



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: JULY 20, 2017

Date: July 13, 2017
Case No.: **2016-016026CUA**
Project Address: **468 Castro Street**
Zoning: Castro Street Neighborhood Commercial District
40-X Height and Bulk District
Block/Lot: 2647/011
Project Sponsor: Javier Solorzano
3288 21st Street, #49
San Francisco, CA 94110
Staff Contact: Nancy Tran – (415) 575-9174
nancy.h.tran@sfgov.org
Recommendation: **Approval with Conditions**

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415.558.6377

PROJECT DESCRIPTION

The Project Sponsor proposes to establish a restaurant "Deccan Spice" on the ground floor of a three-story building located at 468 Castro Street pursuant to Planning Code Sections 303, 715.44, 715.21. The existing tenant space measures approximately 2,600 square feet, and the size would not change as part of the project. The proposed restaurant would operate between the hours of 11:30AM to 11:00PM as a bona fide eating place with on-sale General Brew-Pub (ABC Type 75). No exterior building alterations, parking or bicycle parking are proposed.

SITE DESCRIPTION AND PRESENT USE

The project is located on the west side of Castro Street, between Market and 18th Streets, Block 2647, Lot 011. The subject property is located within the Castro Street Neighborhood Commercial District ("NCD") and the 40-X Height and Bulk District. On site is an existing three-story building with ground floor retail and upper floor residential. The tenant space at 468 Castro Street is currently vacant, but was previously occupied by a specialty grocery store with accessory take-out food use known as A.G. Ferrari until 2015.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located in an area of mixed-use in character and on a corridor composed primarily of ground floor commercial/retail uses and upper floor residential. A variety of commercial establishments are located within ground floor storefronts in the Castro Street NCD, including the Castro Theatre, banks, restaurants, apparel stores, personal service, and other types of retailers. Adjacent properties include an institutional use and restaurant. Buildings in the vicinity typically range from one to three stories in height.

ENVIRONMENTAL REVIEW

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

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	June 30, 2017	June 30, 2017	20 days
Posted Notice	20 days	June 30, 2017	June 30, 2017	20 days
Mailed Notice	10 days	June 30, 2017	June 30, 2017	20 days

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

PUBLIC COMMENT/COMMUNITY OUTREACH

The project sponsor has conducted outreach to the adjacent neighbors and interested community groups. To date, the Department has received a letter in favor of the project from Castro Merchants.

ISSUES AND OTHER CONSIDERATIONS

- The Commerce and Industry Element of the General Plan contains Guidelines that discourage the overconcentration of eating and drinking establishments within NCD's. The project would locate in a former specialty grocery that had accessory take-out food use and permitted, nonconforming indoor seating/tables.
- The proposed restaurant would be located within existing storefront space that has been vacant since 2015.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization pursuant to Planning Code Sections 303, 715.44 and 715.21 to allow the establishment of a restaurant and commercial use size greater than 1,999 square feet within the Castro Street NCD.

BASIS FOR RECOMMENDATION

The project promotes the operation of an established, locally-owned business and contributes to the viability of the overall Castro Street NCD.

- The project would not displace an existing retail tenant providing convenience goods and services to the neighborhood.
- The project will increase the concentration of eating and drinking uses frontage by 1% within 300' of the subject site.
- The business will activate the Castro Street streetscape throughout the day and evening.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for, and compatible with the surrounding neighborhood.
- The business is not a Formula Retail use and would serve the immediate neighborhood.

RECOMMENDATION:	Approval with Conditions
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Attachments:

Block Book Map

Sanborn Map

Aerial Photograph

Categorical Exemption

Combined 312 and CUA notice

Project Sponsor Submittal, including:

- Reduced Plans

Public Comment

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 checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Wireless Telecommunications Materials |
| <input 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

NHT
Planner's Initials

KG: G:\Documents\Projects\1423 Polk\2011.0097C - 1423 Polk Street - Exec Sum.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Planning Commission Draft Motion

HEARING DATE: JULY 20, 2017

Date: July 7, 2017
Case No.: **2016-016026CUA**
Project Address: **468 Castro Street**
Zoning: Castro Street Neighborhood Commercial District
40-X Height and Bulk District
Block/Lot: 2647/011
Project Sponsor: Javier Solorzano
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San Francisco, CA 94110
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 715.44 AND 715.21 OF THE PLANNING CODE TO ALLOW A FULL-SERVICE RESTAURANT (D.B.A. DECCAN SPICE) AND COMMERCIAL USE SIZE GREATER THAN 1,999 SQUARE FEET WITHIN THE CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On December 15, 2016 Javier Solorzano (hereinafter "Project Sponsor") filed an application on behalf of Gurunath Murari with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303, 715.44, 715.21 to allow a restaurant (d.b.a. Deccan Spice) and to allow commercial use size in excess of 1,999 sq. ft. within the Castro Street NCD (Neighborhood Commercial) District and a 40-X Height and Bulk District.

On July 20, 2017, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2016-016026CUA.

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

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2016-016026CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the west side of Castro Street, between Market and 18th Streets, Block 2647, Lot 011. The subject property is located within the Castro Street Neighborhood Commercial District ("NCD") and the 40-X Height and Bulk District. On site is an existing three-story building with ground floor retail and upper floor residential. The tenant space at 468 Castro Street is currently vacant, but was previously occupied by a specialty grocery store with accessory take-out food use known as A.G. Ferrari until 2015. The subject property is a mid-block lot with approximately 24.7 feet of frontage on Castro Street. The lot is approximately 100% covered by the subject building.
3. **Surrounding Properties and Neighborhood.** The project site is located in an area of mixed-use in character and on a corridor composed primarily of ground floor commercial/retail uses and upper floor residential. A variety of commercial establishments are located within ground floor storefronts in the Castro Street NCD, including the Castro Theatre, banks, restaurants, apparel stores, personal service, and other types of retailers. Adjacent properties include an institutional use and restaurant. Buildings in the vicinity typically range from one to three stories in height.
4. **Project Description.** The applicant proposes to change the use of the vacant ground floor commercial space from specialty grocery (formerly A.G. Ferrari) to restaurant (dba Deccan Spice). The existing tenant space measures approximately 2,600 square feet and the size would not change as part of the project. The proposed restaurant would operate between the hours of 11:30AM to 11:00PM as a bona fide eating place with on-sale General Brew-Pub (ABC Type 75). The proposed commercial use is under 5,000 square feet in size, so there is no on-site parking requirement. No exterior building alterations, parking or bicycle parking are proposed.

The proposed use is an independent use and locally owned, which has been encouraged throughout San Francisco. The proposed use is not a Formula Retail use. The proposal requires a change of use and Section 312-neighborhood notification was conducted in conjunction with the Conditional Use Authorization process. The proposed use is a neighborhood-serving use.

Trash and recycling are picked up from the Castro Street frontage. The receptacles will be stored inside the property except when scheduled to be emptied. The subject site is well served by public transit so that potential customers should not adversely affect the traffic flow. It is not anticipated that the project will further affect the neighborhood traffic.

5. **Public Comment.** The Department has received one comment in support of the proposal from Castro Merchants.
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. **Height and Bulk Limit.** The subject property is located within the Castro Street NCD with a 40-X Height and Bulk District. Pursuant to Section 270, projects with “-X” Bulk Districts are not subject to specific bulk controls. Pursuant to Section 715.10, projects within Castro Street NCD and within 40-X Bulk Districts are allowed an additional five feet of height if the project includes active ground floor commercial uses with elevated ceilings taller than 10 feet.

