



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use Authorization

HEARING DATE: JUNE 18, 2020

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

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Record No.: **2019-017867CUA**
Project Address: **1566 - 1568 HAIGHT STREET**
Zoning: Haight Street Neighborhood Commercial Zoning District
Haight Street Alcoholic Restricted Use Subdistrict
Fringe Financial Service Restricted Use District
40-X Height and Bulk District
Block/Lot: 1231/017
Project Sponsors: Tricia Way and Brian Way
2323 Loma Prieta Lane
Menlo Park, CA 94025
Property Owner: Tricia Way and Brian Way
2323 Loma Prieta Lane
Menlo Park, CA 94025
Staff Contact: Sharon M. Young – (415) 558-6346
sharon.m.young@sfgov.org
Recommendation: **Approval with Conditions**

PROJECT DESCRIPTION

The proposal is for Conditional Use Authorization pursuant to Planning Code Sections 719, 303, and 178(e)(2) to legalize the merger of two ground floor commercial spaces of an existing restaurant and bar use d.b.a. Michael Collins Irish Bar & Restaurant with approximately 3,650 square feet of floor area, modify the conditions of approval from prior Conditional Use authorizations, and to legalize facade and interior modifications. There will be no expansion of the existing building envelope or storefront modifications proposed under the current proposal. The project site is located within the Haight Street Neighborhood Commercial Zoning District, Haight Street Alcohol Restricted Use Subdistrict, Fringe Financial Service Restricted Use District, and a 40-X Height and Bulk District.

In 2008-2009, the pre-existing separate ground floor commercial spaces (with approximately 380 square feet of vacant retail space and 3270 square feet of restaurant/bar) had been merged from previous restaurant ownership under separate permit to repair exterior and interior fire damage to the building and to construct a new fire safety egress corridor in the location where the vacant retail space was to meet building and fire code requirements under Building Permit Application Nos. 200810234956 and 200909307969. The previous restaurant ownership d.b.a. Martin Macks Bar & Restaurant had filed Conditional Use Applications under Case No. 2010.0385C (to legalize the merger of the two ground floor commercial spaces) and 2012.1290C (to add entertainment use) but later withdrew the Conditional Use Applications due to change in new restaurant ownership.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant Conditional Use Authorization under Planning Code Sections 719, 303, and 178(e)(2) to legalize the merger of two ground floor commercial spaces with use size over 2,500 square feet of floor area, modify the conditions of approval from prior Conditional Use authorizations,

and to legalize facade and interior modifications. The project site is located within the Haight Street Neighborhood Commercial Zoning District, Haight Street Alcohol Restricted Use Subdistrict, Fringe Financial Service Restricted Use District, and a 40-X Height and Bulk District.

ISSUES AND OTHER CONSIDERATIONS

- **Public Outreach and Outreach.** The Planning Department has not received public comment on the Project as of the date of this Executive Summary. A pre-application meeting was not required for the proposed project.
- On March 18, 1989, the Planning Commission authorized Conditional Use under Motion No. 11663 (Case No. 89.135C) to expand the existing full-service restaurant and bar from approximately 1,900 square feet to approximately 3,270 square feet at 1566 Haight Street which included conditions of approval indicating that allowed seating for up to 49 persons and that the existing retail space with approximately 380 square feet in size shall be retained.
- On March 15, 1990, the Planning Commission authorized Conditional Use under Motion No. 11899 (Case No. 89.135CC) to modify the prior Conditional Use Authorization under Case No. 89.135C to increase the person occupancy with an area of approximately 3,270 square feet which included conditions of approval indicating that allowed seating capacity of up to 66 persons, that there shall be no entertainment, Dance Hall or permanent installation of a large screen television on the premises, hours of operation shall be limited to 8:00 a.m. to 10:00 p.m., and applicant shall provide valet parking.
- The project sponsors are requesting that the current proposal modify the prior Conditional Use Authorizations under Motion No. 11663 (Case No. 89.135C) and Motion No. 11899 (Case No. 89.135CC) to allow seating capacity to increase to up to 81 persons and to legalize the existing use size of the restaurant and bar with approximately 3,650 square feet of floor area, the removal of the condition that there be no entertainment use (as they may want to add limited live performance as an accessory use to the existing restaurant and bar in the future), and remove the condition requiring valet parking.

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 necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity. The proposed project may be desirable by allowing the existing business to remain on the Project Site. The existing restaurant and bar use has operated at the subject tenant space for over 40 years and has contributed to the economic vitality of the neighborhood.

ATTACHMENTS:

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



SAN FRANCISCO PLANNING DEPARTMENT

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 719 TO LEGALIZE THE MERGER OF TWO GROUND FLOOR COMMERCIAL SPACES OF AN EXISTING RESTAURANT AND BAR USE D.B.A. MICHAEL COLLINS IRISH BAR & RESTAURANT, MODIFY THE CONDITIONS OF APPROVAL FROM PRIOR CONDITIONAL USE AUTHORIZATIONS, AND TO LEGALIZE FACADE AND INTERIOR MODIFICATIONS AT 1566 - 1568 HAIGHT STREET, LOT 017 IN ASSESSOR'S BLOCK 1231, WITHIN THE HAIGHT STREET NEIGHBORHOOD COMMERCIAL ZONING DISTRICT, HAIGHT STREET ALCOHOL RESTRICTED USE SUBDISTRICT, FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On October 3, 2019, Tricia Wray and Brian Wray (hereinafter "Project Sponsors") filed Application No. 2019-017867CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 719, 303, and 178(e)(2) to legalize the merger of two ground floor commercial spaces of an existing restaurant and bar use d.b.a. Michael Collins Irish Bar & Restaurant with approximately 3,650 square feet of floor area, modify the conditions of approval from prior Conditional Use authorizations, and to legalize facade and interior modifications at 1566 – 1568 Haight Street (hereinafter "Project"), Lot 017 within Assessor's Block 1231 (hereinafter "Project Site"). The project site is located within the Haight Street Neighborhood Commercial Zoning District, Haight Street Alcohol Restricted Use Subdistrict, Fringe Financial Service Restricted Use District, and a 40-X Height and Bulk District.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2019-017867CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

On June 18, 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. 2019-017867CUA.

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 Authorization as requested in Application No. 2019-017867CUA, 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 proposal is for Conditional Use Authorization pursuant to Planning Code Sections 719, 303, and 178(e)(2) to legalize the merger of two ground floor commercial spaces of an existing restaurant and bar use d.b.a. Michael Collins Irish Bar & Restaurant with use size of approximately 3,650 square feet of floor area, modify the conditions of approval from prior Conditional Use authorizations, and to legalize facade and interior modifications. There will be no expansion of the existing building envelope or storefront modifications proposed under the current proposal. The proposal will abate Planning Enforcement Case No. 10211_ENF. The project site is located within the Haight Street Neighborhood Commercial Zoning District, Haight Street Alcohol Restricted Use Subdistrict, Fringe Financial Service Restricted Use District, and a 40-X Height and Bulk District.

In 2008-2009, the pre-existing separate ground floor commercial spaces (with approximately 380 square feet of vacant retail space and 3270 square feet of restaurant/bar) had been merged from previous restaurant ownership under separate permit to repair exterior and interior fire damage to the building and to construct a new fire safety egress corridor in the location where the vacant retail space was to meet building and fire code requirements under Building Permit Application Nos. 200810234956 and 200909307969. The previous restaurant ownership d.b.a. Martin Macks Bar & Restaurant had filed Conditional Use Applications under Case No. 2010.0385C (to legalize the merger of the two ground floor commercial spaces) and 2012.1290C (to add entertainment use) but later withdrew the Conditional Use Applications due to change in new restaurant ownership.

