



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: FEBRUARY 22, 2018

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Date: February 15, 2018
Case No.: **2017-007501CUA**
Project Address: **3629 Taraval Street**
Zoning: NC-1 (Neighborhood Commercial, Cluster)
Taraval Street Restaurant Subdistrict
40-X Height and Bulk District
Block/Lot: 2379/041
Project Sponsor: Andytown Coffee Roasters
Lauren Crabbe
3016 Taraval Street
San Francisco, CA 94111
Staff Contact: Cathleen Campbell – (415) 575-8732
cathleen.campbell@sfgov.org

PROJECT DESCRIPTION

The project proposes outdoor seating (Outdoor Activity Area) in the rear yard of the existing building for use by customers of the conditionally established limited restaurant use (dba "ANDYTOWN COFFEE ROASTERS"). Associated Outdoor Activity Area rear yard improvements include concrete paving, new landscaping, construction of a perimeter fence up to ten feet in height, a trash receptacle storage shed, and the installation of new furniture including tables and chairs.

The proposal requires a Conditional Use Authorization pursuant to Planning Code Section(s) 303, 145.2, and 710 to establish an Outdoor Activity Area in the rear of the existing building for use by a proposed Restaurant (dba "ANDYTOWN COFFEE ROASTERS") in the NC-1 (Neighborhood Commercial, Cluster) Zoning District, Taraval Street Restaurant Subdistrict, and the 40-X Height and Bulk District.

SITE DESCRIPTION AND PRESENT USE

The project is located on the south side of Taraval Street, between 45th and 46th Avenue, Block 2379, Lot 041. The property is located within the NC-1 (Neighborhood Commercial, Cluster) Zoning District, Taraval Street Restaurant Subdistrict, and the 40-X Height and Bulk District. The parcel measures approximately 2,500 square feet and is developed with an approximately 1,467 square-foot once-story building consisting of two ground floor commercial spaces. The subject commercial tenant space is approximately 538 square feet in size and is occupied by a conditionally established limited restaurant use (dba "ANDYTOWN COFFEE ROASTERS"). The existing rear yard is approximately 336 square feet in size.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The property is located within the Taraval Street Restaurant Subdistrict (RSUD), which is comprised of three distinct segments – the longest stretch between 12th and 36th Avenues, with two smaller portions to the west. The farthest west segment of the Taraval Street RSUD is located in the Parkside neighborhood, and includes the commercial, residential and mixed-use properties fronting both sides of Taraval Street from 45th through 47th Avenues that are zoned Neighborhood Commercial Cluster (NC-1). NC-1 Districts are intended to serve as local neighborhood shopping districts, providing convenience retail goods and services for the immediately surrounding neighborhoods primarily during daytime hours. NC-1 commercial use provisions encourage the full range of neighborhood-serving convenience retail sales and services at the first story, however eating and drinking establishments are restricted, depending upon the intensity of such uses in nearby commercial districts.

The neighboring properties to the north and south of Taraval Street are primarily zoned for one- and two-family houses, although there are also some areas of Residential Mixed, Low Density Zoning, which also contain some apartment buildings, though mostly scaled to low heights and moderate lot coverage. Great Highway and Ocean Beach are a little more than a block away to the west.

The immediate area around the subject property does appear to contain a concentration of eating and drinking uses. The adjacent commercial tenant space within the subject property contains a restaurant (dba “Brother’s Pizza”). The adjacent property to the west is a one-story commercial building conditionally approved restaurant use with accessory specialty grocery (dba TBD). The adjacent property to the east of the adjacent commercial tenant is developed with a two-story single family residential building.

ENVIRONMENTAL REVIEW

The project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 1 categorical exemption.

HEARING NOTIFICATION REQUIREMENTS

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	February 2, 2016	February 2, 2016	20 days
Posted Notice	20 days	February 2, 2016	February 2, 2016	20 days
Mailed Notice	20 days	February 2, 2016	February 2, 2016	20 days

PUBLIC COMMENT

- As of February 15, 2018, the Planning Department has not received any public comment in support of or in opposition to the proposed project.

ISSUES AND OTHER CONSIDERATIONS

- The proposed hours of operation for the Outdoor Activity Area are as follows: 6:00 AM to 8:00 PM Daily.
- The existing rear yard of the subject tenant space is located between two commercial tenants. The project sponsor is aware of the potential for noise impacts to residential uses within the block and has agreed to actively address any such complaints. The project includes improvements to the existing rear yard that will protect the privacy of adjacent uses and will provide both aesthetic and sound insulating benefits. The conditions of approval will ensure that the use meets minimum, reasonable performance standards and will limit the hours of operation for the Outdoor Activity Area.
- The Commerce and Industry Element of the General Plan contains Guidelines to avoid the potential over-concentration of eating and drinking establishments. The Guidelines specifically state, “the balance of commercial uses may be threatened when eating and drinking establishments occupy more than 20% of the total occupied commercial frontage.” Eating and drinking establishments are prevalent in the area, however, the requested authorization would not create a new stand-alone bar establishment or expand the physical footprint of the existing restaurant use. An outdoor activity area will not increase the percentage commercial frontage of eating and drinking establishments within 300 feet of the project site and NC-1 District.

REQUIRED COMMISSION ACTION

For the project to proceed, the Commission must grant Conditional Use authorization to allow an Outdoor Activity Area in the rear of the existing building, within the NC-1 (Neighborhood Commercial, Cluster) Zoning District, Taraval Street Restaurant Subdistrict, pursuant to Planning Code Sections 303, 145.2, and 710.

BASIS FOR RECOMMENDATION

- The project would attract a diverse customer base and help contribute to the vitality of the Taraval Street commercial corridor.
- The project includes physical improvements and operational standards to minimize impacts to adjacent properties.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for and compatible with the surrounding neighborhood.

RECOMMENDATION:	Approval with Conditions
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Attachments:
Block Book Map

Motion No. XXXXX
February 15, 2018

CASE NO. 2017-007501CUA
3629 Taraval Street

Sanborn Map
Zoning Map
Aerial Photograph
Site Photograph
Environmental Analysis
Project Sponsor Submittal

Exhibit Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input 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 type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Block Book Map | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Aerial Photos | <input type="checkbox"/> Community Meeting Notice |
| <input type="checkbox"/> Context Photo | <input type="checkbox"/> Public Correspondence |
| <input checked="" type="checkbox"/> Site Photo | |

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

WF
Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

☐ Affordable Housing (Sec. 415)

☐ First Source Hiring (Admin. Code)

☐ Jobs Housing Linkage Program (Sec. 413)

☐ Child Care Requirement (Sec. 414)

☐ Downtown Park Fee (Sec. 412)

☐ Other

Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 145.2, 710, AND 303 OF THE PLANNING CODE TO ESTABLISH AN OUTDOOR ACTIVITY AREA IN THE REAR YARD OF THE EXISTING BUILDING FOR USE BY AN EXISTING LIMITED RESTAURANT (DBA “ANDYTOWN COFFEE ROASTERS”) IN THE NC-1 (NEIGHBORHOOD COMMERCIAL, CLUSTER) ZONING DISTRICT, TARAVAL STREET RESTAURANT SUBDISTRICT, AND THE 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On June 15, 2017, Lauren Crabbe (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Section(s) 303, 145.2, and 710 to establish an Outdoor Activity Area in the rear of the existing building for use by a proposed Restaurant (dba “ANDYTOWN COFFEE ROASTERS”) in the NC-1 (Neighborhood Commercial, Cluster) Zoning District, Taraval Street Restaurant Subdistrict, and the 40-X Height and Bulk District.