The Project does not propose changes to the existing building height.

- B. **Lot Size.** Sections 121.1 and 715.11 principally permit lot sizes up to 4,999 sq. ft. and require Conditional Use Authorization for 5,000 sq. ft. or above.

The Project does not propose changes to the existing lot size (approximately 3,079 sq. ft.).

- C. **Rear Yard.** Planning Code Sections 134 and 715.12 state that the minimum rear yard depth shall be equal to 25 percent of the total depth of a lot in which it is situated at the second story and above and at all residential levels in the Castro Street NCD.

The subject lot is 100% covered by the existing building. The Project does not propose changes to the existing building envelope.

- D. **Street Frontage in Neighborhood Commercial Districts.** Sections 145.1 and 715.13 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.

Although the property is not subject to street frontage requirements because it is less than 30 feet in width, the Project does provide active uses within 25 feet of the building's ground floor and 15 feet on the floor above. Currently, the subject commercial space has approximately 20 feet of frontage on Castro Street with approximately 15 feet – 6 inches devoted to the restaurant entrance or window space. The Project does not propose changes to the existing building or commercial frontage.

- E. **Floor Area Ratio.** Per Planning Code Sections 124 and 715.20, the maximum floor area ratio for non-residential uses in the Upper Market NCT is 3.0 to 1.0.

The subject lot size is approximately 3,079 sq. ft., which allows for 9,237 gross square feet non-residential use. The Project Sponsor proposes to utilize the approximately 2,600 sq. ft. of existing commercial space at the ground floor. No expansion to the area of non-residential use or the building envelope are proposed. The proposal complies with the Planning Code with respect to Floor Area Ratio.

- F. **Use Size.** Pursuant to Planning Code Sections 121.2 and 715.21, non-residential uses are principally permitted up to 1,999 sq. ft.; Conditional Use Authorization is required for uses 2,000 sq. ft. or greater.

The Project requires Conditional Use Authorization per the requirements of the Sections 121.2 and 715.21. The additional criteria have been incorporated as findings in part of this Motion. See Item 9, "Planning Code Sections 121.2 and 715.21" below.

- G. **Off-Street Parking, Commercial.** Per Planning Code Sections 151 and 715.22, no off-street parking is required if the occupied commercial/institutional floor area is less than 5,000 sq. ft.

The commercial space is less than 5,000 sq. ft. No on-site parking is proposed.

- H. **Off-Street Freight Loading.** Pursuant to Planning Code Sections 152 and 715.23, no loading space is required if the gross floor area is less than 10,000 sq. ft.

The project proposes a total of 2,600 gross square feet of commercial use. No off-street loading is proposed.

- I. **Outdoor Activity.** Planning Code Sections 145.2 and 733.24 states that outdoor activity is principally permitted if located outside a building and contiguous to the front property line; otherwise, Conditional Use Authorization is required if located elsewhere.

No outdoor activity is proposed on-site.

- J. **Hours of Operation.** Planning Code Section 733.27 states that businesses are permitted to operate between 6A.M. and 2A.M.; Conditional Use Authorization is required for maintaining hours of operation from 6P.M. to 2 A.M.

The Project Sponsor proposes to operate the restaurant between 11:30A.M. to 11:00P.M.

- K. **Business Sign.** Business signs are permitted and are subject to the review and approval of the Planning Department pursuant to Article 6 of the Planning Code.

Currently, there is not a proposed sign program on file with the Planning Department. The proposed business does not have a name as of this writing. Any proposed signage will be subject to the review and approval of the Planning Department

- L. **Bicycle Parking.** Per Section 155.2 of the Code, the bicycle parking spaces are required if there is an increase in intensity of use which would increase the number of total required bicycle parking spaces by 15 percent.

The change of use from retail (specialty grocery) to restaurant is an increase in intensity requiring additional bicycle spaces above the 15% threshold. The new use requires one Class 1 and four Class 2 bicycle spaces. The Project complies as one Class 1 bicycle space is proposed within the commercial space and there are four existing Class 2 spaces in the public right-of-way fronting the subject property.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

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

The proposed use is desirable and compatible with the scale and character of the Neighborhood Commercial District as it is in keeping with other storefronts on the block face. The restaurant will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood by removing a vacant storefront. The size of the proposed use is in keeping with other and will not impact traffic or parking in the District because it is not a destination restaurant.

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

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

The height and bulk of the existing building will remain the same and will not alter the existing appearance or character of the project vicinity.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Planning Code does not require parking or loading for a 2,600 square-foot restaurant; no off-street parking or loading will be provided. The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The Project Site is very well served by public transit.

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

The proposed use is subject to the standard conditions of approval for full-service restaurants and outlined in Exhibit A. Conditions 7 and 8 specifically obligates the project sponsor to mitigate odor and noise generated by the restaurant use.

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

The proposed restaurant does not require any additional tenant improvements the Department shall review all lighting and signs proposed for the new business in accordance with Planning Code.

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

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

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

The Project is consistent with the stated purposed of Castro Street NCD in that the intended use is located at the ground floor and will provide a compatible convenience service for the immediately surrounding neighborhoods during daytime hours. The restaurant will maintain and promote the mix of active commercial uses, thus contributing to the district's design, character and livability.

- 8. **Eating and Drinking Uses.** Pursuant to Section 303(o), the Planning Commission shall consider the existing concentration of eating and drinking uses in the area when considering Conditional Use authorization applications for a Restaurant, Limited-Restaurant and Bar uses. Such concentration should not exceed 25 percent of the total commercial frontage as measured in linear feet within the immediate area of the subject site. For the purposes of this Section of the Code, the immediate area shall be defined as all properties located within 300' of the subject property and also located within the same zoning district.

The area within 300' of the subject property that is located within the Castro NCD has diverse range of commercial offerings, including financial services, restaurants, apparel stores, personal service, and other types of retailers. The existing eating and drinking uses concentration within 300' of the subject site is approximately 29% of the total commercial frontage. The proposed change of use from specialty grocery

would add approximately 20' of restaurant frontage and increase the concentration to 30%, which is a nominal increase in of eating and drinking uses frontage in the district.

9. **Planning Code Sections 121.2 and 715.21** establish criteria for the Planning Commission to consider when reviewing applications for projects within the Castro Street NCD that exceed a use size of 1,999 sq. ft., through the Conditional Use process. On balance, the project complies with said criteria in that:
- A. 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.
 - B. The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use require a larger size in order to function.
 - C. 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 proposes to locate in existing ground commercial space that was previously a specialty grocery with accessory take-out food use and permitted, nonconforming indoor seating/tables. The proposed restaurant would not displace any neighborhood-serving uses as the space is presently vacant and similar to, if not less, frontage lengths of nearby storefronts. The proposed use is intended to serve area residents, though some foot traffic coming from the Market Street corridor is anticipated. The proposed size would allow the restaurant owner to have adequate space for fresh food preparation and storage. Since the building is considered a historic resource, the existing openings and proportions of the façade would not be altered.

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

COMMERCE AND INDUSTRY

Objectives and Policies

OBJECTIVE 1:

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1:

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

Policy 1.2:

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

Policy 1.3:

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

The proposed development will provide desirable goods and services to the neighborhood and will provide resident employment opportunities to those in the community. Further, the Project Site is located within a Neighborhood Commercial District and is thus consistent with activities in the commercial land use plan.

OBJECTIVE 2:

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

The Project will add commercial activity to vacant ground floor space and will enhance the diverse economic base of the City.

