



EXECUTIVE SUMMARY CONDITIONAL USE AUTHORIZATION

HEARING DATE: MAY 27, 2021

Record No.: 2019-012888CUA
Project Address: 3129 - 3141 CLEMENT STREET
Zoning: NC-1 (Neighborhood Commercial Cluster) Zoning District
40-X Height and Bulk District
Block/Lots: 1464/024A, 029
Project Sponsors: Shuai Liu (applicant)
Mark Luellen & Amy Lee (representatives)
William Chan (agent/designer)
Mark Luellen & Amy Lee (representatives)
P.O. Box 232
Millbrae, CA 94030
Property Owners: Shuai Liu
3129 Clement Street
San Francisco, CA 94121
Staff Contact: Sharon M. Young – (628) 652-7349
sharon.m.young@sfgov.org

Recommendation: Approval with Conditions

Project Description

The Project is for Conditional Use Authorization to allow a use size over 3,000 square feet in floor area by merging an approximately 1,925 square foot commercial space (d.b.a. Links Bar and Grill) at 3129 Clement Street with an approximately 3,378 square foot commercial space (d.b.a. Akiba) 3141 Clement Street, to extend the hours of operation up to 2 a.m., legalize an outdoor activity area (at the rear yard area of 3141 Clement to allow outdoor dining up to 10 p.m.), and to modify the conditions of approval from prior conditional use authorizations. The combined commercial spaces of the restaurant and bar will consist of approximately 5,303 square feet of floor area. Some of the tenant improvements will include the following: new interior connection between the two commercial spaces; restoring the exterior front facade at 3129 Clement Street (back to the original 2015 storefront facade); and interior renovations (to add a new karaoke studio room and remodeling the bar area), installing a new ADA ramp for rear outdoor access, and removing the existing Akiba business signage at 3141 Clement Street. The project site at 3129 Clement Street and 3141 Clement Street are located within the NC-1 (Neighborhood

Commercial Cluster) Zoning District and a 40-X Height and Bulk District. Links Bar and Grill was established at 3129 Clement Street since 2019 and Akiba was established at 3141 Clement Street since 2010.

The project sponsors are requesting the Planning Commission consider their current Project to allow for the merger of the restaurant and bar to consolidate their two separate businesses to help their business thrive, with the extended hours of operation and outdoor activity area for restaurant dining.

Background of Prior Conditional Use Authorizations on Project Site

- *On May 26, 1994, Conditional Use Authorization was granted by the Planning Commission under Case No. 94.160C (Motion No. 13693) to add one billiard/pool table as an entertainment use at 3129 Clement Street.*
- *On July 11, 2013, Conditional Use Authorization was granted by the Planning Commission under Case No. 2013.0023C (Motion No. 18915) to add an entertainment use (karaoke lounge) to the existing restaurant use d.b.a. Akiba and to extend the hours of operation until 2 a.m.*

The current Project will modify the prior condition of approval under the prior Conditional Use Authorization: Condition #16 per previous Motion No. 18915 under Case No. 2013.0023C which limited the establishment's hours of operation to 2 p.m. - 11 p.m. Sunday through Thursday and 2 p.m. - 2 a.m. on Friday and Saturday. The Project will also amend Motion No. 13693 under Case No. 94.160C and Motion No. 18915 under Case No. 2013.0023C to allow for a use size over 3,000 square feet of floor area with the merger of two separate commercial spaces at 3129 Clement Street and 3141 Clement Street. Furthermore, the current Project will amend Motion No. 13693 under Case No. 94.160C at 3129 Clement Street to allow for an outdoor activity area (with restaurant dining up to 10 p.m.) in the rear yard.

Required Commission Action

In order for the Project to proceed, the Commission must grant Conditional Use Authorization under Planning Code Sections 710, 303, and 178(e)(2) to allow a use size over 3,000 square feet in floor area by merging an approximately 1,925 square foot commercial space (d.b.a. Links Bar and Grill) at 3129 Clement Street with an approximately 3,378 square foot commercial space (d.b.a. Akiba) 3141 Clement Street, to extend the hours of operation up to 2 a.m., legalize an outdoor activity area (at the rear yard area of 3129 Clement to allow outdoor dining up to 10 p.m.), and to modify the conditions of approval from prior conditional use authorizations. The project site at 3129 Clement Street and 3141 Clement Street is located within the NC-1 (Neighborhood Commercial Cluster) Zoning District and a 40-X Height and Bulk District.

Issues and Other Considerations

• **Public Comment & Outreach.**

- **Support/Opposition:** As of the date of this Executive Summary, the Department received correspondence from one neighbor on the Project.
 - The neighbor, who resides at one of the homes on 33rd Avenue, expressed noise concerns and that the applicant and planning commission consider these requests for the Project: 1) that all outdoor activities and noise cease—without exception—by 10 p.m., 2) that all televisions be removed from the patio, and 3) that the applicant use this retrofit to ensure noise from the karaoke bar no longer escapes the building.
- **Outreach:** A pre-application meeting was not required for the Project. The project sponsor indicated that they have had discussions with the neighbor about their concerns.

Environmental Review

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

Basis for Recommendation

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan. The Department also finds the Project to be desirable and compatible with the surrounding neighborhood since it will help maintain an active commercial use. The Project is intended to allow an existing business modifying its business plan to help it thrive under the challenging times during COVID-19.

Attachments:

- Draft Motion with Conditions of Approval
- Exhibit B – Plans
- Exhibit C – Environmental Determination
- Exhibit D – Land Use Data
- Exhibit E – Maps and Context Photos
- Exhibit F – Prior Conditional Use Authorizations
- Exhibit G – Project Sponsor’s Brief



PLANNING COMMISSION DRAFT MOTION

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 178(e)(2), 303, AND 710 TO ALLOW A USE SIZE OVER 3,000 SQUARE FEET IN FLOOR AREA BY MERGING AN APPROXIMATELY 1,925 SQUARE FOOT COMMERCIAL SPACE (D.B.A. LINKS BAR AND GRILL) AT 3129 CLEMENT STREET WITH AN APPROXIMATELY 3,378 SQUARE FOOT COMMERCIAL SPACE (D.B.A. AKIBA) AT 3141 CLEMENT STREET, TO EXTEND THE HOURS OF OPERATION UP TO 2 A.M., LEGALIZE AN OUTDOOR ACTIVITY AREA (AT THE REAR YARD AREA OF 3129 CLEMENT STREET TO ALLOW OUTDOOR DINING UP TO 10 P.M.), AND TO MODIFY THE CONDITIONS OF APPROVAL FROM PRIOR CONDITIONAL USE AUTHORIZATIONS. THE COMBINED COMMERCIAL SPACES OF THE RESTAURANT AND BAR (D.B.A. LINKS BAR AND GRILL) WILL CONSIST OF APPROXIMATELY 5,303 SQUARE FEET OF FLOOR AREA. THE PROJECT SITE AT 3129 CLEMENT STREET (LOT 024A IN ASSESSOR'S BLOCK 1464) AND 3141 CLEMENT STREET (LOT 029 IN ASSESSOR'S BLOCK 1464) ARE LOCATED WITHIN THE NC-1 (NEIGHBORHOOD COMMERCIAL CLUSTER) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On February 18, 2020, William Chan on behalf of Shuai Liu (hereinafter "Project Sponsor") filed Application No. 2019-012888CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 710, 303, and 178(e)(2) to allow a use size over 3,000 square feet in floor area by merging an approximately 1,925 square foot commercial space (d.b.a. Links Bar and Grill) at 3129 Clement Street with an approximately 3,378 square foot commercial space (d.b.a. Akiba) 3141 Clement Street, to extend the hours of operation up to 2 a.m., legalize an outdoor activity area (at the rear yard area of 3129 Clement to allow outdoor dining up to 10 p.m.), and to modify the conditions of approval from prior conditional use authorizations. The combined commercial spaces of the restaurant and bar will consist of approximately 5,303 square feet of floor area. The project site at 3129 Clement Street on Lot 024A in Assessor's Block 1464 and 3141 Clement Street on Lot 029 in Assessor's Block 1464 (hereinafter "Project") is located within the NC-1 (Neighborhood Commercial Cluster) Zoning District and a 40-X Height and Bulk District.

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

On May 27, 2021, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2019-012888CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2019-012888CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2019-012888CUA, 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. **Project Description.** The Project is for Conditional Use Authorization pursuant to Planning Code Sections 710, 303, and 178(e)(2) to allow a use size over 3,000 square feet in floor area by merging an approximately 1,925 square foot commercial space (d.b.a. Links Bar and Grill) at 3129 Clement Street with an approximately 3,378 square foot commercial space (d.b.a. Akiba) 3141 Clement Street, to extend the hours of operation up to 2 a.m., legalize an outdoor activity area (at the rear yard area of 3129 Clement to allow outdoor dining up to 10 p.m.), and to modify the conditions of approval from prior conditional use authorizations. The combined commercial spaces of the restaurant and bar will consist of approximately 5,303 square feet of floor area. Some of the tenant improvements will include the following: new interior connection between the two commercial spaces; restoring the exterior front

facade at 3129 Clement Street (back to the original 2015 storefront facade); and interior renovations (to add a new karaoke studio room and remodeling the bar area), installing a new ADA ramp for rear outdoor access, and removing the existing Akiba business signage at 3141 Clement Street. The project site at 3129 Clement Street and 3141 Clement Street are located within the NC-1 (Neighborhood Commercial Cluster) Zoning District and a 40-X Height and Bulk District. Links Bar and Grill was established at 3129 Clement Street since 2019 and Akiba was established at 3141 Clement Street since 2010.

The project sponsors are requesting the Planning Commission consider their current Project to allow for the merger of the restaurant and bar to consolidate their two separate businesses to help their business thrive, with the extended hours of operation and outdoor activity area for restaurant dining.

Background of Prior Conditional Use Authorizations on Project Site

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The current Project will modify the prior condition of approval under the prior Conditional Use Authorization: Condition #16 per previous Motion No. 18915 under Case No. 2013.0023C which limited the establishment's hours of operation to 2 p.m. - 11 p.m. Sunday through Thursday and 2 p.m. - 2 a.m. on Friday and Saturday. The Project will also amend Motion No. 13693 under Case No. 94.160C and Motion No. 18915 under Case No. 2013.0023C to allow for a use size over 3,000 square feet of floor area with the merger of two separate commercial spaces at 3129 Clement Street and 3141 Clement Street. Furthermore, the current Project will amend Motion No. 13693 under Case No. 94.160C at 3129 Clement Street to allow for an outdoor activity area (with restaurant dining up to 10 p.m.) in the rear yard.

- 3. Site Description and Present Use.** The project site at 3129 Clement Street and 3141 Clement Street is located on the south side of Clement Street between 32nd and 33rd Avenues, Assessor's Block 1464 Lots 024A and 023. It is located within the Outer Richmond neighborhood. The subject lot (Lot 024A) at 3129 Clement Street is approximately 2,400 square feet (24 feet wide by 100 feet deep) in size and is occupied by a one-story commercial building constructed in 1921. The one-story commercial building at 3129 Clement Street is currently occupied by the restaurant and bar use d.b.a. Links Bar and Grill which has existed on the project site since 2019; prior to 2019 it was occupied by another restaurant and bar d.b.a. Tee Off Bar and Grill. The subject lot (Lot 029) at 3141 Clement Street is approximately 4,800 square feet (48 feet wide by 100 feet deep) in size and is occupied by a one-story commercial building constructed in 1909. The one-story commercial building at 3141 Clement Street is currently occupied by the restaurant and bar use d.b.a. Akiba which has existed on the project site since 2010. The other commercial the space on this lot is occupied by Rising Sun School of Martial Arts at 3131 Clement Street, which is located in between Links Bar and Grill and Akiba.
- 4. Surrounding Properties and Neighborhood.** The project site is located within the Outer Richmond Neighborhood. The surrounding development consists primarily of one-to-two story residential and

commercial buildings within this portion of the NC-1 (Neighborhood Commercial Cluster) Zoning District. Some of the commercial establishments on the subject and opposite blocks include Pagan Restaurant, Newman's Fine Art, Akiba, Rising Sun School of Martial Arts, The Links Bar and Grill, New Oyagi, El Mansour, Garden House Café, Tsing Tao, Star East Hair Salon, CVS, and Andronico's Community Markets. The existing commercial establishments on the opposite block include CVS Pharmacy and Andronico's Community Market. Some of the other commercial establishments and institution approximately three blocks east from the project site include Manuel's Auto Repair, China Dance Theatre, Lincoln Park Presbyterian Church, The Art Bistro, Bistro Mediterraneo, and Ruby's Cut. On 32nd and 33rd Avenues running north and south of the project site, there are two- to three-story residential dwellings within the RH-2 (Residential, House, Two-Family) Zoning District. Lincoln Park Playground is located approximately one block northwest from the project site.

- 5. Public Outreach and Comments.** As of the date of this Draft Motion, the Planning Department has received correspondence from one neighbor on the project. The neighbor, who resides at one of the homes on 33rd Avenue, expressed noise concerns and that the applicant and planning commission consider these requests for the project: 1) that all outdoor activities and noise cease—without exception—by 10 p.m., 2) that all televisions be removed from the patio, and 3) that the applicant use this retrofit to ensure noise from the karaoke bar no longer escapes the building. A pre-application meeting was not required for the project. The project sponsor indicated that they have had discussions with the neighbor about their concerns.
- 6. Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. Restaurant and Bar Use within the NC-1 (Neighborhood Commercial Cluster) Zoning District.** Section 710 of the Planning Code states that a restaurant use (defined under Planning Code Sections 102 and 202.2a) is permitted on the first and second stories, and not permitted on the third stories and above. Section 710 of the Planning Code states that a bar use (defined under Planning Code Sections 102 and 202.2a) is permitted on the first story and not permitted on the second stories and above.

The existing restaurant and bar uses d.b.a. Links Bar and Grill at 3129 Clement Street and d.b.a. Akiba at 3141 Clement Street are permitted on the first (ground) floors within the NC-1 Zoning District.

- B. Use Size.** Section 121.2 establishes size limits on non-residential use sizes in the NC-1 (Neighborhood Commercial Cluster) Zoning District. Under Section 710, Conditional Use authorization is required for any non-residential use that meets or exceeds 3,000 square feet, in addition to the criteria of Section 303(c) of the Planning Code requiring the Commission to consider the extent to which the following criteria are met:

The Project is a request for Conditional Use authorization under Planning Code Sections 303 and 710 to allow a use size that exceeds 3,000 square feet of floor area with the merger of two separate commercial tenant spaces located at 3129 Clement Street (d.b.a. Links Bar and Grill with approximately 1,925 square feet of floor area) and 3141 Clement Street (d.b.a. Akiba) with approximately 3,378 square feet of floor area). The combined commercial spaces of the restaurant and

bar (d.b.a. Links Bar and Grill) will consist of approximately 5,303 square feet of floor area. The project will create an internal connection between the commercial spaces at the rear portion of the commercial spaces.

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.

Conditional Use authorization is required pursuant to Planning Code Sections 121.2 and 710 to allow the use size expansion by merging existing restaurant and bar uses at 3129 Clement Street and 3141 Clement Street to consolidate the separate eating and drinking establishments (with existing entertainment uses) into one business d.b.a. Links Bar and Grill. It is not anticipated that the proposed interior connections between the two commercial spaces will significantly change the intensity of activity in the district or cause the foreclosure of other neighborhood-serving uses in the area since they are existing businesses on the project site.

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.

The Project are existing eating and drinking establishments that currently serve the neighborhood from two adjacent but separate commercial spaces. The proposed interior connection between the two commercial spaces at the rear portion of the building will help facilitate business operations for the current restaurant and bar operator with the consolidation.

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

The Project will respect the scale of development in the district and has been further reviewed by a preservation planner to legalize the exterior and interior facade modifications. There will be no expansion of the existing building envelope. The Project will involve restoring the storefront at 3129 Clement Street to its original configuration that existed from 2015 with wood curved storefront with two small picture windows by removing the flat wood plank walls which was reviewed by a preservation planner. No exterior front facade modifications are proposed for 3141 Clement Street.

- C. **Outdoor Activity Area.** Outdoor Activity Area. Planning Code Section 710 states that a Conditional Use authorization is required for a new outdoor activity area in the NC-1 (Neighborhood Commercial Cluster) Zoning District.

The project sponsors intend to add an 'outdoor activity area' pursuant to Planning Code Section 710 to include an outdoor dining area with tables and chairs with occupancy up to 34 persons located on a 500-square foot patio within the rear yard of the restaurant and bar at 3129 Clement Street.

- D. **Modification of Prior Conditional Use Authorization.** Planning Code Section 178(e)(2) allows a permitted conditional use to be changed to another use upon approval of a new conditional use application.

The current Project would modify the previous restrictions on the hours of operation of the restaurant and bar use at 3141 Clement Street: the conditions of approval (Condition #16) under Case No. 2013.0023C (Motion No. 18915) that allowed the restaurant with entertainment use to operate between 2 p.m. - 11 p.m. Sunday to Thursday and 2 p.m. - 2 a.m. on Friday and Saturday. The Project will also amend Motion No. 13693 under Case No. 94.160C and Motion No. 18915 under Case No. 2013.0023C to allow for a use size over 3,000 square feet of floor area with the merger of two separate commercial spaces at 3129 Clement Street and 3141 Clement Street. Furthermore, the current Project will amend Motion No. 13693 under Case No. 94.160C at 3129 Clement Street to allow for an outdoor activity area (with restaurant dining up to 10 p.m.) in the rear yard.