3. **Site Description and Present Use.** The project site at 1566 - 1568 Haight Street is located on the north side of Haight Street between Clayton and Ashbury Streets, Assessor's Block 1231 Lot 017. It is located within the Haight Street Neighborhood Commercial Zoning District, Haight Street Alcohol Restricted Use Subdistrict, Fringe Financial Service Restricted Use District, and a 40-X Height and Bulk District. The subject lot is 3,781 square feet (approximately 27.5 feet wide by 137.5 feet deep) in size and is occupied by a one-story commercial building constructed in 1908. The subject property at 1566 – 1568 Haight Street is located on the ground floor of the commercial building. In 2008-2009, the pre-existing separate ground floor commercial spaces (with approximately 380 square feet of vacant retail space and 3270 square feet of restaurant/bar) had been merged from previous restaurant ownership under separate permit to repair exterior and interior fire damage to the building and to construct a new fire safety egress corridor in the location where the vacant retail space was to meet building and fire code requirements. According to the project sponsors, the project site has been a restaurant and bar use for over 40 years.
4. **Surrounding Properties and Neighborhood.** The project site is located within the Haight-Ashbury Neighborhood. The surrounding development consists primarily of one-to-two story residential and commercial buildings within the Haight Street Neighborhood Commercial Zoning District. A mix of food establishments, personal services, and small retail establishments defines the Haight Street NCD corridor in the immediate vicinity. Some of the existing commercial establishments on the subject block include Haight Ashbury T-Shirts, Ashbury Tobacco Center, Haight Ashbury Music Center, Distractions, Haight Ashbury Free Clinic, and Haight Street Market. Some of the existing commercial establishments on the opposite block include Club Deluxe, Aviator Nation, Liquid Experience, Day Dreams, The Gold Cane, Held Over, Slice House, Cal Surplus, Body Rok, Haight Ashbury Tattoo, Crossroads Trading, and Buffalo Exchange. On Clayton and Ashbury Streets running north and south of the project site, there are two- to three-story residential dwellings within the RH-3 (Residential, House, Three-Family) Zoning District.
5. **Public Outreach and Comments.** The Planning Department has not received public comment on the Project as of the date of this Draft Motion. A pre-application meeting was not required for the proposed project.
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 Haight Street NCD and Haight Street Restricted Use Subdistrict.** Section 719 of the Planning Code states that a restaurant and bar use (defined under Planning Code Sections 102 and 202.2a) is not currently permitted on the first, second and third stories and above. However under Section 719, a Restaurant use may be permitted as a Conditional Use on the ground level if, in addition to the criteria set forth in Section 303, the Planning Commission has approved no more than a total of 3 Restaurants in accordance with this Section. Should a Restaurant permitted under this Section cease operation and complete a lawful change of use to another principally or conditionally permitted use, the Commission may consider a new Restaurant in accordance with the terms of this Section.

The existing restaurant and bar use d.b.a. Michael Collins Irish Bar & Restaurant is a legal nonconforming use on the ground floor of the one-story commercial building.

- B. **Use Size.** Section 121.2 establishes size limits on non-residential use sizes in the Haight Street Neighborhood Commercial Zoning District. Under Section 719, Conditional Use authorization is required for any non-residential use that meets or exceeds 2,500 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 proposal is a request for Conditional Use authorization under Planning Code Sections 303 and 719 to legalize a use size that exceeds 2,500 square feet of floor area with the merger of two separate commercial tenant spaces located at 1566 Haight Street (with approximately 380 square feet pre-existing floor area) and 1568 Haight Street (with approximately 3,270 square feet pre-existing floor area) currently occupied by a restaurant and bar use d.b.a. Michael Collins Irish Bar & Restaurant) within the Haight Street Neighborhood Commercial District and 40-X Height and Bulk District. The expanded space currently contains 3,650 square feet of floor area.

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 719 to legalize the use size expansion of the existing restaurant and bar use. The existing restaurant and bar use, with approximately 3,650 square feet of floor area, will exceed the principally permitted use size limitations of 2,499 square feet, with the merger of the commercial tenant spaces at 1566 Haight Street and 1568 Haight Street. According to the project sponsors, the merger occurred under previous business ownership in 2008 - 2009 to repair exterior and interior fire damage to the building to meet the Building Code and Fire Code requirements to construct a fire safety egress corridor and required a larger footprint. Furthermore, the project sponsors indicated the previous vacant retail commercial space at 1566 Haight Street was underutilized because of its small square footage size.

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 expansion into the adjacent vacant retail commercial space at 1566 Haight Street was to repair exterior and interior fire damage to the building and to construct a new fire safety egress corridor and interior stairs to the basement to meet Building and Fire Code requirements. in 2008-2009 which occurred from previous restaurant ownership.

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 proposed 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 façade modifications. There will be no expansion of the existing building envelope or storefront modifications proposed under the current proposal.

- C. **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.

On March 18, 1989, the Planning Commission authorized Conditional Use under Motion No. 11663 (Case No. 89.135C) to expand the existing full-service restaurant and bar from approximately 1,900 square feet to approximately 3,270 square feet at 1566 Haight Street which included conditions of approval indicating that allowed seating for up to 49 persons and that the existing retail space with approximately 380 square feet in size shall be retained.

On March 15, 1990, the Planning Commission authorized Conditional Use under Motion No. 11899 (Case No. 89.135CC) to modify the prior Conditional Use Authorization under Case No. 89.135C to increase the person occupancy with an area of approximately 3,270 square feet which included conditions of approval indicating that allowed seating capacity of up to 66 persons, that there shall be no entertainment, Dance Hall or permanent installation of a large screen television on the premises, hours of operation shall be limited to 8:00 a.m. to 10:00 p.m., and applicant shall provide valet parking.

The project sponsors are requesting that the current proposal modify the prior Conditional Use Authorizations under Motion No. 11663 (Case No. 89.135C) and Motion No. 11899 (Case No. 89.135CC) to allow seating capacity to increase to up to 81 persons and to legalize the existing use size of the restaurant and bar with approximately 3,650 square feet of floor area, the removal of the condition that there be no entertainment use (as they may want to add limited live performance as an accessory use to the existing restaurant and bar in the future), and remove the condition requiring valet parking.

- D. **Exception of Nonconforming Uses in Neighborhood Commercial Districts** Planning Code Section 186.1(b)(1) indicates a nonconforming use may not be significantly altered; enlarged or intensified, except upon approval of a Conditional Use application pursuant to the provisions of Section [303](#) of this Code, provided that the use not have or result in a greater height, bulk or floor area ratio, less required rear yard or open space, or less required off-street parking space or loading space than permissible under the limitations set forth in this Code for the district or districts in which such use is located.

The proposed project to legalize the merger of the vacant commercial space with 380 square feet of floor area with the existing 3270 square feet of restaurant/bar commercial space is not considered a significant enlargement of an existing nonconforming use. Under Planning Code Section 186.1(b) Planning Code Interpretation (12/88, 5/98), enlargements are not significant for an expansion up to 25 percent of the floor area, but not exceeding 500 square feet, whichever is less.

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

F. **Hours of Operation.** Section 719 of the Planning Code allows hours of operation from 6 a.m. until 2 a.m. as of right and requires Conditional Use authorization to operate between the hours of 2 a.m. and 6 a.m. within the Haight Street Neighborhood Commercial Zoning District.

According to the project sponsors, the hours of operation of the restaurant are between 11 a.m. to 10 p.m. Monday through Saturday and 9 a.m. to 10 p.m. Sunday. Hours of operation of the bar are 11 a.m. to 2 a.m. Monday through Saturday and 9 a.m. to 2 a.m. Sunday, which are within the permitted hours of operation within the Haight Street Neighborhood Commercial Zoning District under Planning Code Section 719.