On February 22, 2018, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2017-007501CUA.

The project is exempt from the California Environmental Quality Act ("CEQA") as a 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. 2017-007501CUA, 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.** The project is located on the south side of Taraval Street, between 45th and 46th Avenue, Block 2379, Lot 041. The property is located within the NC-1 (Neighborhood Commercial, Cluster) Zoning District, Taraval Street Restaurant Subdistrict, and the 40-X Height and Bulk District. The parcel measures approximately 2,500 square feet and is developed with an approximately 1,467 square-foot once-story building consisting of two ground floor commercial spaces. The subject commercial tenant space is approximately 538 square feet in size and is occupied by a conditionally established limited restaurant use (dba "ANDYTOWN COFFEE ROASTERS"). The existing rear yard is approximately 336 square feet in size.
3. **Surrounding Neighborhood. Surrounding Properties and Neighborhood.** The property is located within the Taraval Street Restaurant Subdistrict (RSUD), which is comprised of three distinct segments – the longest stretch between 12th and 36th Avenues, with two smaller portions to the west. The farthest west segment of the Taraval Street RSUD is located in the Parkside neighborhood, and includes the commercial, residential and mixed-use properties fronting both sides of Taraval Street from 45th through 47th Avenues that are zoned Neighborhood Commercial Cluster (NC-1). NC-1 Districts are intended to serve as local neighborhood shopping districts, providing convenience retail goods and services for the immediately surrounding neighborhoods primarily during daytime hours. NC-1 commercial use provisions encourage the full range of neighborhood-serving convenience retail sales and services at the first story, however eating and drinking establishments are restricted, depending upon the intensity of such uses in nearby commercial districts.

The neighboring properties to the north and south of Taraval Street are primarily zoned for one- and two-family houses, although there are also some areas of Residential Mixed, Low Density Zoning, which also contain some apartment buildings, though mostly scaled to low heights and moderate lot coverage. Great Highway and Ocean Beach are a little more than a block away to the west.

The immediate area around the subject property does appear to contain a concentration of eating and drinking uses. The adjacent commercial tenant space within the subject property contains a restaurant (dba "Brother's Pizza"). The adjacent property to the west is a one-story commercial building conditionally approved restaurant use with accessory specialty grocery (dba TBD). The adjacent property to the east of the adjacent commercial tenant is developed with a two-story single family residential building.

3. **Project Description.** The project proposes outdoor seating (Outdoor Activity Area) in the rear yard of the existing building for use by customers of the conditionally established limited restaurant use (dba "ANDYTOWN COFFEE ROASTERS"). Associated Outdoor Activity Area rear yard improvements include concrete paving, new landscaping, construction of a perimeter fence up to ten feet in height, a trash receptacle storage shed, and the installation of new furniture including tables and chairs.
4. **Public Comment.** As of February 15, 2018, the Planning Department has not received any public comment regarding this proposal.
5. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Outdoor Activity Area.** Pursuant to Planning Code Section 711.24, an Outdoor Activity Area is principally permitted in the NC-1 Zoning District if located in the front or is permitted with Conditional Use authorization if located elsewhere. In addition to the criteria listed in Planning Code Section 303, the Planning Commission shall find that:
 - i. The nature of the activity operated in the Outdoor Activity Area is compatible with surrounding uses;

The project sponsor is aware of the potential for noise impacts to adjacent residential uses and has agreed to actively address any such complaints. The project includes physical improvements to the existing rear yard, including a new property line fence and landscaping, for the purposes of screening and sound insulation. The conditions of approval will ensure that the use meets minimum, reasonable performance standards.
 - ii. The operation and design of the Outdoor Activity Area does not significantly disturb the privacy or livability of adjoining or surrounding residences;

The project sponsor is aware of the potential for privacy impacts to adjacent residential uses and has agreed to actively address any such complaints. The project includes physical improvements to the

existing rear yard, including a new property line fence and landscaping, intended to protect the privacy of adjacent uses. The conditions of approval will ensure that the use meets minimum, reasonable performance standards.

- iii. The hours of operation of the activity operated in the Outdoor Activity Area are limited so that the activity does not disrupt the viability of surrounding uses.

The proposed hours of operation for the Outdoor Activity Area are as follows: 6:00 AM to 8:00 PM Daily. A condition of approval will limit the hours of operation of the Outdoor Activity Area to the hours specified above.

- B. Use Size.** Pursuant to Planning Code Section 710, 121.2, and 102, non-residential uses up to 3,999 square feet in size are principally permitted in the NC-1 Zoning District.

The existing tenant space is approximately 538 square feet in size. Inclusion of the approximately 336 square-foot rear yard will increase the use size to approximately 874 square feet.

- C. Hours of Operation.** Pursuant to Planning Code Section 710, the principally permitted hours of operation are from 6:00 AM to 2:00 AM.

The proposed hours of operation for the Outdoor Activity Area are as follows: 6:00 AM to 8:00 PM Daily.

- D. Conditional Use Authorization.** Planning Code Section 303(c) establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. The project does comply with said criteria in that:

- i. 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 subject property is located in a Neighborhood Commercial Transit District and is surrounded by several entertainment options, including restaurants and bars. The proposed Outdoor Activity Area is a desirable addition to the existing tenant mix along the Taraval Street commercial corridor.

The project sponsor is aware of the potential for noise impacts to residential uses within the block and has agreed to actively address any such complaints. The project includes improvements to the existing rear yard that will protect the privacy of adjacent uses and will provide both aesthetic and sound insulating benefits. The conditions of approval will ensure that the use meets minimum, reasonable performance standards and will limit the hours of operation for the Outdoor Activity Area.

- ii. 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:

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

The project sponsor is aware of the potential for noise impacts to adjacent neighbors and has agreed to actively address any such complaints. The conditions of approval will ensure that the use meets minimum, reasonable performance standards.

- iii. 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 project would not have any effect on accessibility or traffic patterns for persons or vehicles.

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

The conditions of approval will ensure that the use meets minimum, reasonable performance standards, including limits to the hours of operation of the Outdoor Activity Area.

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

The project includes improvements to the existing rear yard that will provide both aesthetic and sound insulating benefits.

- vi. 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.

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

The proposed project is consistent with the stated purpose of the NC-1 (Neighborhood Commercial, Cluster) Zoning District, which is intended to offer a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood.

6. **Planning Code Section 303(o)** establishes criteria for the Planning Commission to consider when reviewing applications for Eating and Drinking 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.. On balance, the project does comply with said criteria in that:

A. 300 feet of the project site & NC-1

There is approximately 778.00 linear feet of commercial frontage within 300 feet of the project site and NC-1 District. Approximately 409.75 linear feet or 52.67% of this commercial frontage is comprised of eating and drinking establishments. The addition of an outdoor activity area will not increase the percentage of commercial frontage comprised of eating and drinking establishments within 300 feet of the project site and NC-1 District.