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

- Regulate the distribution and proliferation of eating and drinking establishments, especially in districts experiencing increased commercial activity;
- Control nuisances associated with their proliferation;
- Preserve storefronts for other types of local-serving businesses; and
- Maintain a balanced mix of commercial goods and services.
- The regulation of eating and drinking establishments should consider the following:
 - Balance of retail sales and services;
 - Current inventory and composition of eating and drinking establishments;
 - Total occupied commercial linear frontage, relative to the total district frontage;
 - Uses on surrounding properties;
 - Available parking facilities, both existing and proposed;
 - Existing traffic and parking congestion; and
 - Potential impacts on the surrounding community.

As stated in the Conditions of Approval #8, the restaurant and bar use will be required to comply with the conditions outlined in Planning Code Section 202.2, as it relates to keeping the main entrance and surrounding streets and sidewalks clear of trash and debris; noise and odor control measures; and the proper storage and disposal of garbage, recycling and composting.

F. Entertainment Use. Section 710 of the Planning Code allows a general entertainment use on the first and second stories and not permitted on the third stories and above and requires Conditional Use authorization for a nighttime entertainment use on the first story and not permitted on the second stories and above within the NC-1 (Neighborhood Commercial Cluster) Zoning District. Under Planning Code Section 102, entertainment use (general or nighttime) is defined as follows:

Entertainment, General. A Retail Entertainment, Arts and Recreation Use that provides entertainment or leisure pursuits to the general public including dramatic and musical performances where alcohol is not served during performances, arcades that provide eleven or more amusement game devices (such as video games, pinball machines, or other such similar mechanical and electronic amusement devices), billiard halls, bowling alleys, skating

rinks, and mini-golf, when conducted within a completely enclosed building, and which is adequately soundproofed or insulated so as to confine incidental noise to the premises.

Entertainment, Nighttime. A Retail Entertainment, Arts and Recreation Use that includes dance halls, discotheques, nightclubs, private clubs, and other similar evening-oriented entertainment activities which require dance hall keeper police permits or Place of Entertainment police permits, as defined in Section 1060 of the Police Code, which are not limited to non-amplified live entertainment, including Restaurants and Bars which present such activities, but shall not include any Arts Activity, any theater performance space which does not serve alcoholic beverages during performances, or any temporary uses permitted pursuant to Sections 205 through 205.4 of the Planning Code.

On May 26, 1994, Conditional Use authorization was granted by the Planning Commission under Case No. 94.160C (Motion No. 13693) to add one billiard/pool table as an entertainment use at 3129 Clement Street. On July 11, 2013, Conditional Use authorization was granted by the Planning Commission under Case No. 2013. 0023C (Motion No. 18915) to add an entertainment use (karaoke lounge) to the existing restaurant use d.b.a. Akiba and to extend the hours of operation until 2 a.m. The project sponsors are proposing interior tenant improvement to add one additional karaoke room at 3141 Clement Street; there are currently 7 existing karaoke rooms. Entertainment use is not proposed in the outdoor activity area (rear yard) at 3129 Clement Street but will be utilized for restaurant dining up to 10 p.m. Furthermore, the Project will also meet the requirements under Planning Code Section 303(p) in which the entertainment use will not be open between 2 a.m. and 6 a.m., not use electronic amplification between midnight and 6 a.m., and will be required to comply with conditions of approval for eating and drinking uses (Condition #8) and entertainment uses (Condition #9 and Condition #10).

- G. Hours of Operation.** Section 710 of the Planning Code allows hours of operation from 6 a.m. until 11 p.m. as of right and requires Conditional Use authorization to operate between the hours of 11 p.m. and 2 a.m. within the NC-1 (Neighborhood Commercial Cluster) Zoning District.

Under the current Project, the project sponsors are requesting Conditional Use Authorization to allow the hours of operation of the combined restaurant and bar use (d.b.a. Links Bar and Grill) to operate within the extended hours of operation between 11 a.m. to 2 a.m.

- H. Off-Street Parking.** Section 151 of the Planning Code does not require off-street parking for non-residential uses.

The combined commercial spaces at 3129 Clement Street and 3141 Clement Street with approximately 5,303 square feet in floor area will not require any off-street parking spaces.

- I. Off-Street Freight Loading.** Section 152 of the Planning Code does not require loading spaces if gross floor area is less than 10,000 square feet.

The combined commercial spaces at 3129 Clement Street and 3141 Clement Street with approximately 5,303 square feet of floor area does not exceed 10,000 square feet and will not require any off-street freight loading spaces.

- J. Bicycle Parking.** Section 155.2 of the Planning Code requires one Class 1 bicycle parking space for every 7,500 square feet of Occupied Floor Area and a minimum of two Class 2 bicycle parking spaces for every 750 square feet of Occupied Floor Area.

The combined commercial spaces at 3129 Clement Street and 3141 Clement Street with approximately 5,303 square feet of floor area does not require bicycle parking. However, the project sponsors intends to provide Class 2 bicycle parking spaces (two inverted "U" rack to support two bicycle parking each) on the sidewalk in front of the building.

- K. Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

Approximately 24% (8 feet) of the street frontage at the ground level on 3129 Clement Street and approximately 62% (15 feet) of the street frontage at the ground level on 3141 Clement Street is fenestrated with transparent windows and doorways allowing for visibility to the inside of the building. Both existing storefronts have existing security gates that are at least 75 percent open to perpendicular view that are utilized when the establishments are closed. The building's original storefront at 3129 Clement Street is legal noncomplying since it was constructed prior to these Planning Code requirements.

- L. Signage.** Any proposed signage will be subject to the review and approval of the Planning Department and must comply with Article 6 of the Planning Code.

The existing business signage Akiba will be removed at 3141 Clement Street and the existing business signage will remain at Links Bar & Grill at 3129 Clement Street for the Project.

- 7.** Planning Code Section 145.2 establishes criteria for the Planning Commission to consider when reviewing applications for Outdoor Activity Areas in Neighborhood Commercial Districts that are not contiguous to the front property line.

A. The nature of the activity operated in the outdoor activity area is compatible to surrounding uses.

The Project is located within the NC-1 (Neighborhood Commercial Cluster) Zoning District, a neighborhood commercial district that encourages ground floor commercial activity. The proposed outdoor activity area (dining patio) is located at the rear yard of the restaurant and bar at 3129 Clement Street bounded by a rear yard to the east at 3127 Clement Street (a restaurant d.b.a. New Oyaji), exterior wall of 3141 Clement Street (restaurant and bar project site d.b.a. Akiba) to the west, and the rear yards of the homes on 32nd and 33rd Avenue (mid-block opens space area).

According to the project sponsors, the outdoor activity area proposed is accessory to the principal restaurant use, being located on the same lot of the subject property. Food and beverage service activities are integral to the definition of outdoor activity area and do not constitute a principal use because the principal use at the ground floor is a restaurant. The outdoor activity area as proposed is incidental and subordinate to the principal uses of restaurant and bar. Links Bar and Grill is a necessary and desirable use as part of its expansion it will reactivate a former retail space located at 3141 Clement Street that has been dark. This approval would allow the business to again offer an affordable comfort food restaurant in the Outer Richmond. Links Bar and Grill seeks to legalize the rear yard outdoor activity area that has existed as an amenity on the project site for many years.

B. The operation and design of the outdoor activity area does not significantly disturb the privacy or affect the livability of adjoining or surrounding residences.

The operation and design of the outdoor activity area will not significantly disturb the privacy or affect the livability of adjoining or surrounding residences as the outdoor activity area is a semi-covered dining patio with outdoor shading and is partially bounded by the wall at 3141 Clement Street. To the east and west of the project site, it is bounded on the sides by the commercial buildings on Clement Street. In addition, the proposed outdoor patio hours will be utilized for restaurant dining and not for the entertainment use (karaoke).

According to the project sponsors, the restaurant use will comply with updated health, environmental, and building codes, so the new restaurant use will be an improvement in the health, safety, convenience and general welfare of those nearby. 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. The proposed work will not affect the building envelope, yet the inclusion of outside seating will alter the use of the property. The principal use of the space has been as a restaurant. The use of the rear yard will have no additional impact to traffic, parking and loading patterns by granting the use of the accessory outdoor activity area. The majority of the block consists of mixed and commercial ground floor uses, being compatible with surrounding uses.

C. The hours of operation of the activity in the outdoor activity area are limited so that the activity does not disturb the viability of surrounding uses.

Within the NC-1 (Neighborhood Commercial Cluster) Zoning District, the permitted hours of operation are 6 a.m. to 11 a.m. and requires Conditional Use authorization between 11 p.m. to 2 a.m. The proposed hours of operation of the outdoor activity area (dining patio) at the rear yard of 3129 Clement Street are between 11 a.m. to 10 p.m., up to 7 days per week. According the project sponsors, they have a temporary permit during COVID-19 allowing them to operate in the outdoor dining patio and would like to obtain a permanent permit with the current Project. The hours of operation fall within the principally permitted of the district, with the outdoor activity area open no later than 10:00 pm on any given day. Additionally, there are existing fences and an awning that makes the space appear enclosed.

- 8. Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:

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

The size and shape of the site and the arrangement of the structures on the site are adequate for the Project. There will be no physical expansion of the existing building proposed with the Project. The Project is intended to help the existing business thrive with a modified enhanced business plan during COVID-19 by allowing the existing restaurant and bar use to continue to provide entertainment within the interior of the commercial space (karaoke rooms), interior restaurant dining with extended hours, and outdoor restaurant dining in the rear patio to serve the neighborhood.

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

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The size and shape of the site and the arrangement of the structures on the site are existing and adequate for the Project. There will be no physical expansion of the existing building with the Project.

- (2) 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;

Existing traffic patterns will not be significantly affected by the Project. Public transit (Muni Lines 1, 1AX, 38, 38AX, 38R) is located within walking distance of the project site; a bus stop is located at the corner of Clement Street and 33rd Avenue of the project site. There is on-street parking in front of the subject property and in the surrounding neighborhood.

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

No significant noxious or offensive emissions such as glare, dust, or odor are expected to be produced by the Project and will be subject to the Conditions of Approval #8.

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

There will be no addition of off-street parking spaces, loading facilities, open space or service areas. All project signage and projections will be consistent with the controls of the Planning Code; the business signage for Links Bar and Grill will remain and the business signage for Akiba will be removed with the Project. The existing building has exterior lighting directed onto the project site in the front entry area.

- 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 purpose of the NC-1 (Neighborhood Commercial Cluster) Zoning District in that the intended use is a neighborhood-serving business.

- 9. Additional Conditional Use Criteria for Eating and Drinking Uses.** Planning Code Section 303(o) establishes additional criteria for a Conditional Use Authorizations for a restaurant and bar use. Section 303(o) requires the Planning Commission to consider, in addition to the criteria set forth in Code Section 303(c), the existing concentration of eating and drinking uses in the area. Such concentration should not exceed 25% of the total commercial frontage as measured in linear feet within the immediate area of the subject site. For the purposes of Code Section 303(o), the immediate area shall be defined as all properties located within 300 feet of the subject property and also located within the same zoning district.

The project sponsors conducted a survey of the existing eating and drinking uses within 300 feet of the project site. According to their survey, there are 7 eating and drinking establishment businesses located within 300 feet of the Project Site. The existing total commercial frontage dedicated to eating and drinking establishments located within 300 feet of the Project Site is approximately 23.02% (261 feet of 1134 feet) of the total commercial frontage as measured in linear feet. The Project will not increase the existing concentration of eating and drinking uses in the area since they are existing eating and drinking uses on the project site.

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1

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

Policy 1

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

The Project would continue to be compatible with and complementary to the types of uses characterizing this portion of the NC-1 (Neighborhood Commercial Cluster) Zoning District, which includes a mixture of eating and drinking establishments, personal services, and small retail establishments on the subject block and d.b.a. CVS Pharmacy (a formula retail pharmacy and retail store) and Andronico's Community Market (a formula retail grocery store) on the opposite block.

Policy 3:

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of affordable housing and the needed expansion of commercial activity.

Approval of the Project would be consistent with the mixed commercial-residential character of this portion of the NC-1 (Neighborhood Commercial Cluster) Zoning District. The Project would not adversely affect any affordable housing resources in the neighborhood.

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 6

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

Policy 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 existing commercial tenant will be displaced. The Project will not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.

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

Policy 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 market and society.

An independent entrepreneur is sponsoring the Project. The eating and drinking establishment is not considered a Formula Retail Use and is a neighborhood-serving use.

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.

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 percent of the total occupied commercial frontage." The current Project will not result in a net change in of the total occupied commercial frontage within the NC-1 (Neighborhood Commercial Cluster) Zoning District.

Policy 3:

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of existing affordable housing and needed expansion of commercial activity.

The Project will help maintain the existing commercial-residential character in the neighborhood with an active commercial use.

Policy 4:

Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

The Project will be accessible to all residents in this portion of the NC-1 (Neighborhood Commercial Cluster) Zoning District within the Outer Richmond neighborhood.

Policy 8:

Preserve historically and/or architecturally important buildings or groups of buildings in neighborhood commercial districts.

There will be no expansion of the existing building envelope proposed under the current Project. The Project will involve tenant improvements to the commercial spaces which have been further reviewed by a preservation planner that are compatible with the building's architectural and aesthetic character.

Policy 9:

Regulate uses so that traffic impacts and parking problems are minimized.

It is not anticipated that the Project will significantly affect public transit or place a burden on the existing supply of parking in the neighborhood since it is the same restaurant and bar use which previously existed on the project site. Many patrons would be able to walk from their residences or places of employment, and the proposed project is well served by public transportation. There is on-street parking in the surrounding neighborhood.

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 complies with said policies in that:

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

The Project will be complementary to the existing commercial establishments within the immediate neighborhood and will continue providing job opportunities to the City.

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

The Project will preserve and enhance the cultural and economic diversity of the neighborhood by helping to maintain and enhance an existing restaurant and bar use in the area. Existing housing will not be affected by the Project.

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

The Project will not displace any affordable housing.

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

It is not anticipated that the Project would significantly increase the automobile traffic congestion and parking problems in the neighborhood.

- 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.

There is no commercial office development associated with the Project and there would be no displacement of any existing industrial or service businesses in the area.

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

The Project will comply with all applicable earthquake safety standards.

- G. That landmarks and historic buildings be preserved.

The Project will not significantly affect any landmarks or historic buildings.

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

The Project will not affect any city-owned park or open space.

- 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 Authorization Application No. 2019-012888CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated March 19, 2021, 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. 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 May 27, 2021.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED:

EXHIBIT A

Authorization

This authorization is for conditional use to allow a use size of approximately 5,303 square feet of floor area, to extend the hours of operation up to 2 a.m., to legalize an outdoor activity area (at the rear yard area of 3129 Clement to allow outdoor dining up to 10 p.m.), and to modify the conditions of approval from prior conditional use authorizations at 3129 Clement Street and 3141 Clement Street in Assessor's Block 1464, Lot 024A and Lot 029 pursuant to Planning Code Sections 710, 303, and 178(e)(2) within the NC-1 (Neighborhood Commercial Cluster) Zoning District and a 40-X Height and Bulk District in general conformance with plans, dated March 19, 2021, and stamped "EXHIBIT B" included in the docket for Case No. 2019-012888CUA and subject to conditions of approval reviewed and approved by the Commission on May 27, 2021 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.

The Project will involve merging an approximately 1,925 square foot commercial space (d.b.a. Links Bar and Grill) at 3129 Clement Street with an approximately 3,378 square foot commercial space (d.b.a. Akiba) 3141 Clement Street. The combined commercial spaces of the restaurant and bar will consist of approximately 5,303 square feet of floor area. The Project will also involve exterior and interior tenant improvements; an interior connection/opening will be provided between the two existing separate commercial spaces on the first floor.

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 **May 27, 2021** 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. Previous Conditions of Approval Removed and Amended.** This authorization removes Conditions of Approval (Condition #16) per previous Motion No. 18915 under Case No. 2013.0023C which limited the establishment's hours of operation to 2 p.m. - 11 p.m. Sunday through Thursday and 2 p.m. - 2 a.m. on Friday and Saturday. The Project will also amend Motion No. 13693 under Case No. 94.160C and Motion No. 18915 under Case No. 2013.0023C to allow for a use size over 3,000 square feet of floor area with the merger of two separate commercial spaces at 3129 Clement Street and 3141 Clement Street. Furthermore, the Project will amend Motion No. 13693 under Case No. 94.160C at 3129 Clement Street to allow for an outdoor activity area (restaurant dining up to 10 p.m.) in the rear yard.
- 2. 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 628.652.7463, www.sfplanning.org

- 3. 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 628.652.7463, www.sfplanning.org

- 4. 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 628.652.7463, www.sfplanning.org

- 5. 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 628.652.7463, www.sfplanning.org

- 6. 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 628.652.7463, www.sfplanning.org

- 7. Signage.** Any signs on the property shall be made to comply with the requirements of Article 6 of the Planning Code for signage.

