



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use Authorization

HEARING DATE: MAY 21, 2020

Record No.: 2019-013418PRJ
Project Address: 526 Columbus Avenue
Zoning: North Beach Neighborhood Commercial District (NCD) Zoning District
40-X Height and Bulk District
North Beach Special Use District
Telegraph Hill-North Beach Residential
Block/Lot: 0117/003
Project Sponsor: Christopher Sullivan
3018 Martin Luther King Jr. Way
Berkeley, CA 94703
Property Owner: Piadina Original Marina, LLC
2030 Union Street, #204-205
San Francisco, CA 94123
Staff Contact: Samantha Updegrave (415) 558-6612
Samantha.updegrave@sfgov.org
Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The Project would modify the previously imposed Condition of Approval No. 2 under Case No. 92.137C, Planning Commission Motion 13349, to allow a full kitchen for an established Restaurant Use.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 722, 780.3, and 303, to modify a previously imposed Condition of Approval to allow a full kitchen for an established Restaurant Use within the North Beach Neighborhood Commercial (NCD) Zoning District and North Beach Special Use District.

ISSUES AND OTHER CONSIDERATIONS

- **Public Comment:** As of the writing of this report, the Department has received two letters in support of the Project from neighborhood groups.
- **Previous Conditions of Approval:** In 1992, the Planning Commission authorized a Small Self-Service Restaurant at this location, but the Conditions of Approvals prohibited the installation of a full kitchen¹. A subsequent Ordinance in 2012² modified the Planning Code definitions for restaurant uses. Per this ordinance existing Small Self-Service Restaurants that had an ABC license to serve alcohol were now considered to be Restaurants. Although a Restaurant is currently permitted at this site, a new Conditional Use Authorization is required to amend the Condition of Approval in order to install a full kitchen.

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. Restaurant is the established use at the site and allowing the installation of a full kitchen would allow the space to be used for it’s established purpose, consistent with the definitions in the Planning Code. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

ATTACHMENTS:

- Draft Motion – Conditional Use Authorization with Conditions of Approval
- Exhibit B – Plans and Renderings
- Exhibit C – Environmental Determination
- Exhibit D – Land Use Data
- Exhibit E – Maps and Context Photos
- Exhibit F - Project Sponsor Brief
- Exhibit G – Motion No. 13349 (Case No. 92.137C)
- Exhibit H –Letter of Determination, Case No. 2019-000770ZAD, dated March 19, 2020

¹ Case No. 92.137C, Planning Commission Motion 13349

² Ordinance 0047-12, effective 5/24/2012



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion

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Record No.: 2019-013418CUA
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ADOPTING FINDINGS TO APPROVE A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 722, 780.3, AND 303 TO MODIFY THE PREVIOUSLY IMPOSED CONDITION OF APPROVAL NO. 2 UNDER CASE NO. 92.137C, PLANNING COMMISSION MOTION 13349, TO ALLOW A FULL KITCHEN FOR AN ESTABLISHED RESTAURANT USE, LOCATED AT 526 COLUMBUS AVENUE, LOT 003 IN ASSESSOR'S BLOCK 0117, WITHIN THE NORTH BEACH NEIGHBORHOOD COMMERCIAL (NCD) ZONING DISTRICT, A 40-X HEIGHT AND BULK DISTRICT, AND THE NORTH BEACH AND TELEGRAPH HILL – NORTH BEACH RESIDENTIAL SPECIAL USE DISTRICTS, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On July 1, 2019, Christopher Sullivan ("Project Sponsor") filed Application No. 2019-013418PRJ ("Application") with the Planning Department ("Department") for a Conditional Use Authorization to modify the previously imposed Condition of Approval No. 2 under Case No. 92.137C, Planning Commission Motion 13349, to allow a full kitchen for an established Restaurant Use ("Project") at 526 Columbus Avenue.

On May 6, 2020 the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

On May 21, 2020, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2019-013418CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2019-013418CUA is located at 1650 Mission Street, Suite 400, 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 approves the Conditional Use Authorization as requested in Application No. 2019-013418CUA, 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 would modify the previously imposed Condition of Approval No. 2 under Case No. 92.137C, Planning Commission Motion 13349, to allow a full kitchen for an established Restaurant Use.
3. **Site Description and Present Use.** The Project is located at 526 Columbus Avenue, between Union and Green Streets, on a through lot with 28.656 feet of frontage on Columbus Avenue and 22 feet of frontage on Stockton Street, and has a lot area of 1,733 square feet. The site is developed with a two-story building with restaurant on the ground floor and office on the second floor. A Restaurant Use was established on the ground floor through a Conditional Use Authorization in 1992 (see Item No. 6A) and was most recently occupied by Caffe Roma.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the North Beach NC Zoning District and North Beach Special Use District. Other zoning districts in the vicinity of the project site include: P (Public), RM-1 and RM-2 (Residential Mixed, Low and Moderate Density), and CCB (Chinatown Community Business). Washington Square Park is located a block north of the project site. The block face is characterized by three-to-four story buildings that contain street-level commercial uses with residential above.
5. **Public Outreach and Comments.** The Department has received two letters in support of the Project from neighborhood groups, both citing the desire to activate a currently vacant storefront and to restore vitality to this portion of Columbus Avenue.

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. **Use.** Restaurant is defined in Planning Code Section 102 as “a Retail Sales and Service use that serves prepared, ready-to-eat cooked foods to customers for consumption on the premises and which has seating.... It may provide on-site beer, wine, and/or liquor sales for drinking on the premises (with ABC license types 02, 23, 41, 47, 49, 59, 75, or 87); however, if it does so, it shall be required to operate as a Bona Fide Eating Place. It is distinct and separate from a Limited-Restaurant....”

In the North Beach NC Zoning District and North Beach Special Use Districts, Restaurants on the ground floor are permitted through a Conditional Use Authorization. In 1992, under case No. 92.137C, the Planning Commission authorized a Small Self-Service Restaurant at this location. Condition of Approval No. 2 of Planning Commission Motion 13349 prohibited the installation of a full kitchen: “The subject authorization is for a small self-service restaurant limited to heating appliances only and shall not include a full kitchen containing a stove, range, fryer, and/or hood.” (*See Exhibit G*)

Subsequently, Ordinance No. 0047-12, effective on May 24, 2012, modified the Planning Code definitions for Restaurant uses. Per that ordinance existing Small Self-Service Restaurants that had an ABC license to serve alcohol were now considered to be Restaurants. ABC Type 41 License No. 41-322179 was issued in 1997 for this site, therefore the established use became Restaurant. The Zoning Administrator determined under Case No. 2019-00770ZAD, letter dated March 19, 2019, that although a Restaurant is currently permitted at the Project Site, a new Conditional Use Authorization is required to amend Condition of Approval No. 2 in order to install a full kitchen. (*See Exhibit H*)

7. **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.

A Small Self-Service Restaurant Use was established in 1992 under a previous Conditional Use, but a Condition of Approval did not allow installation of a full kitchen. An Ordinance passed in 2012 reclassified Small-Service Restaurants that had an ABC license to serve alcohol as Restaurants, thus reclassifying the use at this location. Adding a full kitchen would allow the business to operate as a Restaurant and a Bona Fide Eating Establishment, as defined in the Planning Code. The size of the use is in keeping with and maintains the small-scale and fine grain storefronts of this block face. The restaurant that is proposed to move into the space is an active and existing business in the neighborhood, currently located two blocks away on Columbus Avenue and is desirable for, and compatible with, the neighborhood. This will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood by removing a vacant storefront.

- 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;
 - (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;
 - (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

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 Planning Code does not require parking or loading for a 1,933 square-foot Restaurant. Exterior improvements are minor and include ADA access and the addition of an alcove to accommodate the outward door swing within the property lines. The proposed use should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The proposed use is subject to the standard conditions of approval for Restaurants and outlined in Exhibit A. Conditions 11B and 11C specifically obligates the project sponsor to mitigate noise and odor generated by the restaurant use.

- 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 proposed Project is consistent with the stated purposes of North Beach NCD and North Beach Special Use Districts. Restaurant is an established use at this location and does not displace neighborhood-serving retail. By removing the prohibition on a full kitchen, the restaurant can function in a manner consistent with the applicable use as defined in the Planning Code Section 102 and better serve the neighborhood and others in the City.

8. **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 1.1

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

Policy 1.3

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

OBJECTIVE 2:

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

Policy 2.3

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

The proposed Project retains an existing neighborhood Restaurant at a new, nearby location. The prohibition on a full kitchen is a remnant of an older Planning Code definition, and changes in the Planning Code recognize the established use of this site as a Restaurant. The installation of a full kitchen will allow the site to be used in a manner that is consistent with the North Beach NCD Zoning and North Beach Special Use Districts and enhance the economic vitality of this block by activating a vacant storefront. Retaining a neighborhood business and allowing for the continued use of an existing building minimizes potential negative impacts on the neighborhood. It also helps retain the social and cultural character of the neighborhood.

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

- C. That the City's supply of affordable housing be preserved and enhanced,
- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.
- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.
- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.
- G. That landmarks and historic buildings be preserved.
- H. That our parks and open space and their access to sunlight and vistas be protected from development.