G. **Off-Street Parking.** Section 151 of the Planning Code requires off-street parking for eating and drinking uses at a maximum of 1.5 parking spaces for each 200 square feet of Occupied Floor Area, where the Occupied Floor Area exceeds 5,000 square feet.

The subject ground floor commercial space, with approximately 3,650 square feet in floor area, does not require any off-street parking spaces.

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

The subject commercial tenant space on the ground (1st) floor with approximately 3,650 square feet of floor area does not exceed 10,000 square feet and will not require any loading spaces.

- I. **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 65% of the street frontage (18 feet) at the ground level on Divisadero Street is fenestrated with transparent windows and doorways allowing for visibility to the inside of the buildings. The project does not propose any decorative railings or grillwork in front of or behind existing windows.

- J. **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 will be required to have a separate sign permit and comply with the requirements of the Planning Code guidelines.

7. **Conditional Use Findings.** 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 and shape of the site and the arrangement of the structures on the site are adequate for the proposed project. There will be no physical expansion of the existing building with the proposed project. The proposal may be desirable by allowing the existing business to remain on the project site. According to the project sponsors, a restaurant and bar use has operated at the subject tenant space for over 40 years and has contributed 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:

- (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 proposed project. There will be no physical expansion of the existing building with the proposed 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 proposed project. Public transit (Muni Lines 7, 33, 37, 43) is located within walking distance of the project site; a bus stop is located at the corner of Haight and Clayton Streets on the subject block. 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 noxious or offensive emissions such as glare, dust, or odor are expected to be produced by the proposed project and will be subject to the Conditions of Approval #7.

- (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 existing building has exterior lighting directed onto the project site and immediately surrounding sidewalk 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 proposed 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 purpose of the Haight Street NCD in that the intended use is a neighborhood-serving business.

8. **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.

There are 6 eating and drinking establishment out of approximately 46 commercial businesses located within 300 feet of the Project Site. This comprises approximately 13% of the businesses. The existing total commercial frontage dedicated to eating and drinking establishments located within 300 feet of the Project Site is approximately 17% (195 feet of 1147 feet) of the total commercial frontage as measured in linear feet. The proposed project will not increase the existing concentration of eating and drinking uses in the area since the proposed project is an existing restaurant and bar use on the project site and legalizing the use size merger of the two commercial spaces will nominally affect the concentration of eating and drinking uses in the area.

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

COMMERCE AND INDUSTRY ELEMENT

GENERAL/CITYWIDE

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 has substantial undesirable consequences that cannot be mitigated.

The proposed project would continue to be compatible with and complementary to the types of uses characterizing this portion of the Haight Street NCD, which include a mixture of food establishments, personal services, and small retail establishments.

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 proposed project would be consistent with the mixed commercial-residential character of this portion of the Haight Street NCD along Haight Street. The proposed 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 proposed 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 proposal. The proposed use is a neighborhood-serving use. The eating and drinking establishment is not considered a Formula Retail 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 proposal will not result in a net change in of the total occupied commercial frontage within the Haight Street Neighborhood Commercial 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 proposed project will help maintain the existing commercial-residential character in the neighborhood by occupying a ground floor commercial space in the neighborhood with a restaurant and bar 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 proposed project will be accessible to all residents in this portion of the Haight Street Neighborhood Commercial Zoning District.

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 or storefront modifications proposed under the current proposal. The proposed project will involve legalizing existing facade and interior modifications 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.

The proposed project would not adversely affect public transit or place a burden on the existing supply of parking in the neighborhood since it will help maintain an eating and drinking establishment use which 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.

**URBAN DESIGN ELEMENT
CITY PATTERN**

Objectives and Policies

OBJECTIVE 1:

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE AND A MEANS OF ORIENTATION.

Policy 3:

Recognize that buildings, when seen together, produce a total effect that characterizes the City and its districts.

The project's design preserves the existing neighborhood character since the proposal does not include any additional facade and exterior envelope changes to the existing building.

10. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project 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 proposed 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 proposed project will preserve and enhance the cultural and economic diversity of the neighborhood by helping to maintain an existing restaurant and bar use in the area. Existing housing will not be affected by the proposed project.

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

The proposed 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 proposed project would significantly increase the automobile traffic congestion and parking problems in the neighborhood. The proposal is a neighborhood-serving use which residents can access by walking or taking public transit.

- 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 proposed 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 proposed project will comply with all applicable earthquake safety standards and built to the current standards of the California Building Code.

- G. That landmarks and historic buildings be preserved.

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

11. 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.

12. 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. 2019-017867CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated February 25, 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 June 18, 2020.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:

EXHIBIT A

AUTHORIZATION

This authorization is for conditional use to legalize the merger of two ground floor commercial spaces with a use size of over 2,500 square feet of an existing restaurant and bar use d.b.a. Michael Collins Irish Bar & Restaurant, modify the conditions of approval from prior Conditional Use authorizations under Motion No. 11663 (Case No. 89.135C) and Motion No. 11899 (Case No. 89.135CC), and to legalize facade and interior modifications at 1566 - 1568 Haight Street in Assessor's Block 1231, Lot 017 pursuant to Planning Code Sections 719, 303, and 178(e)(2) within the Haight Street Neighborhood Commercial Zoning District, Haight Street Alcohol Restricted Use Subdistrict, Fringe Financial Service Restricted Use District, and a 40-X Height and Bulk District in general conformance with plans, dated February 25, 2020, and stamped "EXHIBIT B" included in the docket for Case No. 2019-017867CUA and subject to conditions of approval reviewed and approved by the Commission on June 18, 2020 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 proposal will legalize the merger of two ground floor commercial spaces of an existing restaurant and bar use d.b.a. Michael Collins Irish Bar & Restaurant with approximately 3,650 square feet of floor area. There will be no expansion of the existing building envelope or storefront modifications proposed under the current proposal. The proposal will abate Planning Enforcement Case No. 10211_ENF. In 2008-2009, the pre-existing separate ground floor commercial spaces (with approximately 380 square feet of vacant retail space and 3270 square feet of restaurant/bar) had been merged from previous restaurant ownership under separate permit to repair exterior and interior fire damage to the building and to construct a new fire safety egress corridor in the location where the vacant retail space was to meet building and fire code requirements.

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 **June 18, 2020** under Motion No. XXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or

impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

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

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

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

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

6. **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.sf-planning.org

OPERATION

7. **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>.

8. **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>

9. **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 415-575-6863, www.sf-planning.org

10. **Hours of Operation.** Section 719 of the Planning Code allows hours of operation of the restaurant and bar use between the hours of 6 a.m. until 2 a.m. as of right and requires Conditional Use authorization to operate between the hours of 2 a.m. and 6 a.m. within the Haight Street Neighborhood Commercial Zoning District.

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

MONITORING - AFTER ENTITLEMENT

11. **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

12. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.

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

13. **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.