OBJECTIVE 6:

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

Policy 6.1:

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

No commercial tenant would be displaced and the project would activate the ground floor with restaurant use that is compatible with the Neighborhood Commercial District..

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. The Commerce and Industry Element of the General Plan contains Guidelines for Specific Uses. For eating and drinking establishments, the Guidelines state, "the balance of commercial uses may be threatened when eating and drinking establishments occupy more than 20% of the total occupied commercial frontage." Planning staff has performed a site survey of the Castro Street NCD which contains the subject property. The existing eating and drinking uses concentration within the NCD and 300' of the subject site is approximately 29% of the total commercial frontage. The proposed change of use from specialty grocery would add approximately 20' of restaurant frontage and increase the concentration to 30%, which is a nominal increase in of eating and drinking uses frontage in the district.

Policy 6.2:

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

An independent entrepreneur is sponsoring the proposal. The proposed use is a neighborhood serving use. This is not a Formula Retail use.

11. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

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

The proposed business would not negatively impact the existing neighborhood-serving retail uses, as it would occupy a space that is currently vacant commercial. The business would be locally owned and will create additional employment opportunities for the community. The proposed alterations are within the existing building footprint.

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

The existing units in the surrounding neighborhood would not be adversely affected. The Project does not propose use of the outside area.

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

No housing is removed for this Project.

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

The site is on Castro Street and is well served by transit. It is presumable that the employees would commute by transit thereby mitigating possible effects on street parking. The subject property is within ¼ mile of several MUNI lines (24, 33, 35, F, KT, L, and M).

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

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

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

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The subject property is considered a historic resource. No exterior building alterations are proposed.

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

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

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2016-016026CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated November 15, 2016, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on June 2, 2016.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: July 20, 2017

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a Restaurant Use (d.b.a. Deccan Spice) located at 468 Castro Street pursuant to Planning Code Sections 303, 715.44 and 715.21 within the Castro Street Neighborhood Commercial District and a 40-X Height and Bulk District; in general conformance with plans, dated November 15, 2016, and stamped "EXHIBIT B" included in the docket for Case No. 2016-016026CUA and subject to conditions of approval reviewed and approved by the Commission on July 20, 2017 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on July 20, 2017 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

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

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

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

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

DESIGN

6. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly

labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

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

7. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

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

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

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

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

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

PARKING AND TRAFFIC

9. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1 and 155.4, the Project shall provide no fewer than one (1) Class 1 bicycle parking spaces.

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

OPERATION

10. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

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

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

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

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

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

12. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

MONITORING - AFTER ENTITLEMENT

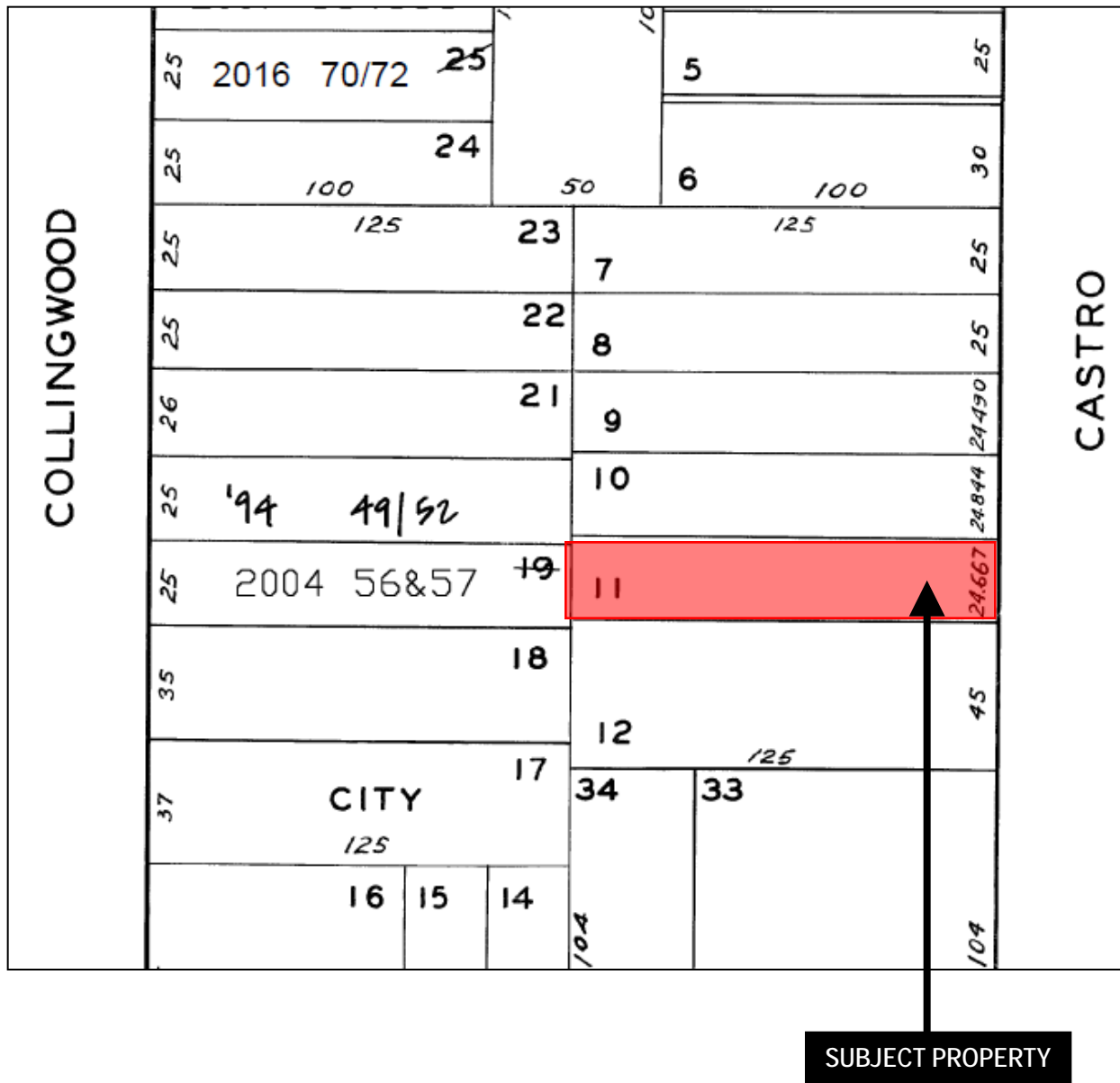
13. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176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