7. **General Plan Compliance.** The project is consistent with the Objectives and Policies of the General Plan.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

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 proposal will retain the existing commercial activity as well as attract visitors of the Taraval Street commercial corridor and ocean beach.

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.

The proposal will contribute to the overall economic vitality of the district, thereby preserving and enhancing future opportunities for resident employment and business ownership.

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.

No commercial tenant would be displaced and the project would activate the ground floor with restaurant use that is compatible with the Neighborhood Commercial Transit District. In order for a neighborhood commercial district to remain viable and serve the needs of the surrounding neighborhood, it must exhibit a healthy balance of different types of commercial uses. This policy includes guidelines that eating and drinking establishments should not occupy more than 25 percent of the total commercially-occupied frontage in a district. The Project would allow the rear yard of the existing limited restaurant to be utilized by the patrons to consume purchased food and drinks. The addition of an outdoor activity area will not disrupt the balance of commercial uses in the area, and will not displace storefronts that could provide for neighborhood-serving goods and services.

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.

The Project is desirable because it will contribute to the viability of an existing restaurant use that is locally- owned and has operated. The Project would not physically expand the existing limited restaurant. The Project is desirable and compatible with the neighborhood, and will contribute to the vitality of the District.

8. **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 subject limited restaurant filled a vacant space, restoring a retail use to the subject property and providing opportunities for resident employment.

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

The proposal would not have any effect on housing. The proposed Outdoor Activity Area is compatible with the existing neighborhood character.

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

The proposal would not have any effect on the City's supply of affordable housing.

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

The project will not impede MUNI services or overburden streets or neighborhood parking.

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

The 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.

This proposal will not affect the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The project does not involve a landmark or historic building.

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

The project will have no effect on existing parks and open spaces.

9. 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.
10. 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. 2017-007501CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated June 15, 2017, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on February 22, 2018.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to establish an outdoor activity area in the rear of the existing building for use by an existing limited restaurant (dba "Andytown Coffee Roasters"), located at 3629 Taraval Street, Block 2379, Lot 041 pursuant to Planning Code Sections 303, 145.2, and 710 within the **NC-1 (Neighborhood Commercial, Cluster) Zoning District, Taraval Street Restaurant Subdistrict**, and the **40-X** Height and Bulk District; in general conformance with plans, dated **April 17, 2017** and stamped "EXHIBIT B" included in the docket for Case No. 2017-007501CUA and subject to conditions of approval reviewed and approved by the Commission on **February 22, 2017** under Motion No. **xxxxx**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **February 22, 2017** under Motion No. **xxxxx**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **xxxxx** 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 – COMPLIANCE AT PLAN STAGE

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

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

MONITORING - AFTER ENTITLEMENT

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

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

8. **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

OPERATION

9. **Hours of Operation.** Use of the Outdoor Activity Area shall be limited to the following days and times: Sunday 6:00 AM to 8:00 PM. Staff may remain in the facility as necessary for cleaning and other duties related to the operations of the Outdoor Activity Area one hour past the closing hour stated above. No employees may be in the Outdoor Activity Area after the clean-up time.

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

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. Noise Control.** The premises shall be adequately 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

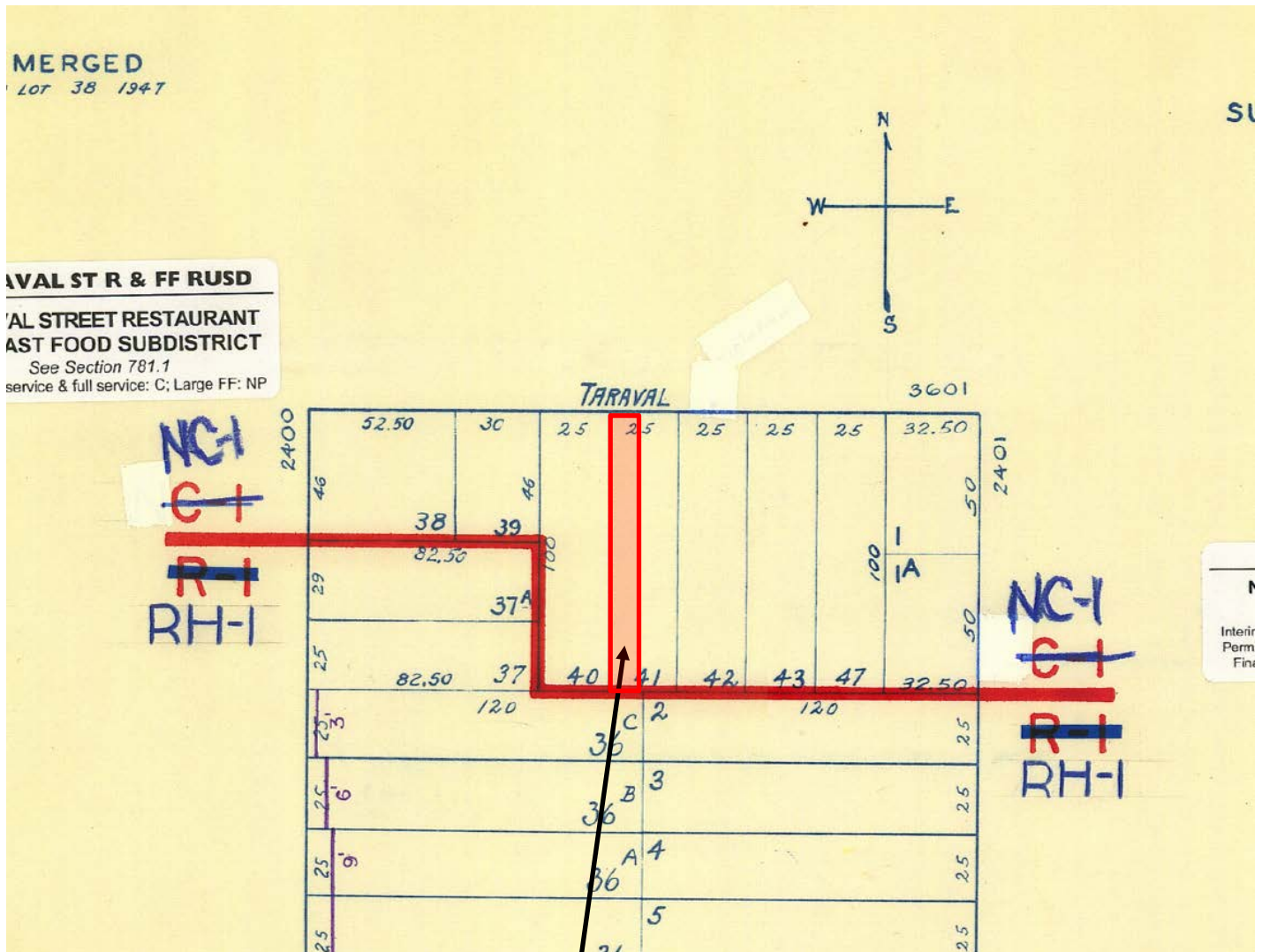
For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, www.sfdbi.org