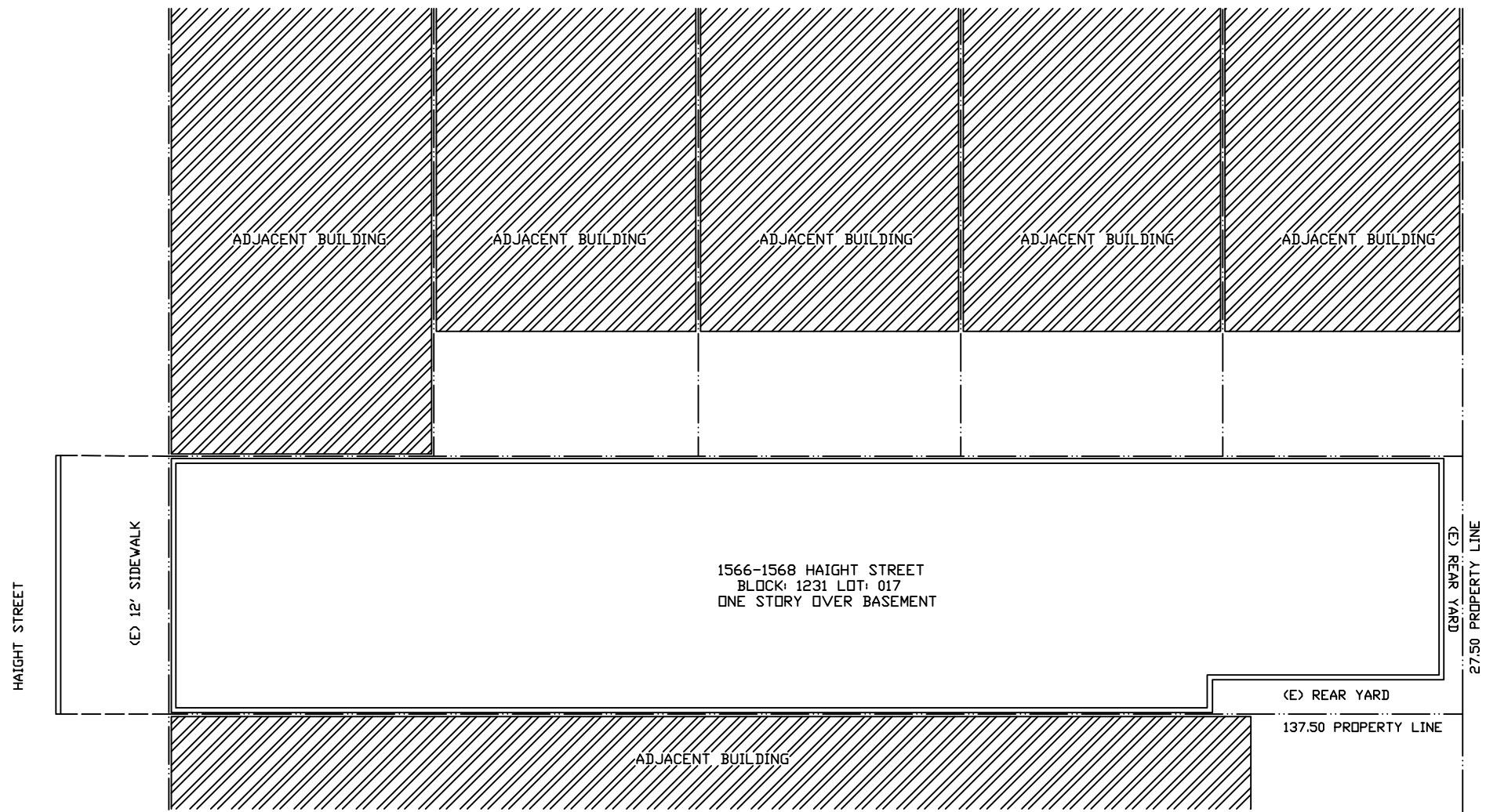
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

14. **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.

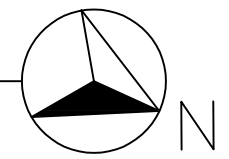
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Exhibit B - Plans

Conditional Use Hearing
Case Number 2019-017867CUA
1566 - 1568 Haight Street



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



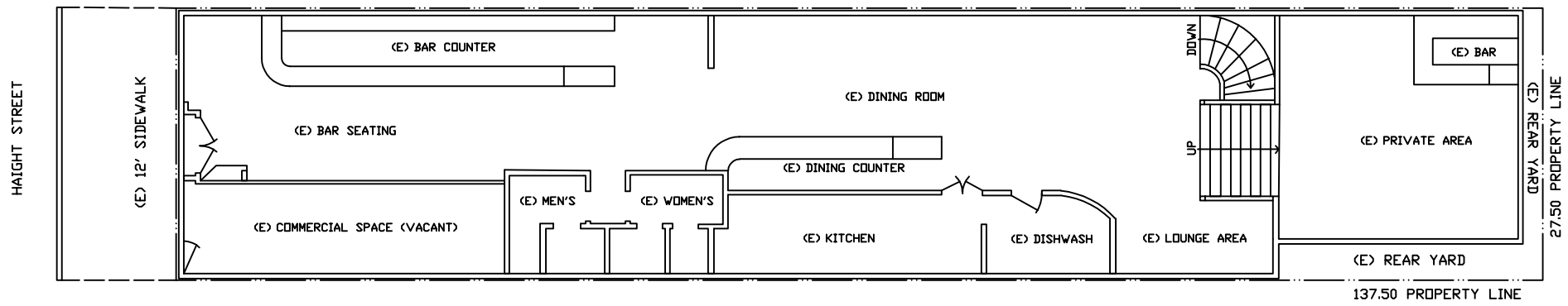
PROJECT DATA
 TYPE OF CONSTRUCTION: 5
 FLOORS OF OCCUPANCY: 1
 PRE-EXISTING USE: RESTAURANT/STORAGE
 EXISTING USE: RESTAURANT/STORAGE
 OCCUPANCY CLASS: A-2/S
 TOTAL OCCUPANCY LOAD: 126
 TOTAL SEAT COUNT: EXISTING=65 PROPOSED=82
 PRE-EXISTING AREA:
 3270 SQ.FT. RESTAURANT, 380 SQ.FT. RETAIL
 EXISTING AREA: 3650 SQ.FT. RESTAURANT/BAR
 EXISTING BUILDING HEIGHT: 18 FT.
 BUILDING CODE USED: 2007UBC
 BUILDING PERMIT: 200810234956
 BUILDING PERMIT (INSPECTION): 200909307969
 SPRINKLERS PLAN UNDER SEPARATE PERMIT
 SHORING PLAN UNDER SEPARATE PERMIT
 ALL MECHANICAL UNDER SEPARATE PERMITS

- SCOPE OF WORK**
- 1) LEGALIZE THE MERGER OF TWO COMMERCIAL SPACES (380 SF RETAIL AND 3270 SF RESTAURANT/BAR) THAT WAS PERFORMED TO ACCOMMODATE A NEW FIRE SAFETY CORRIDOR
 - 2) AMEND THE CONDITIONS OF APPROVAL FOR THE PREVIOUS CUA UNDER CASE NO. 1989135CC (MOTION NO. 11899 AND 11663)
 - 3) LEGALIZE EXISTING FACADE AND INTERIOR MODIFICATIONS

