neighborhood treasure has served as a catalyst for the creativity and growth of San Francisco's Mission District's culinary landscape; and

**WHEREAS**, chefs and owners of Foreign Cinema Gayle Pirie and John Clark have been deeply involved in the competitive and innovative ferment of the San Francisco restaurant scene for more than two decades, earning critical approval for the purity, quality and consistency of their cuisine; meanwhile Foreign Cinema has remained on the *San Francisco Chronicle's* "Top 100 Restaurant" list for the past 15 consecutive years, proving the restaurant to be a world-class dining destination as well as a local favorite among residents; and

**WHEREAS**, the hard work of Foreign Cinema has represented our City's values at their best; the restaurant continually strives to evolve the dining industry by supporting large systems of sustainable farms and has a goal of 100 percent green waste and wholly biodynamic practices; and

**WHEREAS**, Foreign Cinema remains a key advocate in giving back to the community, each year donating and sponsoring fundraisers to promote community awareness for local nonprofits including The Edible Schoolyard, Marin Organic, Farms Not Arms, StreetSmart 4 Kids, San Francisco Bay Area food banks and many others; and

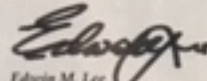
**WHEREAS**, the City and County of San Francisco is proud to join in celebrating Foreign Cinema as they mark this momentous occasion with a "Quintessentially Quixotic Quinceñera" from which all proceeds will be donated to LYRIC, a San Francisco LGBT youth organization and the Harvey Milk Civil Rights Academy to empower student learning through awareness, acceptance and non-violence; now

**THEREFORE BE IT RESOLVED**, that I, Edwin M. Lee, Mayor of the City and County of San Francisco, in celebration of its special 15<sup>th</sup> anniversary, do hereby proclaim September 18, 2014 as...

## FOREIGN CINEMA DAY in San Francisco!



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City and County of San Francisco to be affixed.

  
Edwin M. Lee  
Mayor



# Foreign Cinema Submittal



San Francisco Planning Commission  
1 Dr. Carlton B. Goodlett Place  
Room 400 City Hall  
San Francisco, CA 94102-4689  
Attn: Planning Commission Board Members

November 3, 2017

Subject: Conditional Use Application 2016-002572 CUA  
Project: **Proposed Restaurant Expansion Interior Renovation**  
located at 2534 Mission Street; San Francisco, CA 94110

Dear Members of the Planning Commission,  
Our clients, the Foreign Cinema dba Variety Lights and Feed Bag Inc. the property owner have requested that we provide you with additional information to help support the Proposed Project as submitted.

The following comments have been submitted from the San Francisco Planning Department to PRAXIS Architects on October 24, 2017 as justification for denial of the Conditional Use Application 2016-002572CUA in italics:

*"The Department recognizes the importance of activating a vacant storefront and thus, it would be open to supporting a new restaurant at 2540 Mission Street; however, an expansion of the proposed size cannot be supported by the Department."*

As defined by the Mission Street Neighborhood Commercial Transit District zoning:  
"This District has a mixed pattern of larger and smaller lots and businesses..."

The Foreign Cinema is located on a lot facing Mission Street which is 11,762 square feet in a building that was built in 1926. On the same block facing Mission Street there are lots and buildings from 1907 of 20,318 square feet and 21,500 square feet as well as from 2014 of 23,096 square feet.

Mission Street was originally an entertainment-based commercial corridor and was well known as one of the San Francisco "Theater Districts". There are lots that face Mission Street between 20th Street and 23rd Street that range between 17,566 – 44,100 square feet.

The Foreign Cinema's original Conditional Use approval from 1998 approved a use size exceeding 10,000 square feet and did not limit future expansion on the same property.

*"The determination has been made because a fine grain pattern of comparable commercial store frontages is encouraged in the Mission NCT. With this proposed expansion, the subject commercial store frontage would increase by 55%, which as a policy discussion has been determined to be excessive."*

The proposed Mission Street elevation has been designed to reduce the visual scale of the existing lot from the street. The detail components are appropriate to the pedestrian scale of the street and serve to distinguish the proposed new storefront from the existing building thus creating a difference in scale. The proposed elevation has its own architectural character and is approximately 25'-0" wide which mimics the typical residential lot in San Francisco.

The current Conditional Use Application was submitted to the Planning Department on February 25, 2016.





Conditional Use Application 2016-002572 CUA  
Planning Commission Hearing November 16, 2017  
Page Two of Three

November 3, 2017

As part of the planning process, the Foreign Cinema Team has provided documentation of the existing concentration of eating and drinking establishments within 300' of the proposed project.

Under Planning Code Section 303(o), the eating and drinking use concentration within 300' from the proposed restaurant expansion should not exceed 25% of the total commercial frontage. The resulting concentration of use survey indicates that the percentage with the proposed restaurant expansion is 15.3%.

This information has been provided to the Planning Department.