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

- 13. 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

Parcel Map

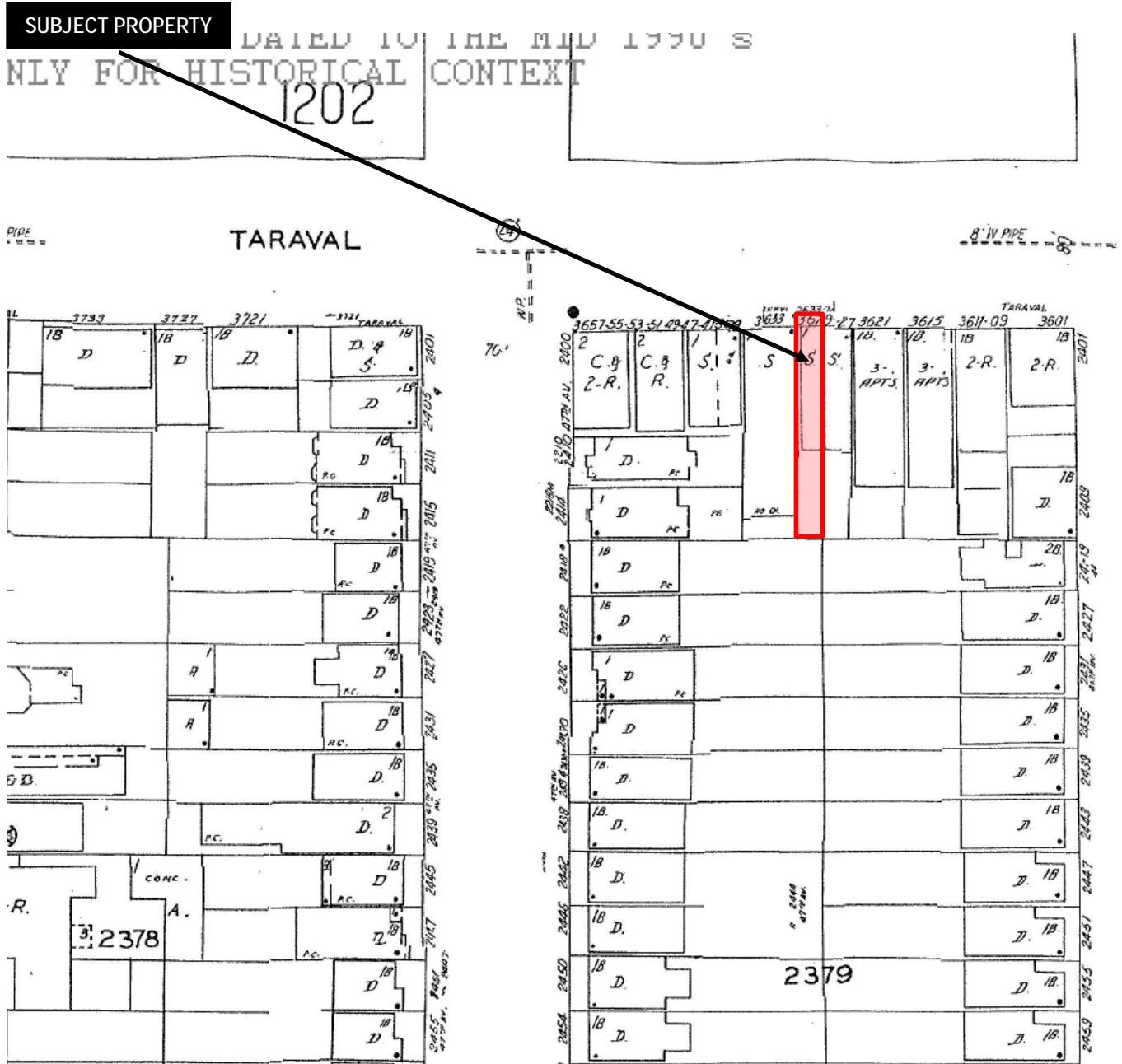


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2017-007501CUA
Outdoor Activity Area
3629 Taraval Street

Sanborn Map*



Conditional Use Hearing
Case Number 2017-007501CUA
Outdoor Activity Area
3629 Taraval Street

Aerial Photo

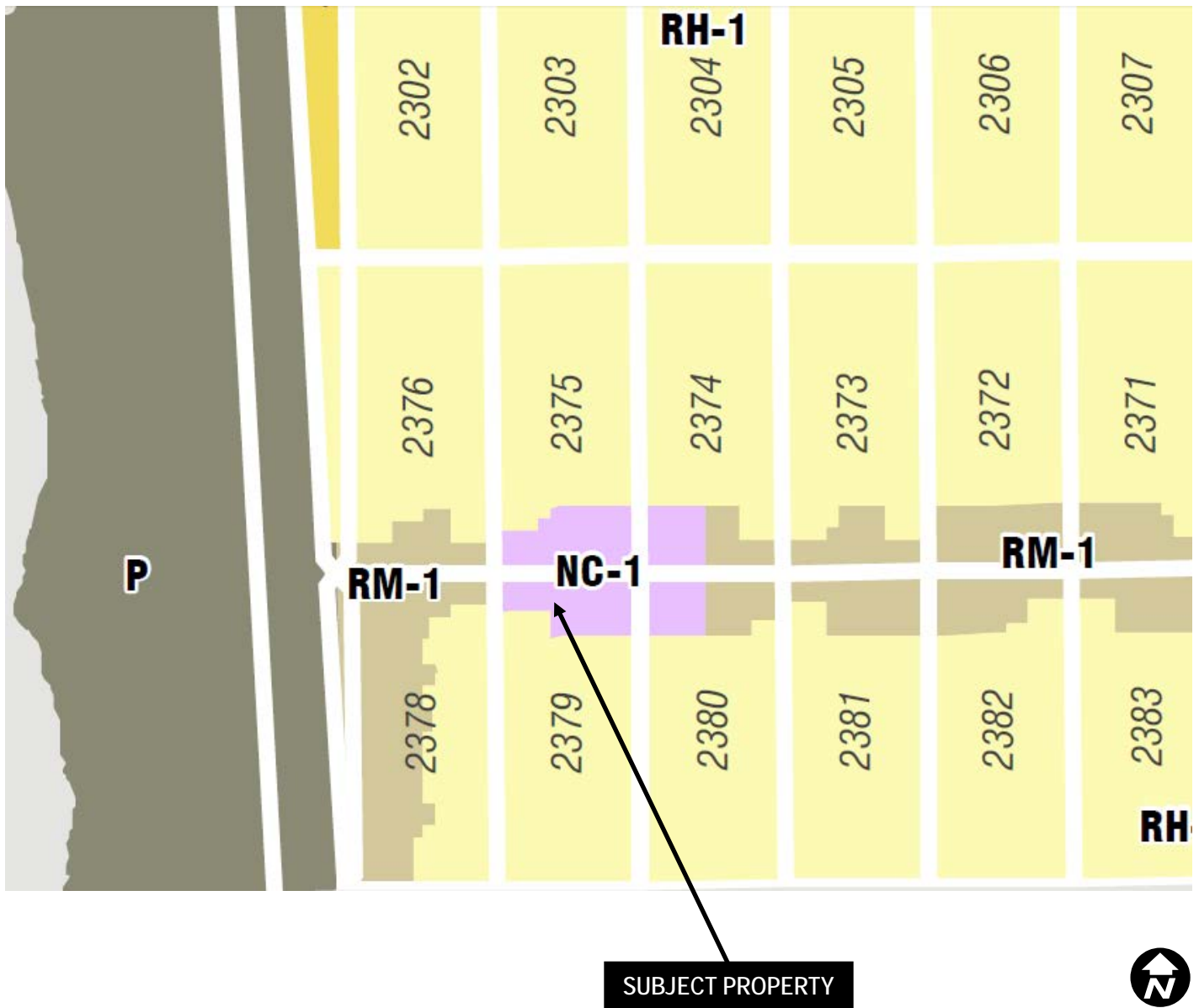


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2017-007501CUA
Outdoor Activity Area
3629 Taraval Street