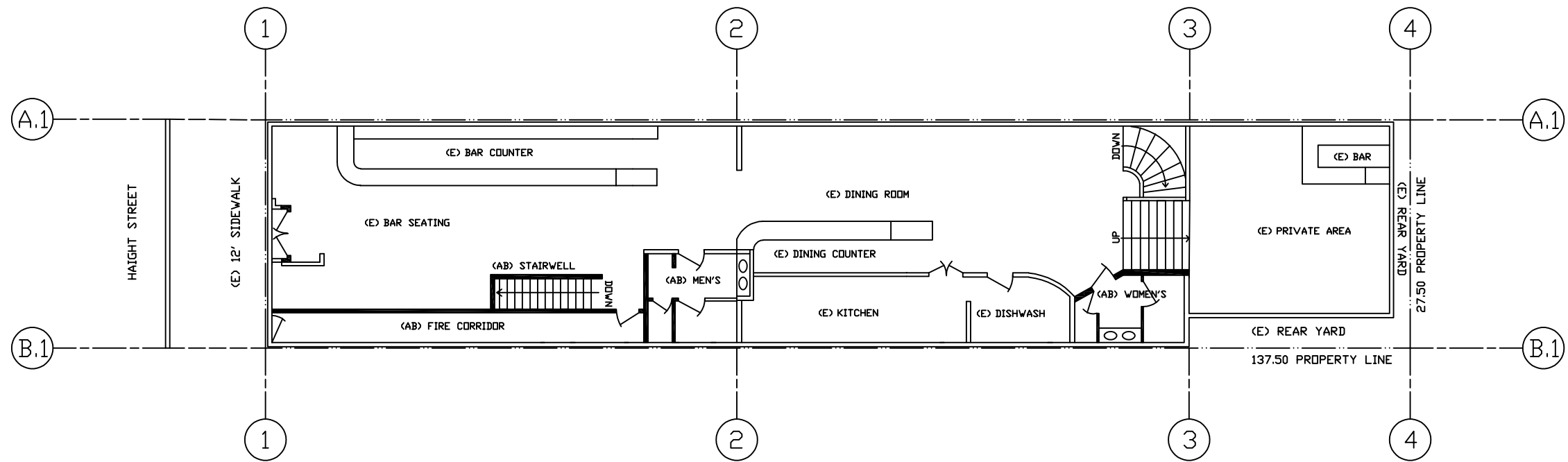


LOCATION MAP
SCALE: N.T.S.

Prepared By Brandon Wray		Date 2/25/2020	Checked
MAYBELLE M. SCHUMACHER TRUST		Approved _____ Date _____	
MICHAEL COLLINS IRISH BAR		Title _____ Job Class _____	
1566-1568 HAIGHT STREET		SAN FRANCISCO, CA	
ATTN: SAN FRANCISCO PLANNING DEPARTMENT		CONDITIONAL USE AUTHORIZATION	
REVISIONS	Description	Approved	
	Date		
Sheet No. A-001			
SITE PLAN			
Sheet 1 of 8			



2 PRE-EXISTING FIRST FLOOR
SCALE: 1/16"=1'-0"



3 AS-BUILT FIRST FLOOR
SCALE: 1/16"=1'-0"

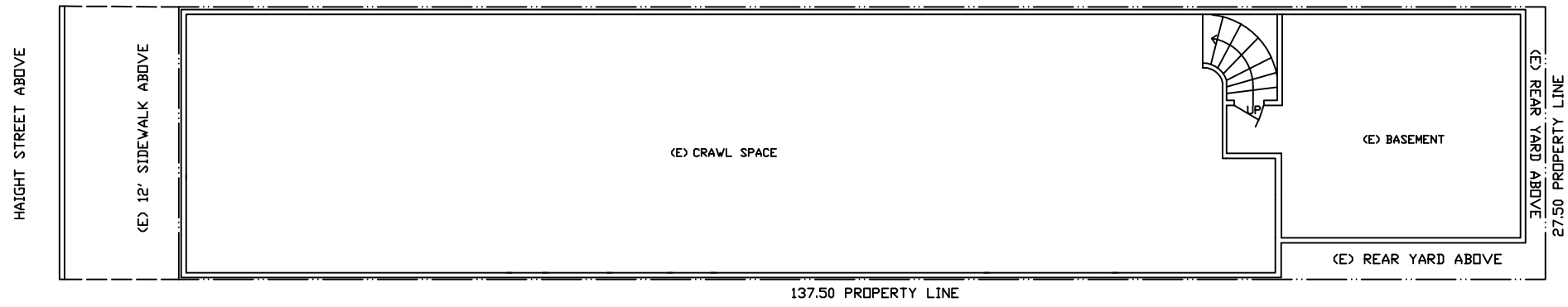
□ EXISTING WALLS TO REMAIN
■ NEW WALLS (1 HR CONST.)

Prepared By Brandon Wray
Date 2/25/2020
Checked

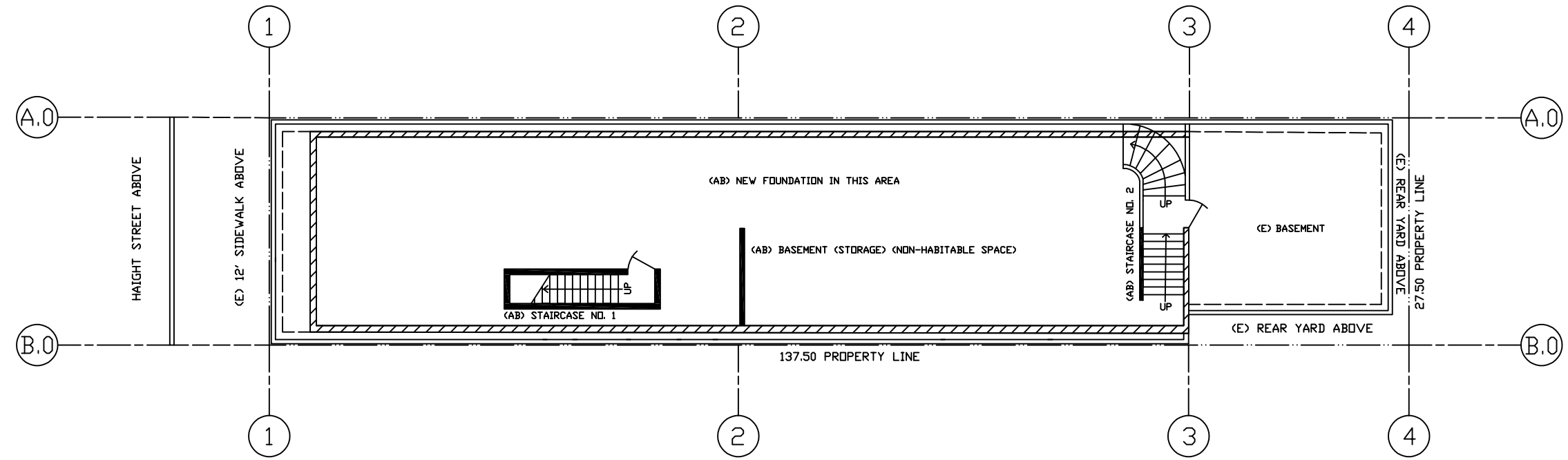
MAYBELLE M. SCHUMACHER TRUST
MICHAEL COLLINS IRISH BAR
SAN FRANCISCO, CA
1566-1568 HAIGHT STREET
ATTN: SAN FRANCISCO PLANNING DEPARTMENT
CONDITIONAL USE AUTHORIZATION