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

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

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

Block Book Map

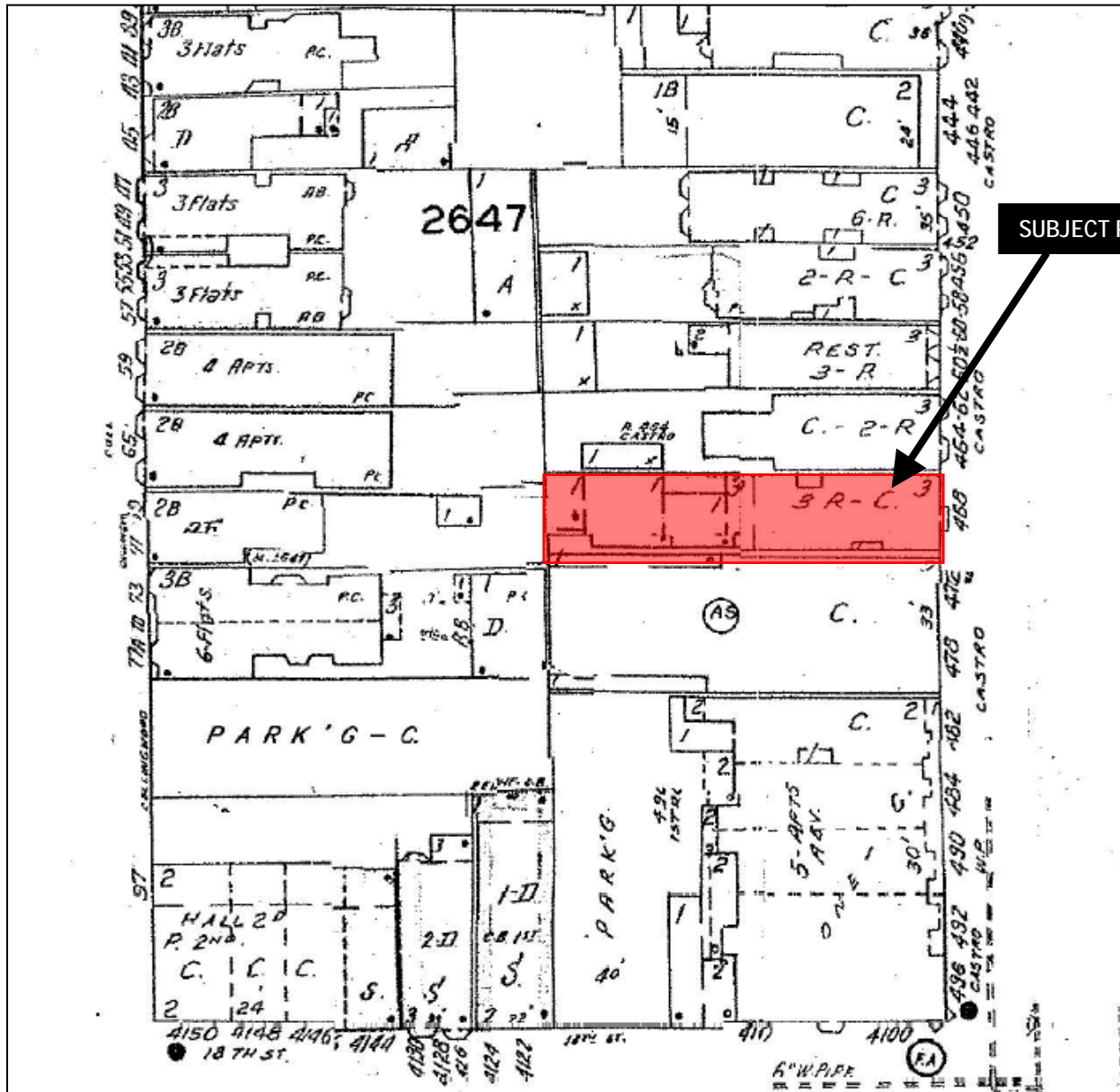


SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2016-016026CUA
468 Castro Street

Sanborn Map*



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



Conditional Use Authorization
Case Number 2016-016026CUA
468 Castro Street

Aerial Photo

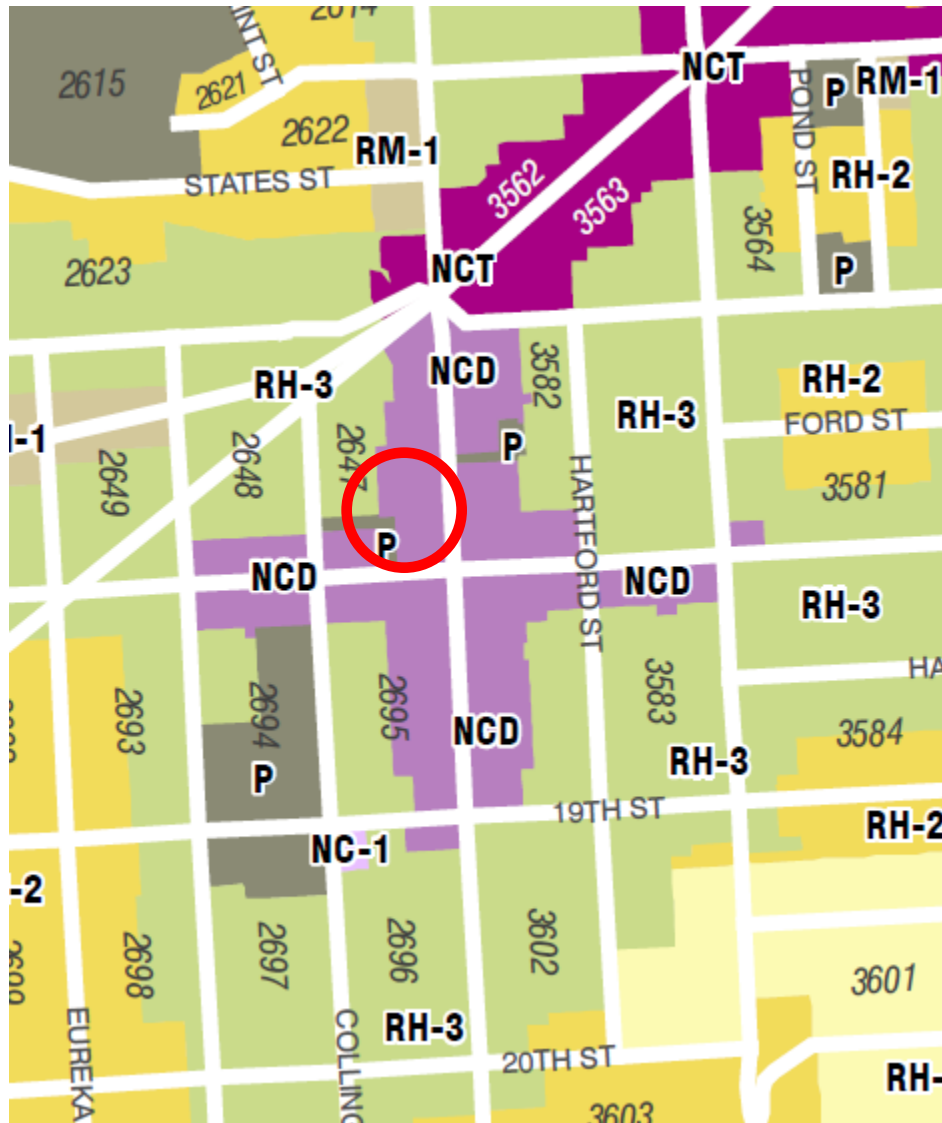


SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2016-016026CUA
468 Castro Street

Zoning Map



Conditional Use Authorization
Case Number 2016-016026CUA
468 Castro Street

Site Photo



Discretionary Review Hearing
Case Number 2007.0595D
MCD - San Francisco Patient's Cooperative
350 Divisadero Street



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
468 Castro St		2647/011	
Case No.	Permit No.	Plans Dated	
2016-016026CUA	2016.12.14.4999	11/15/16	
<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. Change of use from specialty grocery (retail) to full restaurant			

STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

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

STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <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 > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</i>
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i>
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report will likely be required.
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>	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional):	

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

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

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

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

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

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not “in-kind” but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input checked="" type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments): No exterior alterations or construction. No alteration to CDFs - change of use.