The proposed Project is for a use that is established at the site and does not displace any neighborhood-serving retail uses. As a small restaurant business, it would create opportunities for employment. There is no housing at the Project site and the restaurant would contribute to the neighborhood character. The Project would protect and preserve the cultural and economic diversity of the neighborhood. The Project Site is served by nearby public transportation options and is within ¼ mile of the following MUNI lines: 12, 30, 30X, 39, 41, 45, 8, 8AX, 8BX, and PM. The Project would activate a vacant storefront with an established restaurant use. Having an operational restaurant at this site maintains and protects a service sector use. The Project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake. Currently, the Project Site does not contain any City Landmarks or historic buildings. The Project is located within an existing building and does not impact parks and open space or their access to sunlight.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2019-013418CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated March, 2020, 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 21, 2020.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 21, 2020

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a **Restaurant** (d.b.a. **Italian Homemade**) located at 526 Columbus Avenue, Block 0117, Lot 003 pursuant to Planning Code Section(s) 722, 780.3, and 303 within the **North Beach NCD and North Beach and Telegraph Hill – North Beach Residential Special Use Districts** and a **40-X** Height and Bulk District; in general conformance with plans, dated **March, 2020**, and stamped “EXHIBIT B” included in the docket for Record No. **2019-013418CUA** and subject to conditions of approval reviewed and approved by the Commission on **May 21, 2020** under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **May 21, 2020** 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 – COMPLIANCE AT PLAN STAGE

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

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

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

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

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

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

MONITORING - AFTER ENTITLEMENT

9. **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

10. **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

11. **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>.

12. **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>

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 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 415-575-6863, www.sf-planning.org

Appendix B:

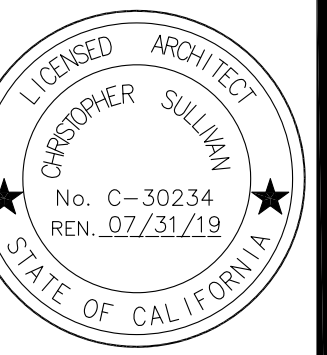
Plans dated March 2020

Conditional Use Authorization
Case Number 2019-013418CUA
526 Columbus Avenue

CONDITIONAL USE

FULL RESTAURANT TENANT IMPROVEMENT

526 COLUMBUS AVE, SF, CA 94133




ARCHITECT:
CHRIS SULLIVAN
3018 MARTIN LUTHER KING
BERKELEY CA 94703
415-272-4992
SUI1LL2@YAHOO.COM

ENGINEERS:
BERNARD HUANG
PE

PLANNING REQUIREMENTS

SITE MAP

DRAWING LIST



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

March 19, 2019

Mattia Cosmi
Piadina Original Marina, LLC
d.b.a. Italian Homemade
2030 Union Street, Suite 203-204
San Francisco, CA 94123

Site Address: 826 Columbus Avenue
Assessor's Block/Lot: 0117/003
Zoning District: North Beach NCD (Neighborhood Commercial District)
Staff Contact: Seema Adina, (415) 878-8722 or seema.adina@sfgov.org
Record Number: 2019-000770ZAD

Dear Mattia Cosmi:

This letter is in response to your request for a Letter of Determination for the property at 526 Columbus Avenue. The subject property is located within the North Beach NCD (Neighborhood Commercial) Zoning District and 40-X Height and Bulk District. The request seeks a determination relating to the subject property's operation as a Restaurant.

Based on the information provided in your request and the permit history for the property, Case No. 1992.137C sought to establish a Small Self-Service Restaurant use at the subject site. Condition of Approval No. 2 of Planning Commission Motion No. 13349 states "The subject authorization is for a small self-service restaurant limited to heating appliances only, and shall not include a full kitchen containing stove, range, fryer and/or hood."

Ordinance No. 0047-12 updated the Planning Code's definitions for restaurant uses and took effect on May 24, 2012. Per this ordinance Small Self-Service Restaurants that had an ABC license to serve alcohol were now considered to be Restaurants. Although a Restaurant use is currently permitted at this site with a Conditional Use authorization, Condition of Approval No. 2 of Planning Commission Motion No. 13349 prohibits full kitchens.

As such the subject commercial space at 526 Columbus Avenue must obtain a Conditional Use Authorization from the Planning Commission to amend Condition of Approval No. 2 of Motion No. 13349 in order to install and operate a full kitchen.

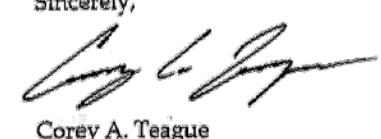
Please note that a Letter of Determination is a determination regarding the classification of uses and interpretation and applicability of the provisions of the Planning Code. This Letter of Determination is

www.sfplanning.org

March 19, 2019
Letter of Determination
526 Columbus Avenue

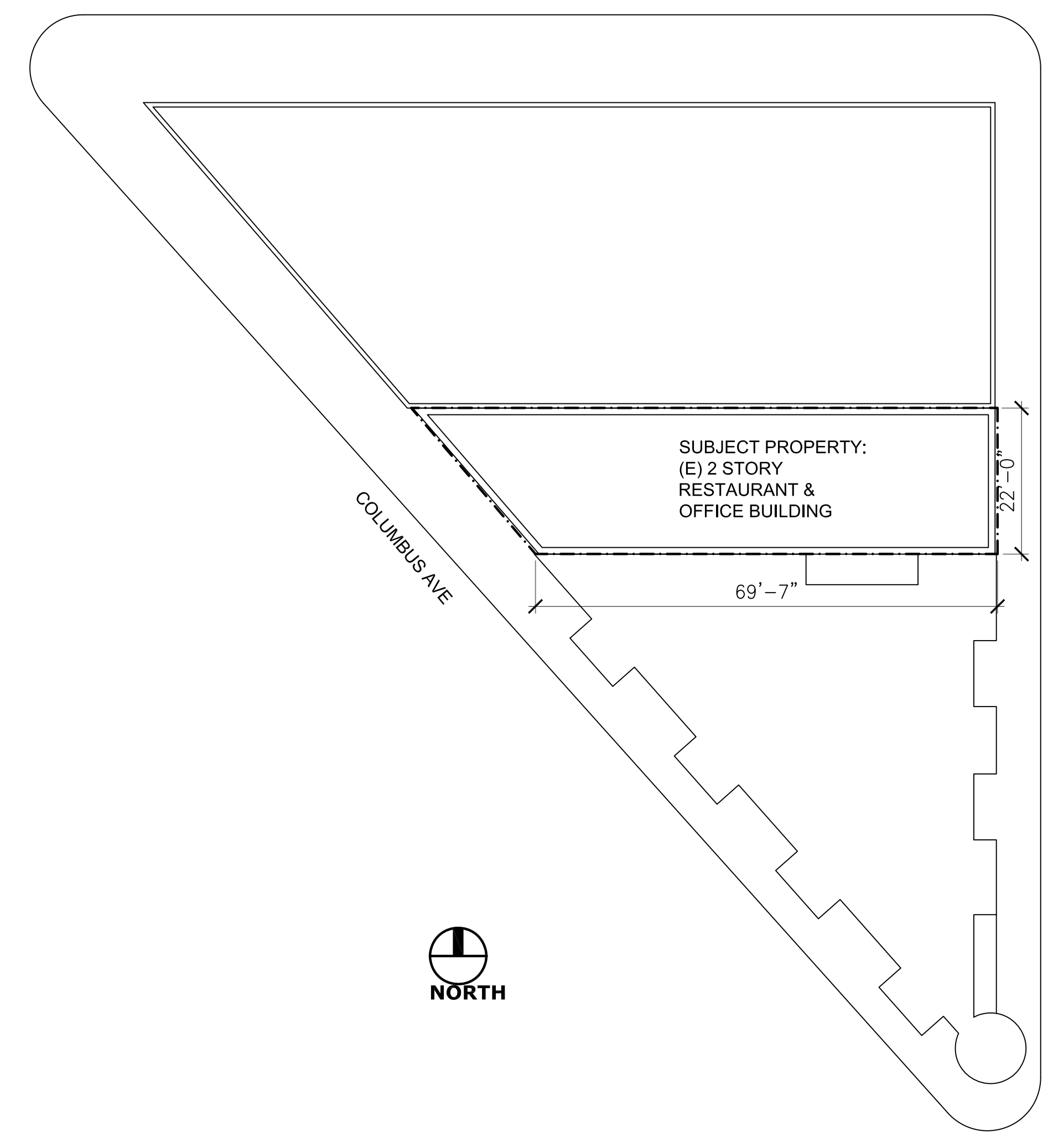
not a permit to commence any work or change occupancy. Permits from appropriate Departments must be secured before work is started or occupancy is changed.

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

Sincerely,

Corey A. Teague
Zoning Administrator

cc: Seema Adina, Planner
Property Owner
Neighborhood Groups

2 of 2



- A0.0 TITLE SHEET, SITE PLAN
A1.0 BASEMENT PLANS
A1.1 GROUND FLOOR PLANS
A1.2 SECOND FLOOR PLANS
A2.0 ELEVATIONS
A2.0a COLOR ELEVATIONS
A2.1 ELEVATIONS
A2.1a COLOR ELEVATIONS
A3.0 SECTION

PROJECT INFO

ADDRESS: 526 COLUMBUS AVE (0117-003)

EXISTING BUILDING: 2 STORY= B OCCUPANCY= RESTAURANT/OFFICE

CONSTRUCTION TYPE= VB (NO CHANGE)
SPRINKLED?: NO

CODES:
2016 California Building Code
2016 California Electrical Code
2016 California Mechanical Code
2016 California Plumbing Code
2016 Green Building Code
2016 California Energy Code
AS AMENDED BY CITY OF BERKELEY MUNICIPAL CODE

SCOPE OF WORK

CONDITIONAL USE FOR FULL RESTAURANT, INCLUDES NEW COOKING, PREP, DISHWASHING, DINING, ADA RESTROOM, FINISHES AND EQUIPMENT. NO EXTERIOR CHANGES EXCEPT AT THE ENTRANCES.