REVISIONS	
Date	Description

Approved _____ Date _____
Title _____ Job Class _____



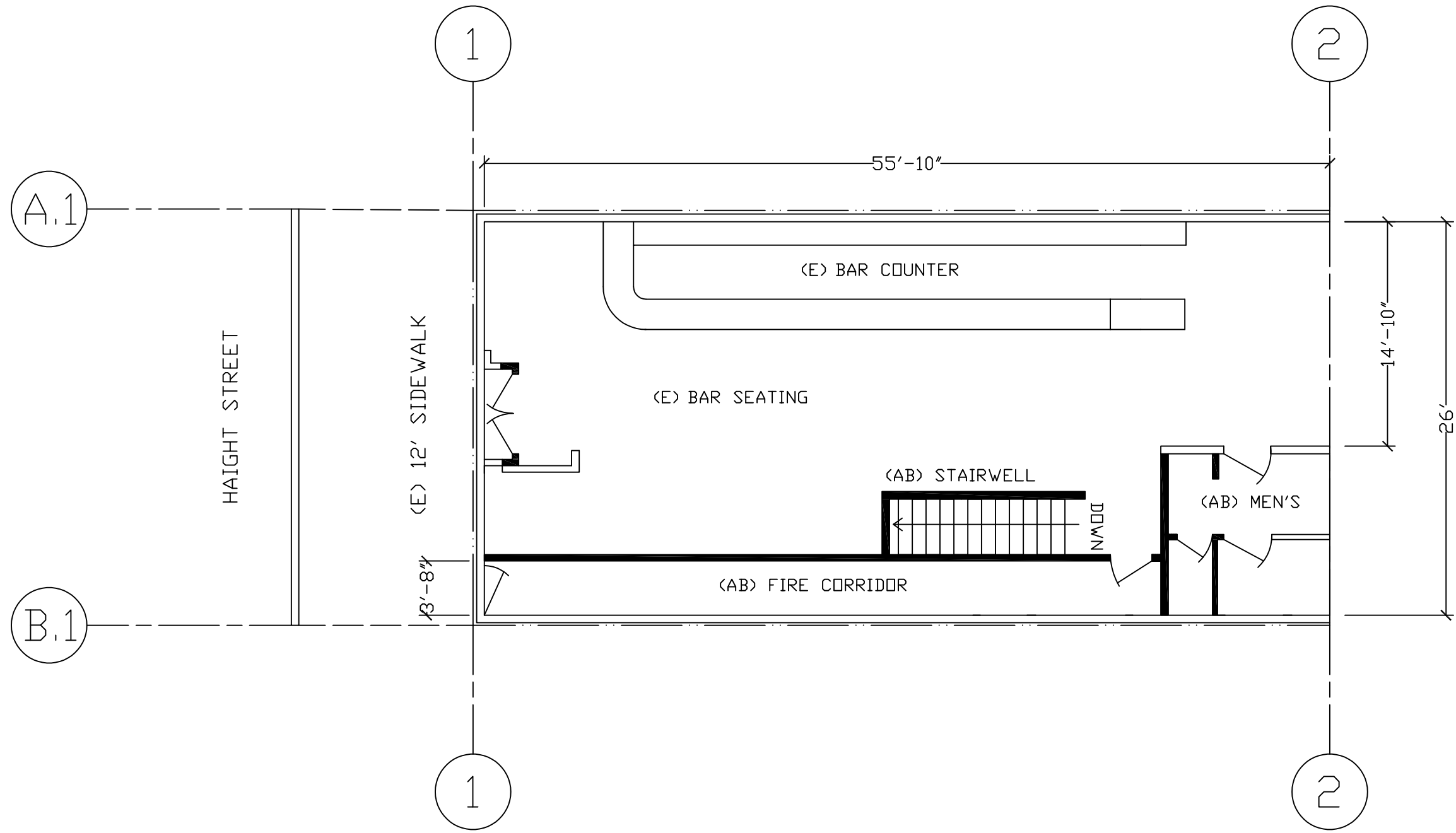
4 PRE-EXISTING BASEMENT
SCALE: 1/16"=1'-0"



5 AS-BUILT BASEMENT
SCALE: 1/16"=1'-0"

- EXISTING WALLS TO REMAIN
 - NEW WALLS (1 HR CONST.)
 - ▨ NEW FOUNDATION WALLS
- NOTE: BUILDING FULLY SPRINKLED

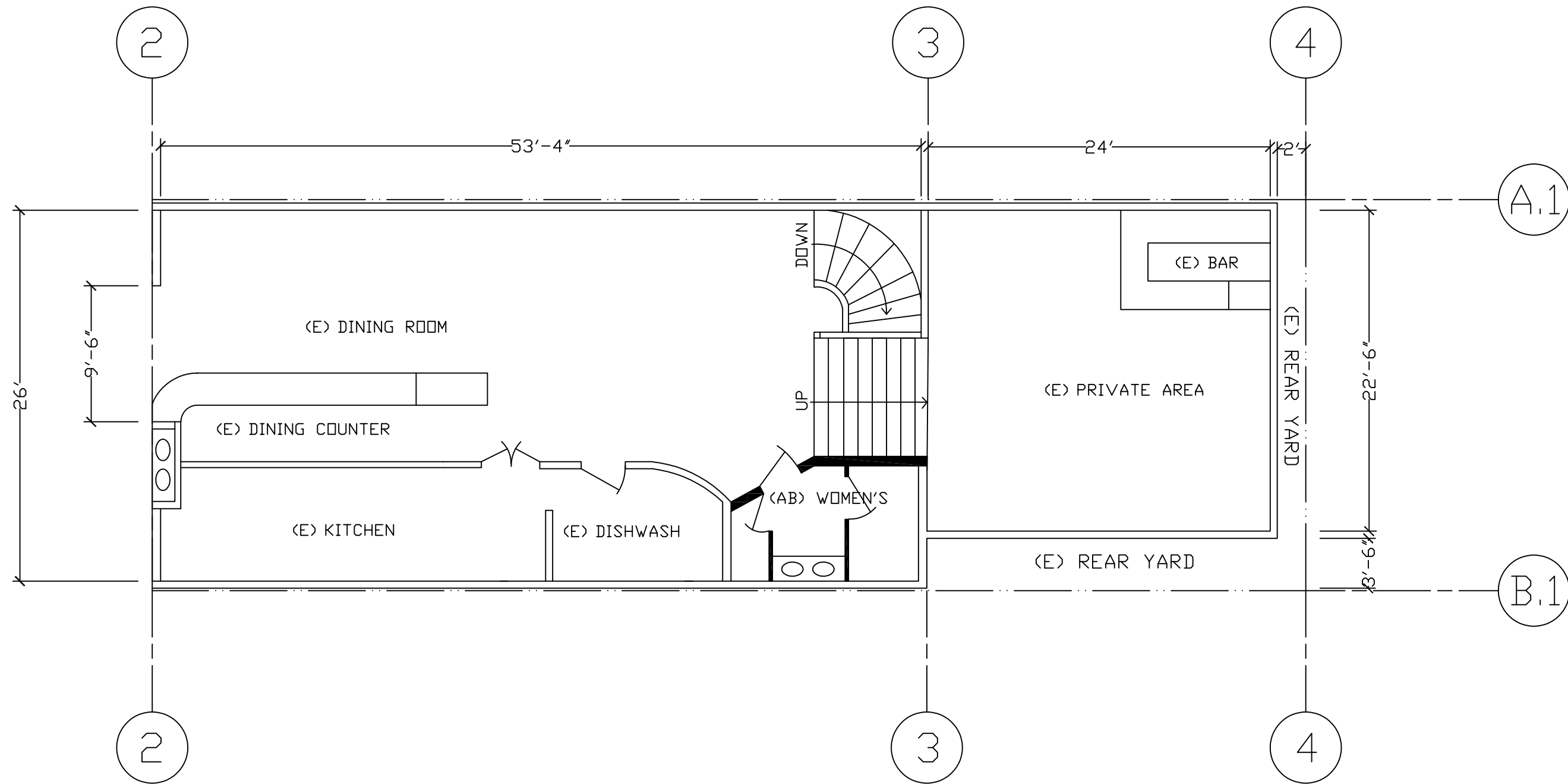
MAYBELLE M. SCHUMACHER TRUST MICHAEL COLLINS IRISH BAR SAN FRANCISCO, CA 1566-1568 HAIGHT STREET		Prepared By Brandon Wray Date 2/25/2020 Checked						
ATTN: SAN FRANCISCO PLANNING DEPARTMENT CONDITIONAL USE AUTHORIZATION		Approved _____ Date _____ Title _____ Job Class _____						
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Date	Description	Approved						



6 AS-BUILT FIRST FLOOR: SECTION 1-2
 SCALE: 1/8"=1'-0"

- EXISTING WALLS TO REMAIN
- NEW WALLS (1 HR CONST.)