<input type="checkbox"/>	<p>9. Other work that would not materially impair a historic district (specify or add comments):</p> <p style="text-align: center;"><i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i> _____</p>
<input type="checkbox"/>	<p>10. Reclassification of property status. <i>(Requires approval by Senior Preservation Planner/Preservation Coordinator)</i></p> <div style="display: flex; justify-content: space-around;"> <input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C </div> <p>a. Per HRER dated: _____ <i>(attach HRER)</i></p> <p>b. Other <i>(specify)</i>: _____</p>
<p>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</p>	
<input type="checkbox"/>	<p>Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.</p>
<input checked="" type="checkbox"/>	<p>Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.</p>
<p>Comments (optional):</p> 	
<p>Preservation Planner Signature: Elizabeth Gordon Jonckheer</p> <div style="text-align: right; font-size: small;"> Digitally signed by Elizabeth Gordon Jonckheer DN: cn=Elizabeth Gordon Jonckheer, o=City of San Francisco, ou=City Planning, email=Elizabeth.Gordon-Jonckheer@sf.gov, cn=Elizabeth Gordon Jonckheer, email=Elizabeth.Gordon-Jonckheer@sf.gov.org Date: 2017.07.05 17:10:52 -0700 </div>	

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

<input type="checkbox"/>	<p>Further environmental review required. Proposed project does not meet scopes of work in either <i>(check all that apply)</i>:</p> <div style="display: flex; flex-direction: column; gap: 10px;"> <div><input type="checkbox"/> Step 2 – CEQA Impacts</div> <div><input type="checkbox"/> Step 5 – Advanced Historical Review</div> </div> <p>STOP! Must file an <i>Environmental Evaluation Application</i>.</p>			
<input type="checkbox"/>	<p>No further environmental review is required. The project is categorically exempt under CEQA.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> <p>Planner Name:</p> <p>Project Approval Action:</p> <p>Select One</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%; padding: 5px;"> <p>Signature:</p> </td> </tr> </table> <p style="font-size: small;">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 style="font-size: small;">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>Planner Name:</p> <p>Project Approval Action:</p> <p>Select One</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>Signature:</p>
<p>Planner Name:</p> <p>Project Approval Action:</p> <p>Select One</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>Signature:</p> 			

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. ATEX FORM	

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:



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street, Suite 400 • San Francisco, CA 94103 • Fax (415) 558-6409

NOTICE OF PUBLIC HEARING

Hearing Date: **Thursday, July 20, 2017**

Time: **Not before 1:00 PM**

Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400**

Case Type: **Conditional Use**

Hearing Body: **Planning Commission**

PROPERTY INFORMATION	APPLICATION INFORMATION
Project Address: 468 Castro Street	Case No.: 2016-016026CUA
Cross Street(s): 18th Street	Building Permit: 2016.12.14.4999
Block /Lot No.: 2647/011	Applicant: Javier Solorzano
Zoning District(s): Castro St NCD / 40-X	Telephone: (415) 724-5240
Area Plan: N/A	E-Mail: javier131064@yahoo.com

PROJECT DESCRIPTION

This notice is regarding a request for **CONDITIONAL USE AUTHORIZATION**, pursuant to Planning Code Sections 303, 715.44 and 715.21, for change of use from Specialty Grocery to Restaurant at the existing ground floor retail space and to allow a use size greater than 1,999 square feet within the Castro Street Neighborhood Commercial Zoning District.

A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

ADDITIONAL INFORMATION

ARCHITECTURAL PLANS: If you are interested in viewing the plans for the proposed project please contact the planner listed below. The plans and Department recommendation of the proposed project will be available prior to the hearing through the Planning Commission agenda at: <http://www.sf-planning.org> or by request at the Planning Department office located at 1650 Mission Street, 4th Floor.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

FOR MORE INFORMATION, PLEASE CONTACT PLANNING DEPARTMENT STAFF:

Planner: **Nancy Tran** Telephone: **(415) 575-9174** E-Mail: nancy.h.tran@sfgov.org

GENERAL INFORMATION ABOUT PROCEDURES

HEARING INFORMATION

You are receiving this notice because you are either a property owner or resident that is adjacent to the proposed project or are an interested party on record with the Planning Department. **You are not required to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant or Planner listed on this notice as soon as possible.** Additionally, you may wish to discuss the project with your neighbors and/or neighborhood association as they may already be aware of the project.

Persons who are unable to attend the public hearing may submit written comments regarding this application to the Planner listed on the front of this notice, Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103, by 5:00 pm the day before the hearing. These comments will be made a part of the official public record and will be brought to the attention of the person or persons conducting the public hearing.

Comments that cannot be delivered by 5:00 pm the day before the hearing may be taken directly to the hearing at the location listed on the front of this notice. Comments received at 1650 Mission Street after the deadline will be placed in the project file, but may not be brought to the attention of the Planning Commission at the public hearing.

BUILDING PERMIT APPLICATION INFORMATION

Pursuant to Planning Code Section 311 or 312, the Building Permit Application for this proposal may also be subject to a 30-day notification of property owners and residents within 150-feet of the subject property. **This notice covers the Section 312 notification requirements.**

APPEAL INFORMATION

An appeal of the approval (or denial) of a **Conditional Use application** and/or building permit application associated with the Conditional Use application may be made to the **Board of Supervisors within 30 calendar days** after the date of action by the Planning Commission pursuant to the provisions of Section 308.1(b). Appeals must be submitted in person at the Board's office at 1 Dr. Carlton B. Goodlett Place, Room 244. For further information about appeals to the Board of Supervisors, including current fees, contact the Clerk of the Board of Supervisors at (415) 554-5184.

An appeal of the approval (or denial) of a **building permit application** by the Planning Commission may be made to the **Board of Appeals within 15 calendar days** after the building permit is issued (or denied) by the Director of the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

Pursuant to California Government Code Section 65009, if you challenge, in court, the decision of an entitlement or permit, the issues raised shall be limited to those raised in the public hearing or in written correspondence delivered to the Planning Commission prior to, or at, the public hearing.

ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at www.sfplanning.org. An appeal of the decision **to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days** after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

APPLICATION FOR Conditional Use Authorization

1. Owner/Applicant Information

PROPERTY OWNER'S NAME: MICHAEL VERDONE	
PROPERTY OWNER'S ADDRESS: 149 WELLESLEY CRECENT LN REDWOOD CITY, CA 94062	TELEPHONE: (650) 208-0669. EMAIL: _____

APPLICANT'S NAME: GURUNATH MURARI		Same as Above <input type="checkbox"/>
APPLICANT'S ADDRESS: 946 TAMARACK LN #11 SUNNYVALE, CA 94086	TELEPHONE: (408) 201-9734 EMAIL: gmurari1@gmail.com	

CONTACT FOR PROJECT INFORMATION: JAVIER SOLORZANO		Same as Above <input type="checkbox"/>
ADDRESS: 3208 21ST ST. #49 S.F. CA 94110	TELEPHONE: (415) 724-6240 EMAIL: Javier131064@yahoo.com	

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

2. Location and Classification

STREET ADDRESS OF PROJECT: 468 CASTRO STREET		ZIP CODE:
CROSS STREETS: CASTRO MARKET ST / 18TH STREET		
ASSESSORS BLOCK/LOT: 21647 / 11	LOT DIMENSIONS: 24.66x125	LOT AREA (SQ FT): 3082.5
ZONING DISTRICT: NCD-CASPO		HEIGHT/BULK DISTRICT: 40-X