SYMBOLS

	DETAIL NUMBER		DOOR NUMBER
	DETAIL SHEET NUMBER		WINDOW OR LOUVER TYPE
	SECTION		ENLARGED PLAN REFERENCE
	NORTH ARROW		INTERIOR ELEVATION DRAWING NUMBER
	REVISION		INTERIOR ELEVATION SHEET NUMBER
	CEILING HEIGHT		ELEVATION DRAWING NUMBER
	KEY NOTE		ELEVATION SHEET NUMBER

OWNER:
PIADINA ORIGINAL MARINA LLC
2030 Union St., #203-204
San Francisco, CA 94123
(415) 874-9480

PROJECT:
CONDITIONAL USE PERMIT
526 COLUMBUS ST
SAN FRANCISCO, CA 94133

DESCRIPTION:

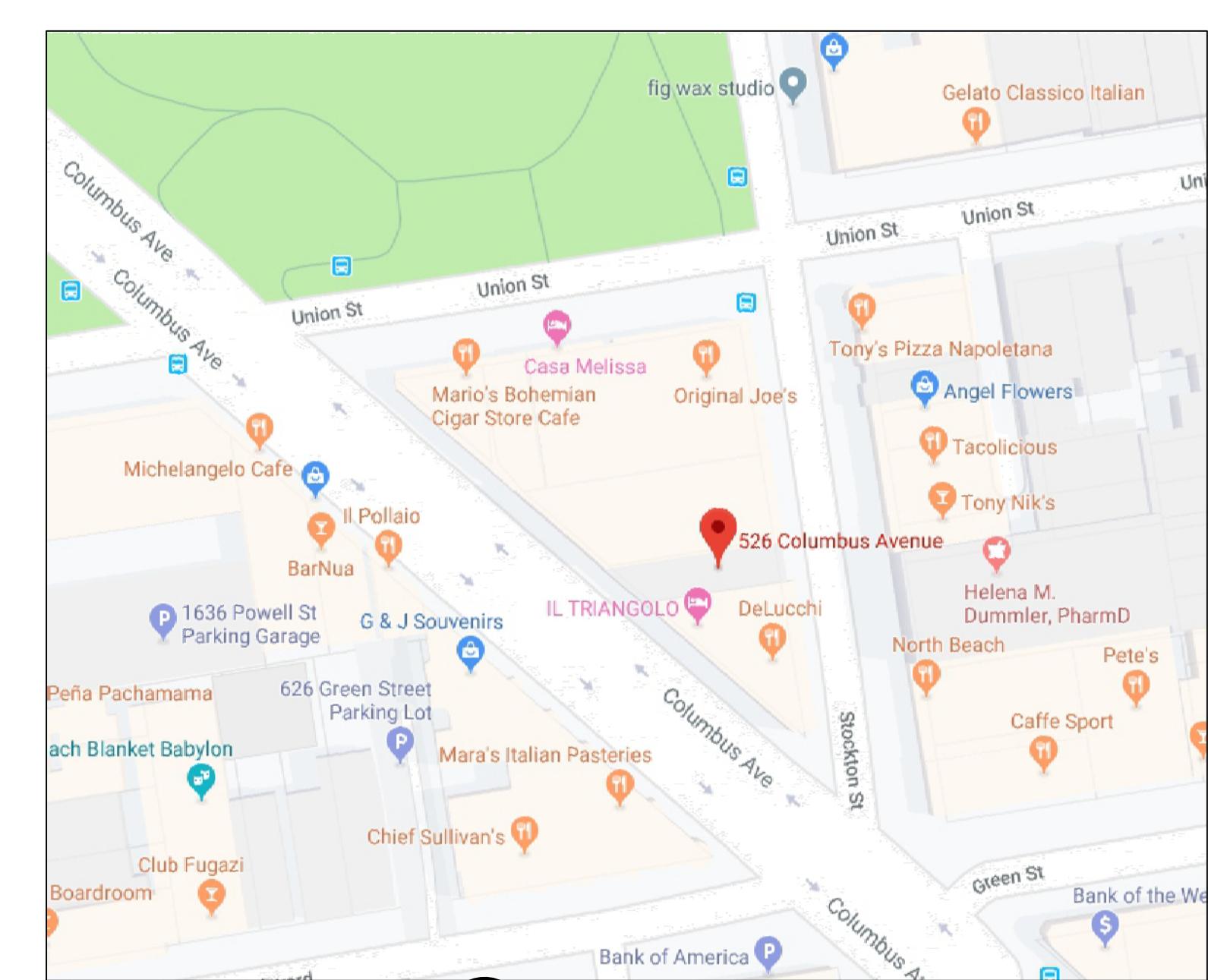
TITLE

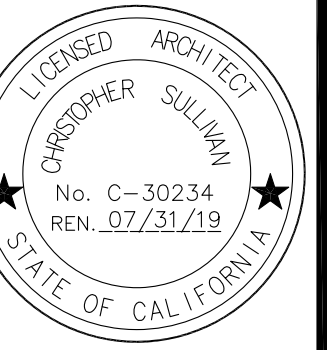
DATE:
JUNE, 2019
CONDITIONAL USE PERMIT
JANUARY, 2020
CUA, REV #1
MARCH, 2020
CUA, REV #2

SHEET:

A0.0

LOCATION MAP





ARCHITECT:
CHRIS SULLIVAN
3018 MARTIN LUTHER KING
BERKELEY CA 94703
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ENGINEERS:
BERNARD HUANG
PE

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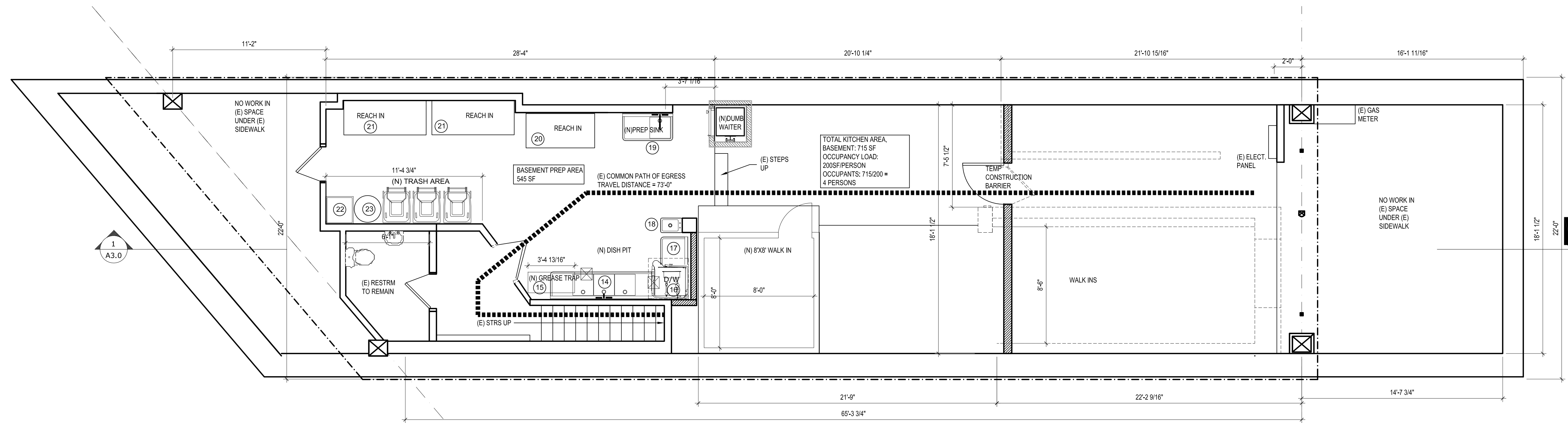
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BASEMENT PLANS

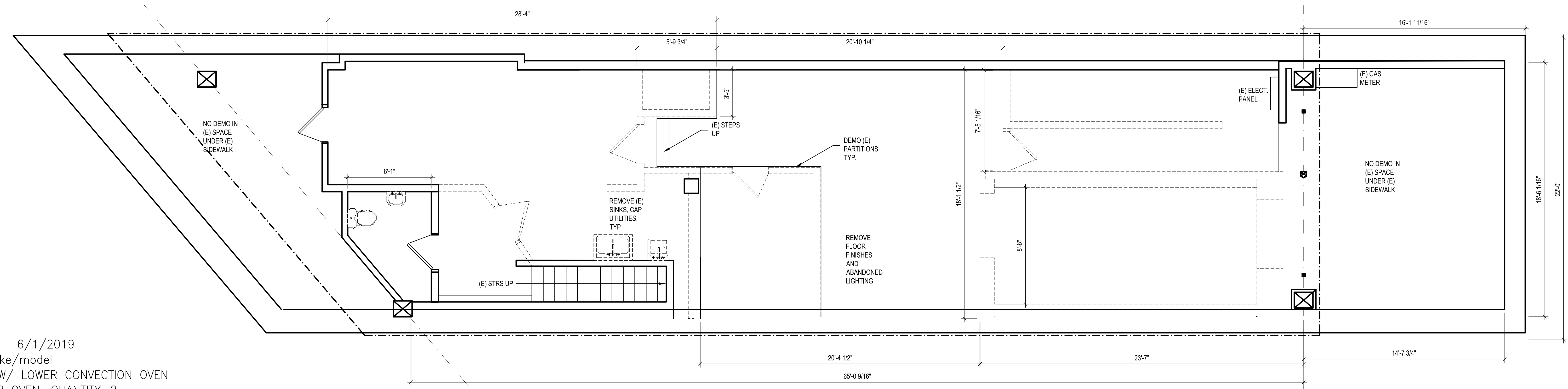
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SHEET:

A1.0



2 PROPOSED BASEMENT PLAN
Scale: 1/4"=1'-0"



1 (E) BASEMENT PLAN
Scale: 1/4"=1'-0"

- 526 COLUMBUS 6/1/2019
- ITEM # Equip Make/model
- 1 36" GRIDDLE W/ LOWER CONVECTION OVEN
 - 2 36" 6 BURNER OVEN, QUANTITY=2
 - 3 Pitco Fryer Quantity=2
 - 4 Wood Pasta Prep Table
 - 5 Double Sided Glass Reach in Refrigerator
 - 6 Prep Refrigerator
 - 7 espresso machine
 - 8 coffee grinder
 - 9 coffee brewer
 - 10 undercounter refrigerator
 - 11 undercounter ice machine
 - 12 hand sink, counter mount
 - 13 hand sink, wall mount, 2 sided splash guard
 - 14 3 comp sink
 - 15 grease trap
 - 16 dishwasher, self-condensing
 - 17 clean tray
 - 18 hand sink wall mount
 - 19 single compartment prep sink
 - 20 reach in
 - 21 Reach in
 - 22 mop sink
 - 23 water heater

CODE ANALYSIS

OCCUPANCY:

1. BASEMENT KITCHEN: 4 PERSONS

2. DINING RM 42 PERSONS

3. UPSTAIRS KITCHEN 2 PERSONS

TOTAL: 48 PERSONS

THIS IS CONSIDERED A "B" OCCUPANCY
450 PERSONS PER CBC 303.1.1

FIRE EGRESS TRAVEL DISTANCE > 75FT, UNSPRINKLED
REQUIRES 2 EXITS, CBC 1021,
2 EXISTING EXITS PROVIDED

RESTROOM FACILITIES

DINING AREA=30SF/PERSON, DINING CBC TABLE 2902.1.1 = 625/30=21 PERSONS.

KITCHEN AREA= 200SF/PERSON, KITCHEN
= 1113/200 = 6 PERSONS

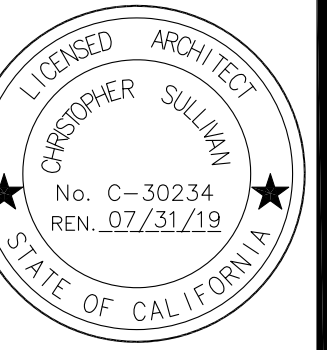
ONE RESTROOM REQUIRED & ONE PROVIDED
PER CPC 422.2 EXCEPTION #3.

PLAN LEGEND

- ☒ (E) FLOOR SINK
- MTL STUD PARTITION @ 16"OC, W/ 1/2" TYP "X" BOTH SIDES, STUD SIZES AS SHOWN (W/TILE AS SHOWN)
- (E) WALL TO REMAIN
- 3-5/8" MTL STUD 42"H PARTITION W/ 1/2" CEMENT BOTILE ON EXTERIOR & MELAMINE INTERIOR
- 2-1/2" MTL 42"H PARTITION @ 16"OC, W/ 2X2 STEEL POSTS @ 32"OC & W/ 1/2" CEMENT BOTILE ON EXTERIOR & MELAMINE INTERIOR
- DEMOLISH WALLS, COUNTERS, DOORS, ETC.
- ACCESSIBLE PATH OF TRAVEL
- FIRE EGRESS

NOTE: ALL DIMENSIONS TO FACE OF FINISH





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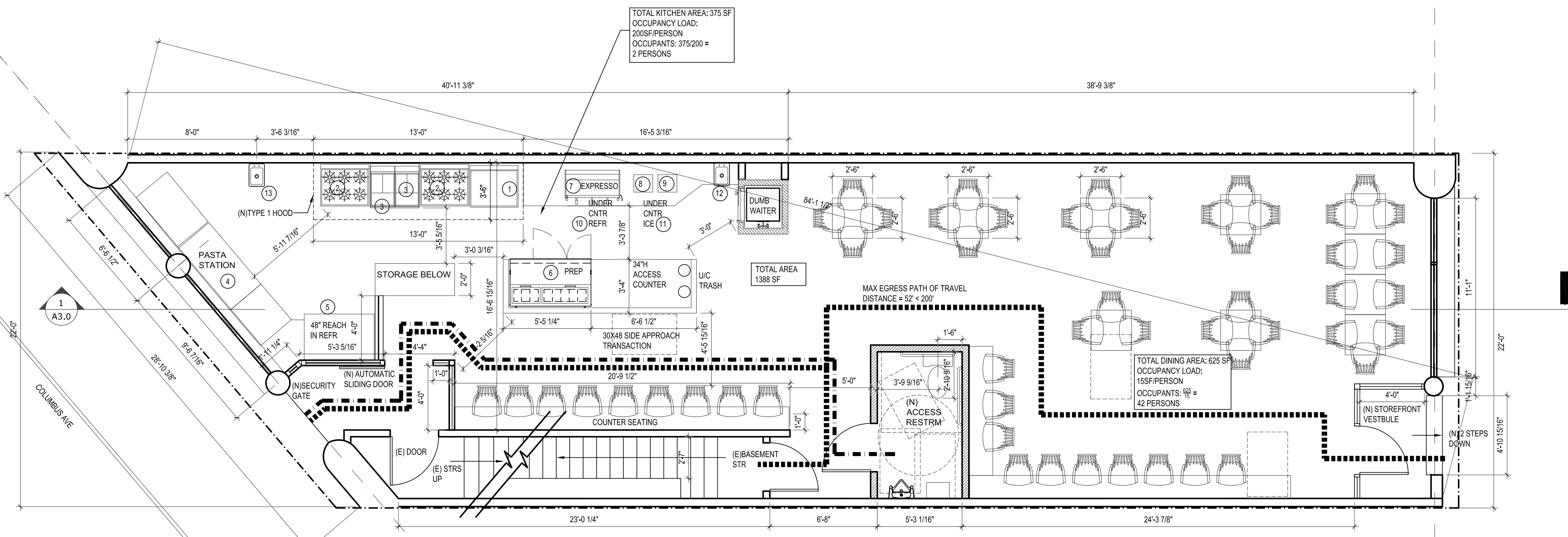
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PLANS

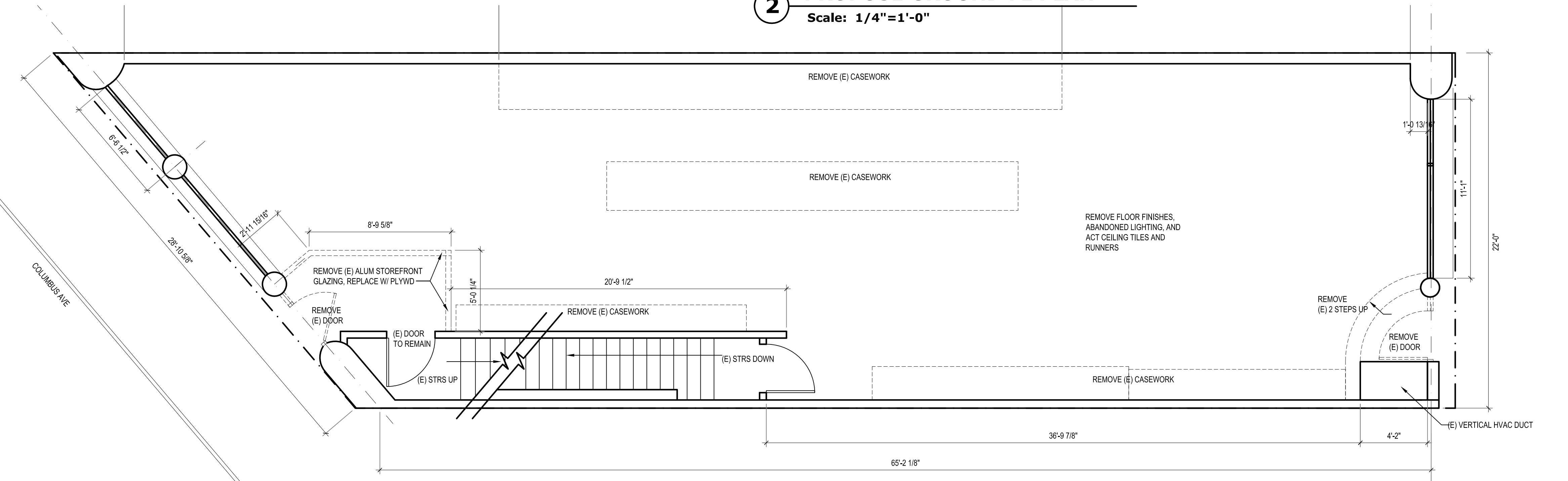
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MARCH, 2020
CUA, REV #2

SHEET:

A1.1



2 PROPOSE GROUND FL PLAN
Scale: 1/4"=1'-0"



1 (E) GROUND PLAN
Scale: 1/4"=1'-0"



- 526 COLUMBUS 6/1/2019
- ITEM # Equip Make/model
- 1 36" GRIDDLE W/ LOWER CONVECTION OVEN
 - 2 36" 6 BURNER OVEN, QUANTITY=2
 - 3 Pitco Fryer Quantity=2
 - 4 Wood Pasta Prep Table
 - 5 Double Sided Glass Reach in Refrigerator
 - 6 Prep Refrigerator
 - 7 espresso machine
 - 8 coffee grinder
 - 9 coffee brewer
 - 10 undercounter refrigerator
 - 11 undercounter ice machine
 - 12 hand sink, counter mount
 - 13 hand sink, wall mount, 2 sided splash guard
 - 14 3 comp sink
 - 15 grease trap
 - 16 dishwasher, self-condensing
 - 17 clean tray
 - 18 hand sink wall mount
 - 19 single compartment prep sink
 - 20 reach in
 - 21 Reach in
 - 22 mop sink
 - 23 water heater