Zoning Map



Conditional Use Hearing
Case Number 2017-007501CUA
Outdoor Activity Area
3629 Taraval Street

Site Photo



Conditional Use Hearing
Case Number 2017-007501CUA
Outdoor Activity Area
3629 Taraval Street

Site Photo



Conditional Use Hearing
Case Number 2017-007501CUA
Outdoor Activity Area
3629 Taraval Street

Site Photo



Conditional Use Hearing
Case Number 2017-007501CUA
Outdoor Activity Area
3629 Taraval Street

Site Photo



Conditional Use Hearing
Case Number 2017-007501CUA
Outdoor Activity Area
3629 Taraval Street



SITE PHOTOS: INTERIOR



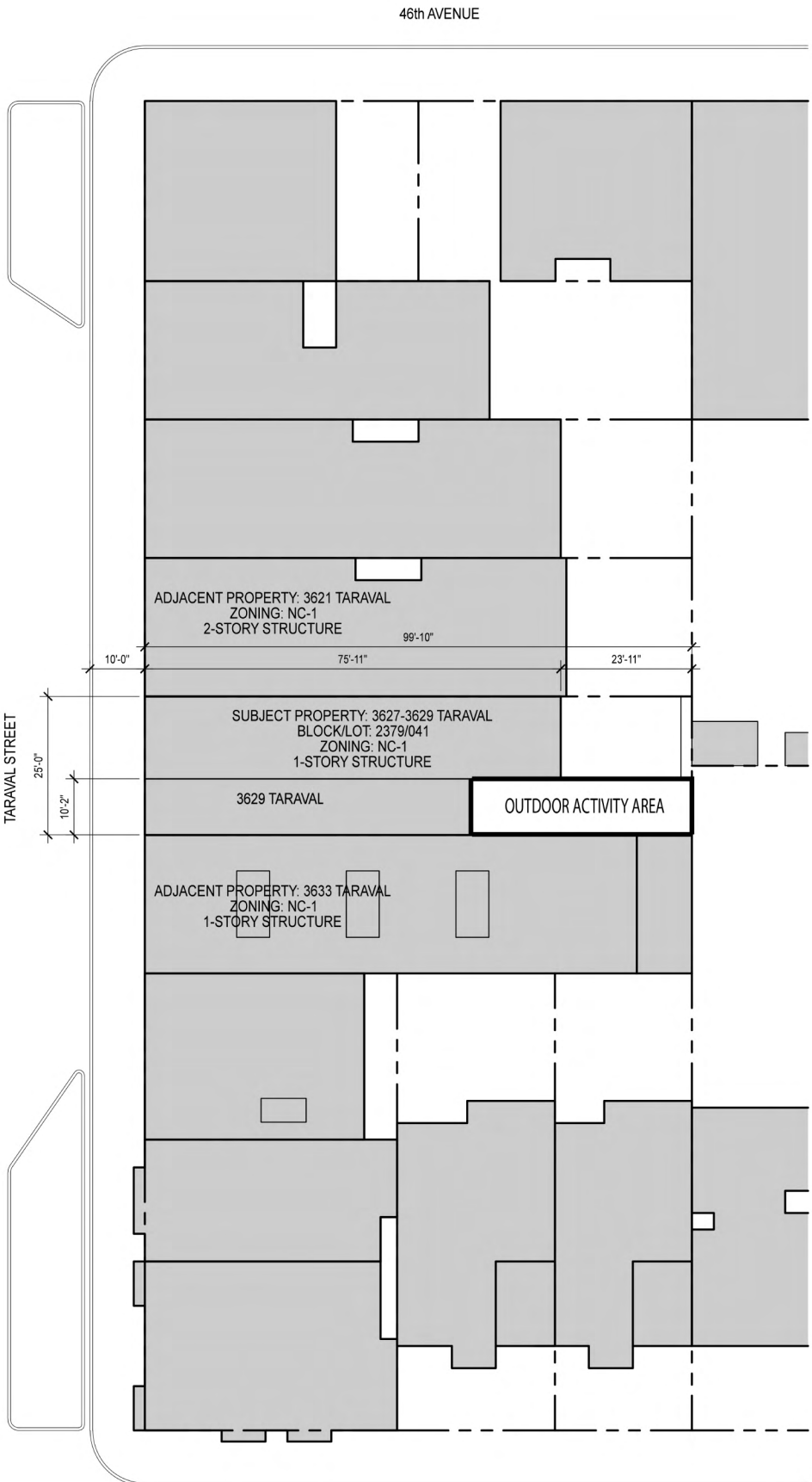
SITE PHOTOS: EXTERIOR



VICINITY AERIAL PHOTO



PROJECT SITE



SITE PLAN
SCALE: 1'-0" = 1/16"

PROJECT DATA

ADDRESS
3629 TARAVAL STREET
SAN FRANCISCO, CA 94116

BLOCK/LOT #
2379 / 041

ZONING DISTRICT
NC-1

OCCUPANCY GROUP
B

TYPE OF CONSTRUCTION
N/A

HEIGHT LIMIT
40-X

SCOPE OF WORK
CHANGE OF USE FROM GARDEN AREA
TO OUTDOOR ACTIVITY AREA

PARCEL AREA
2,500 SQ.FT.

BUILDING AREA (GROSS)
-EXISTING: 1,467 SQ.FT. (NO CHANGE)
(NO ADDITIONAL SQUARE FEET)