3. Project Description

(Please check all that apply) <input checked="" type="checkbox"/> Change of Use <input type="checkbox"/> Change of Hours <input type="checkbox"/> New Construction <input type="checkbox"/> Alterations <input type="checkbox"/> Demolition <input type="checkbox"/> Other Please clarify:	ADDITIONS TO BUILDING: <input type="checkbox"/> Rear <input type="checkbox"/> Front <input type="checkbox"/> Height <input type="checkbox"/> Side Yard	PRESENT OR PREVIOUS USE: LIMITED SERVICE REST.	
		PROPOSED USE: FULL SERVICE REST.	
		BUILDING APPLICATION PERMIT NO.: 2016.1214.4999	DATE FILED: 12/14/16

4. Project Summary Table

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

	EXISTING USES:	EXISTING USES TO BE RETAINED:	NET NEW CONSTRUCTION AND/OR ADDITION:	PROJECT TOTALS:
PROJECT FEATURES				
Dwelling Units	—	—	—	—
Hotel Rooms	—	—	—	—
Parking Spaces	—	—	—	—
Loading Spaces	—	—	—	—
Number of Buildings	1	1	0	1
Height of Building(s)	35 FT.	35 FT.	0	35 FT.
Number of Stories	3	3	0	3
Bicycle Spaces	0	0	0	0
GROSS SQUARE FOOTAGE (GSF)				
Residential	6,200	6,200	0	6,200
Retail	2,600	2,600	0	2,600
Office	—	—	—	—
Industrial/PDR <small>Production, Distribution, & Repair</small>	—	—	—	—
Parking	—	—	—	—
Other (Specify Use)	—	—	—	—
TOTAL GSF				

Please describe any additional project features that are not included in this table:
 (Attach a separate sheet if more space is needed)

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

SECTION ~~303(c)~~ 715.44
 CHANGE OF USE FROM LIMITED SERVICE TO
 FULL SERVICE RESTAURANT WITH BEER & WINE
 LICENSE.

Conditional Use Findings

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

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

1. THIS IS AT THE HEART OF THE CASTRO DISTRICT. THE PROJECT WILL FIT RIGHT INTO THE CHARACTER OF THE NEIGHBORHOOD.
2. ALL HEALTH ISSUES A NOISE ABATEMENT WILL BE COMPLIED WITH
 - a) SIMILAR IN SIZE & HOURS OF OPERATION AS ADJACENT BUSINESSES
 - b) NO IMPACT. THERE IS NO CHANGE ON THE NUMBER OF PATRONS.
 - c) ALL ODOR, NOISE OR GLARE EMISSIONS WILL BE PROPERLY ABATED.
 - d) THERE IS NO OFF-STREET PARKING OR LANDSCAPING OR LIGHTED SIGNS.
3. THIS IS COMPLAINT WITH THE MASTER PLAN AS IT IS ENLAVED IN AN NCD SPECIFICALLY DESIGNED FOR THIS TYPE OF BUSINESS.

Priority General Plan Policies Findings

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

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

CONSISTENT. THIS PROJECT IS A SMALL RESTAURANT FAMILY ORIENTED. REPLACING A SIMILAR BUSINESS.

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

CONSISTENT. THIS BUSINESS IS REPLACING A PREVIOUSLY EXISTING RESTAURANT. CHANGING FROM DELI TO FULL SERVICE.

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

THERE IS NO IMPACT ON HOUSING THRU THIS PROJECT.

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

THERE WILL BE NO EFFECT ON VEHICULAR OR PEDESTRIAN PATTERNS.

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

NO INDUSTRIAL OR OFFICE ARE AFFECTED
BY THIS PROJECT.

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

ALL BUILDING A SEISMIC CODES
APPLICABLE TO THIS PROJECT WILL BE
ADHERED TO.

7. That landmarks and historic buildings be preserved; and

NO IMPACT ON LANDMARKS OR HISTORIC
BUILDINGS BY THIS PROJECT.

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


NO PARKS OR OPEN VISTAS AFFECTED.

Estimated Construction Costs

TYPE OF APPLICATION: CONDITIONAL USE	
OCCUPANCY CLASSIFICATION: B	
BUILDING TYPE: V-B	
TOTAL GROSS SQUARE FEET OF CONSTRUCTION: 2,600	BY PROPOSED USES: FULL SERVICE REST.
ESTIMATED CONSTRUCTION COST: \$13,000	
ESTIMATE PREPARED BY: OWNER OF BUSINESS	
FEE ESTABLISHED:	

Applicant's Affidavit

- ☒ Under penalty of perjury the following declarations are made:
- ☒ a: The undersigned is the owner or authorized agent of the owner of this property.
 - ☒ b: The information presented is true and correct to the best of my knowledge.
 - ☒ c: The other information or applications may be required.

Signature: 

Date: 12/14/16

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

GWUN NAYA MURARI
Owner / Authorized Agent (circle one)

Application Submittal Checklist

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

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


NOTES:

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

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

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

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

For Department Use Only	
Application received by Planning Department	
By: 	Date: 12/15/16

From: [gurunath murari](#)
To: [Tran, Nancy \(CPC\)](#)
Cc: [Javier Solorzano](#)
Subject: Re: 468 Castro Street - Conditional Use Authorization
Date: Wednesday, May 10, 2017 8:37:13 AM
Attachments: [image002.png](#)
[image004.png](#)
[image003.png](#)

Thanks Nancy.

Please see the responses below in **green**:

1. **Plan Submittal.** A copy of the revised floor plan was submitted to Planning reception at 1650 Mission Street. All plan revisions should be submitted formally to DBI at 1660 Mission Street, 2nd floor (so that it can be stamped and properly). **[GM] Designer Javier has already submitted plans to DBI.**

2. **PDF plans.** I will need a complete set of the PDF plans (for the staff report) before I can schedule the CUA hearing. **[GM] Designer Javier will submit these by today.**

3. **CU findings.** With respect to the Section 121.2 (Use Size Limits), I will more thorough findings. Please revisit and provide adequate findings to make your case for the CUA. Namely, provide more elaborate narrative answering how the restaurant will not affect other neighboring uses.

And why the bigger size is needed compared to other similar uses. **[GM] Please see my responses below:**

(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

- **First, we are an authentic Indian restaurant, and there is no other Indian restaurant on the street. So, we are not competing with anyone in the neighborhood. Moreover, we will only bring more customers to the Castro street contributing to additional foot traffic to the neighborhood.**
- **Even though the size seems a little more, storefront is very narrow compared to other restaurants in the neighborhood. So, it should not affect other stores in the neighborhood.**
- **Seating is also comparable to the other restaurants on the street; so, this will not have any impact on the other restaurants.**
- **Additionally, we will be the first Indian restaurant to introduce some organic items on the menu. So, our customer base will be a little different from the regular customer base. So, this will only increase the foot traffic to the neighborhood which will be beneficial to the other businesses in the neighborhood as well.**
- **For our current location on Valencia street, we have a wide range of customers from different neighborhood areas including Castro. So, by opening a location on Castro, we are sure that we will bring more customers to Castro street helping the other businesses as well.**
- **Our menu items will be different from the other restaurants; so, this will not impact any other restaurants in the neighborhood.**
- **The interior look and feel will be different than the other restaurants; so, we are not competing with any other restaurants in the neighborhood.**

(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.

- **We need a bigger kitchen space to make items fresh and healthy every day.**
- **We need to segregate space for organic items as we are planning to introduce some organic items on the menu.**
- **As this is our second location in San Francisco, we need a little more food preparation space than normal to support our other location on Valencia street to prepare some special items. Our kitchen/preparation space on Valencia street is pretty small.**

- Naan is one of the famous Indian food item that takes special processing with the dough that needs to be kneaded and cooked on a separate equipment.
- Preparing Indian food is time consuming; so, we will need additional space to process different ingredients simultaneously.
- Veg/non-veg – Some of the Indian communities prefer pure vegetarian items that needs to be cooked in a different style and on specialized equipment.
- Tandoor Items – As you must be aware of Indian tandoor items, they come in variety of options and we need to have space to segregate them and keep them marinated.
- We need to stock various Indian grocery items and spices that we must get it from specialized Indian stores that only delivers every 15 days. So, we need more storage space to stock these items.