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

Operation

- 8. Eating and Drinking Uses.** As defined in Planning Code Section 202.2, Eating and Drinking Uses, as defined in Section 102, shall be subject to the following conditions:

- A. The business operator 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 Street and Sidewalk Maintenance Standards. In addition, the operator shall be responsible for daily monitoring of the sidewalk within a one-block radius of the subject business to maintain the sidewalk free of paper or other litter associated with the business during business hours, in accordance with Article 1, Section 34 of the San Francisco Police Code.

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

- B. When located within an enclosed space, 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 of 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 construction noise requirements, contact the Department of Building Inspection at 415-558-6570, www.sfdbi.org.

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

- C. 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

- D. 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 the Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>.

- 9. Notices Posted at Bars and Entertainment Venues.** Notices urging patrons to leave the establishment and neighborhood in a quiet, peaceful, and orderly fashion and to not litter or block driveways in the neighborhood, shall be well-lit and prominently displayed at all entrances to and exits from the establishment.

For information about compliance, contact the Entertainment Commission, at 415 554-6678, www.sfgov.org/entertainment

- 10. Other Entertainment.** The Other Entertainment shall be performed within the enclosed building only. The building 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. Bass and vibrations shall also be contained within the enclosed structure. The Project Sponsor shall obtain all necessary approvals from the Entertainment Commission prior to operation. The authorized entertainment use shall also comply with all of the conditions imposed by the Entertainment Commission.

For information about compliance, contact the Entertainment Commission, at 628.652.6030, www.sfgov.org/entertainment

- 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, 628.271.2000, www.sfpublicworks.org

- 12. Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety but shall in no case be directed so as to constitute a nuisance to any surrounding property.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 13. Hours of Operation.** The subject establishment is limited to the following hours of operation: 11 a.m. to 2 a.m. within the interior of the merged restaurant and bar at 3129 Clement Street and 3141 Clement Street (with outdoor activity area for restaurant dining up to 10 p.m. at 3129 Clement Street).

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Monitoring - After Entitlement

- 14. 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 628.652.7463, www.sfplanning.org

- 15. 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 628.652.7463, www.sfplanning.org

- 16. 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 and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups 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 628.652.7463, www.sfplanning.org

Exhibit B - Plans

Conditional Use Hearing
Case Number 2019-012888CUA
3129 & 3141 Clement Street

GENERAL NOTES:

- ALL WORK, INCLUDING MATERIALS AND WORKMANSHIP, SHALL CONFORM TO THE REQUIREMENTS OF LOCAL CODES, LAWS, AND ORDINANCES AND AS SPECIFIED BY ALL GOVERNING AUTHORITIES WHERE APPLICABLE. REFERENCE IS TO THE LATEST ACCEPTED EDITION OR REVISION. IN THE EVENT OF CONFLICT WITH CODE REQUIREMENTS, THAT CODE REQUIREMENT OR NOTE WHICH ESTABLISHES THE HIGHER STANDARD SHALL TAKE PRECEDENCE.
- THE INTENTION OF THE CONTRACT DOCUMENTS IS TO INCLUDE ALL LABOR AND MATERIALS, EQUIPMENT, AND TRANSPORTATION NECESSARY FOR THE COMPLETE AND PROPER EXECUTION OF THE WORK
- THE CONTRACTOR SHALL VISIT THE JOB SITE PRIOR TO BIDDING ANY PORTION OF THE WORK. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO BEGINNING WORK. SHOULD ANY CONDITION ARISE WHERE THE INTENT OF THE DRAWINGS IS IN DOUBT OR WHERE THERE IS A DISCREPANCY BETWEEN THE CONTRACT DOCUMENTS AND THE FIELD CONDITIONS, OR WITHIN THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT IMMEDIATELY FOR CLARIFICATION.
- DIMENSIONS ARE FROM FACE OF STUDS OR TO CENTER OF WALL AS INDICATED ON DRAWINGS, UNLESS NOTED OTHERWISE.
- WRITTEN DIMENSIONS TAKE PRECEDENCE. DO NOT SCALE DRAWINGS. WALLS NOT DIMENSIONED ARE TO ALIGN WITH EXISTING WALLS OR BE BUTTIED OR APPLIED TO EXISTING WALLS PER DRAWINGS. DOORS NOT DIMENSIONED AND SHOWN JAMB TIGHT SHALL BE SET 3" FROM PERPENDICULAR WALL TO OUTER EDGE OF DOOR JAMB.
- REFERENCE TO ANY DETAILS OR DRAWINGS IS FOR CONVENIENCE ONLY AND DOES NOT LIMIT THE APPLICATION OF SUCH DETAILS OR DRAWINGS.
- THE DESIGN, ADEQUACY AND SAFETY OF ERECTION BRACING, SHORING, TEMPORARY SUPPORTS, ETC. IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE STABILITY OF THE STRUCTURE AND PROVIDE NECESSARY BRACING PRIOR TO THE APPLICATION OF ALL SHEAR WALLS, M ROOF AND FLOOR DIAPHRAGMS, AND FINISH MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR INITIATING, MAINTAINING, AND SUPERVISING ALL SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK.
- THE STRUCTURAL, MECHANICAL, PLUMBING, AND ELECTRICAL DRAWINGS, AS WELL AS THE DRAWINGS OF OTHER CONSULTANTS, ARE SUPPLEMENTARY TO THE ARCHITECTURAL DRAWINGS. IT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO CHECK WITH THE ARCHITECTURAL DRAWINGS BEFORE THE INSTALLATION OF WORK SHOWN ON THE DRAWINGS OF CONSULTATIONS. THE CONTRACTOR SHALL BRING ANY DISCREPANCY BETWEEN THE ARCHITECTURAL DRAWINGS AND THE DRAWINGS OF THE CONSULTING ENGINEERS TO THE ATTENTION OF THE ARCHITECT FOR CLARIFICATION. ANY WORK INSTALLED IN CONFLICT WITH THE ARCHITECTURAL DRAWINGS AND NOT BROUGHT TO THE ARCHITECT'S ATTENTION SHALL BE CORRECTED BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE AND AT NO EXPENSE TO THE OWNER OF ARCHITECT.
- PRIOR TO PERFORMANCE OF WORK, THE CONTRACTOR SHALL REQUIRE EACH SUBCONTRACTOR TO NOTIFY THE CONTRACTOR OF ANY WORK CALLED OUT IN DRAWINGS FOR HIS TRADE THAT CANNOT BE FULLY QUARANTEED.
- CONTRACTOR SHALL VERIFY THE LOCATION AND SIZE OF ALL OPENING WITH ALL DRAWINGS AND MANUFACTURED ITEMS WHERE APPLICABLE.
- THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK AND BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION, MEANS, METHODS, TECHNIQUES, SEQUENCE, AND PROCEDURES, AND FOR COORDINATING ALL PORTIONS OF THE WORK.
- THE CONTRACTOR HEREIN AGREES TO REPAIR OR REPLACE ANY OR ALL WORK, TOGETHER WITH ANY OTHER ADJACENT WORK WHICH MAY BE DISPLACED IN CONNECTION WITH SUCH REPLACEMENT. THAT MAY PROVE TO BE DEFECTIVE IN WORKMANSHIP OR MATERIALS WITHIN A PERIOD OF ONE YEAR FROM THE DATE OF ACCEPTANCE, ORDINARY WEAR AND UNUSUAL ABUSE OR NEGLIGENCE EXCEPTED.
- CONTRACTOR SHALL PROTECT ALL EXISTING STRUCTURES, LANDSCAPING, MATERIALS, ETC., DURING CONSTRUCTION. CONTRACTOR SHALL PATCH AND REPAIR ALL SURFACE DISRUPTED OR DAMAGED DURING CONSTRUCTION TO MATCH EXISTING ADJACENT SURFACE.
- THE CONTRACTOR SHALL ON A DAILY BASIS KEEP THE PREMISES FREE FROM ALL ACCUMULATIONS OF WASTE MATERIAL OR RUBBISH CAUSED BY HIS EMPLOYEES, SUBCONTRACTORS, OR WORK, AND AT THE COMPLETION OF THE WORK SHALL REMOVE ALL RUBBISH, DEBRIS, EQUIPMENT, AND SURPLUS MATERIALS FROM IN AND ABOUT THE BUILDING AND LEAVE THE PREMISES "BROOM CLEAN."
- ANY DEVIATION FROM THE CONSTRUCTION DOCUMENTS OR SPECIFICATIONS BY THE CONTRACTOR OR OWNER WITHOUT THE ARCHITECT'S APPROVAL RELEASES THE ARCHITECT OR RESPONSIBILITY AND LIABILITY IN CONNECTION WITH ALL WORK SO INVOLVED.
- CLARIFICATION ON AND/OR INCONSISTENCIES WITH THE DRAWINGS AND SPECIFICATION SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF WORK. ADDITIONAL CHARGES WILL NOT BE GRANTED BASED ON CLAIMS OF INCOMPLETE, INACCURATE, OR INCONSISTENT DRAWINGS AND SPECIFICATIONS.

CODES:

- ALL WORK SHALL CONFORM TO THE MINIMUM STANDARDS OF THE 2016 CALIF. BUILDING CODE, 2016 PLUMBING CODE, 2016 MECHANICAL CODE 2016 CALIF. RESIDENTIAL CODE AND THE 2016 NATIONAL ELECTRIC CODE, 2016 CALIFORNIA BUILDING ENERGY EFFICIENCY STANDARDS.
- ALL WORK SHALL MEET TITLE 24, CALIFORNIA ADMINISTRATIVE CODE STANDARDS FOR CONSTRUCTION IN A SEISMIC ZONE 4. THE 2016 CALIF. BUILDING AND RESIDENTIAL CODE IS CURRENTLY IN SEISMIC DESIGN CATEGORY E FOR SAN FRANCISCO COUNTY.

PROPERTY INFORMATION:

TYPE OF BLDG. 5B	BLOCK AND LOT: 1464/024A (3129 CLEMENT ST)	3129 CLEMENT COMMERCIAL: 1925 SQ FT
ZONING: NC-1	BLOCK AND LOT: 1464/029 (3141 CLEMENT ST)	3129 CLEMENT REAR OPEN SPACE: 500 SQ FT
NO. OF STORIES: 1	HEIGHT AND BULK: 40'-X	3141 CLEMENT COMMERCIAL: 3378 SQ FT
FIRE SPRINKLER: NO SPRINKLERS	PROPOSED HEIGHT: 20'-3"	PROPOSED RESTAURANT: 5303 SQ FT

DRAWING INDEX:

A-1 GENERAL NOTES	A-5 PHOTOGRAPHS
A-2 EXISTING / PROPOSED SITE PLANS	A-6 DA CHECKLIST / DETAILS
A-3 EXISTING / PROPOSED FLOOR PLANS	ELECT. & PLUMBING UNDER SEPARATE PERMIT
A-4 EXISTING / PROPOSED ELEVATIONS	

SCOPE OF WORK:

- MERGER OF TWO SEPARATE RESTAURANTS INTO ONE LARGER RESTAURANT BY JOINING BOTH UNITS 3129 AND 3141 BY PARTIAL WALL REMOVAL
- NEW ADA RAMP AT REAR OF 3141 CLEMENT ST FOR REAR OUTDOOR ACCESS
- (N) KARAOKE STUDIO ROOM (8) AT 3141 CLEMENT
- REMODEL BAR LOCATION AT 3141 CLEMENT
- NEW REAR OUTDOOR SEATING AREA AT 3129 CLEMENT
- EXTEND HOURS OF OPERATION TO 2:00 AM FOR NEW PROPOSED RESTAURANT
- REVERT FRONT FACADE AT 3129 CLEMENT FROM 2020 PLAN TO 2015 PLAN
- NO EXTERIOR CHANGES AT 3141 CLEMENT ST.
- REMOVAL OF SIGNAGE AT 3141 CLEMENT ST (AKIBA)

FIXTURE CONNECTIONS

CODE	ITEM	W	V	HW	CW	G	REMARKS
HS-1	HAND SINK	2"	1 1/2"	1/2"	1/2"	-	ZURN OR APPROVED EQUAL.
SK-1	PREP SINK	1 1/2" (I. D.)	1 1/2"	1/2"	1/2"	-	ZURN OR APPROVED EQUAL.
FS-1	FLOOR SINK	2"	1 1/2"	—	—	—	ZURN OR APPROVED EQUAL.
SK-2	3 COMP SINK.	2"	1 1/2"	1/2"	1/2"	-	ZURN OR APPROVED EQUAL.
SS-1	SERVICE SINK	3"	2"	1/2"	1/2"	-	ZURN OR APPROVED EQUAL.

NOTES:

- CONNECT TO EXISTING WASTE, VERIFY EXACT SIZE & LOCATION.
- PROVIDE 1 1/2" V-BG. FOR FLOOR DRAIN & FLOOR SINK.

ROOM FINISH SCHEDULE

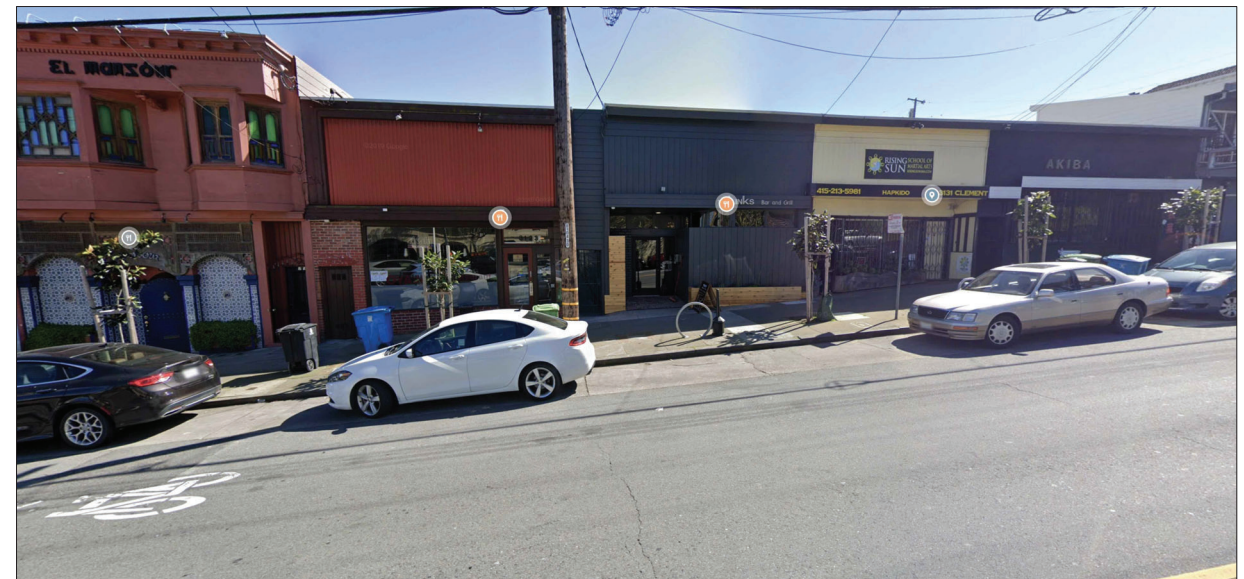
ROOM	FLOOR	BASE	WALL		CEILING		REMARKS
			MATERIAL	FINISH	MATERIAL	FINISH	
(E) RESTROOM	CERAMIC TILE SLIP-RESISTANT	4" HT. CERAMIC TILE	GYP. BD.	PAINTED SMOOTH FINISH	GYP. BD.	SMOOTH FINISH	SEMIGLOSS PAINT LIGHT COLOR FINISH
(E) KITCHEN	QUARRY TILE SLIP-RESISTANT	4" HT. TILE	GYP. BD.	PAINTED SMOOTH FINISH	GYP. BD.	SMOOTH FINISH	LIGHT COLOR FINISH
WORK AREA	QUARRY TILE SLIP-RESISTANT	4" HT. TILE	FRP-8' A.F.F.	PAINTED SMOOTH FINISH	GYP. BD.	SMOOTH FINISH	LIGHT COLOR FINISH
WAITING AREA	QUARRY TILE SLIP-RESISTANT	4" HT. TILE	GYP. BD.	PAINTED SMOOTH FINISH	GYP. BD.	SMOOTH FINISH	LIGHT COLOR FINISH

NOTES:

- PROVIDE A SMOOTH, DURABLE, NONABSORBENT & CLEANABLE FLOOR SURFACE WITH A CONTINUE UP TO THE WALL OR TOE-KICKS (INCLUDING FLOOR MOUNTED COUNTER & CABINET TOE-KICK BASES) W/ MIN. 5" HIGH SEAMLESS MANNER AND FORMING A 3/8" RADIUS COVE AS AN INTEGRAL UNIT.