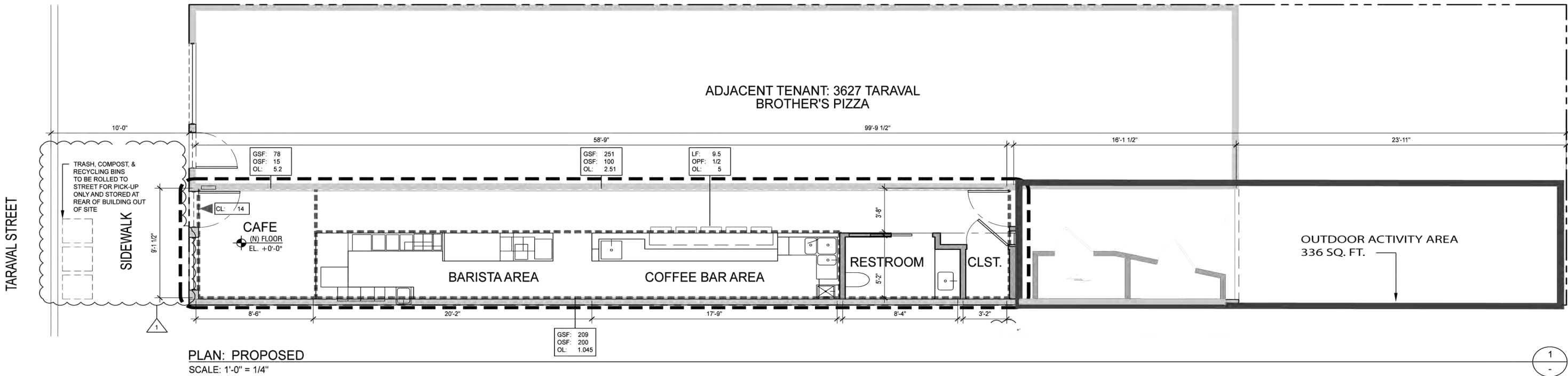
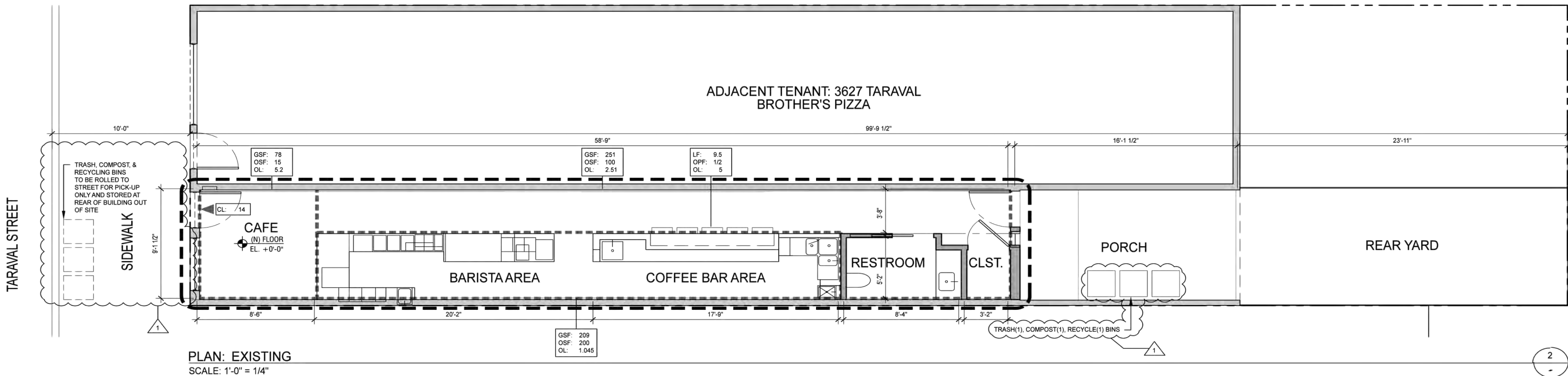
Outdoor Activity Area (Gross)
-363 SQ. FT.

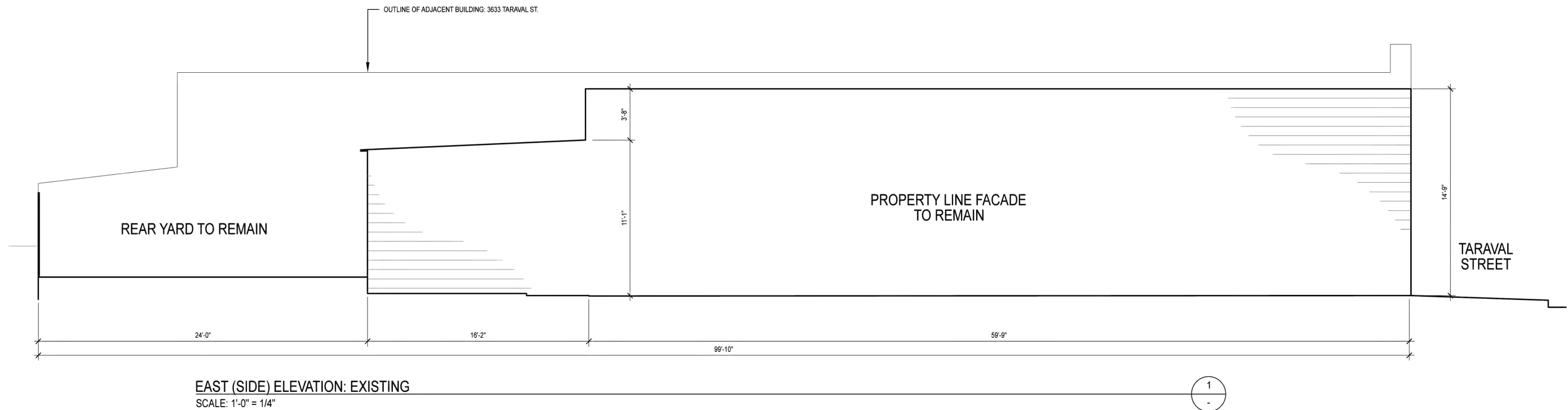
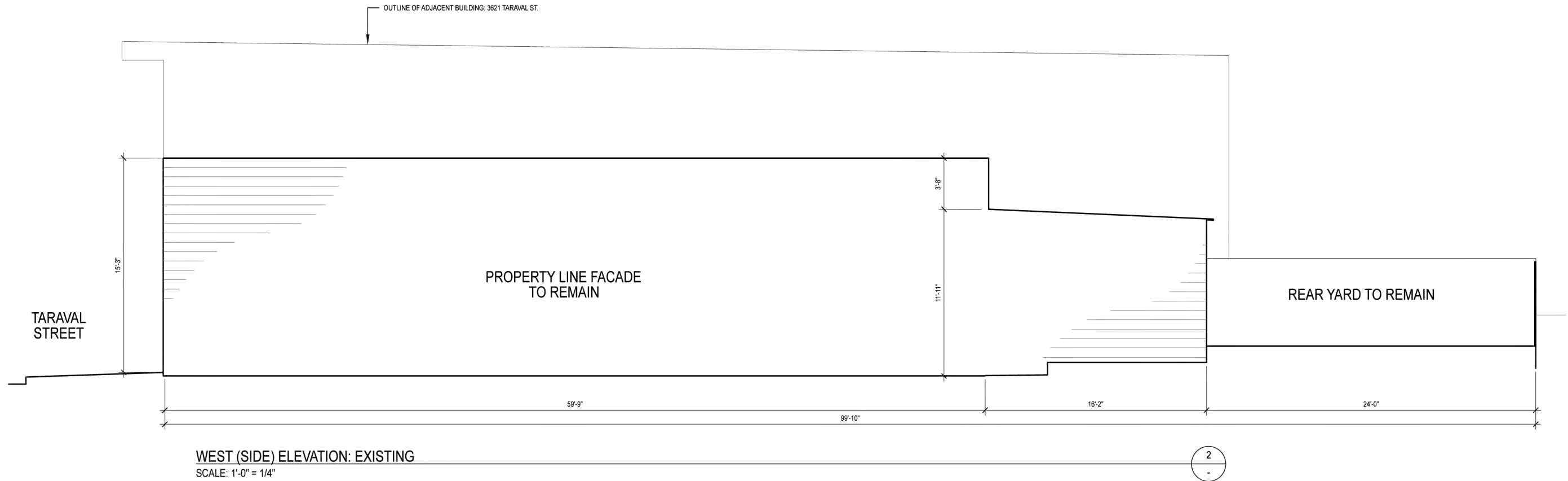
DIRECTORY