(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.

- We are just using the existing space that was being operated by a Deli serving food for so many years. We are not expanding to additional space.
- Moreover, we are reducing the prior place by adding an additional handicapped restroom according to the ADA guidelines (8ft x 8ft) for our customers' convenience.
- Even though the space seems a little more, as the location is pretty narrow with many uneven sections, some space will be wasted.
- By adding additional restroom, we not only reduced the overall usable space, but also had to reduce the seating space because we need to keep the seating away from the restrooms.

Best Regards,
Guru Murari

On Tue, May 2, 2017 at 2:39 PM, Tran, Nancy (CPC) <Nancy.H.Tran@sfgov.org> wrote:

Hi all,

1. **Plan Submittal.** A copy of the revised floor plan was submitted to Planning reception at 1650 Mission Street. All plan revisions should be submitted formally to DBI at 1660 Mission Street, 2nd floor (so that it can be stamped and properly).
2. **PDF plans.** I will need a complete set of the PDF plans (for the staff report) before I can schedule the CUA hearing.
3. **CU findings.** With respect to the Section 121.2 (Use Size Limits), I will more thorough findings. Please revisit and provide adequate findings to make your case for the CUA. Namely, provide more elaborate narrative answering how the restaurant will not affect other neighboring uses. And why the bigger size is needed compared to other similar uses.

Again, I do not foresee an issue regarding the % of eating/drinking use establishments. This is for the Commission's consideration.

From: gurunath murari [mailto:gkmurari1@gmail.com]
Sent: Friday, April 14, 2017 1:24 AM
To: Tran, Nancy (CPC)

Cc: Javier Solorzano

Subject: Re: 468 Castro Street - Conditional Use Authorization

Hi Nancy,

I apologize for the delay. Please see the information you requested, in [blue](#).

Earlier, we already sent you the percentages of commercial vs eating & drinking (~ 27%) and we hope you are ok with that as it is only slightly above the limit of 25%. Can you please confirm?

Additionally, we are planning to apply for Type-75 licence (on-sale general brew-restaurant). Please let us know if there are any special steps/procedures on top of normal application process.

We already discussed all the above points in last castro merchants' association meeting and took a vote. All of them were so excited and offered support for us by saying that they would have no objection and will be sending their consent/approval to the planning department to expedite out application.

(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.

- Storefront is pretty narrow and is similar to most of the restaurants in the neighborhood.
- Seating is also similar to most of the restaurants in the neighborhood.

(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.

- We need a bigger kitchen space to make items fresh and healthy everyday.
- We need to segregate space for organic items as we are planning to introduce some organic items.
- As this is our second location in San Francisco, we need a little more food preparation space than normal to support our other location on Valencia street to prepare some special items. Our kitchen/preparation space on Valencia street is pretty small.

(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.

- We are just using the existing space that was being operated by a Deli serving food for so many years.
- Moreover, we are reducing the prior place by adding an additional handicapped bathroom according to the ADA guidelines (8ft x 8ft) for our customers convenience.

#4: Elevations. Please forward me a PDF that includes all of the following:

It shall include a description of the proposal compared to any existing improvements on the site with dimensions of the basic features, elevations and site plan of the proposed project including the position of any adjacent buildings, exterior dimensions and finishes, a graphic reference scale, existing and proposed uses and commercial or institutional business name, if known.

Updated Floor Plans: The existing floor plan should reflect the last approved building permit (BPA#98.00224).

Our designer Javier will share this with you by tomorrow.

#6 re: outdoor activity

No outdoor activity planned.

#7 re: hours of operation

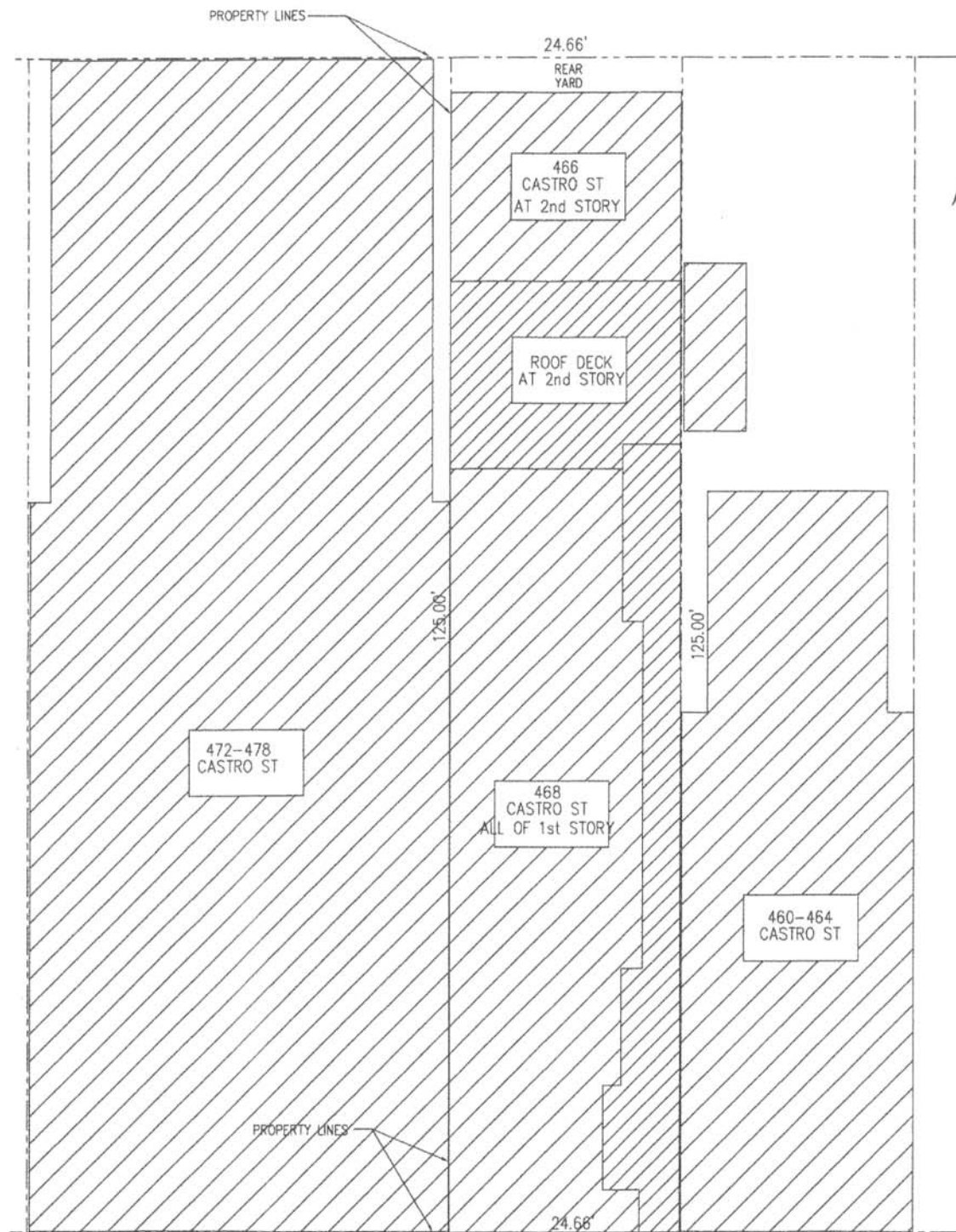
Regular Hours : 11:30 am - 11:00 pm.