As part of the planning process and in order to facilitate community dialog, the Foreign Cinema Team met on September 29th with representatives of La Raza Centro Legal, San Francisco Tenants Union, United to Save the Mission, Mission Economic Development Agency and Cultural Action Network to hear their concerns and to propose possible solutions.

Responding to requests by Planning Staff, the Team also held a properly noticed and documented Pre-Application meeting on October 17th that was lightly attended by two adjacent neighbors representing the San Francisco Buddhist Center. The proposed project was not required by any of projects specified as requiring a Pre-Application Meeting and was done as a good faith gesture. The Pre-Application Notice was sent to 64 groups or individuals on October 3rd.

The Foreign Cinema Team has reviewed the Mission Action Plan (MAP) 2020 which was endorsed by the San Francisco Planning Commission on March 2, 2017. Under the initial seven categories that MAP intends to address is the stabilization of low to moderate income households. Item 5 under Potential Solutions states:

"Economic development solutions focus on keeping jobs, businesses, artists and non-profits in the neighborhood".

Furthermore, Potential Solutions include:

"Increase economic security by strengthening educational and economic pathways and job opportunities for low to moderate income individuals and families especially those without a college education".

The Foreign Cinema currently employs 130 staff members and over half of the employees live in the Mission. The proposed project will result in 30-40 additional positions and it is a Foreign Cinema hiring policy to hire locally. By typical restaurant standards the Foreign Cinema employees are well paid and receive full coverage health insurance. The Foreign Cinema has been in business since 1999 and has agreed to lease the space for the existing restaurant and proposed project until 2032.

The MAP 2020 also intends to support small business in the Mission District. The Foreign Cinema is not a franchise and has only one unique location. As stated in the final determinations in the MAP:

"The San Francisco City Office of Economic and Workforce Development has developed various programs to strengthen existing businesses and contribute to their sustainability. These programs provide technical assistance for existing businesses so they are sustainable, profitable and thrive".

This is the Foreign Cinema's intention by proceeding with the proposed project.





Conditional Use Application 2016-002572 CUA  
Planning Commission Hearing November 16, 2017

Page Three of Three

November 3, 2017

Please approve the Conditional Use Application as submitted and we thank you for taking this additional information under consideration.

Sincerely,

A handwritten signature in blue ink that reads "Stephanie Felch". The signature is written in a cursive, flowing style.

Stephanie Felch, Project Architect  
PRAXIS Architects

FC-hearing.3nov2017





# Public Correspondence: Inquiries, Concerns, Opposition

## Jardines, Esmeralda (CPC)

---

**From:** spike <spikekahn@gmail.com>  
**Sent:** Tuesday, October 10, 2017 11:33 AM  
**To:** Jardines, Esmeralda (CPC); Sucre, Richard (CPC)  
**Cc:** usm-strategy@googlegroups.com  
**Subject:** foreign cinema community mtg oct 17

Hi Esmeralda,

I just left you a message on your vm, stating that we discovered that there is a conflict for the Oct 17th Foreign Cinema/Planning meeting on the scheduled date and time. The Mission Community had a previously scheduled community meeting at 6 pm on Oct 17th, so no one from our community will be able to attend this Planning Dept meeting re: Foreign Cinema/2534 Mission St.

Can this meeting be rescheduled, please, so that you can hear input from the affected Mission community?

Maybe in the future, before it is announced, can you check with USM to see if we already have our own events scheduled for the proposed dates? By checking with USM, a coalition of over 20 Mission community organizations, you'd hit a large percentage of the Mission events scheduled. Sorry there is no one community calendar to check.

thanks

peace

Spike Kahn, Director and Founder  
Pacific Felt Factory Arts Space  
[www.pacificfeltfactory.com](http://www.pacificfeltfactory.com)  
[415-935-3641](tel:415-935-3641) (voice/text)  
[spikekahn@gmail.com](mailto:spikekahn@gmail.com)

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## Jardines, Esmeralda (CPC)

---

**From:** Peter Papadopoulos <papadooloo@gmail.com>  
**Sent:** Monday, August 28, 2017 3:31 PM  
**To:** Jardines, Esmeralda (CPC)  
**Cc:** Sucre, Richard (CPC)  
**Subject:** 2534 Mission St

Hi Esmeralda,

I thought I saw an update come through on this project recently, but now I can't seem to find it and there is nothing new online. Can you please update me as to whether this project has any new updates?

I don't believe we've ever had a chance to discuss this project. There is widespread concern about this establishment - extremely controversial from the time it opened - expanding its very elite locale, as we believe this is in direct opposition to the goal of preserving Mission St as a corridor for our low-income families.

Thank you,  
Peter

## Jardines, Esmeralda (CPC)

---

**From:** Peter Papadopoulos <papadooloo@gmail.com>  
**Sent:** Tuesday, August 29, 2017 3:53 PM  
**To:** Jardines, Esmeralda (CPC)  
**Cc:** Sucre, Richard (CPC)  
**Subject:** Re: 2534 Mission St

Thank you so much for the thorough breakdown. It's clear to me now how this played out in accordance to the code and controls.