ELEVATION PLAN 2015



ELEVATION PLAN 2020

REVISION: 03/19/2021

DESIGNER: WILLIAM CHAN
P.O. BOX 2627
DALY CITY, CA 94017
(415) 741-7268

TENANT: SHUAI LIU
3129 CLEMENT ST
S.F. CA 94121
(415) 412-6000

3129-3141 CLEMENT ST.
SAN FRANCISCO, CA 94121
BLOCK: 1464 LOT: 024A

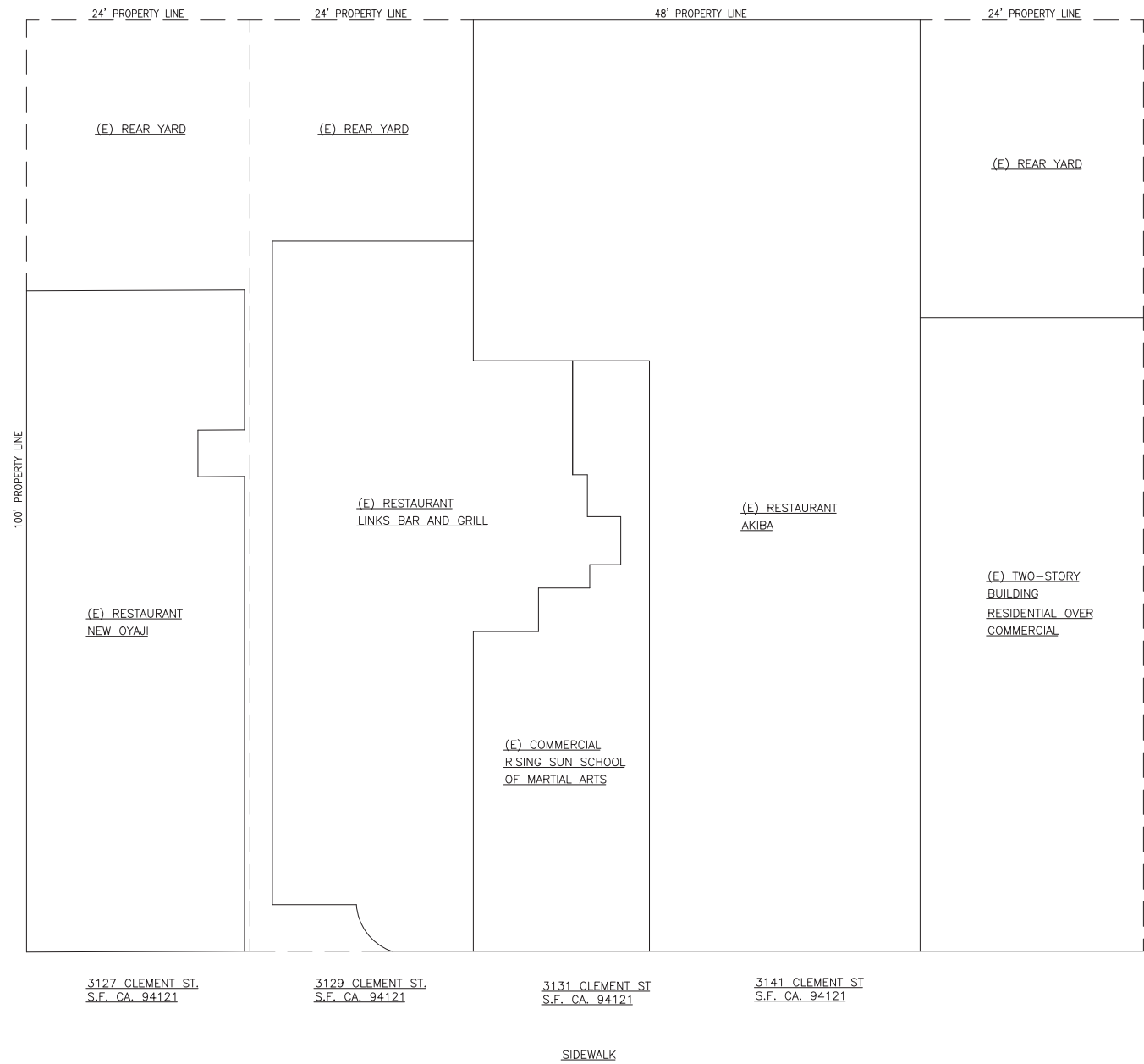
SHEET TITLE
TENANT IMPROVEMENT
LINKS BAR AND GRILL
SITE PLAN & NOTES

DATE: 05-28-2019

SCALE: As Noted

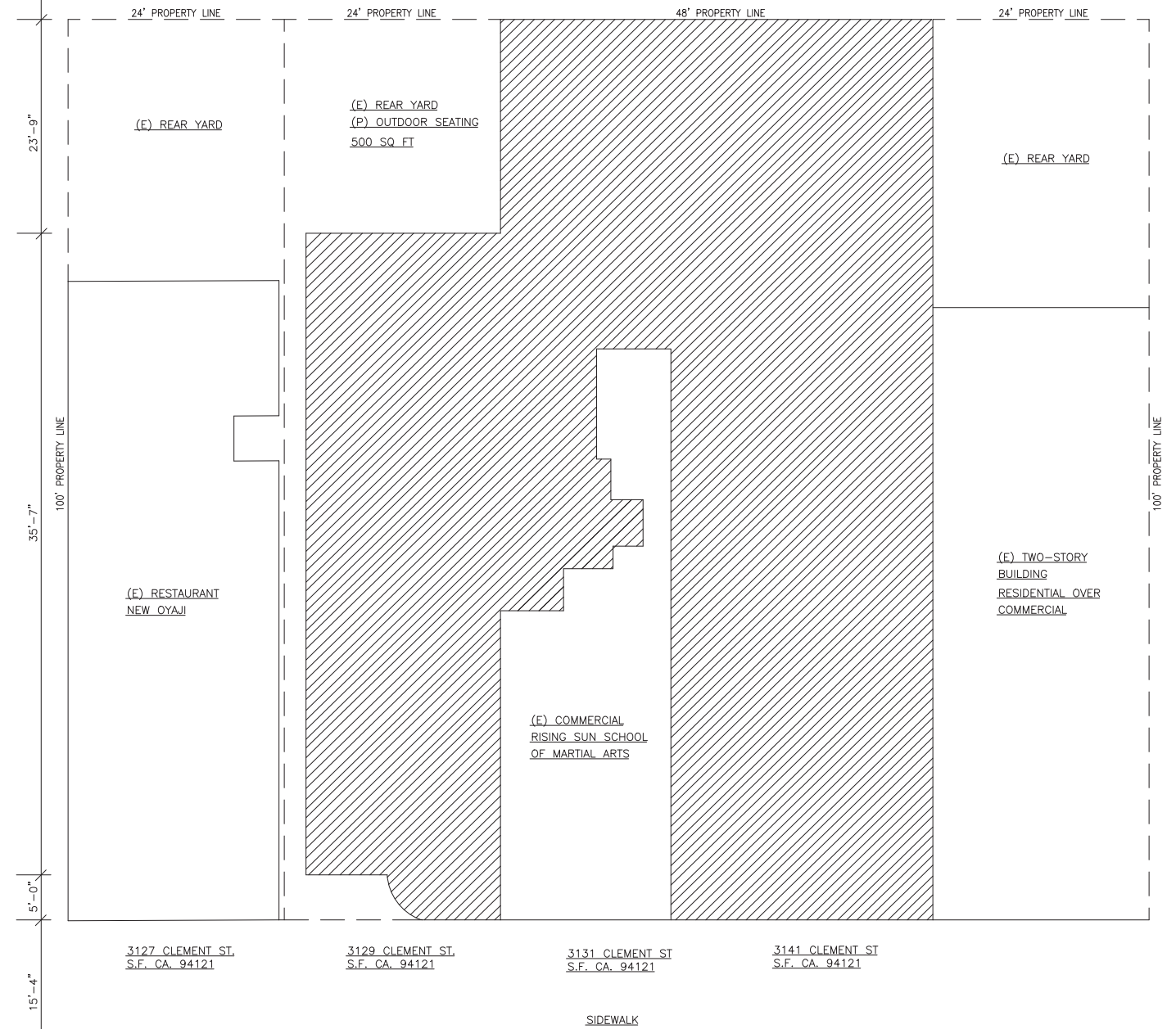
DRAWN BY: W.C.

A-1



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

TOTAL SQUARE FOOTAGE	
(E) 3129 CLEMENT ST. SQ. FT. =	1925 SQ. FT.
(E) 3141 CLEMENT ST. SQ. FT. =	3378 SQ. FT.



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

TOTAL SQUARE FOOTAGE	
(E) 3129 CLEMENT ST. SQ. FT. =	1925 SQ. FT.
(E) 3141 CLEMENT ST. SQ. FT. =	3378 SQ. FT.
TOTAL FINAL SQ. FT. =	5303 SQ. FT.

FRONT SET BACK FOR 3129 AND 3141 CLEMENT ST: 0'
REAR SET BACK FOR 3129 CLEMENT ST: 23'-9"
REAR SET BACK FOR 3141 CLEMENT ST: 0'



CLASS 2 BICYCLE PARKING
(INVERTED "U" RACK TO SUPPORT 2 BICYCLE PARKING EACH)

REVISION:
03/19/2021

DESIGNER:
WILLIAM CHAN
P.O. BOX 2627
DALY CITY CA 94017
(415) 741-7268

TENANT:
SHUAI LIU
3129 CLEMENT ST
S.F. CA 94121
(415) 412-6000

3129-3141 CLEMENT ST.
SAN FRANCISCO, CA 94121
BLOCK: 1464 LOT: 024A

SHEET TITLE
TENANT IMPROVEMENT
LINKS BAR AND GRILL
SITE PLAN & NOTES

DATE:
05-28-2019

SCALE:
As Noted

DRAWN BY:
W.C.

LEGEND

- EXISTING WALL TO REMAIN
- NEW 2x4 @ 16" WOOD STUD WALL
- EXISTING WALL TO BE REMOVE.

SHEET NOTES:

- 1 EXISTING TO REMAIN, NO WORK.
- 2 NEW 2x4 @ 16" WOOD STUD WALL
- 3 NO PLASTIC PLUMBING PIPE ALLOW.
- 4 PARTIAL PARTITION WALL TO BE REMOVED.
- 5 CEILING THROUGHOUT TO BE UPGRADED TO TWO-HOUR RATED BASE LAYER 5/8" TYPE X GYPSUM WALLBOARD APPLIED AT RIGHT ANGLES TO 2X8 WOOD JOISTS 24" O.C. WITH 1.25" DRYWALL SCREWS 12" O.C. SECOND LAYER 5/8" TYPE X GYPSUM WALLBOARD APPLIED AT RIGHT ANGLES TO JOISTS WITH 2" TYPE W DRYWALL SCREWS 12" O.C. SECOND LAYER JOISTS OFFSETS 24" FROM BASE LAYER JOISTS. THIRD LAYER 5/8" TYPE X GYPSUM WALLBOARD APPLIED AT RIGHT ANGLES TO JOISTS WITH 2.5" TYPE W DRYWALL SCREWS 12" O.C. THIRD LAYER JOISTS OFFSET 12" FROM SECOND LAYER JOISTS. HAT-SHAPED RIGID FURRING CHANNEL CHANNELS 24" O.C. APPLIED AT RIGHT ANGLES TO JOISTS OVER THIRD LAYER WITH TWO 2.5" LONG TYPE W DRYWALL SCREWS AT EACH JOINT. FACE LAYER 5/8" TYPE X GYPSUM WALLBOARD APPLIED AT RIGHT ANGLES TO FURRING CHANNELS WITH 1.125" TYPE S DRYWALL SCREWS 12" O.C. WOOD JOISTS SUPPORTING 3/4" T & G EDGE PLYWOOD FLOOR APPLIED AT RIGHT ANGLES TO JOISTS WITH 8D NAILS 6" O.C. AT JOINTS AND 12" AT INTERMEDIATE JOISTS. CEILING PROVIDES TWO-HOUR FIRE-RESISTANCE PROTECTION FOR WOOD FRAMING. GA FILE NO. FC 5725
- 6 BASE LAYER 5/8" TYPE X GYPSUM WALLBOARD OR GYPSUM VENEER BASE APPLIED AT RIGHT ANGLES TO EACH SIDE OF 2X4 WOOD STUDS 16" O.C., STAGGERED 8" O.C. ON 2X6 WOOD PLATES, WITH 6D COATED NAILS, 1.875" LONG, 0.085" SHANK, 1/4" HEADS, 24" O.C. FACE LAYER 5/8" TYPE X GYPSUM WALLBOARD OR GYPSUM VENEER BASE APPLIED AT RIGHT ANGLES TO EACH SIDE WITH 8D COATED NAILS, 2.375" LONG, 0.113" SHANK, 9/32" HEADS, 8" O.C. JOINTS STAGGERED 16" EACH LAYER AND SIDE. SOUND TESTED WITH NAILS FOR BASE LAYER SPACED 6" O.C. HORIZONTAL BRACING REQUIRED AT MID-HEIGHT (LOAD BEARING) WALL PROVIDES TWO-HOUR FIRE-RESISTANCE PROTECTION FOR WOOD FRAMING. GA FILE NO. WP 3910
- 7 (E) 2-HOUR RATED CORRIDOR (V.I.F.)

FOOD EQUIPMENT LIST

ITEM	DESCRIPTION
1	3-COMPARTMENT SINK
2	PREP SINK
3	REFRIGERATOR
4	6-BURNER RANGE
5	DRAIN TRAY
6	DISHWASHER
7	GRIDDLE
8	PREP TABLE
9	HAND SINK
10	CASHIER COUNTER
11	JANITOR SINK
12	SANDWICH TABLE
13	FOOD WARMER TABLE
14	CANOPY HOOD (TYPE-I)
15	ICE BIN
16	SPEED RAIL (BK-2)
17	RINSE SINK
18	DEEP FRYER
19	KITCHEN SHELF
20	FRIDGE (SDBS60)
21	BEER FRIDGE (DDS108)
22	ICE BIN W/ COLD PLATE (SLI-12-30-10)
23	CONDIMENT FRIDGE (BB536C)
24	FREEZER
25	WINE/PLATE RACKS
26	WINE RACK (36IN.)
27	WINE RACK (48IN.)
28	WATER HEATER
29	SODA FRIDGE
30	SODA TAP FOUNTAIN

NOTES:
EXISTING HEATING / VENTILATION TO REMAIN

OCCUPANCY LOAD:

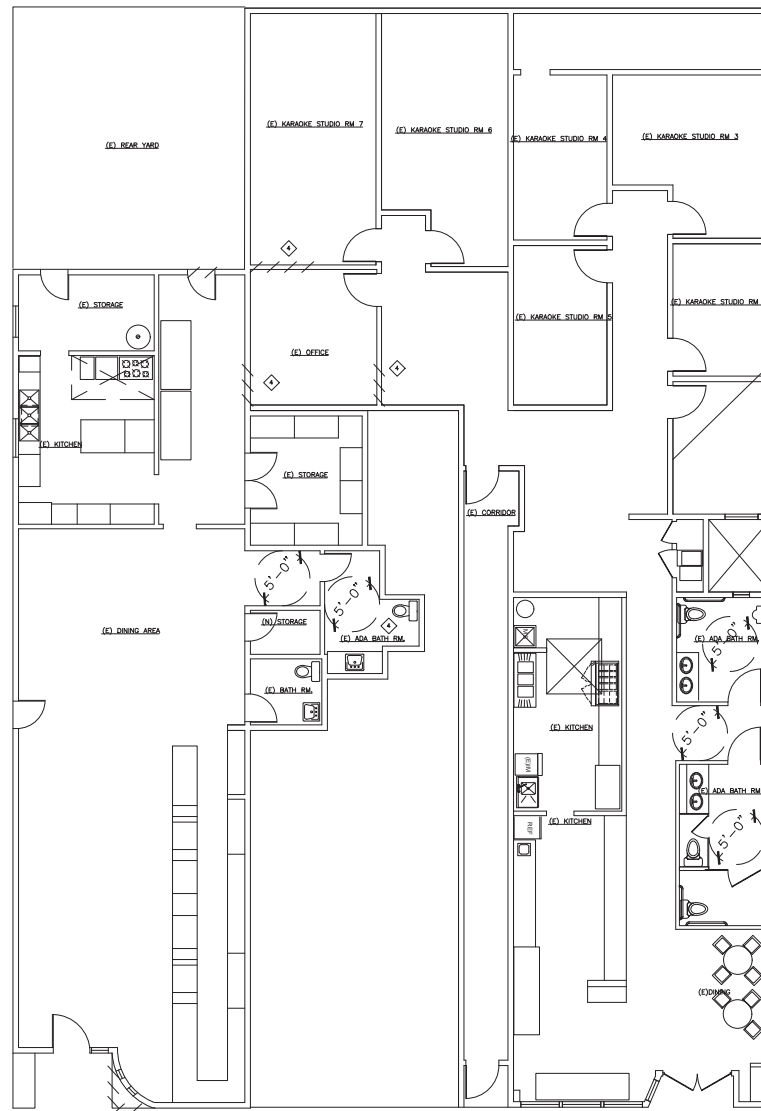
AREA: A	400 SQ. FTS./ 200	= 2
AREA: B	192 SQ. FTS./ 200	= 1
AREA: C	224 SQ. FTS./ 200	= 1
AREA: D	800 SQ. FTS./ 15	= 53
AREA: E	377 SQ. FTS./ 15	= 25
AREA: F	1380 SQ. FTS./ 15	= 92
AREA: G	500 SQ. FTS./ 15	= 34
TOTAL:		= 208 (PERSON)