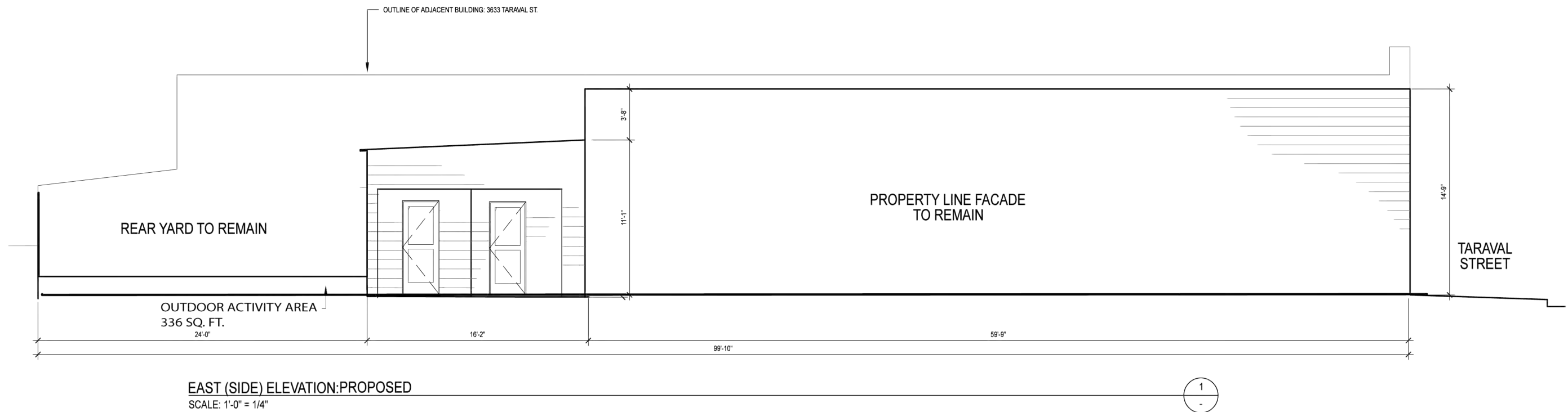
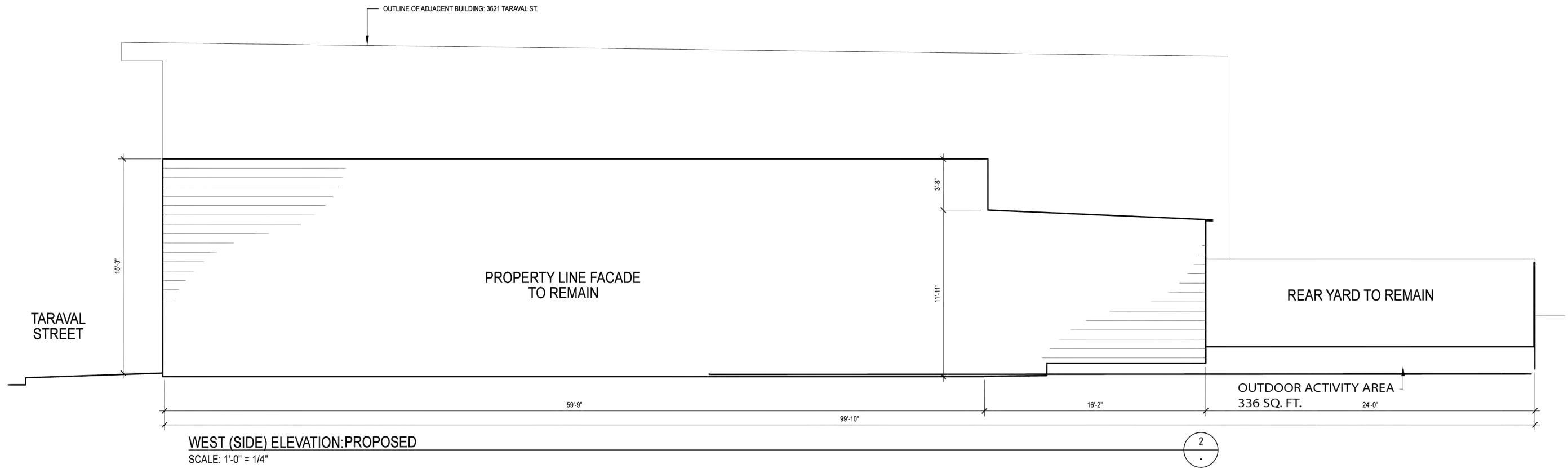
OWNER
ANDYTOWN COFFEE
MICHAEL MCCRORY & LAUREN CRABBE
3655 LAWTON STREET
SAN FRANCISCO CA 94116
415 - 753 - 9775
MICHAEL@ANDYTOWNSF.COM
LAUREN@ANDYTOWNSF.COM

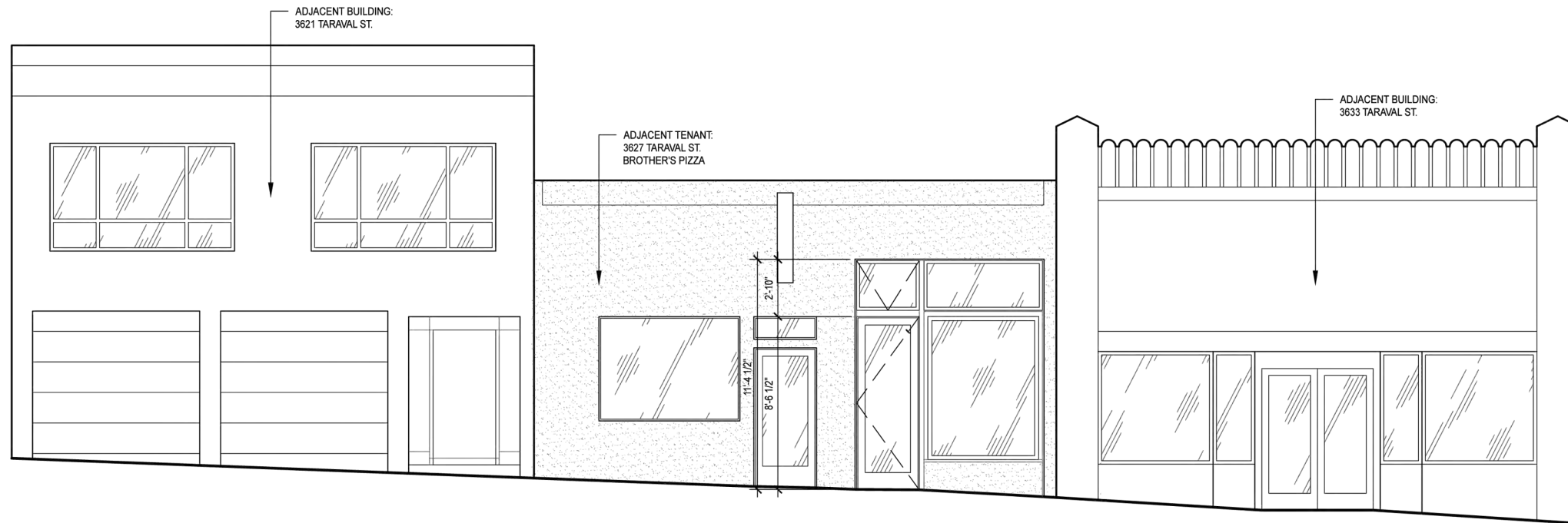
SHEET INDEX

ARCHITECTURAL
A0.01 - PROJECT INFORMATION
A2.01 - PLANS: EXISTING & PROPOSED
A3.01 - SECTIONS: EXISTING & PROPOSED
A4.01 - FRONT & REAR ELEVATIONS:
EXISTING & PROPOSED
A4.02 - SIDE ELEVATIONS: EXISTING