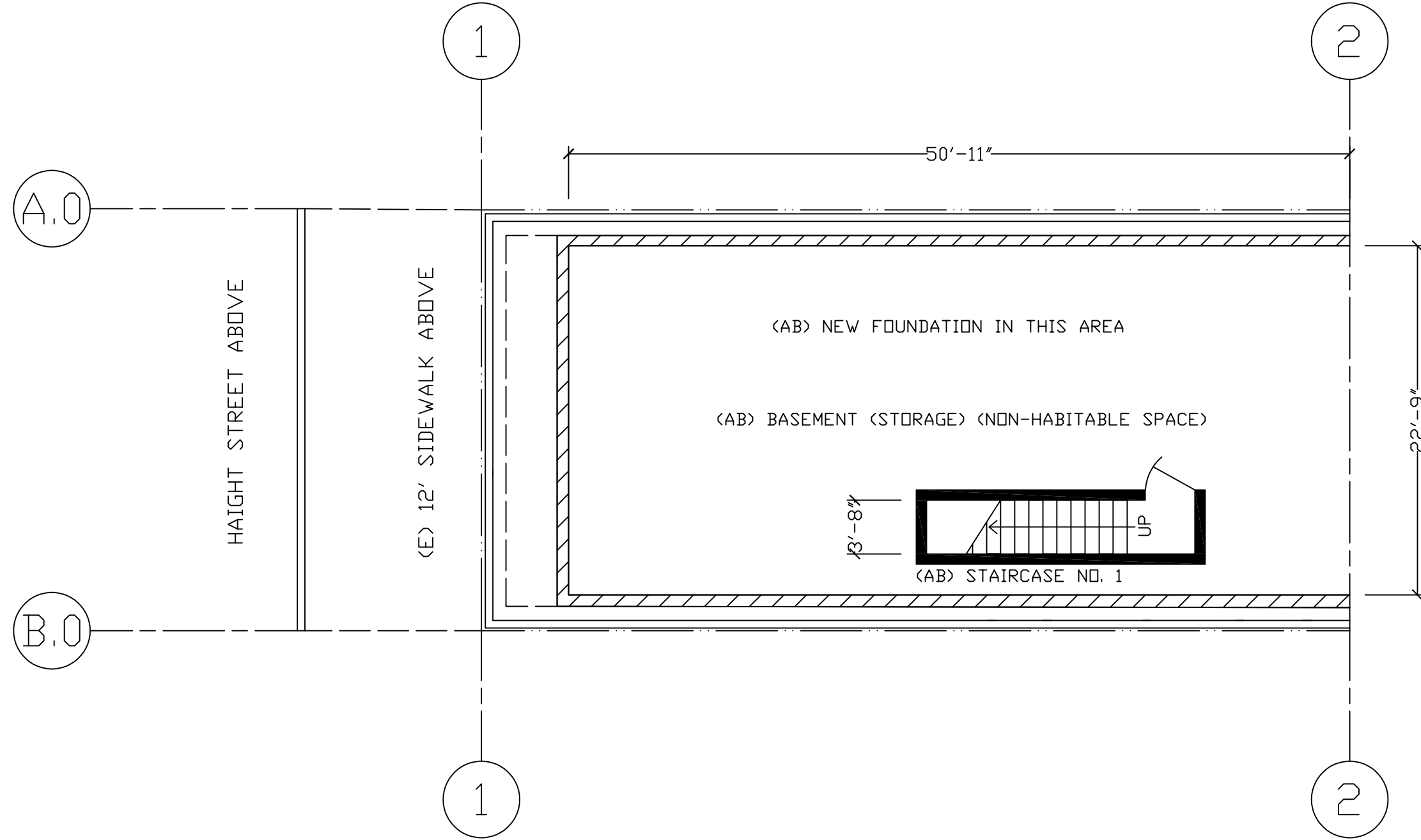
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<p>MAYBELLE M. SCHUMACHER TRUST MICHAEL COLLINS IRISH BAR SAN FRANCISCO, CA 1566-1568 HAIGHT STREET</p>							
<p>ATTN: SAN FRANCISCO PLANNING DEPARTMENT CONDITIONAL USE AUTHORIZATION</p>							
<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Date</th> <th style="width: 80%;">Description</th> <th style="width: 10%;">Approved</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Date	Description	Approved				<p>Sheet No. A-004 FIRST FLOOR SEC Sheet 4 of 8</p>
Date	Description	Approved					



7 AS-BUILT FIRST FLOOR: SECTION 2-4
 SCALE: 1/8"=1'-0"

- EXISTING WALLS TO REMAIN
- NEW WALLS (1 HR CONST.)

REVISIONS <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Date</th> <th style="width: 70%;">Description</th> <th style="width: 20%;">Approved</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Date	Description	Approved				<p style="text-align: center;">MAYBELLE M. SCHUMACHER TRUST MICHAEL COLLINS IRISH BAR 1566-1568 HAIGHT STREET SAN FRANCISCO, CA</p> <p style="text-align: center;">ATTN: SAN FRANCISCO PLANNING DEPARTMENT CONDITIONAL USE AUTHORIZATION</p>	Prepared By <u>Brandon Wray</u> Date <u>2/25/2020</u> Checked _____ Approved _____ Date _____ Title _____ Job Class _____
Date	Description	Approved						
Sheet No. A-005 FIRST FLOOR SEC Sheet 5 of 8								