EXISTING EXTERIOR CURVED WALL UNDER WOOD PANELS AT 3129 CLEMENT ST

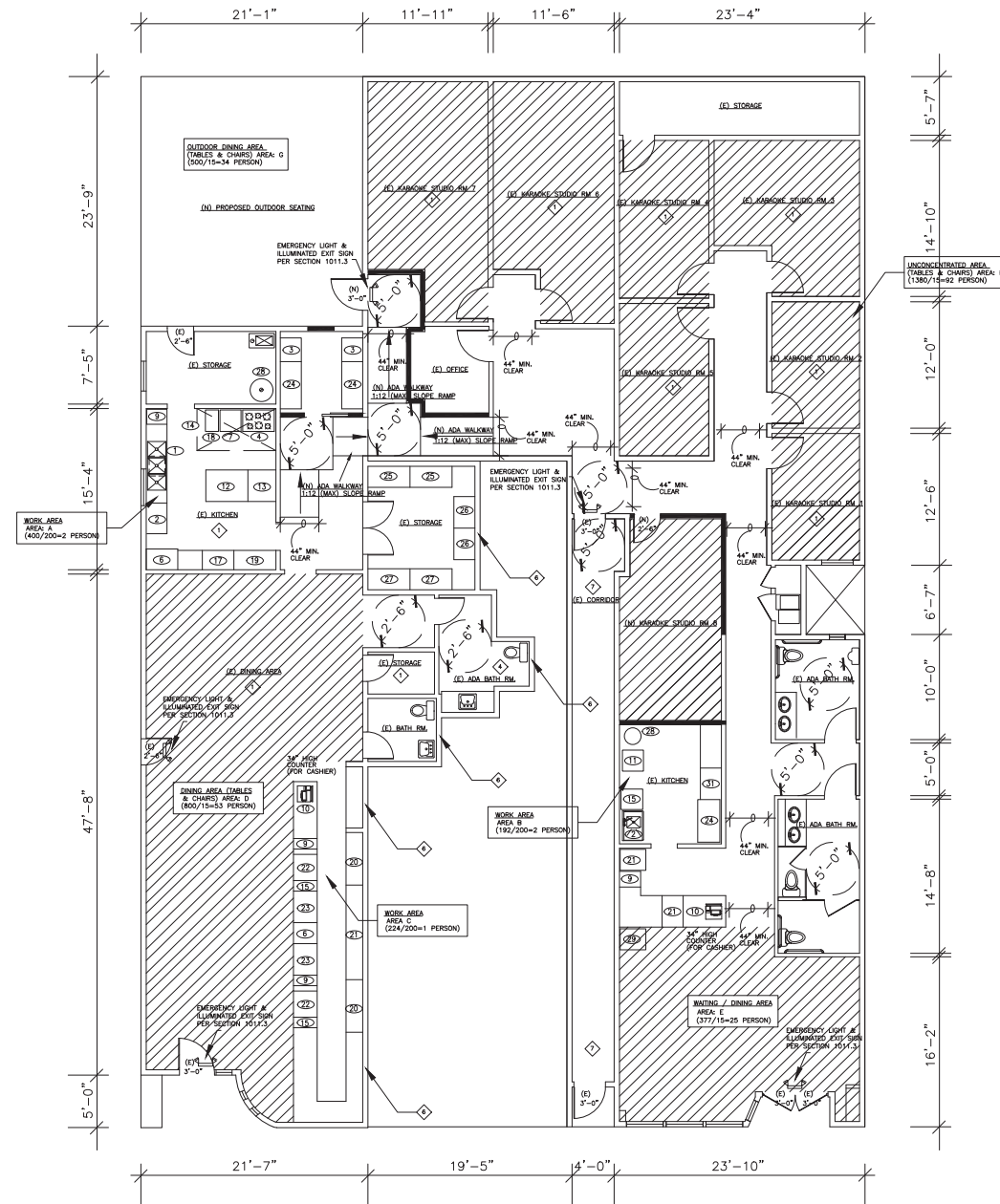


EXISTING INTERIOR CURVED WALL AT 3129 CLEMENT ST



EXISTING GROUND FLOOR PLAN

SCALE: 1/8"=1'-0"



PROPOSED GROUND FLOOR PLAN

SCALE: 1/8"=1'-0"

REVISION: 03/19/2021

DESIGNER: WILLIAM CHAN
P.O. BOX 2627
DALY CITY, CA 94017
(415) 741-7268

TENANT: SHUAI LIU
3129 CLEMENT ST
S.F. CA 94121
(415) 412-4000

3129-3141 CLEMENT ST.
SAN FRANCISCO, CA 94121
BLOCK: 1464 LOT: 024A

SHEET TITLE
TENANT IMPROVEMENT
LINKS BAR AND GRILL
FLOOR PLANS

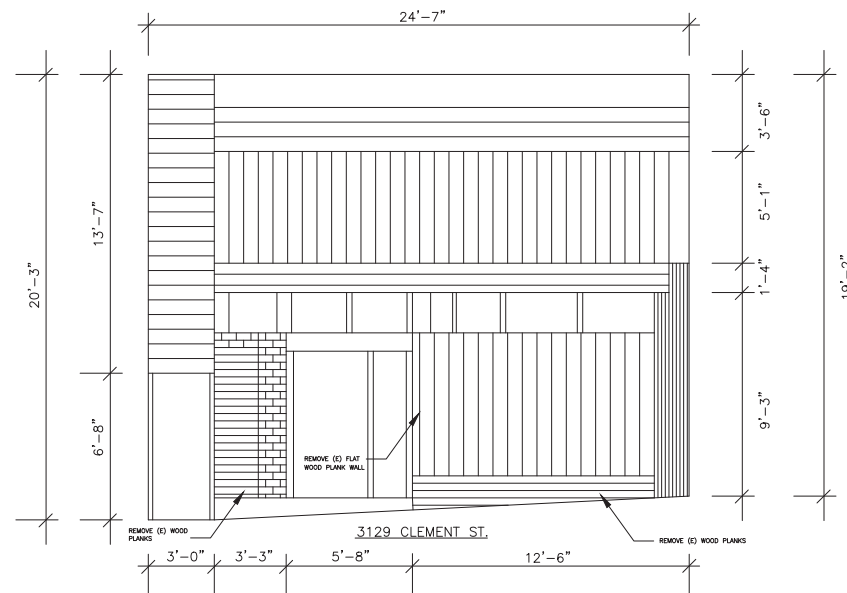
DATE: 05-28-2019

SCALE: As Noted

DRAWN BY: W.C.

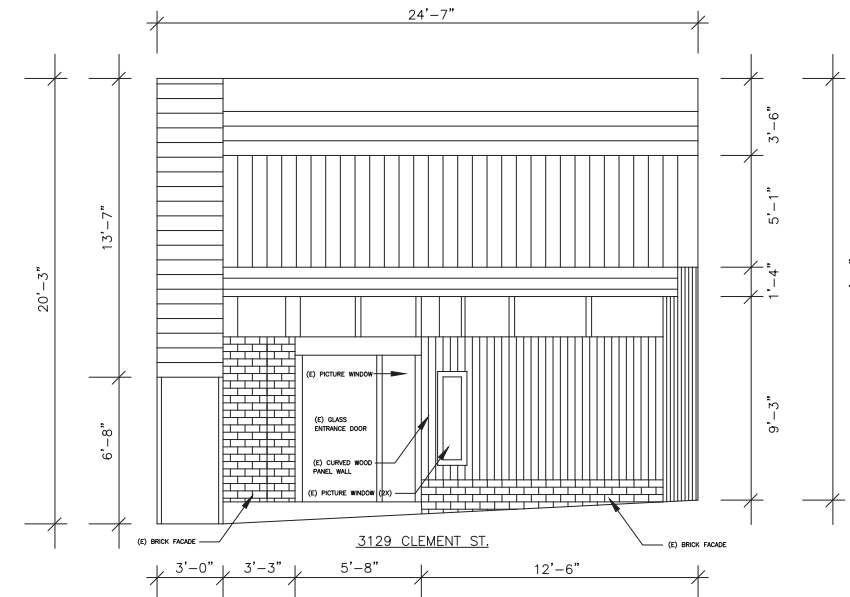


**EXISTING FRONT ELEVATION (SOUTH)
AT 3129 CLEMENT ST**



EXISTING FRONT ELEVATION (SOUTH)

SCALE: 1/4"=1'-0"

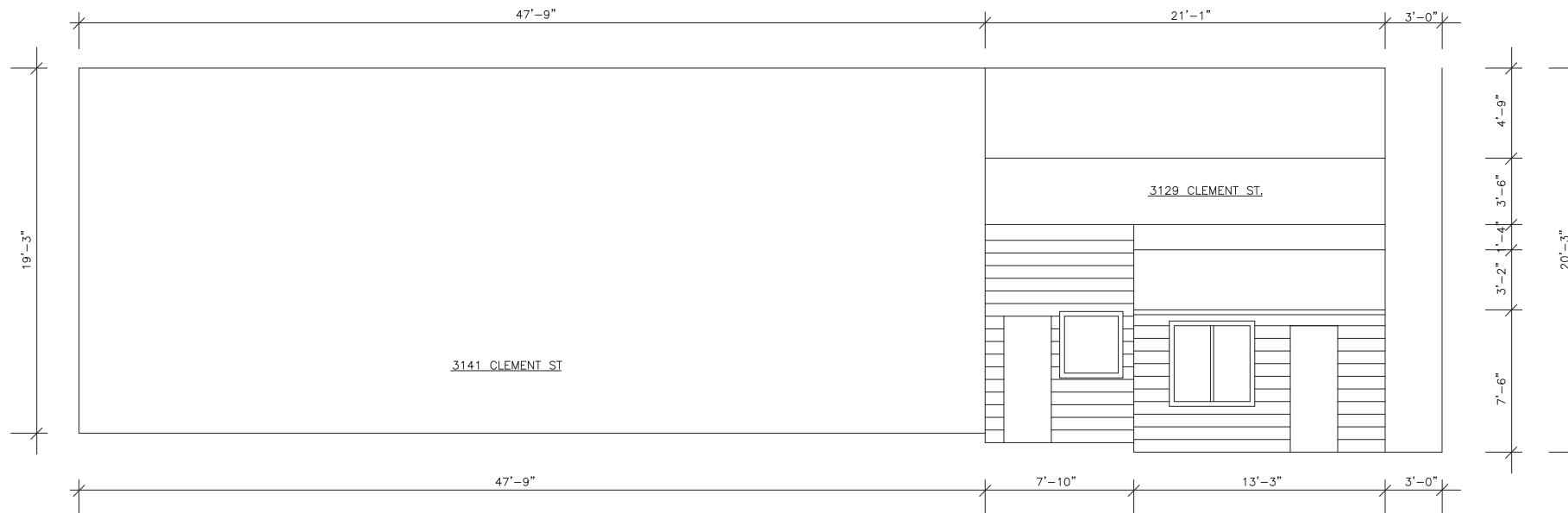


PROPOSED FRONT ELEVATION (SOUTH)

SCALE: 1/4"=1'-0"

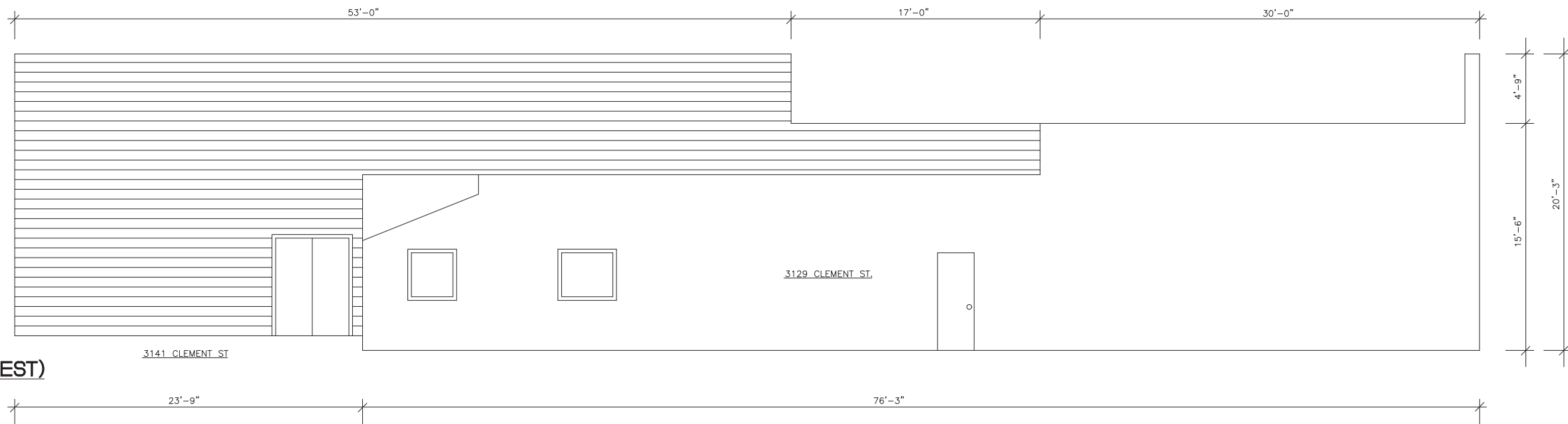
EXISTING REAR ELEVATION (NORTH)

SCALE: 1/4"=1'-0"



EXISTING SIDE ELEVATION (WEST)

SCALE: 1/4"=1'-0"



REVISION:
03/19/2021

DESIGNER:
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P.O. BOX 2627
DALY CITY CA 94017
(415) 741-7268

TENANT:
SHUAI LIU
3129 CLEMENT ST
S.F. CA 94121
(415) 412-6000

3129-3141 CLEMENT ST.
SAN FRANCISCO, CA 94121
BLOCK: 1464 LOT: 024A

SHEET TITLE
TENANT IMPROVEMENT
LINKS BAR AND GRILL
ELEVATIONS

DATE:
05-28-2019

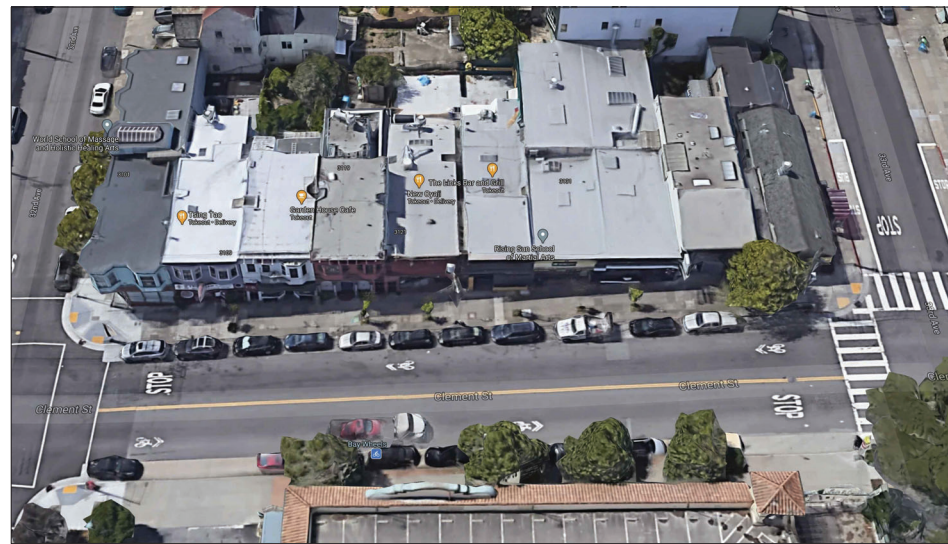
SCALE:
As Noted

DRAWN BY:
W.C.

A-4



AERIAL PHOTOS FACING ACROSS THE STREET 



AERIAL PHOTOS FACING SUBJECT 3129 AND 3141 CLEMENT ST 

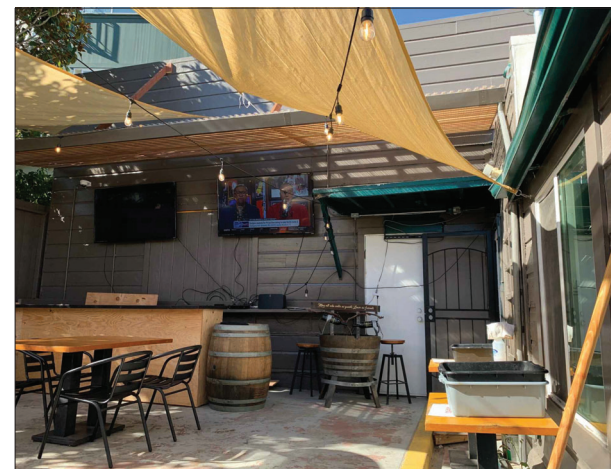


PROPOSED OUTDOOR SEATING AT REAR OF 3129 CLEMENT ST 



REAR YARD 3129 CLEMENT ST

REAR YARD 3129 CLEMENT ST
SIDE YARD 3141 CLEMENT ST



SIDE YARD FACING 3141 CLEMENT ST



REAR YARD FACING 417 32ND AVE



REAR YARD FACING 420 33RD AVE

REVISION:
03/19/2021

DESIGNER:
WILLIAM CHAN
P.O. BOX 2627
DALY CITY CA 94017
(415) 741-7268

TENANT:
SHUAI LIU
3129 CLEMENT ST
S.F. CA 94121
(415) 412-6000

3129-3141 CLEMENT ST.
SAN FRANCISCO, CA 94121
BLOCK: 1464 LOT: 024A

SHEET TITLE
TENANT IMPROVEMENT
LINKS BAR AND GRILL
PHOTOGRAPHS

DATE:

05-28-2019

SCALE:

As Noted

DRAWN BY:

W.C.