Peter

On Tue, Aug 29, 2017 at 11:48 AM, Jardines, Esmeralda (CPC) <[esmeralda.jardines@sfgov.org](mailto:esmeralda.jardines@sfgov.org)> wrote:

Hello Peter,

You are correct, the cumulative square footage is more than the principally permitted use size, which is what triggers the conditional use authorization. The project sponsor was previously considering establishing a new restaurant altogether which would have also required a CUA but for the 2016 Mission Interim Controls requiring CUAs for new restaurants, not for exceeded the principally permitted use size. However, the project team ultimately opted for an expansion of the existing restaurant establishment.

Per the plans I previously forwarded the SFs are as follows:

(E) restaurant is 11,799 SF

(N) restaurant is 16,194 SF

The 16,194 SF is inclusive of the basement, courtyards and storage.

Please let me know if you have any further questions.

Thank you,

Esmeralda Jardines

Planner, Current Planning, SE Quadrant

SAN FRANCISCO

**PLANNING DEPARTMENT**

1650 Mission Street, #400 | SF, CA 94103

[esmeralda.jardines@sfgov.org](mailto:esmeralda.jardines@sfgov.org) | [415.575.9144](tel:415.575.9144)

**From:** Peter Papadopoulos [mailto:[papadooloo@gmail.com](mailto:papadooloo@gmail.com)]

**Sent:** Tuesday, August 29, 2017 11:29 AM

**To:** Jardines, Esmeralda (CPC)

**Cc:** Sucre, Richard (CPC)

**Subject:** Re: 2534 Mission St

Thank you. I will get in touch with her.

We are concerned about these huge upscale restaurant conversions and the effect they will have to family displacement on Mission St.

Does this project fall under the 6,000 single-use sf limit for Mission St? I can't find a total number but it appears larger than this from the plans.

Thank you,

Peter

On Tue, Aug 29, 2017 at 10:55 AM, Jardines, Esmeralda (CPC) <[esmeralda.jardines@sfgov.org](mailto:esmeralda.jardines@sfgov.org)> wrote:

Sounds great, Peter! The project sponsor is Stephanie from Praxis Architects and her email is: [stephanie@praxisarchitects.com](mailto:stephanie@praxisarchitects.com). Please let us know if we can be of further assistance.

Thank you,

Esmeralda Jardines

Planner, Current Planning, SE Quadrant

SAN FRANCISCO

**PLANNING DEPARTMENT**

1650 Mission Street, #400 | SF, CA 94103

[esmeralda.jardines@sfgov.org](mailto:esmeralda.jardines@sfgov.org) | [415.575.9144](tel:415.575.9144)

**From:** Peter Papadopoulos [mailto:[papadooloo@gmail.com](mailto:papadooloo@gmail.com)]  
**Sent:** Tuesday, August 29, 2017 10:39 AM  
**To:** Jardines, Esmeralda (CPC)  
**Cc:** Sucre, Richard (CPC)  
**Subject:** Re: 2534 Mission St

Thank you for the update, this is helpful. Someone from MEDA will be reaching out to them to discuss their project.

Thank you,

Peter

On Mon, Aug 28, 2017 at 3:39 PM, Jardines, Esmeralda (CPC) <[esmeralda.jardines@sfgov.org](mailto:esmeralda.jardines@sfgov.org)> wrote:

Hello Peter,



Yes, revisions have recently come in for 2534 Mission Street, which I have attached to this email.

The project was on-hold indefinitely as the project sponsor was trying to determine the final project scope it would be moving forward with. Ultimately, they opted for a restaurant expansion of the existing restaurant. Attached please find the eating and drinking use concentration survey as well as the most recent plans. Please let me know if you would like to be put in touch with the project sponsor or if you have any additional questions, comments or concerns.

Thank you,

Esmeralda Jardines

Planner, Current Planning, SE Quadrant

SAN FRANCISCO

**PLANNING DEPARTMENT**

1650 Mission Street, #400 | SF, CA 94103

[esmeralda.jardines@sfgov.org](mailto:esmeralda.jardines@sfgov.org) | [415.575.9144](tel:415.575.9144)

**From:** Peter Papadopoulos [mailto:[papadooloo@gmail.com](mailto:papadooloo@gmail.com)]

**Sent:** Monday, August 28, 2017 3:31 PM

**To:** Jardines, Esmeralda (CPC)

**Cc:** Sucre, Richard (CPC)

**Subject:** 2534 Mission St

Hi Esmeralda,

I thought I saw an update come through on this project recently, but now I can't seem to find it and there is nothing new online. Can you please update me as to whether this project has any new updates?

I don't believe we've ever had a chance to discuss this project. There is widespread concern about this establishment - extremely controversial from the time it opened - expanding its very elite locale, as we believe this is in direct opposition to the goal of preserving Mission St as a corridor for our low-income families.

Thank you,

Peter