CODE ANALYSIS	
OCCUPANCY:	
1. BASEMENT KITCHEN:	4 PERSONS
2. DINING RM	42 PERSONS
3. UPSTAIRS KITCHEN	2 PERSONS
TOTAL:	48 PERSONS

THIS IS CONSIDERED A 1ST OCCUPANCY
<50 PERSONS PER CBC 303.1.1

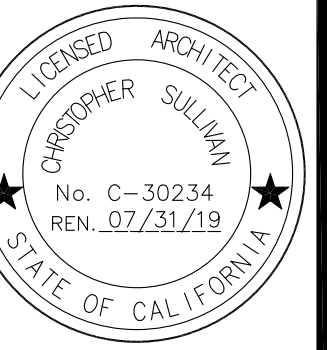
FIRE EGRESS TRAVEL DISTANCE > 75FT. UNSPRINKLED
REQUIRES 2 EXITS, CBC 1021.
2 EXISTING EXITS PROVIDED

RESTROOM FACILITIES
DINING AREA=30SF/PERSON, DINING CBC TABLE 2902.1. = 625/30= 21 PERSONS.

KITCHEN AREA= 200SF/PERSON, KITCHEN
= 1113/200 = 6 PERSONS

ONE RESTROOM REQUIRED & ONE PROVIDED
PER CPC 422.2 EXCEPTION #3.

- PLAN LEGEND
- (E) FLOOR SINK
 - MTL STUD PARTITION @ 16"OC, W/ 1/2" TYP "X" BOTH SIDES. STUD SIZES AS SHOWN (W/TILE AS SHOWN)
 - (E) WALL TO REMAIN
 - 3-5/8" MTL STUD 42"H PARTITION W/ 1/2" CEMENT BDTILE ON EXTERIOR & MELAMINE INTERIOR
 - 2-1/2" MTL 42"H PARTITION @ 16"OC, W/ 2X2 STEEL POSTS @ 32"OC & W/ 1/2" CEMENT BDTILE ON EXTERIOR & MELAMINE INTERIOR
 - DEMOLISH WALLS, COUNTERS, DOORS, ETC.
 - ACCESSIBLE PATH OF TRAVEL
 - FIRE EGRESS
- NOTE: ALL DIMENSIONS TO FACE OF FINISH



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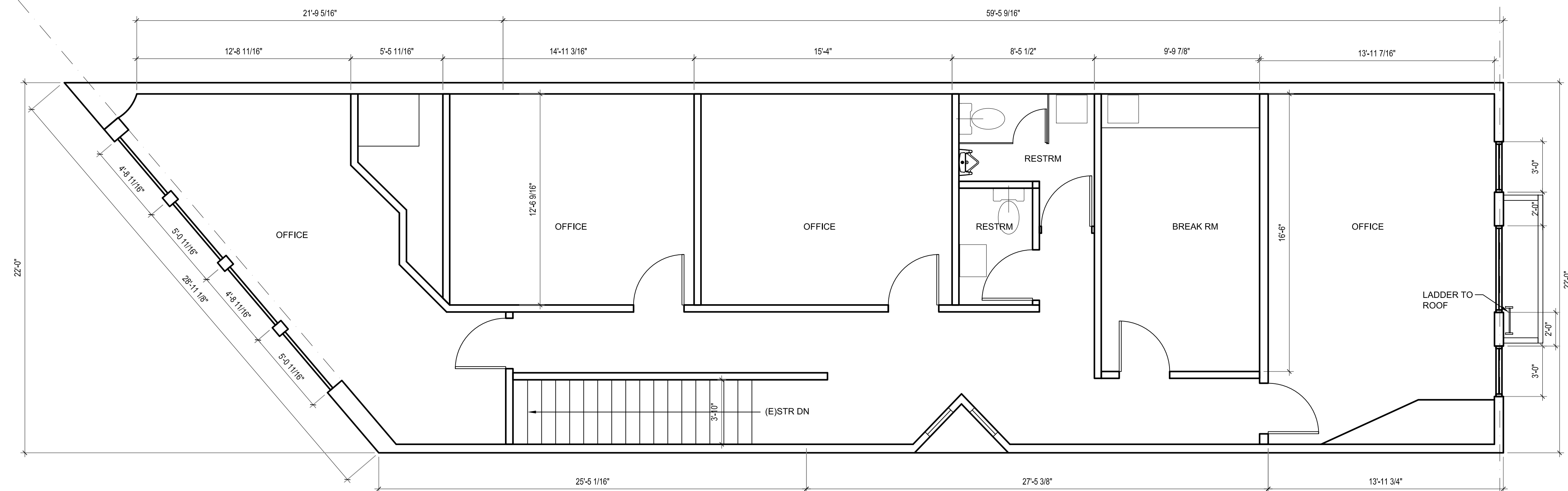
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PLANS

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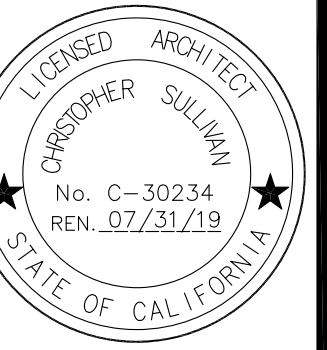
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A1.2



1 (E) 2ND LEVEL (NO CHANGE)
Scale: 1/4"=1'-0"





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DESCRIPTION:

**WEST
ELEV.**

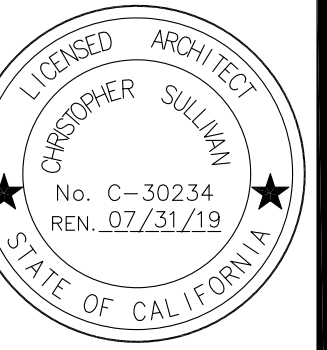
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SHEET:

A2.0a





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526 COLUMBUS ST
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DESCRIPTION:

**WEST
ELEV.**

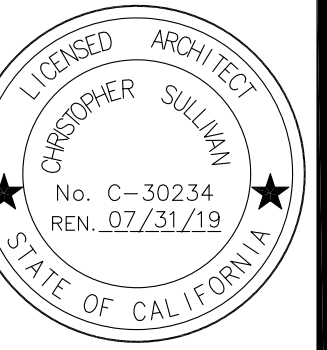
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SHEET:

A2.0



1 (E) & (N) WEST ELEVATION
Scale: 1/4"=1'-0"



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DESCRIPTION:

**EAST
ELEVS.**

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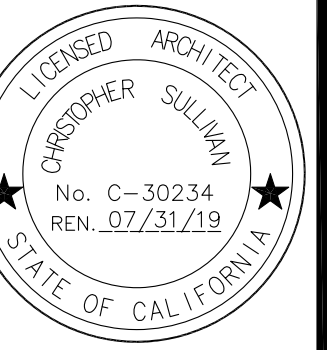
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2 PROPOSED EAST ELEVATION
Scale: 1/4"=1'-0"



1 (E) EAST ELEVATION
Scale: 1/4"=1'-0"



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San Francisco, CA 94123
(415) 874-9480

PROJECT:
CONDITIONAL USE PERMIT
526 COLUMBUS ST
SAN FRANCISCO, CA 94133

DESCRIPTION:

**EAST
ELEVS.**

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MARCH, 2020
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SHEET:

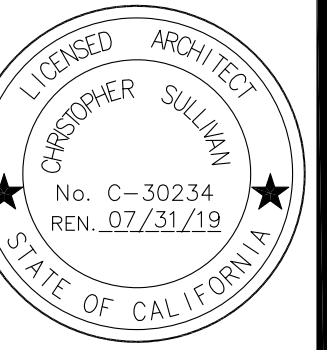
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2 PROPOSED EAST ELEVATION
Scale: 1/4"=1'-0"



1 (E) EAST ELEVATION
Scale: 1/4"=1'-0"