ATTACHMENT A

DEPARTMENT OF BUILDING INSPECTION
City & County of San Francisco
1660 Mission Street, San Francisco, California 94103-2414

REQUEST FOR APPROVAL OF LOCAL EQUIVALENCY FOR MODIFICATION OR ALTERNATE MATERIALS, DESIGN OR METHODS OF CONSTRUCTION

DATE SUBMITTED: _____ [Note: This form shall be recorded as part of the permanent construction records of the property]

If no permit application has been filed, a Prerequisite Review Fee is required for review of a request for local equivalency or modification, per SBIC Table 1.5-3, Item 5. Additional fees may be required by Fire Department and other City review agencies.

If a permit application has been filed, no additional fees are required for this review.

Permit Application # _____

Property Address: 3141 Clement St

Block and Lot: 444 / 02 Occupancy Group: A-2 Type of Construction: III No. of Stories: 1

Describe Use of Building: Restaurant

Under the authority of the 2016 San Francisco Building Code, Sections 104A.2.7 and 104A.2.8; the 2016 San Francisco Mechanical Code, Section 302.2; the 2016 San Francisco Electrical Code, Section 801.1D; and the 2016 San Francisco Plumbing Code, Section 901.3, the undersigned requests modification of the provisions of these codes and/or approval of alternate materials, design or methods of construction. Two copies of supporting documents, including plans showing the proposed modifications or alternate materials, design or methods of construction, are attached.

Regular Code Requirement (specify Code and Sections):
ICC 706.4 A group with 2 hour fire resistance rating

Page 1 of 3

Proposed Modification or Alternate

2 hour rated opening to be protected by 1.5 hour rated fire door assembly

Case-by-Case Basis of Request: Describe the practical difficulties presented in meeting the specific conditions of the code and how the proposed modification or alternate meets the intent of the code. A separate form should be filled for each requested modification or alternate. Attach copies of any Administrative Bulletin, Code Bulletin, reference, test reports, expert opinions, etc., which support this request. The Department may require that an approved consultant be hired by the applicant to perform tests or analysis and to submit an evaluation report to the Department for consideration.

Requested by: PROJECT SPONSOR ARCHITECT/ENGINEER

Print Name: William Chan Doug Lee [PROFESSIONAL STAMP HERE]

Signature: _____

Telephone: 415-741-7268 415-254-8920

Page 2 of 3

PLAN REVIEWER COMMENTS:

RECOMMENDATIONS: Approve Approve with conditions Disapprove
(signed off dated by:)

Plan Reviewer: _____

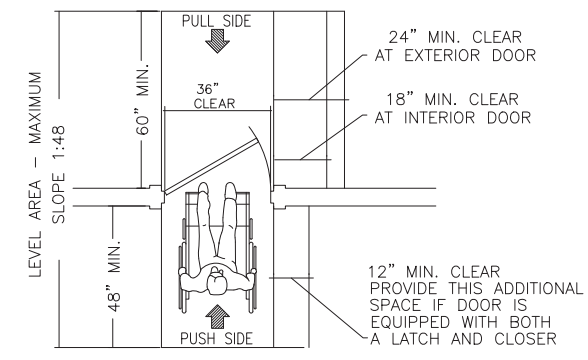
Division Manager: _____

for Director of Building Inspection: _____

for Fire Marshal: _____

CONDITIONS OF APPROVAL OR OTHER COMMENTS:

Page 3 of 3



DOOR CLEARANCE DETAIL
NOT TO SCALE

2015 SAN FRANCISCO BUILDING CODE AB-010

ATTACHMENT B

Recording Requested By And When Recorded

Return To: DIRECTOR, DEPARTMENT OF BUILDING INSPECTION
1660 MISSION STREET, SAN FRANCISCO, CA 94103-2414

or _____ DIVISION

DECLARATION OF USE LIMITATION

I, Oliver Mar Ivanni, LLC, owner of the herein described property commonly known as 3141 Clement Street, in San Francisco, Assessor's Block No. 1414, Lot No. 029, hereby consent to the within described limitations:

In the event that the property located at 3141 Clement Street is ever subdivided, improved in such a manner that the opening in the building located at 3141 Clement Street no longer comply with the San Francisco Building Code, then said opening shall be closed off or protected as required by the Director of the Department of Building Inspection.

The herein limitations shall be binding on me/us until amended by conforming to the San Francisco Building Code Requirements.

Signed: Oliver Mar Ivanni, LLC
Date of Execution: 6/19/19

OWNERS

NOTARY ACKNOWLEDGMENT:

STATE OF CALIFORNIA
County of _____ before me, _____ personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the instrument, and that by his/her/their signature(s) on the instrument, the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

Notary Public in and for said County and State

Page 10-7

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Francisco

On June 11, 2019 before me, Lyman Chao, Notary Public (insert name and title of the officer)

personally appeared Oliver Mar Ivanni who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the instrument, and that by his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

Recording Requested by and when Recorded Mail to
3141 Clement Street
San Francisco CA 94101
Shuai Liu / Akiba

San Francisco Assessor-Recorder
Carmen Chu, Assessor-Recorder
DOC: 2019-0750860-00
Tuesday, JUN 11, 2019 14:17:56
T11 P4 \$85.00 Reg # 000224022 ckr/KC/1-1

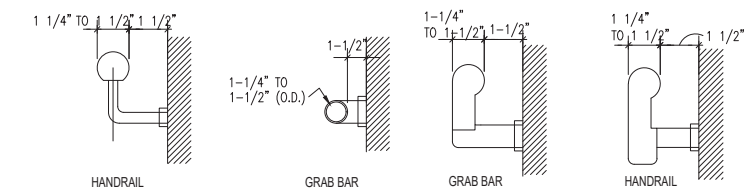
APN: (Block/Lot): 144/029

Situs (Street Address): 3141 Clement

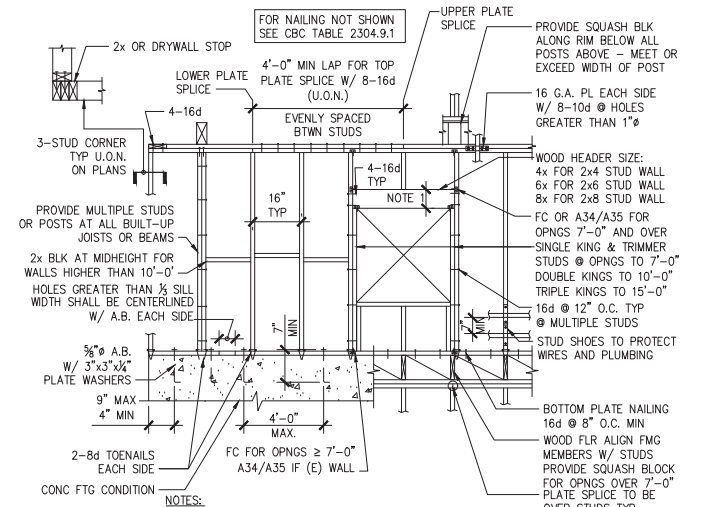
CERTIFIED COPY

DECLARATION OF USE

Title _____



HANDRAIL DESIGN
N.T.S.



TYP WALL FRAMING DETAIL
N.T.S.

D.A. CHECKLIST (p. 1 of 2): The address of the project is: 3141 CLEMENT ST

For ALL current improvement projects in commercial use spaces, both pages of this checklist are required to be reproduced on the plan set and signed.

1. The proposed use of the project is RESTAURANT (e.g. Retail, Office, Restaurant, etc.)

2. Describe the area of remodel, including which floor: GROUND FLOOR

3. The construction cost of this project excluding disabled access upgrades to the path of travel is \$12,000 which is (check one) Less Than At or Above the 2019 Valuation Threshold of \$168,187.00

4. Is this a City project and/or does it receive any form of public funding? Check one Yes No. Note: If Yes, then see Step 3 on the instructions page of the Disabled Access Upgrade Compliance Checklist package for additional forms required.

Conditions below must be fully documented by accompanying drawings

6. A: All existing conditions serving the area of remodel fully comply with access requirements. No further upgrades are required. Fill out page 2 of D.A. Checklist

7. B: Project Adjusted cost of construction is greater than the current valuation threshold. Fill out and attach page 2 of D.A. Checklist and any other required forms to plans

8. C: Project adjusted cost of construction is less than or equal to the current valuation threshold. List items that will be upgraded on Form C. All other items shall be checked on page 2 of the D.A. Checklist in the "Not required by code" column.

9. D: Proposed project consists entirely of Barrier removal. Fill out and attach Barrier removal form to Plans

10. E: Proposed project is minor revision to previously approved permit drawings only. (Note: This shall NOT be used for new or additional work) Provide previously approved permit application here: _____ Description of revision: _____

U.S.R. chapter 2 section 2012. Unintentional:

Technically Infeasible: An alteration of a building or facility that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a load-bearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features that are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.

Unreasonable Hardship: When the enforcing agency finds that compliance with the building standard would make the specific work of the project affected by the building standard infeasible, based on an overall evaluation of the following factors:

- The cost of providing access.
- The cost of all construction contemplated.
- The impact of proposed improvements on financial viability of the project.
- The nature of the accessibility which would be gained or lost.
- The nature of the use of the facility under construction and its availability to persons with disabilities.
- The ability of any Technical Infeasibility or Unreasonable Hardship shall be recorded and entered into the files of the Department. All Unreasonable Hardships shall be ratified by the A.A.C.

Page 10-7

D.A. CHECKLIST (p. 2 of 2): The address of the project is: 3141 CLEMENT ST

Check all applicable boxes and specify where on the drawings the details are shown:

NOTE: requires below are listed in order based on CBC 11B-202.4, exception 8

Existing Entry Compliance	Will be kept as-is or Full Compliance	Required Modifications will provide full access	Compliance to be achieved by construction	Approved by construction with permit application	Approved by construction with permit application (Note: barrier removal)	Approved by construction with permit application (Note: barrier removal)	Approved by construction with permit application (Note: barrier removal)	Approved by construction with permit application (Note: barrier removal)	Approved by construction with permit application (Note: barrier removal)	Approved by construction with permit application (Note: barrier removal)
A. One accessible entrance including approach walk, vertical access, platform (handicap), door/gate and hardware for wheelchair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. An accessible route to the area of remodel including: Paralleling access aisles and curb ramps; Curb ramps and walks; Corridors, hallways, floors; Ramps, elevators, lifts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. At least one accessible restroom for each sex or a single unisex restroom, serving the area of remodel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Accessible public pay phone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. Accessible drinking fountains	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. Additional accessible elements such as parking, stairways, ramps, elevators and signage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Fill out the requirements for additional forms listed below

1	2	3	4	5	6	7
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1. No additional forms required. No additional forms required.

2. Fill out Request for Approval of Equivalent Facilitation form for each item checked and attach to plans.

3. Fill out Request for Approval of Technical Infeasibility form for each item checked and attach to plans.

4. Provide details from a set of City approved reference drawings, provide to permit application number _____ and file reference drawing number on plans.

5. No additional forms required.

6. Fill out Request for an Unreasonable Hardship form for each item checked and attach to plans. All UHR must be ratified by the Access Appeals Commission (see UHR form for details).

Page 10-7

Form F: Consisting Only of Barrier Removal, Notice of Accessibility Violation Compliance, or Exempted Work

Reproduce this Form on the plan set. Check box 1, 2, or 3. If checking box 1, check all other appropriate boxes in section 1.

1. Barrier Removal Work (Section 11B-202.4, Exception 3 and 4).
Note: Barrier removal only projects shall be limited to the scope of work only and shall not be required to comply with section 11B-202.4 (Path of travel requirements).

Alterations, or additions consisting of one or more of the following shall be limited to the actual work of the project (check all that apply):

- Altering one building entrance to meet accessibility requirements.
- Altering one existing toilet facility to meet accessibility requirements.
- Altering one existing elevator to meet accessibility requirements.
- Altering existing steps to meet accessibility requirements.
- Altering existing handrails to meet accessibility requirements.

2. Exempted Work (Section 11B-202.4, Exception 5 and 6).
Alterations of existing parking lots by reconfiguring and/or re-striping; and the addition of or replacement of signs and/or identification devices shall be limited to the actual scope of work and shall not be required to comply with section 11B-202.4.

3. Exempted Work (Section 11B-202.4, Exception 7).
Projects which consist only of heating, ventilation, air conditioning, re-roofing, electrical work, not involving the placement of windows and receptacles, cosmetic work that does not affect items regulated by this code, such as painting, wallpapering, etc., are not to be part of the architecture of the building or area, unless they affect the usability of the building or facility.

Page 10-7

REVISION: 03/19/2021

DESIGNER: WILLIAM CHAN
P.O. BOX 2627
DALY CITY, CA 94017
(415) 741-7268

TENANT: SHUAI LIU
3129 CLEMENT ST
S.F. CA 94121
(415) 412-4000

3129-3141 CLEMENT ST.
SAN FRANCISCO, CA 94121
BLOCK: 1464 LOT: 024A

SHEET TITLE: TENANT IMPROVEMENT LINKS BAR AND GRILL DA CHECKLIST

DATE: 05-28-2019

SCALE: As Noted

DRAWN BY: W.C.

A-6

Exhibit C – Environmental Determination



CEQA Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
3129 & 3141 CLEMENT ST		1464024A, 1464029
Case No.		Permit No.
2019-012888PRJ		
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
<p>Project description for Planning Department approval.</p> <p>The proposed project is to allow a use size over 3,000 square feet of floor area of a restaurant and bar use (d.b.a. Links Bar & Grill) by combining commercial spaces between 3129 Clement Street and 3141 Clement Street, extend hours of operation up to 2 a.m., legalize an outdoor activity area (to allow restaurant seating up to 10 p.m.), and modify conditions of approval from prior conditional use authorizations. Restore front facade at 3129 Clement Street. Create new ADA ramp,, construct (n) studio room, and remodel bar at 3141 Clement Street.</p>		

STEP 1: EXEMPTION TYPE

The project has been determined to be exempt under the California Environmental Quality Act (CEQA).	
<input checked="" type="checkbox"/>	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 - New Construction. Up to three new single-family residences or six 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.
<input type="checkbox"/>	<p>Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p>FOR ENVIRONMENTAL PLANNING USE ONLY</p>
<input type="checkbox"/>	Other _____
<input type="checkbox"/>	Common Sense Exemption (CEQA Guidelines section 15061(b)(3)). It can be seen with certainty that there is no possibility of a significant effect on the environment. FOR ENVIRONMENTAL PLANNING USE ONLY

STEP 2: ENVIRONMENTAL SCREENING ASSESSMENT

TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<p>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. use of diesel construction equipment, backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to <i>The Environmental Information tab on the San Francisco Property Information Map</i>)</p>
<input type="checkbox"/>	<p>Hazardous Materials: <input type="checkbox"/> Mahe or <input type="checkbox"/> Cortese</p> <p>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?</p> <p>Note that a categorical exemption shall not be issued for a project located on the Cortese List if box is checked, note below whether the applicant has enrolled in or received a waiver from the San Francisco Department of Public Health (DPH) Maher program, or if Environmental Planning staff has determined that hazardous material effects would be less than significant. (refer to <i>The Environmental Information tab on the San Francisco Property Information Map</i>)</p>
<input type="checkbox"/>	<p>Transportation: Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? 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? Would the project involve the intensification of or a substantial increase in vehicle trips at the site due to autonomous vehicle or for-hire vehicle fleet maintenance, operations or charging?</p>
<input type="checkbox"/>	<p>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? If yes, archeology review is required.</p>
<input type="checkbox"/>	<p>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? (refer to <i>The Environmental Information tab on the San Francisco Property Information Map</i>) If box is checked, Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Average Slope of Parcel = or > 25%, or site is in Edgehill Slope Protection Area or Northwest Mt. Sutro Slope Protection Area: Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, or (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area? (refer to <i>The Environmental Planning tab on the San Francisco Property Information Map</i>) If box is checked, a geotechnical report is likely required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic Hazard: <input type="checkbox"/> Landslide or <input type="checkbox"/> Liquefaction Hazard Zone:</p> <p>Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area, or (4) grading performed at a site in the landslide hazard zone? (refer to <i>The Environmental tab on the San Francisco Property Information Map</i>) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<p>Comments and Planner Signature (optional):</p>	

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

PROPERTY IS ONE OF THE FOLLOWING: <i>(refer to Property Information Map)</i>	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

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

Check all that apply to the project.	
<input type="checkbox"/>	1. Reclassification of property status. <i>(Attach HRER Part I)</i> <input type="checkbox"/> Reclassify to Category A a. Per HRER b. Other <i>(specify)</i> : <input type="checkbox"/> Reclassify to Category C <i>(No further historic review)</i>
<input type="checkbox"/>	2. 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"/>	3. Interior alterations to publicly accessible spaces that do not remove, alter, or obscure character defining features.
<input type="checkbox"/>	4. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input checked="" type="checkbox"/>	5. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.