Best Regards,

Guru Murari

On Thu, Apr 13, 2017 at 11:42 AM, Tran, Nancy (CPC)
<Nancy.H.Tran@sfgov.org> wrote:

Just following up my previous email (below) from a few weeks ago. Do you know when I can expect the remaining information? I won't be able to schedule the item for Commission until I get them.



CURB LINE
CASTRO STREET

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

SCOPE OF WORK

CHANGE OF USE TO
FULL SERVICE RESTAURANT

CODE COMPLIANCE NOTE
ALL DESIGN AND CONSTRUCTION WORK
SHALL COMPLY WITH THE FOLLOWING:

2013 CALIFORNIA BUILDING CODE
2013 CALIFORNIA RESIDENTIAL CODE
2013 CALIFORNIA ELECTRICAL CODE
2013 CALIFORNIA MECHANICAL CODE
2013 CALIFORNIA FIRE CODE
2013 CALIFORNIA PLUMBING CODE
2013 CALIFORNIA ENERGY CODE
2013 CALIFORNIA GREEN BUILDINGS STANDARD CODE
ALL OTHER STATE AND LOCAL LAWS, ORDINANCES
AND REGULATIONS



(E) FRONT ELEVATION
NO EXTERIOR CHANGES TO FACADE
NTS

GENERAL NOTES:

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS ON THE DRAWINGS PRIOR TO COMMENCING WORK. ANY CONFLICTS OR DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER AND BE RESOLVED BEFORE WORK PROCEEDS.

THE CONTRACTOR SHALL COORDINATE THE WORK OF ALL TRADES AND COORDINATE ALL REQUIRED PENETRATIONS AT FOUNDATION, FLOOR, WALL OR ROOF CONSTRUCTION.

THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL BRACING, SHORING AND TEMPORARY SUPPORTS AS REQUIRED TO RESIST CONSTRUCTION LOADS UNTIL COMPLETION OF THE VERTICAL AND LATERAL LOAD SYSTEMS.

TIMBER CONSTRUCTION

- DESIGN CODES AND SPECIFICATIONS
 - CALIFORNIA BUILDING CODE - 2013 AND SFBC AMENDMENTS
 - NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION (NFPA) - CURRENT EDITION
 - AMERICAN INSTITUTE OF TIMBER CONSTRUCTION - STANDARD FOR THE DESIGN OF STRUCTURAL TIMBER FRAMING
- TIMBER FOR STRUCTURAL USE SHALL OF SPECIES AND GRADE AS FOLLOWS:

ROOF JOISTS/STIFFENERS	DOUGLAS FIR NO. 1 OR AS OTHERWISE NOTED
EXTERIOR STUD WALLS	DOUGLAS FIR NO. 2
INTERIOR STUD WALLS	DOUGLAS FIR NO. 2
SILLS ON FLOOR SLABS OR CURB WITHIN 12" OF GRADE	DOUGLAS FIR NO. 2
GLULAM BEAM	W/PRESERVATIVE TREATMENT
	DF GRADE 24FV4 FOR SIMPLE SPAN
	DF GRADE 24FV8 FOR CANTILEVER BEAM
PLYWOOD ROOF SHEATHING	DFPA CD-EXTERIOR, I.D. 24/0
PLYWOOD WALL SHEATHING	DFPA CD-EXTERIOR, I.D. 32/16
- ALL NAILS SHALL BE COMMON WIRE NAILS OF STANDARD LENGTHS. UNLESS NOTED OTHERWISE ON DRAWINGS.
- ALL FRAMING HARDWARE SHALL BE AS MANUFACTURED BY SIMPSON COMPANY OR APPROVED EQUAL.
- BOLTS: DRILL HOLES 1/16" OVERSIZED. THREADS SHALL NOT BEAR ON WOOD. WASHERS SHALL BE PROVIDED AT ALL BOLT HEADS AND NUT BEARING ON WOOD.

PROJECT DATA

RESTAURANT
ZONING: NCD - CASTRO STREET, 40X
BUILDING TYPE: V-B
OCCUPANCY: M
LOT SIZE: 25.00' x 125.00'
LOT SQUARE FOOTAGE: 3,082.5 S.F.
LOT SQUARE COVERAGE: 100%

DRAWING INDEX

- GENERAL NOTES AND SITE PLAN
- EXISTING AND PROPOSED FLOOR PLANS
- H.C. DETAILS

WALL LEGEND

- | | |
|--|---|
| | EXISTING WALL TO REMAIN |
| | NEW WOOD FRAME WALL (2X4 @ 16" O.C.)
(NON-BEARING) |
| | EXISTING NON-BEARING WALL TO BE REMOVED |

REVISION	BY

DESIGNER: JAVIER SOLORZANO
3288 21st STREET #49
SAN FRANCISCO, CALIFORNIA 94110
(415) 724-5240

GENERAL NOTES
SITE PLAN

TENANT IMPROVEMENTS
468 CASTRO STREET
SAN FRANCISCO, CALIFORNIA
BLOCK 2647, LOT 011

Date 11/15/16
Scale AS NOTED
Drawn VFS
Job
Sheet
1
Of 3 Sheets



584 Castro Street #333
San Francisco CA 94114-2512

formerly "Merchants of Upper Market & Castro – MUMC"
415/431-2359

Info@CastroMerchants.com
www.CastroMerchants.com

July 5, 2017

By Email and USPS Hardcopy

Nancy Tran, Staff Planner
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco CA 94103

Re: Case No. 2016-016026CUA
for proposed Deccan Spice restaurant, 468 Castro Street

Dear Ms. Tran,

This confirms that Castro Merchants (formerly "Merchants of Upper Market & Castro – MUMC") **SUPPORTS** the application of Javier Solorzano on behalf of Gurunath Murari for a Change of Use at 468 Castro Street from a Specialty Grocery to a full service Restaurant, and any related applications and permits.

CM's support is based on information provided by the named Applicants. The support communicated in this letter remains in effect until withdrawn in writing. We have asked the Applicants to update us promptly, if there is any substantial change(s) in information or Conditions of Approval as the Application is prepared for its Commission Hearing.

Castro Merchants represents business owners and managers in San Francisco's Castro-Upper Market area, principally along Upper Market Street from Castro Street to Octavia Blvd.; Castro from Market to 19th Street; and commercially-zoned portions of cross streets throughout that area. Castro Merchants has about 300 paid Members for 2017 through April 30, 2018. The location of the proposed change is within Castro Merchants' primary service area.

..... continued



CASTRO MERCHANTS

S.F. Planning Department
Re: Case No. 2016-016026CUA

July 5, 2017

Let us know if you have any questions regarding Castro Merchants support for this proposed Change of Use. Please include this letter in the matter's permanent file and any successor files, and assure that it is provided to all applicable Planning staff and to all Commissioners prior to their Hearing on this matter (currently scheduled for July 20, 2017), and to any Appeal panels at the time that this matter is considered by them.

Thank you for considering our comments.

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel Bergerac", written over a faint circular stamp.

Daniel Bergerac, President

Email cc: Sup. Jeff Sheehy and staff (Barnes, Jones)
Capt. Bill Griffin, SFPD Mission Station
G. Murari, J. Solorzano, Deccan Spice

....LtrPlanningDeccan070617