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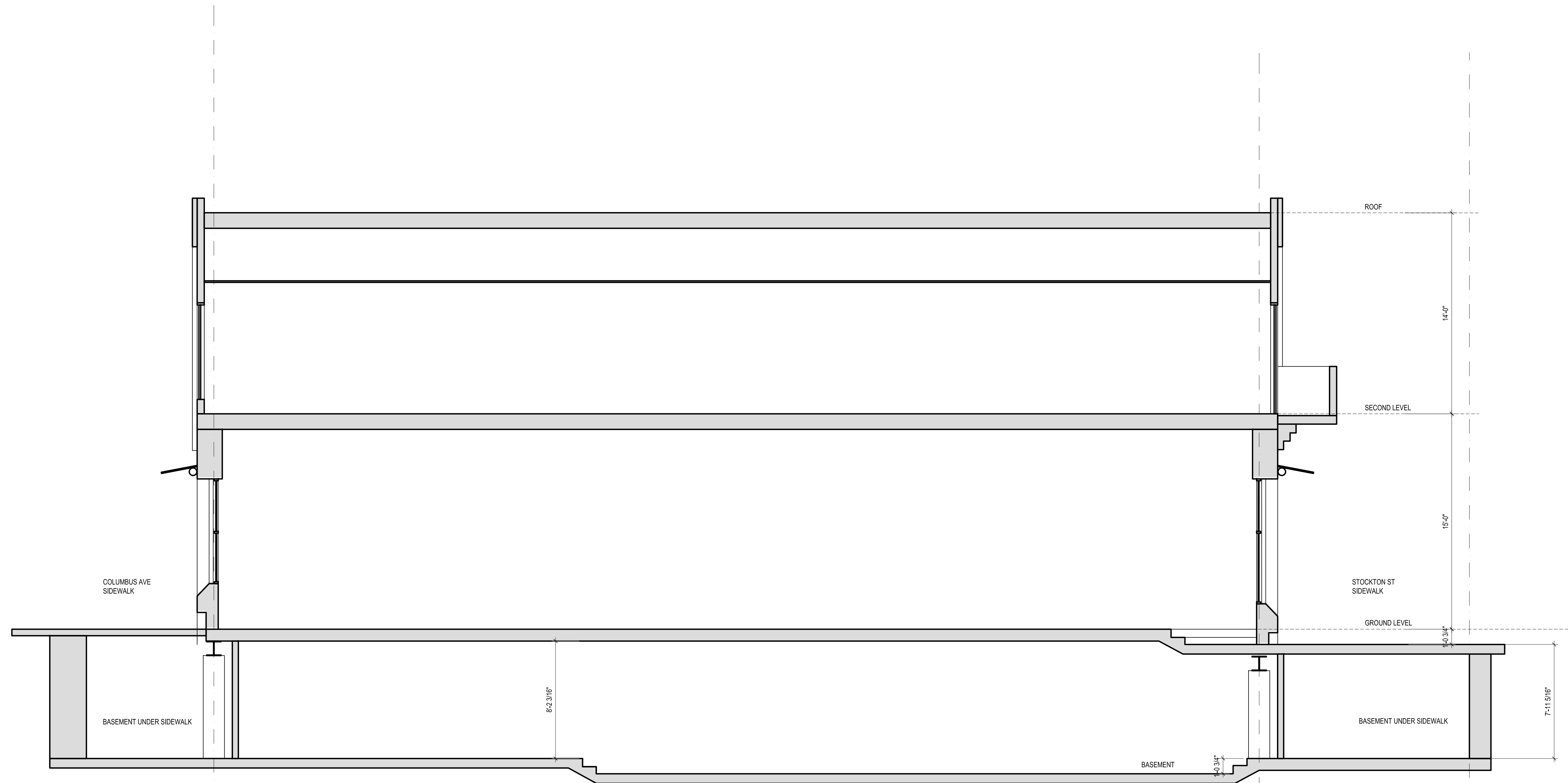
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SECTION

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JANUARY, 2020
CUA, REV #1
MARCH, 2020
CUA, REV #2

SHEET:

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1 (E) & (N) LONGITUDINAL SECTION
Scale: 1/4"=1'-0"

Appendix C:

Environmental Determination



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
526 COLUMBUS AVE		0117003
Case No.		Permit No.
2019-013418PRJ		
<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. Conditional Use Authorization to allow a full kitchen in an established restaurant space in the basement and ground floor of the building.</p>		

STEP 1: EXEMPTION CLASS

<p>The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA).</p>	
<input checked="" type="checkbox"/>	<p>Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.</p>
<input type="checkbox"/>	<p>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.</p>
<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: (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. (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services. FOR ENVIRONMENTAL PLANNING USE ONLY</p>
<input type="checkbox"/>	<p>Class ____</p>

Conditional Use Authorization
Case Number 2019-013418CUA
 526 Columbus Avenue

STEP 2: CEQA IMPACTS
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., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)</p>
<input type="checkbox"/>	<p>Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential?</p> <p>Note that a categorical exemption shall not be issued for a project located on the Cortese List if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</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?</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, archeo review is required (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</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 EP_ArcMap > CEQA Catex Determination Layers > Topography). If yes, Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Slope = or > 25%: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.</p>
<p>Comments and Planner Signature (optional): Jonathan Vimr</p>	

STEP 3: PROPERTY STATUS - HISTORIC RESOURCE

TO BE COMPLETED BY PROJECT PLANNER

PROPERTY IS ONE OF THE FOLLOWING: (refer to <i>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 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 <i>Residential Design Guidelines</i> .
<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 type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW

TO BE COMPLETED BY PROJECT PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input checked="" type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.

<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties (specify or add comments):
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation <input type="checkbox"/> Reclassify to Category A a. Per HRER or PTR dated <input type="checkbox"/> Reclassify to Category C (attach HRER or PTR) b. Other (specify):
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature: Jonathan Vimr	

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

<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically 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: Jonathan Vimr 05/06/2020
<small>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.</small>		

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 categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.	
Planner Name:	Date:

Appendix D: Land Use Data



SAN FRANCISCO PLANNING DEPARTMENT

Land Use Information

PROJECT ADDRESS: 526 COLUMBUS AVE
RECORD NO.: 2019-013418PRJ

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

Reception:
415.558.6378

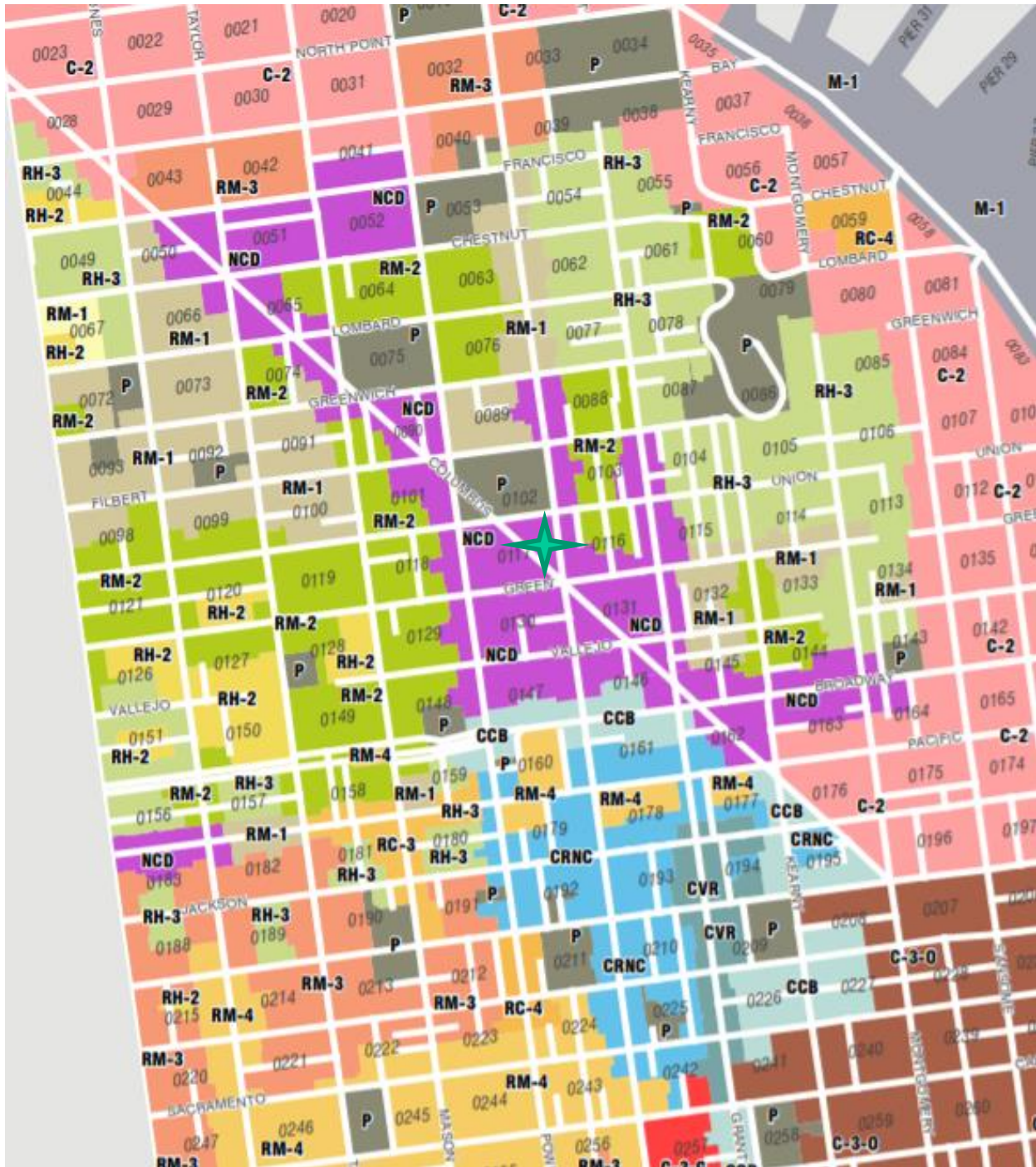
Fax:
415.558.6409

Planning
Information:
415.558.6377

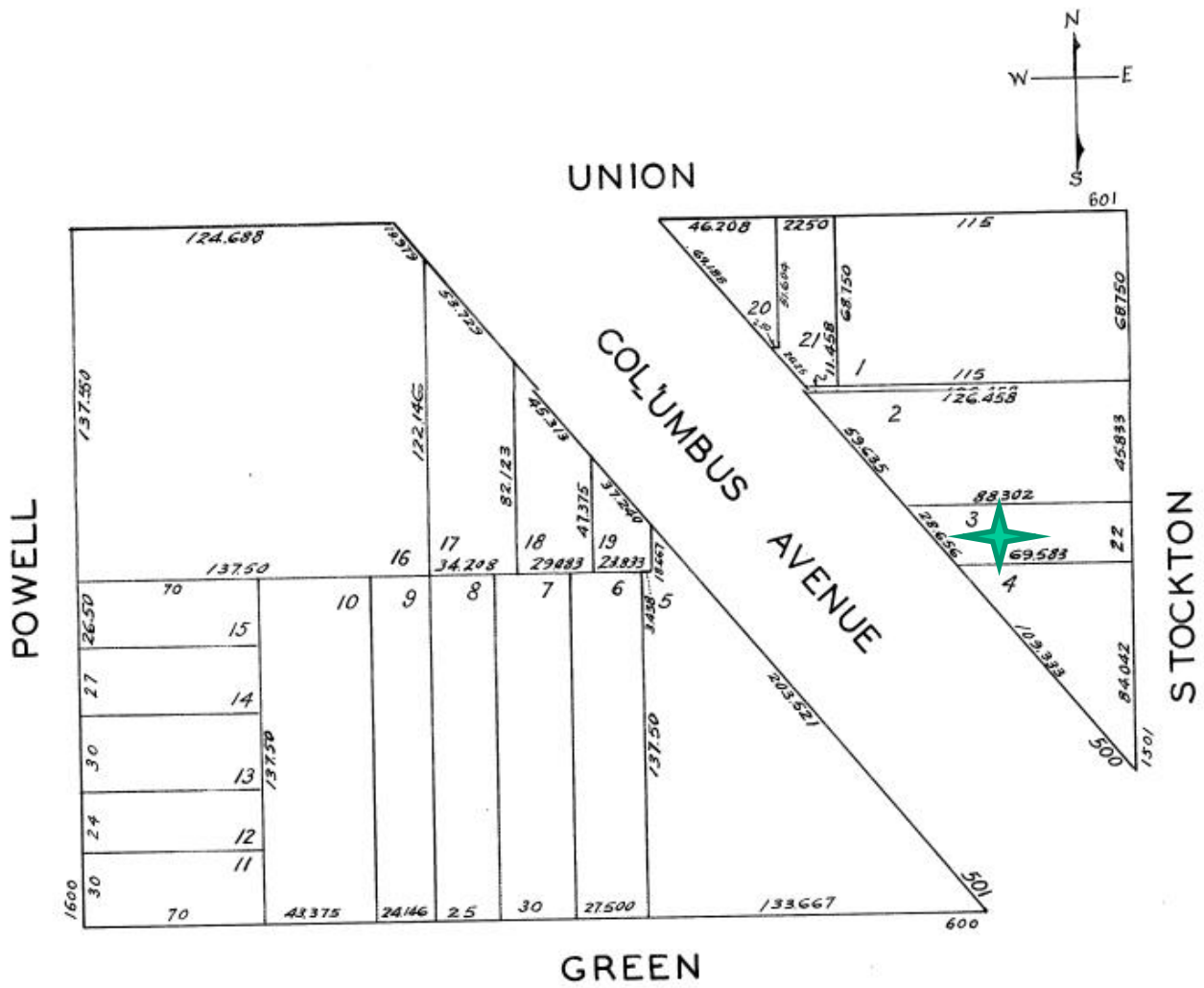
	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF	0	0	0
Residential GSF	0	0	0
Retail/Commercial GSF	1933	0	0
Office GSF	0	0	0
TOTAL GSF	1933	0	0

Conditional Use Authorization
Case Number 2019-013418CUA
526 Columbus Avenue

Appendix E: Maps and Context Photos

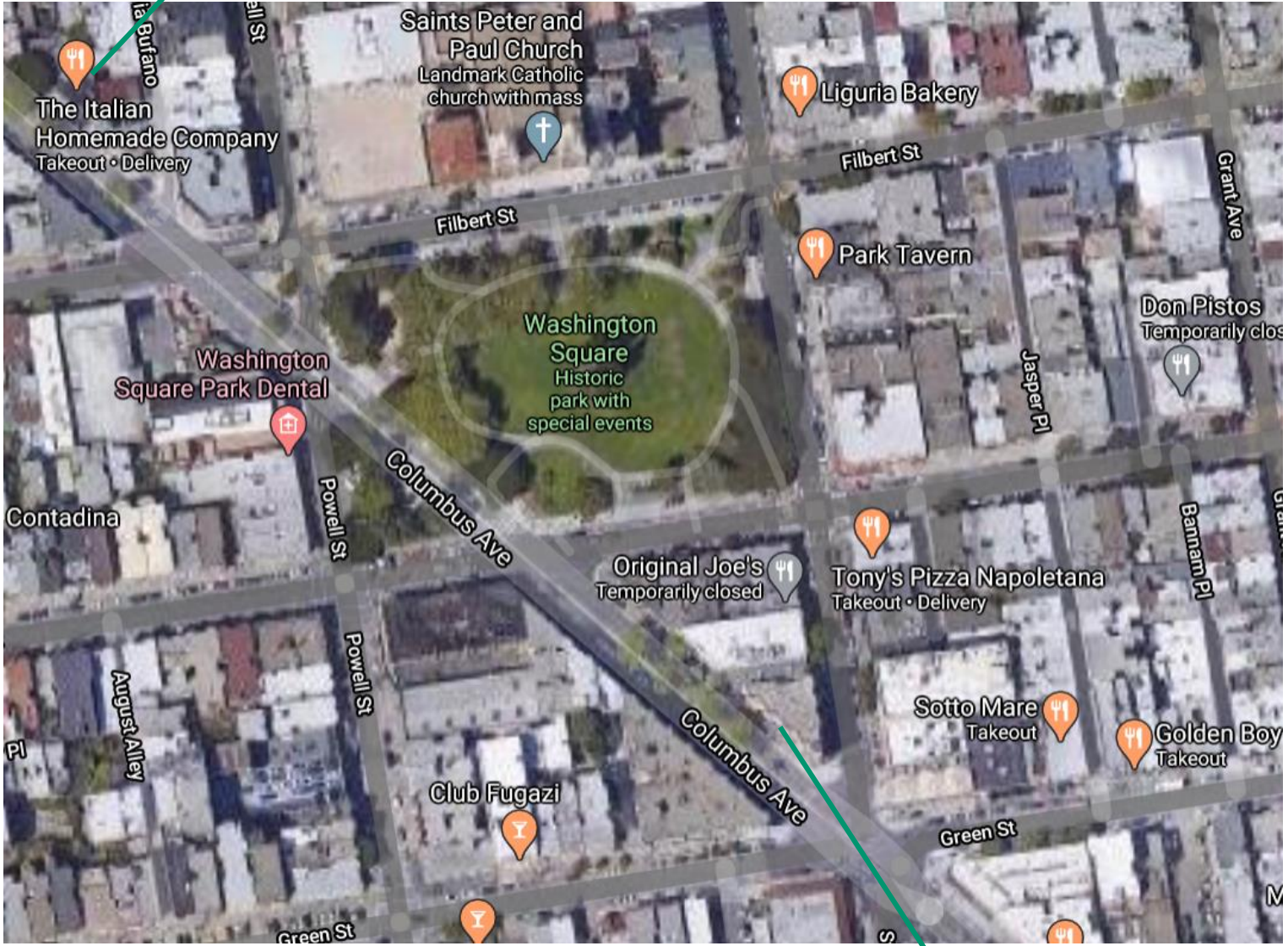


Conditional Use Authorization
Case Number 2019-013418CUA
526 Columbus Avenue



Assessor's Map

Italian Homemade
Current location @
716 Columbus Ave



Subject Site



Columbus Avenue frontage
Google Street View – April 2019



Stockton Street frontage
Google Street View – April 2019

Appendix F:

Project Sponsor Submittal



Monday, May 11, 2020

Mattia Cosmi
Italian Homemade
526 Columbus Ave.
San Francisco, CA 94133

Samantha Updegrave
San Francisco Planning Department
1650 Mission St.
San Francisco, CA 94103

Dear Samantha Updegrave,

The Italian Homemade Company purchased the building at 526 Columbus Ave. in 2018. Thereafter the project sponsor filed a request for a letter of determination (LOD) to the San Francisco city and county Zoning Administrator. Shortly after the project sponsor filed a Conditional Use Authorization (CUA) for the purpose of allowing a bonafide restaurant to operate and build out a kitchen to better serve the neighborhood at large.

The project sponsor also conducted extensive community outreach to the Telegraph Hill Dwellers, the North Beach Business Association, and the North Beach Neighbors Association. The collective bodies fully support the kitchen build out and recognize that the type 41 license (beer and wine onpremise), is vested at this space and is a continuation of a previous license in this location.

ABC has notified the project sponsor that the license will be issued pending the CUA approval.

The merits of the project are as follows:

- Serve delicious and unforgettable Italian pasta made from scratch
- To provide an extensive selection of food and wine and to ensure a lasting memory of the Italian Homemade company name
- To create a tasteful culinary experience, fast casual, and great courteous service
- Fill a vacancy with a vibrant friendly bonafide restaurant that is consistent with the Little Italy theme of North Beach
- The Italian Homemade company location at 716 Columbus Ave. will remain in business and continue it's retail, to go, and delivery service

Thus approval of the CUA at 526 Columbus Ave. will not create a vacancy at 716 Columbus Ave.