<input type="checkbox"/>	6. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input checked="" type="checkbox"/>	7. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input checked="" type="checkbox"/>	8. Work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties (Analysis required)</i> : Proposed scope includes restoration of extant front facade features currently obscured behind exterior cladding. Work will include removal of exterior cladding which obscures extant mid-century style features such as a curved wall, vertical wood siding, and decorative window.
<input type="checkbox"/>	9. Work compatible with a historic district (Analysis required):
<input type="checkbox"/>	10. Work that would not materially impair a historic resource (Attach HRER Part II).
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.	
<input checked="" type="checkbox"/>	Project can proceed with exemption review. The project has been reviewed by the Preservation Planner and can proceed with exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature: Michelle A Taylor	

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

<input type="checkbox"/>	No further environmental review is required. The project is exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Planning Commission Hearing	Signature:
	Once signed or stamped and dated, this document constitutes a n exemption pursuant to CEQA Guidelines and Chapter 31of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination to the Board of Supervisors can only be filed within 30 days of the project receiving the approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	

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.

MODIFIED PROJECT DESCRIPTION

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.

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 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. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed to the Environmental Review Officer within 10 days of posting of this determination.

Planner Name:

Date:

Exhibit D - Land Use Data



Land Use Information

PROJECT ADDRESS: 3129 CLEMENT STREET
RECORD NO.: 2019-012888CUA

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Lot Area	±2,395	±2,395	No Change
Residential	--	--	--
Commercial/Retail	Approx. ±1,925	Approx. ±1,925	±5,303 (after merger with 3141 Clement Street which has approx. ±3,378 floor area)
Office	--	--	--
Industrial/PDR <i>Production, Distribution, & Repair</i>	--	--	--
Parking	--	--	--
Usable Open Space	Approx. 500	--	--
Public Open Space	--	--	--
Other ()			
TOTAL GSF	Approx. ±1,925	Approx. ±1,925	No Change
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Market Rate	--	--	No Change
Dwelling Units - Affordable	--	--	--
Hotel Rooms	--	--	--
Parking Spaces	--	--	--
Loading Spaces	--	--	--
Car Share Spaces	--	--	--
Bicycle Spaces	--	--	--
Number of Buildings	1	1	No Change
Number of Stories	1	1	No Change
Height of Building(s)	Approx. 20.25 feet	Approx. 20.25 feet	No Change
Other ()			



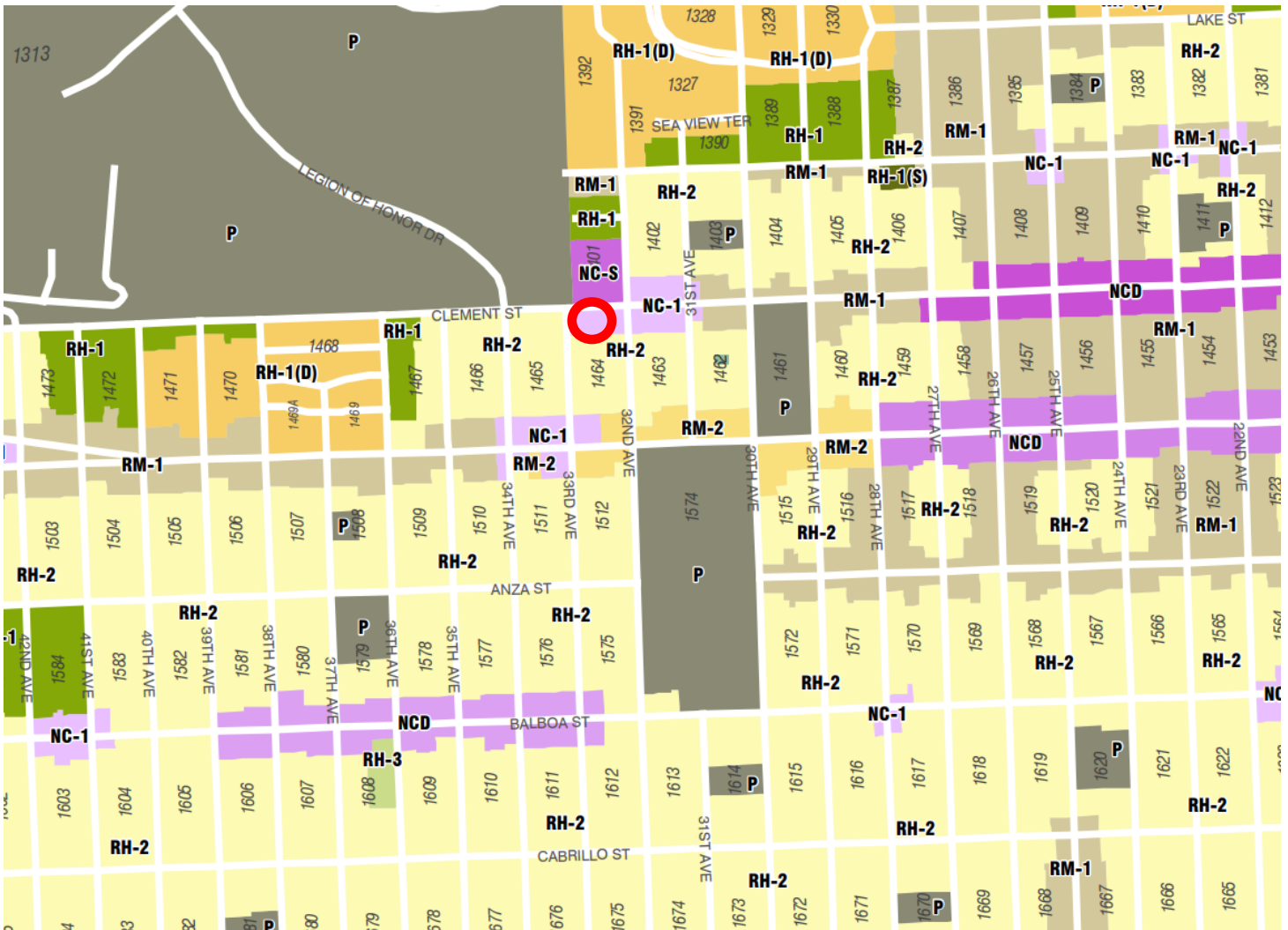
Land Use Information

PROJECT ADDRESS: 3141 CLEMENT STREET
RECORD NO.: 2019-012888CUA

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Lot Area	±4,800	±4,800	No Change
Residential	--	--	--
Commercial/Retail	Approx. ±3,378	Approx. ±3,378	±5,303 (after merger with 3129 Clement Street which has approx. ±1,925 floor area)
Office	--	--	--
Industrial/PDR <i>Production, Distribution, & Repair</i>	--	--	--
Parking	--	--	--
Usable Open Space	--	--	--
Public Open Space	--	--	--
Other ()			
TOTAL GSF	Approx. ±3,378	Approx. ±3,378	No Change
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Market Rate	--	--	No Change
Dwelling Units - Affordable	--	--	--
Hotel Rooms	--	--	--
Parking Spaces	--	--	--
Loading Spaces	--	--	--
Car Share Spaces	--	--	--
Bicycle Spaces	--	--	--
Number of Buildings	1	1	No Change
Number of Stories	1	1	No Change
Height of Building(s)	Approx. 19.25 feet	Approx. 19.25 feet	No Change
Other ()			

Exhibit E - Maps and Context Photos

Zoning Map



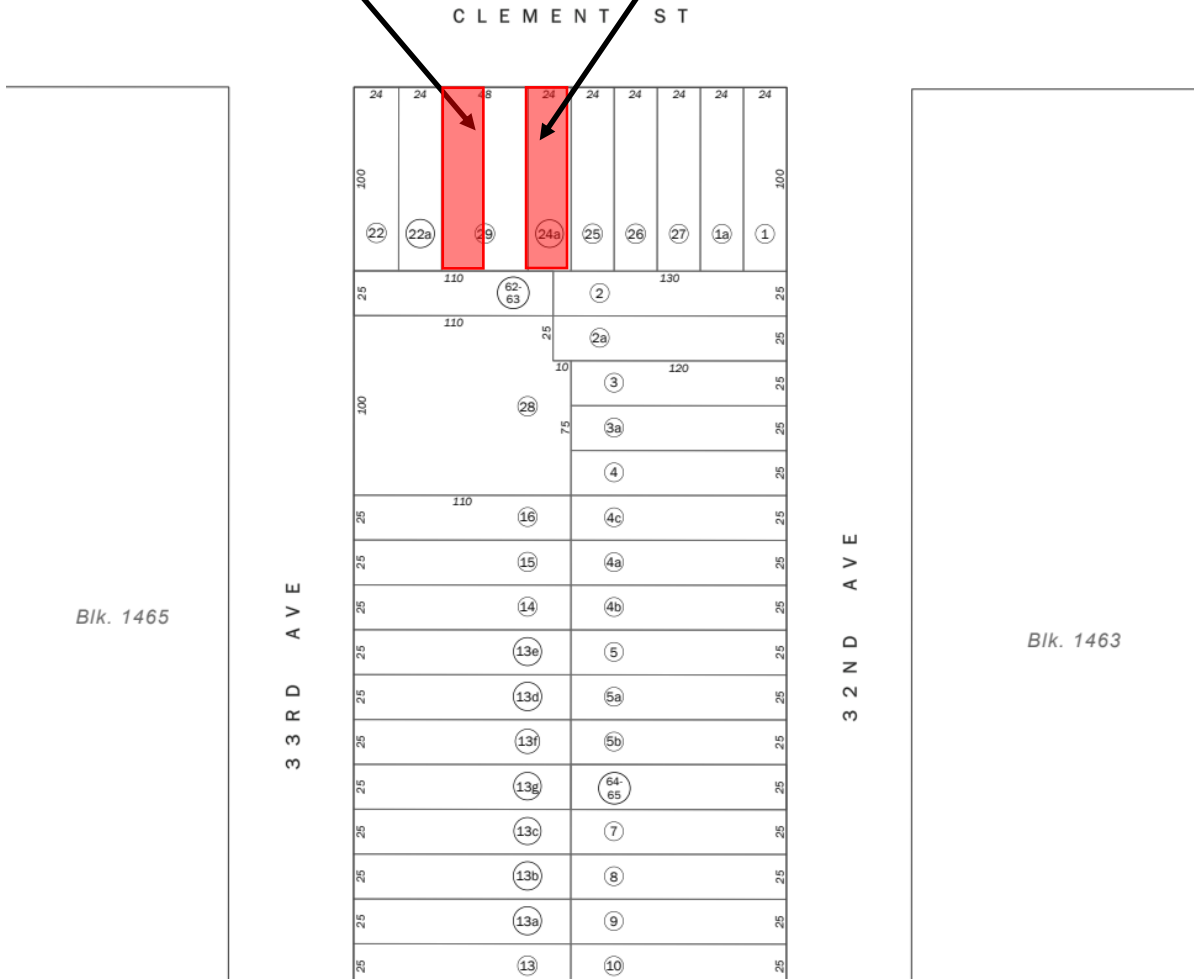
Conditional Use Hearing
Case Number 2019-01288CUA
3129 - 3141 Clement Street



Parcel Map

SUBJECT PROPERTY AT
3141 CLEMENT STREET

SUBJECT PROPERTY AT 3129
CLEMENT STREET



Conditional Use Hearing
Case Number 2019-01288CUA
3129 - 3141 Clement Street

Sanborn Map*

SUBJECT PROPERTY AT
3141 CLEMENT STREET

SUBJECT PROPERTY AT
3129 CLEMENT STREET

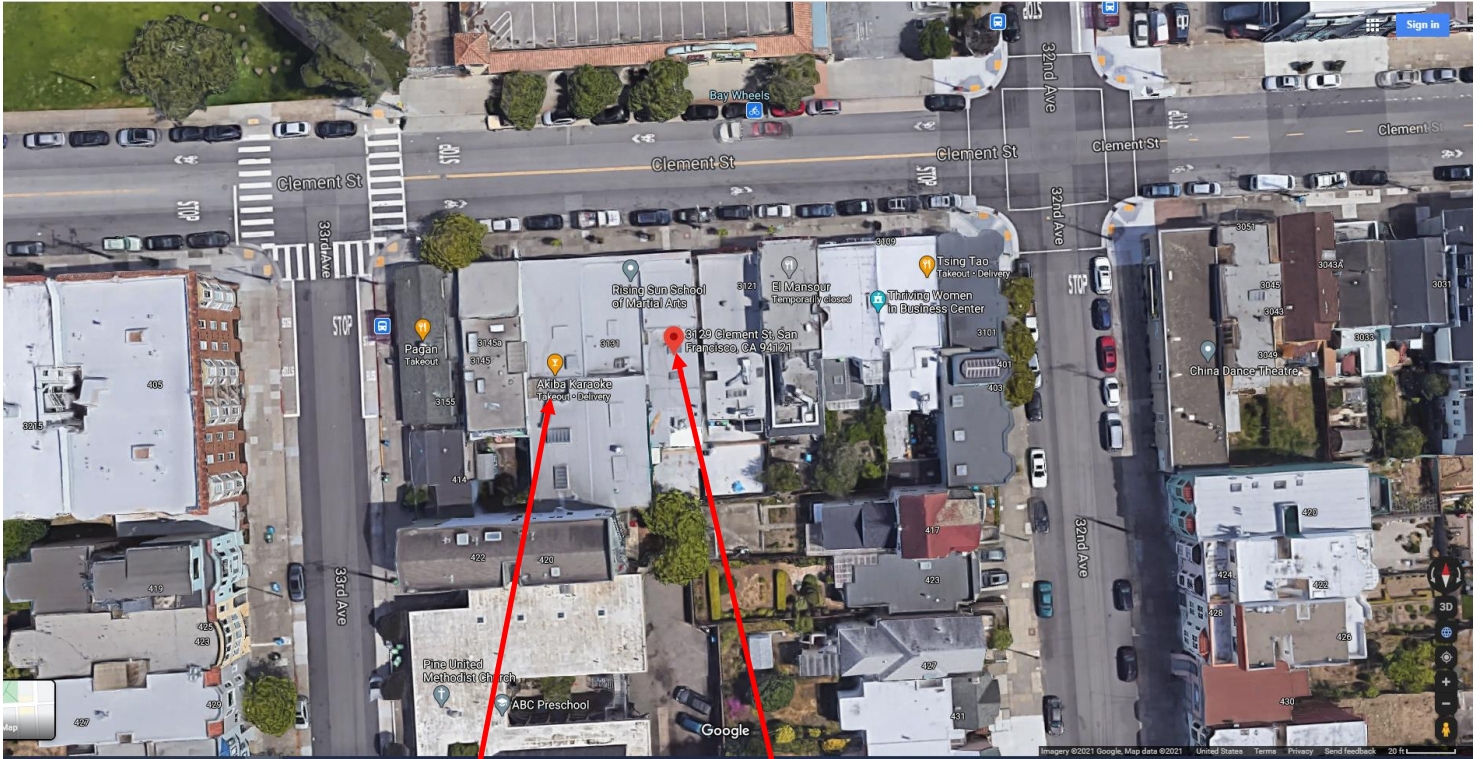


**The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.*

Conditional Use Hearing
Case Number 2019-01288CUA
3129 - 3141 Clement Street



Aerial Photo



**SUBJECT PROPERTY AT
3141 CLEMENT STREET**

**SUBJECT PROPERTY AT
3129 CLEMENT STREET**



Conditional Use Hearing
Case Number 2019-01288CUA
3129 - 3141 Clement Street

Aerial Photo



**SUBJECT PROPERTY AT
3141 CLEMENT STREET**

**SUBJECT PROPERTY AT 3129
CLEMENT STREET
OUTDOOR RESTAURANT
DINING AREA IN REAR YARD**



Site Photo



**SUBJECT PROPERTY AT
3129 CLEMENT STREET**

**SUBJECT PROPERTY AT
3141 CLEMENT STREET**

Conditional Use Hearing
Case Number 2019-01288CUA
3129 - 3141 Clement Street

Site Photo

PORTION OF SUBJECT BLOCK ON CLEMENT STREET



**SUBJECT PROPERTY AT
3129 CLEMENT STREET**

**SUBJECT PRPERTY AT
3141 CLEMENT STREET**

Conditional Use Hearing
Case Number 2019-01288CUA
3129 - 3141 Clement Street

Site Photo

PORTION OF OPPOSITE BLOCK ON CLEMENT STREET



Conditional Use Hearing
Case Number 2019-01288CUA
3129 - 3141 Clement Street

Exhibit F – Prior Conditional Use Authorizations

File No. 94.160C
3129 Clement Street

SAN FRANCISCO
CITY PLANNING COMMISSION
MOTION NO. 13693

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION TO ADD ONE BILLIARD TABLE (DEFINED BY SECTION 790.38 OF THE PLANNING CODE AS OTHER ENTERTAINMENT) WITHIN AN EXISTING FULL SERVICE RESTAURANT AND BAR IN AN NC-1 (NEIGHBORHOOD COMMERCIAL CLUSTER) DISTRICT.