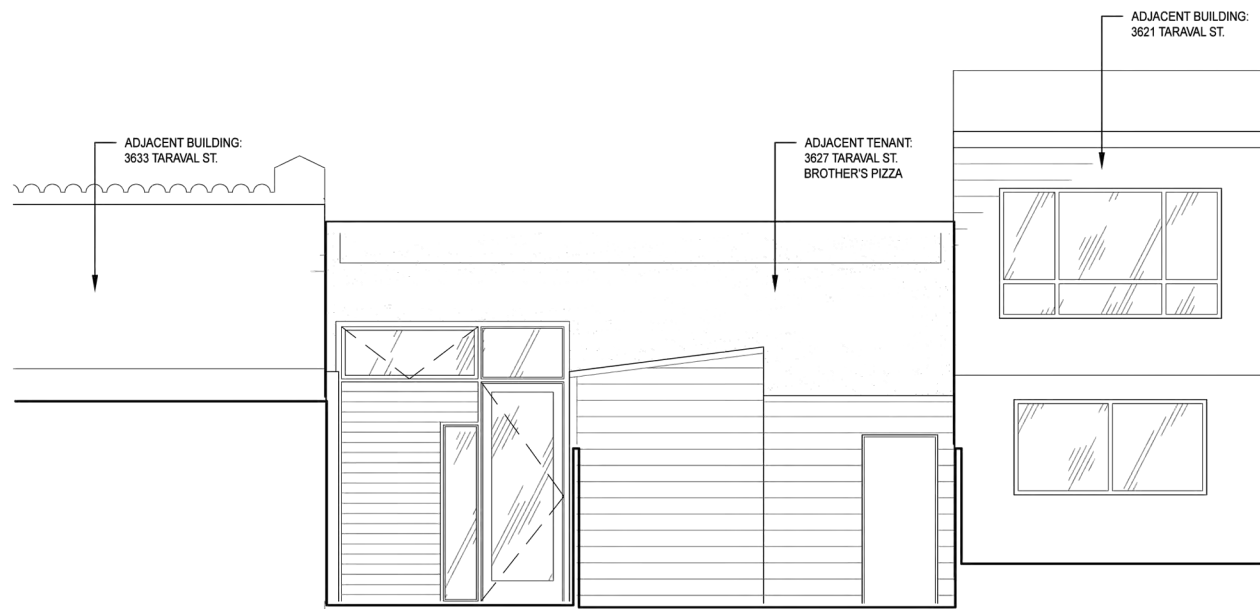






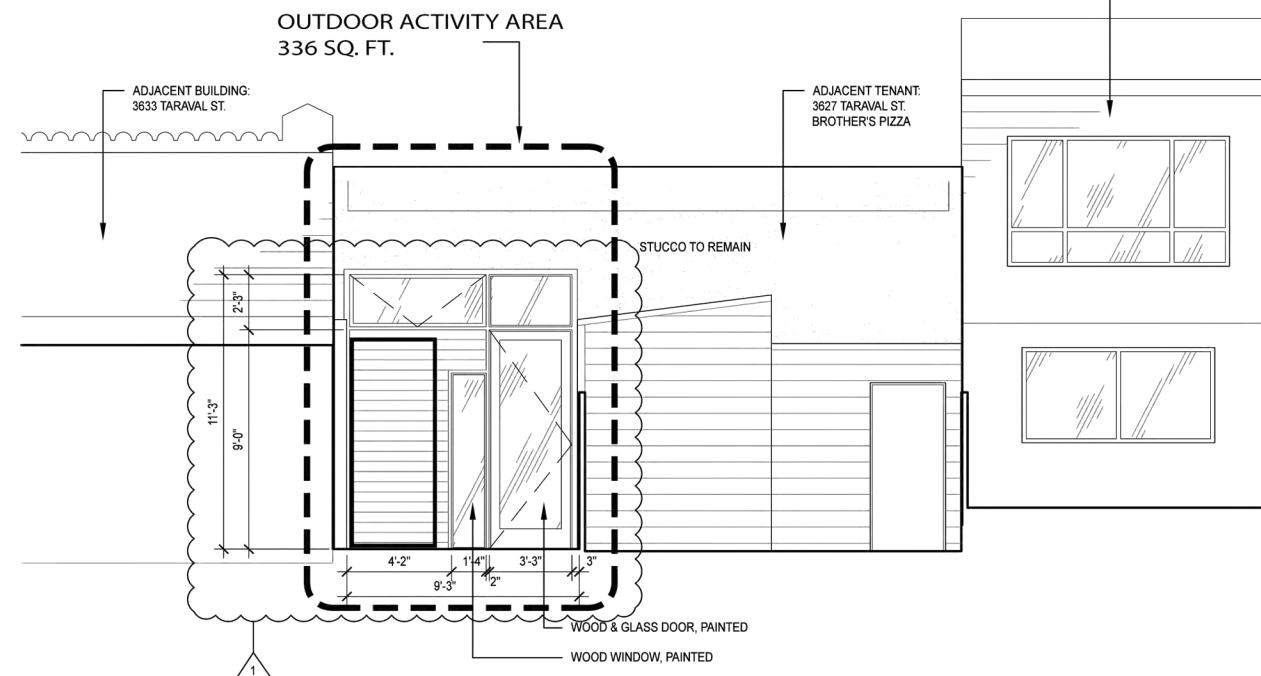
ELEVATION: EXISTING (NO CHANGE)
SCALE: 1'-0" = 1/4"

3
-



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

2
-



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

PROJECT TITLE
**ANDYTOWN COFFEE ROASTERS
(TARAVAL LOCATION)**

JOB:
3629 TARAVAL

ISSUE:
CONDITIONAL
USE PERMIT

DATE:

REVISION:

SHEET TITLE:
ELEVATIONS -
EXISTING &
PROPOSED

SHEET NUMBER:

A4.01

JUNIPER ARCHITECTURE

355 11TH STREET, SUITE 200
SAN FRANCISCO, CA 94103
SHANE: 415.341.2886 JOSH: 415.652.5885
WWW.JUNIPERARCHITECTURE.COM

3629 TARAVAL STREET
SAN FRANCISCO, CA 94116