Warmest Regards,

Mattia Cosmi
Owner/Operator

THE ITALIAN HOMEMADE COMPANY 2030 Union Street #203-204 - San Francisco, CA 94123

Case Number 2019-013418CUA
526 Columbus Avenue

Appendix G:

Planning Commission Motion No. 13349

(for Case No. 92-137C)

File No. 92.137C
526 Columbus Avenue

SAN FRANCISCO
CITY PLANNING COMMISSION
MOTION NO. 13349

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION TO ESTABLISH A SMALL SELF-SERVICE RESTAURANT WITHIN AN EXISTING RETAIL COFFEE STORE IN THE NORTH BEACH NEIGHBORHOOD COMMERCIAL DISTRICT.

Preamble

On March 10, 1992, Anthony Azzollini, (hereinafter "Applicant") made application (hereinafter "Application") for Conditional Use on the property at 526 Columbus Avenue; Lot 03 in Assessor's Block 117, (hereinafter "Subject Property") to convert 250 square feet of space in an existing retail coffee store (with accessory take-out coffee and food area and accessory coffee roasting) to a small self-service restaurant by adding seven tables and thirty chairs in general conformity with plans filed with the Application and labeled "Exhibit B" (hereinafter "Project") within the North Beach Neighborhood Commercial District.

On May 7, 1992, the San Francisco City Planning Commission (hereinafter "Commission") conducted duly noticed public hearings at a regularly scheduled meeting on Conditional Use Application No. 92.137C.

The proposed Conditional Use application was determined by the San Francisco Department of City Planning (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:

Conditional Use Authorization
Case Number 2019-013418CUA
526 Columbus Avenue

1. The North Beach Neighborhood Commercial District is a nonlinear district centered on Columbus Avenue, located in the valley between Telegraph Hill and Nob Hill north of Broadway. North Beach functions as a neighborhood-serving marketplace, citywide specialty shopping and dining district, a tourist attraction, as well as an apartment and residential hotel district. Traditionally, the district has provided most convenience goods and services for residents of North Beach and portions of Telegraph Hill and Russian Hill.

The North Beach District controls are designed to ensure the livability and attractiveness of North Beach. Building standards limit new development to a small to moderate scale. Most new commercial development is permitted at the first two stories. Small-scale, neighborhood-serving businesses are strongly encouraged. Special controls limit additional ground-story eating and drinking, entertainment, and business and professional office uses. Financial services are prohibited from locating in the portion of the district south of Union Street, while new financial services locating in the portion of the district north of Union Street are limited. Restrictions on automobile and drive-up uses are intended to promote continuous retail frontage and maintain residential livability. Large fast food restaurants are prohibited. Full service and small self-service restaurants require conditional use authorization and are restricted to the first story within the North Beach Neighborhood Commercial District.

2. Small self service restaurants as defined by Section 790.91 of the Planning Code, are a retail eating or drinking use which provide ready to eat food for consumption on and off the premises which may or may not provide seating. Included are delicatessens, ice cream and cookie stores, sandwich shops, and bakeries.
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. The Element calls for special efforts to be directed at protecting the diversity of neighborhood-serving uses from over-concentration of any given use such as financial institutions, bars or restaurants.
4. Existing businesses, especially neighborhood-serving retail sales and services should be retained wherever feasible and in conformity with the Planning Code. Guidelines for neighborhood commercial districts encourage uses which primarily serve the local community.

5. Under the provisions of Planning Code Section 303, the Commission may authorize a conditional use after finding that the proposed use will provide a development that is necessary or desirable for and compatible with the neighborhood or the community, that such use will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity and that such use will comply with applicable provisions of the Code and will not adversely affect the Master Plan.

The proposal to convert 250 square feet of space within an existing retail specialty coffee store to a small self-service restaurant does not add a new restaurant to the neighborhood, but adds a new service to the existing establishment. Seven tables and thirty chairs will be added to allow on-site food consumption. The proposal complies with the criteria of Section 303 in that:

- a. The neighborhood and the North Beach Chamber of Commerce support the proposal. The North Beach Chamber of Commerce indicated in a letter that the Caffe Roma Coffee Roasting Company has been a valued addition to the North Beach neighborhood. The proposed use will accommodate customers' needs, help revitalize the existing block and serve the immediate neighborhood.
- b. The Applicant and his family have owned and operated a clean, efficient neighborhood retail store and two other neighborhood-serving businesses in the North Beach district, one of these a full service restaurant since 1977. The Applicant contributes monthly to a neighborhood beautification program.
- c. The proposed use is compatible with the existing mix of commercial goods and services in the neighborhood.
- d. The proposal would allow on-site food consumption, yet will not significantly alter the existing retail coffee store. The conversion of floor space will not alter the interior or exterior of the existing building, rather will more fully utilize available floor area.
- e. The existing establishment has provided employment for neighborhood residents and will continue to provide job opportunities.

- f. Automobile traffic congestion would not significantly increase as most of the customers served by the proposed use are already shopping at the establishment or at businesses nearby, riding public transportation, or walking from within the neighborhood.
 - g. The proposal is consistent with the policies and objectives of the Commerce and Industry Element which promote and encourage preservation of small neighborhood-oriented businesses and the services therein.
6. 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 conversion of space to a small self-service restaurant is designed to better serve residents, workers, and tourists who are shopping or walking in the neighborhood. The existing retail coffee store will also enhance its business and help revitalize the existing block.
 - b. The neighborhood character will be protected and enhanced by preserving neighborhood-serving retail uses while providing a convenient service to customers. The establishment is located on the first story of a well-lighted, well-maintained building with an attractive storefront.
 - c. Municipal transit service would not be impeded and neighborhood parking would not be overburdened as the proposed use will draw customers from the surrounding neighborhood who do not need to drive or ride public transportation to this establishment or customers already shopping or walking in the neighborhood.
 - d. The proposed conversion to a self-service restaurant will preserve existing opportunities for employment within the immediate neighborhood and contribute to a diversity of commercial uses in the district.
7. 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.
8. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

CITY PLANNING COMMISSION

File No. 92.137C
526 Columbus Avenue
Motion No. 13349
Page Five

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. 92.137C 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 7, 1992.

Linda Avery
Secretary

AYES: Commissioners Fung, Karasick, Levine, Lowenberg and Unobskey

NOES: None

ABSENT: Commissioners Boldridge and Smith

ADOPTED: May 7, 1992

GOH:pg/206

CITY PLANNING COMMISSION

File No. 92.137C
526 Columbus Avenue
Motion No. 13349

EXHIBIT A
CONDITIONS OF APPROVAL

1. This authorization is for installation of a small self-service restaurant as defined by Section 790.91 of the Planning Code within 250 square feet of space in an existing retail commercial establishment, in conformity with plans submitted with the application dated March 10, 1992 and labelled Exhibit B.
2. The subject authorization is for a small self-service restaurant limited to heating appliances only, and shall not include a full kitchen containing stove, range, fryer and/or hood.
3. The operator shall be responsible for cleaning the sidewalk along the Columbus Avenue and Stockton Street block frontage daily to keep the sidewalk free of paper or other litter during business hours.
4. All garbage and waste containers shall be kept in enclosed structures.
5. Noise and odors shall be contained within the premises so as not to be a nuisance to nearby residents or neighbors.
6. The applicant shall record a copy of these conditions with the Office of the Recorder for the City and County of San Francisco as part of the property records.

G0H:pg/206/6

Appendix H:

Letter of Determination

(Case No. 2019-00070ZAD)



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

March 19, 2019

Mattia Cosmi
Piadina Original Marina, LLC
dba Italian Homemade
2030 Union Street, Suite 203-204
San Francisco, CA 94123

Site Address:	526 Columbus Avenue
Assessor's Block/Lot:	0117/003
Zoning District:	North Beach NCD (Neighborhood Commercial District)
Staff Contact:	Seema Adina, (415) 575-8722 or seema.adina@sfgov.org
Record Number:	2019-000770ZAD

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Dear Mattia Cosmi:

This letter is in response to your request for a Letter of Determination for the property at 526 Columbus Avenue. The subject property is located within the North Beach NCD (Neighborhood Commercial) Zoning District and 40-X Height and Bulk District. The request seeks a determination relating to the subject property's operation as a Restaurant.

Based on the information provided in your request and the permit history for the property, Case No. 1992.137C sought to establish a Small Self-Service Restaurant use at the subject site. Condition of Approval No. 2 of Planning Commission Motion No. 13349 states "The subject authorization is for a small self-service restaurant limited to heating appliances only, and shall not include a full kitchen containing stove, range, fryer and/or hood."

Ordinance No. 0047-12 updated the Planning Code's definitions for restaurant uses and took effect on May 24, 2012. Per this ordinance Small Self-Service Restaurants that had an ABC license to serve alcohol were now considered to be Restaurants. Although a Restaurant use is currently permitted at this site with a Conditional Use authorization, Condition of Approval No. 2 of Planning Commission Motion No. 13349 prohibits full kitchens.

As such the subject commercial space at 526 Columbus Avenue must obtain a Conditional Use Authorization from the Planning Commission to amend Condition of Approval No. 2 of Motion No. 13349 in order to install and operate a full kitchen.

Please note that a Letter of Determination is a determination regarding the classification of uses and interpretation and applicability of the provisions of the Planning Code. This Letter of Determination is

Conditional Use Authorization
Case Number 2019-013418CUA
526 Columbus Avenue

Mattia Cosmi
Piadina Original Marina, LLC
d.b.a. Italian Homemade
2030 Union Street, Suite 203-204
San Francisco, CA 94123

March 19, 2019
Letter of Determination
526 Columbus Avenue

not a permit to commence any work or change occupancy. Permits from appropriate Departments must be secured before work is started or occupancy is changed.

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

Sincerely,



Corey A. Teague
Zoning Administrator

cc: Seema Adina, Planner
Property Owner
Neighborhood Groups