Preamble

On March 25, 1994, Koon Cham So and Ting Yun Chang So (hereinafter "Applicant") made application (hereinafter "Application") for Conditional Use on the property at 3129 Clement Street; Lot 24A in Assessor's Block 1464, (hereinafter "Subject Property") to add one billiard table within an existing Full Service Restaurant and Bar in general conformity with plans filed with the Application and labeled "Exhibit B" (hereinafter "Project") within an NC-1 (Neighborhood Commercial Cluster) District.

On May 26, 1994, the San Francisco City Planning Commission (hereinafter "Commission") conducted duly noticed public hearings at a regularly scheduled meeting on Conditional Use Application No. 94.160C.

The proposed Conditional Use application was determined by the Planning Department of the City and County of San Francisco (hereinafter "Department") to be categorically exempt from the environmental review process pursuant to Title 14 of the California Administrative Code. The Commission has reviewed and concurs with said determination.

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.

Findings

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

1. The NC-1 Districts are intended to serve as local neighborhood shopping districts, providing convenience retail goods and services for the surrounding neighborhoods primarily during daytime hours. NC-1 Districts are characterized by their location in residential neighborhoods, often in outlying areas of the City. Many of these districts have the lowest intensity of commercial development in the City, generally consisting of small clusters of three or more commercial establishments, commonly grouped around a corner, and short linear commercial strips with low-scale, interspersed mixed-use (residential-commercial) development.
2. Other Entertainment, as defined by Section 790.38 is a use, other than adult entertainment, which provides live entertainment, including dramatic and musical performances, dancing, bowling or a billiard parlor. Other Entertainment is allowed on the ground story in the NC-1 Neighborhood Commercial Cluster District with Conditional Use authorization.
3. The Commerce and Industry Element of the Master Plan calls for promoting the multiple uses of neighborhood commercial areas with priority given to the neighborhood-serving retail and service activity.
4. Existing businesses should be retained wherever feasible and must be operated in conformity with the Planning Code. Guidelines for neighborhood commercial districts encourage uses which primarily serve the local community.
5. The Applicant proposes to add one coin-operated billiard/pool table to a restaurant and bar which has existed in the neighborhood for more than forty (40) years. Billiard/pool tables are included in the definition of Other Entertainment.
6. An application for Conditional Use authorization for Other Entertainment shall only comply with the criteria of Section 303(c)(5)(A). The proposal complies with the criteria in that:
 - a. The proposed entertainment activity is not defined as Adult Entertainment by the Planning Code.
 - b. The subject establishment is not open for business after 2:00 a.m.
 - c. Use of a pool table will not require electronic amplification.

- d. The pool table which is in the rear of the establishment in the restaurant area, is not likely to generate offensive noise emissions. Incidental noise associated with the use of the pool table would be contained within the premises. Complaint history requested from the Police Department indicates that no noise complaints were received during the past year. The Planning Department has received no opposition to the request.
7. City Planning Code Section 101.1 establishes eight priority planning policies and requires review of permits for consistency with said policies. The Project complies with said policies in that:
 - a. The proposed entertainment will enhance an existing business by providing an additional recreation activity for patrons of the establishment. Opportunities for resident employment and resident ownership of a small business would be preserved.
 - b. The proposal will not alter the character of the neighborhood.
 - c. The Project has no effect on the supply of affordable housing in the district.
 - d. Municipal traffic will not be impeded and neighborhood parking would not be overburdened as the existing establishment will continue to draw customers from the surrounding neighborhood.
 - e. No service industry establishment is to be displaced by the project.
 - f. Earthquake safety requirements would be considered during review of applications for interior tenant improvements.
 - g. The subject property does not contain a historic building.
 - h. This Project has no impact on open space or parks.
 8. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101 in that the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
 9. 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. 94.160C subject to the following conditions attached hereto as EXHIBIT A which is incorporated herein by reference as though fully set forth.

I hereby certify that the foregoing Motion was ADOPTED by the City Planning Commission at its regular meeting of May 26, 1994.

Linda Avery, Secretary

AYES: Commissioners Boldridge, Levine, Lowenberg, Martin, Prowler, and Unobskey

NOES: None

ABSENT: Commissioner Fung

ADOPTED: May 26, 1994

EXHIBIT A

CONDITIONS OF APPROVAL

1. Conditional Use is authorized to add one billiard/pool table (defined by Planning Code Section 790.38 as Other Entertainment) within an existing Full Service Restaurant and Bar in conformity with plans submitted with the application and labelled as Exhibit B.
2. The operator shall be responsible for cleaning the sidewalk along the Clement Street frontage daily to keep the sidewalk free of paper and other litter during business hours.
3. All garbage containers shall be kept within the building until disposal company pick up.
4. The establishment shall implement other conditions and/or management practices as determined by the Zoning Administrator, in consultation with the Police Department to be necessary to ensure that management and patrons of the establishment maintain the quiet, safety and cleanliness of the premises and the vicinity of the use, and do not block the sidewalk or driveways of neighboring residents or businesses.
5. Should implementation of this Project result in complaints from neighborhood residents, which are not resolved by the Project Sponsor and are subsequently reported to the Zoning Administrator shall report such complaints to the City 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 report such complaints to the City Planning Commission which may thereafter hold a public hearing on the matter in accordance with the hearing notification and conduct procedures as set forth in Section 174, 306.3 and 306.4 of the Code to consider revocation of this Conditional Use Authorization.



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion No. 18915

HEARING DATE: JULY 11, 2013

Date: July 3, 2013
Case No.: 2013.0023C
Project Address: 3141 CLEMENT STREET
Zoning: NC-1 (Neighborhood Commercial, Cluster)
 40-X Height and Bulk District
Block/Lot: 1464/029
Project Sponsor: Sherman Yan
 423 Yale Street
 San Francisco, CA 94134
Staff Contact: Christine Lamorena – (415) 575-9085
christine.lamorena@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 710.27, AND 710.48 OF THE PLANNING CODE TO ADD AN OTHER ENTERTAINMENT USE (A KARAOKE LOUNGE) TO AN EXISTING LIMITED RESTAURANT (D.B.A. AKIBA) AND TO EXTEND THE HOURS OF OPERATION TO 2 A.M. ON WEEKENDS WITHIN THE NC-1 (NEIGHBORHOOD COMMERCIAL, CLUSTER) ZONING DISTRICT AND 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On January 8, 2013, Sherman Yan (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Section(s) 710.27 and 710.48 to add an Other Entertainment use (a karaoke lounge) to an existing Limited Restaurant (d.b.a. Akiba) of approximately 3,500 square feet and to extend the hours of operation to 2 a.m. on weekends within the NC-1 (Neighborhood Commercial, Cluster) Zoning District and 40-X Height and Bulk District.

On July 11, 2013, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.0023C.

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. 2013.0023C, 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 site is located on the south side of Clement Street, between 32nd and 33rd Avenues; Lot 029 in Assessor's Block 1464. The subject property is approximately 4,800 square feet in size and is within a NC-1 Zoning District and 40-X Height and Bulk District. The one-story commercial building is occupied by the subject tenant and a martial arts school (d.b.a. Rising Sun School of Martial Arts).
3. **Surrounding Properties and Neighborhood.** The project site is located in the Outer Richmond neighborhood. The surrounding development consists of a variety of commercial and mixed-use buildings featuring ground floor commercial units with residential units above. The scale of development in the area is primarily one- to three-story structures. Commercial spaces contain a variety of small-scale businesses which include a mix of cafes, restaurants, specialty stores, and personal service uses.

The zoning immediately south of the subject property is RH-2 (Residential, House, Two-Family). The zoning immediately north of the subject property is NC-S (Neighborhood Commercial, Shopping Center) and is occupied by a Fresh & Easy grocery store.

4. **Project Description.** The proposal is to add a new Other Entertainment use (a karaoke lounge) to the existing Limited Restaurant (d.b.a. Akiba) of approximately 3,500 square feet at the one-story commercial building. The project would convert existing storage space at the rear of the restaurant into seven karaoke studios. The restaurant size would not change.

The proposed hours of operation are 2 p.m. – 11 p.m. Sunday through Thursday and 2 p.m. – 2 a.m. on Friday and Saturday. There will be three full-time employees and up to two part-time employees.

5. **Public Comment.** As of July 3, 2013, the Department has received no public comment.

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

The subject commercial space contains approximately 3,500 square feet of floor area and does not require any off-street parking.

B. **Hours of Operation.** Planning Code Section 710.27 states that a Conditional Use Authorization is required for maintaining hours of operation from 11p.m. to 2 a.m.

The proposed hours of operation are 2 p.m. – 11 p.m. Sunday through Thursday and 2 p.m. – 2 a.m. on Friday and Saturday. Conditional Use Authorization is required to operate past 11 p.m.

C. **Other Entertainment Use.** Planning Code Section 710.48 states that Other Entertainment, as defined by Planning Code Section 790.38, requires Conditional Use Authorization in the NC-1 Zoning District.

The project would add karaoke to the existing restaurant. Music would be restricted to inside the tenant space and require that a Place of Entertainment permit be issued by the Entertainment Commission.

D. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts, space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

The subject commercial space has approximately 28 feet of frontage on Clement Street with approximately 17 feet devoted to the restaurant entrance or window space. The windows are clear and unobstructed. There are no changes proposed to the commercial frontage.

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

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

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

The size of the use is in keeping with other storefronts on the block face. The Other Entertainment use would not affect traffic or parking in the district because it would not be considered a "destination" establishment. This use would complement the mix of goods and services currently available and would contribute to the economic vitality of the neighborhood.

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

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

The height and bulk of the existing building would remain the same and would not alter the existing appearance or character of the project vicinity. There would be no physical expansion to the existing building.

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;

Existing traffic patterns would not be significantly affected by the proposed project. There is on-street metered parking in front of the subject property as well as in the surrounding neighborhood. In addition, the project site is well served by transit. There are nearby stops for MUNI bus lines 1-California, 18-46th Avenue, and 38-Geary.

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

No significant noxious or offensive emissions such as glare, dust, or odor are expected to be produced by the proposed project.

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

The Other Entertainment use does not require any additional tenant improvements.

- 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 purpose of NC-1 Districts in that the use would be located at the ground floor and would provide a compatible service for the immediately surrounding neighborhoods during daytime and evening hours.

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

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

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

Policy 1.3:

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

The project would provide an entertainment venue to the neighborhood and would provide employment opportunities to those in the community. Further, the project site is located within a Neighborhood Commercial District and is 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 would enhance the existing restaurant, an existing neighborhood-serving use, by attracting customers seeking an entertainment venue.

OBJECTIVE 6:

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

Policy 6.1:

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

No commercial tenant would be displaced and the project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.

Policy 6.2:

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

The existing restaurant is independently owned.

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

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

The project would provide a small-business owner an opportunity to enhance an existing business that currently provides job opportunities to the City.

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

The project would preserve and enhance the cultural and economic diversity of the neighborhood by helping to retain an existing business in the area. Existing housing would not be affected by this project.

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

The project would not displace any affordable housing.

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

The project would not significantly increase traffic congestion or the availability of parking in the neighborhood. There is on-street metered parking in front of the subject property as well as in the surrounding neighborhood. In addition, the project site is well served by transit. There are nearby stops for MUNI bus lines 1-California, 18-46th Avenue, and 38-Geary.

- 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 would not displace or affect any service or industry establishment. Ownership of industrial or service sector businesses would 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 does not affect the structural and seismic safety requirements of the City Building Code.

- G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the project site.

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

The project would not affect any city-owned parks or open space.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written 2013.0023C subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated December 20, 2012, 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. 18915. 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.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 11, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES: Commissioners Wu, Antonini, Borden, Moore, Sugaya

NAYS: None

ABSENT: Commissioners Fong, Hillis

ADOPTED: July 11, 2013

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to add an Other Entertainment use to an existing Limited Restaurant (d.b.a. Akiba) of approximately 3,500 square feet and to extend the hours of operation to 2 a.m. located at 3141 Clement Street, Lot 029 in Assessor's Block 1464, pursuant to Planning Code Section(s) 710.27 and 710.48 within the NC-1 (Neighborhood-Commercial, Cluster) Zoning District and 40-X Height and Bulk District; in general conformance with plans, dated December 20, 2013, and stamped "EXHIBIT B" included in the docket for Case No. 2013.0023C and subject to conditions of approval reviewed and approved by the Commission on July 11, 2013 under Motion No. 18915. 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 XXXXXX 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 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

7. **Noise.** Plans submitted with the building permit application for the approved project shall incorporate acoustical insulation and other sound proofing measures to control noise.

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

MONITORING - AFTER ENTITLEMENT

8. **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

9. **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

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 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
13. **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
14. **Notices Posted at Bars and Entertainment Venues.** Notices urging patrons to leave the establishment and neighborhood in a quiet, peaceful, and orderly fashion and to not litter or block driveways in the neighborhood, shall be well-lit and prominently displayed at all entrances to and exits from the establishment.
For information about compliance, contact the Entertainment Commission, at 415 554-6678, www.sfgov.org/entertainment
15. **Other Entertainment.** The Other Entertainment shall be performed within the enclosed building only. The building 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. Bass and vibrations shall also be contained within the enclosed structure. The Project Sponsor shall obtain all necessary approvals from the Entertainment Commission prior to operation. The authorized entertainment use shall also comply with all of the conditions imposed by the Entertainment Commission.

*For information about compliance, contact the Entertainment Commission, at 415 554-6678,
www.sfgov.org/entertainment*

16. **Hours of Operation.** The subject establishment is limited to the following hours of operation: 2 p.m. – 11 p.m. Sunday through Thursday and 2 p.m. – 2 a.m. on Friday and Saturday.
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863,
www.sf-planning.org*

Exhibit G - Project Sponsor Brief and survey

President Joel Koppel
Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 3129-3141 Clement Street – CU for Outdoor Activity Area
Planning Dept. Case No. 2019-012888 CUA

Brief in Support of the Project Hearing Date: May 27, 2021

Dear President Koppel and Commissioners:

Our office represents the owner of Links Bar and Grill and Akiba Restaurant located at 3129 and 3141 Clement Street, respectively. We are requesting a conditional use authorization to allow for a bigger commercial use size as we are seeking to merge Links Bar and Grill located at 3129 Clement Street currently 1,925 sq.ft with Akiba located at 3141 Clement Street currently 3,378 sq.ft. This conditional use will also modify hours of operation from 11 p.m to 2 a.m as well as allow for rear yard use for outdoor dining until 10 p.m. The project site is located within the NC-1 Zoning District.

Links Bar and Grill will occupy the same footprint as well as Akiba, creating no material change to the size or intensity of activity at the site. Additionally, the new restaurant use will comply with updated health, environmental, and building codes, so the new restaurant use will be an improvement in the health, safety, convenience and general welfare of those nearby. The project sponsor will be making significant ADA upgrades for both existing sites.

The proposed work will not affect the building envelope; only the inclusion of outside seating will alter the use of the property. The principal use of the space has been as a restaurant. The use of the rear yard will have no additional impact to traffic, parking and loading patterns by granting the use of the accessory Outdoor Activity Area. The majority of the block consists of mixed and commercial ground floor uses, being compatible with surrounding uses.

The project sponsor has been operating Akiba for over 10 years serving Japanese fusion pizza and desserts. They have been working closely with the neighbors and ensure the sidewalk is well maintained. In 2019, the project sponsor took over what was formerly known as “Tee Off Bar”. The current owner took over “Tee Off Bar” and renamed it to “Links”. In the past, the Tee Off Bar had numerous complaints from the neighborhood for dirty sidewalks and drunken fights in the front. Since the present owner took over the Links, he has made sure to be responsive to all issues and maintains Links as he does with Akiba. He has received a lot of positive feedback from the customers who live nearby and feel that this is a great “new” addition to the neighborhood.

The current owner will be eliminating Akiba but will incorporate some of the restaurant menu and programming into a single commercial entity “Links”. In order to make the busi-

ness viable but also family friendly, he transitioned the liquor license from a 48 license which does not allow anyone under 21 to a 47 which allows a bonafide restaurant to serve cocktails with liquor. He is also hopeful that with the extended business hours and recalibration of the interior space along with the rear yard space, he will be able to improve the financial health of his business during the pandemic recovery and the reality that COVID 19 will be part of our lives for the long term.

Although vaccinations are changing the arithmetic, some restrictions on indoor dining are likely to continue for some time. More restaurants all over San Francisco will most likely be adapting their operations to align public health requirements with business needs. Additionally, as people begin to return downtown and to other business districts, outdoor dining can add a new, exciting experience for residents and visitors alike.

During the pandemic, Links has been operating a backyard restaurant and has not received any complaints from the neighbors. Last year, the city permitted temporary outdoor dining through out the City and making it clear that the outside dining options played a significant role in customers decision to dine out in their neighborhood.

Links Bar and Grill will provide a much need benefit to the neighborhood. With a return to full-capacity, indoor dining still to come, it is very clear that many city residents enjoy having more outdoor options. This year, as we move toward a new normal, expanding outdoor dining spaces across the city is a key part of the City's efforts to serve more residents and to support local businesses.

We thank the Commission for their time and respectfully request approval.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amy Lee', written in a cursive style.

Amy Lee
3S LLC