8

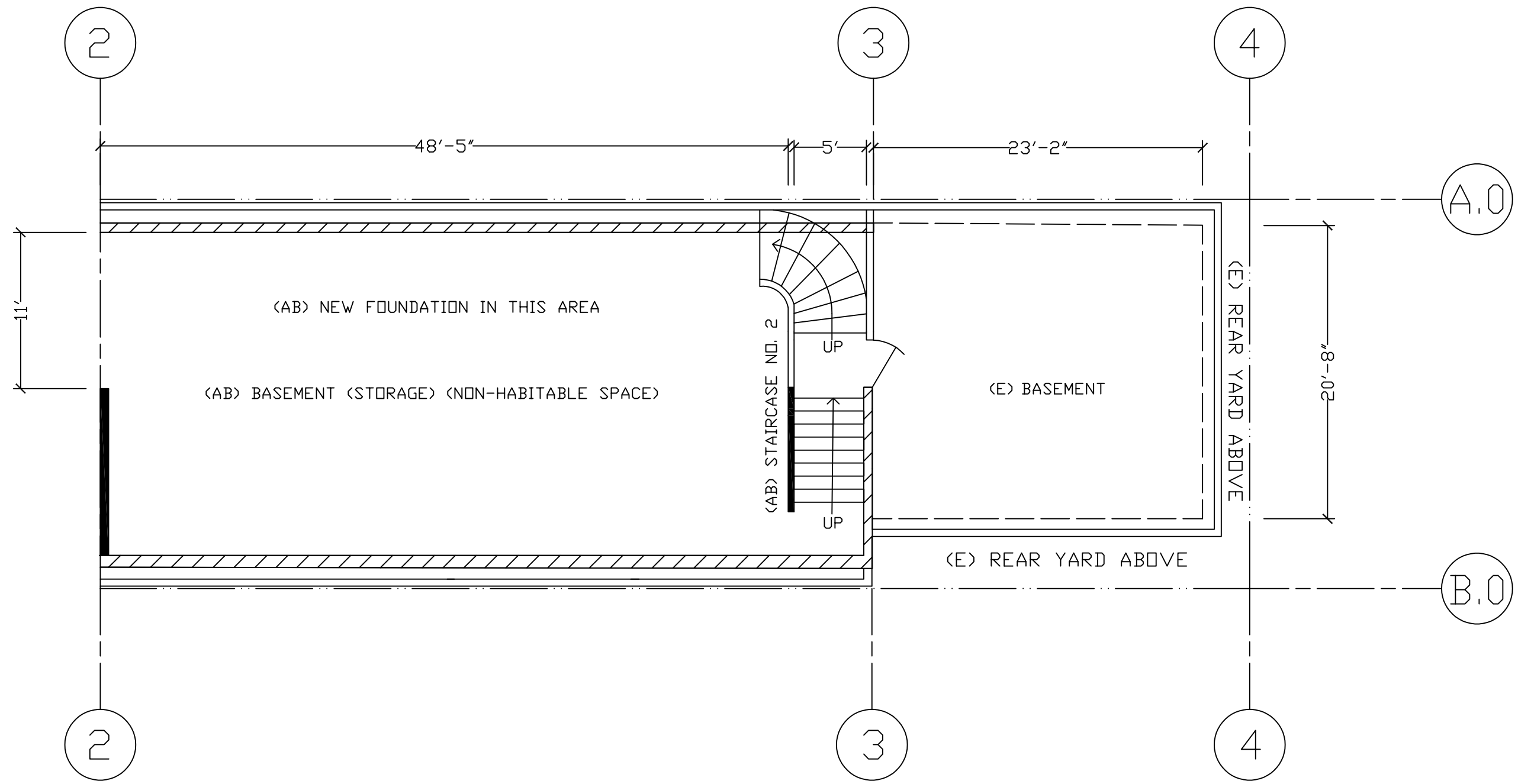
AS-BUILT BASEMENT: SECTION 1-2

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

- EXISTING WALLS TO REMAIN
- NEW WALLS (1 HR CONST.)
- NEW FOUNDATION WALLS

NOTE: BUILDING FULLY SPRINKLED

<p>MAYBELLE M. SCHUMACHER TRUST MICHAEL COLLINS IRISH BAR 1566-1568 HAIGHT STREET SAN FRANCISCO, CA</p>		Prepared By Brandon Wray Date 2/25/2020 Checked _____						
<p>ATTN: SAN FRANCISCO PLANNING DEPARTMENT CONDITIONAL USE AUTHORIZATION</p>		Approved _____ Date _____ Title _____ Job Class _____						
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Date	Description	Approved						
Sheet No. A-006 BASEMENT SEC Sheet 6 of 8								



9

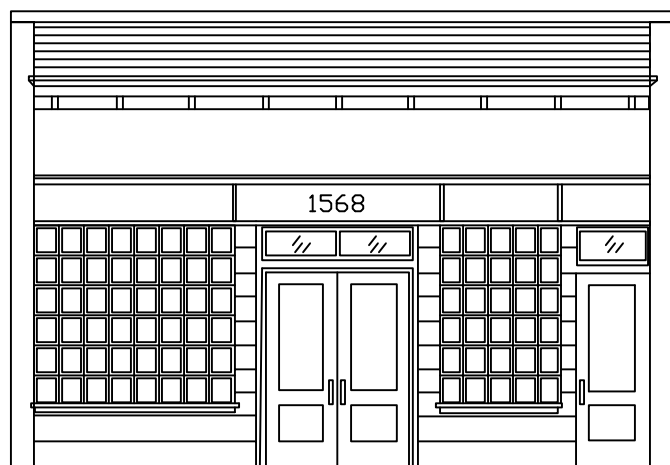
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SCALE: 1/8"=1'-0"

- EXISTING WALLS TO REMAIN
- NEW WALLS (1 HR CONST.)
- NEW FOUNDATION WALLS

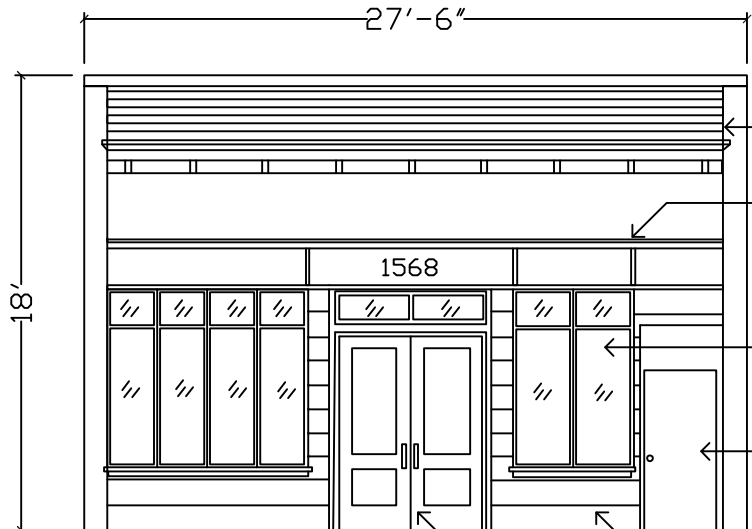
NOTE: BUILDING FULLY SPRINKLED

	Prepared By Brandon Wray	Date 2/25/2020	Checked	Approved Date						
MAYBELLE M. SCHUMACHER TRUST MICHAEL COLLINS IRISH BAR SAN FRANCISCO, CA 1566-1568 HAIGHT STREET		ATTN: SAN FRANCISCO PLANNING DEPARTMENT CONDITIONAL USE AUTHORIZATION								
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Date	Description	Approved								
Sheet No. A-007 BASEMENT SEC		Sheet 7 of 8								



1566 ADDRESS
(OLD VACANT
RETAIL)

10 PRE-EXISTING SOUTH ELEVATION
SCALE: 1/8"=1'-0"



- EXISTING PAINTED WOOD CLADDING AND TRIM
- HANGING PROJECTED SIGN PERMIT BY TENANT
- REPLACE (E) WINDOWS WITH NEW ENERGY EFFICIENT WINDOWS
- NEW FIRE CORRIDOR EXIT (REPLACE AND RECESS EXISTING DOOR PER CODE REQ.)
- EXISTING PAINTED WOOD CLADDING AND TRIM

PRIMARY ENTRY
(RECESSED DOUBLE HUNG DOORS)

11 AS-BUILT SOUTH ELEVATION
SCALE: 1/8"=1'-0"

<p>Prepared By Brandon Wray Date 2/25/2020 Checked</p>	<p>Approved _____ Date _____ Title _____ Job Class _____</p>						
<p>MAYBELLE M. SCHUMACHER TRUST MICHAEL COLLINS IRISH BAR SAN FRANCISCO, CA 1566-1568 HAIGHT STREET</p>							
<p>ATTN: SAN FRANCISCO PLANNING DEPARTMENT CONDITIONAL USE AUTHORIZATION</p>							
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Date	Description	Approved					
<p>Sheet No. A-008 ELEVATIONS Sheet 8 of 8</p>							

Exhibit C – Environmental Determination

Conditional Use Hearing
Case Number 2019-017867CUA
1566 - 1568 Haight Street



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
1566 - 1568 HAIGHT ST		1231017
Case No.		Permit No.
2019-017867PRJ		200810234956
<input 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 per Planning Code Sections 303 and 719 to permit Commercial Use over 2,500 of a non-conforming full-service bar and restaurant. The project involves legalizing the merger of a vacant retail commercial space into an existing bar and restaurant. .Legalize facade and interior tenant improvements. Modify conditions of approval of prior conditional use authorizations.</p>		

STEP 1: EXEMPTION CLASS

The project has been determined to be categorically 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"/>	Class ____

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):</p> 	

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

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

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

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

**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: Sharon Young
		05/19/2020
<p>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.</p>		

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

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

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:

Exhibit D - Land Use Data

Conditional Use Hearing
Case Number 2019-017867CUA
1566 - 1568 Haight Street



SAN FRANCISCO PLANNING DEPARTMENT

Land Use Information

PROJECT ADDRESS: 1566 -1568 HAIGHT STREET
RECORD NO.: 2019-017867CUA

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

Reception:
415.558.6378

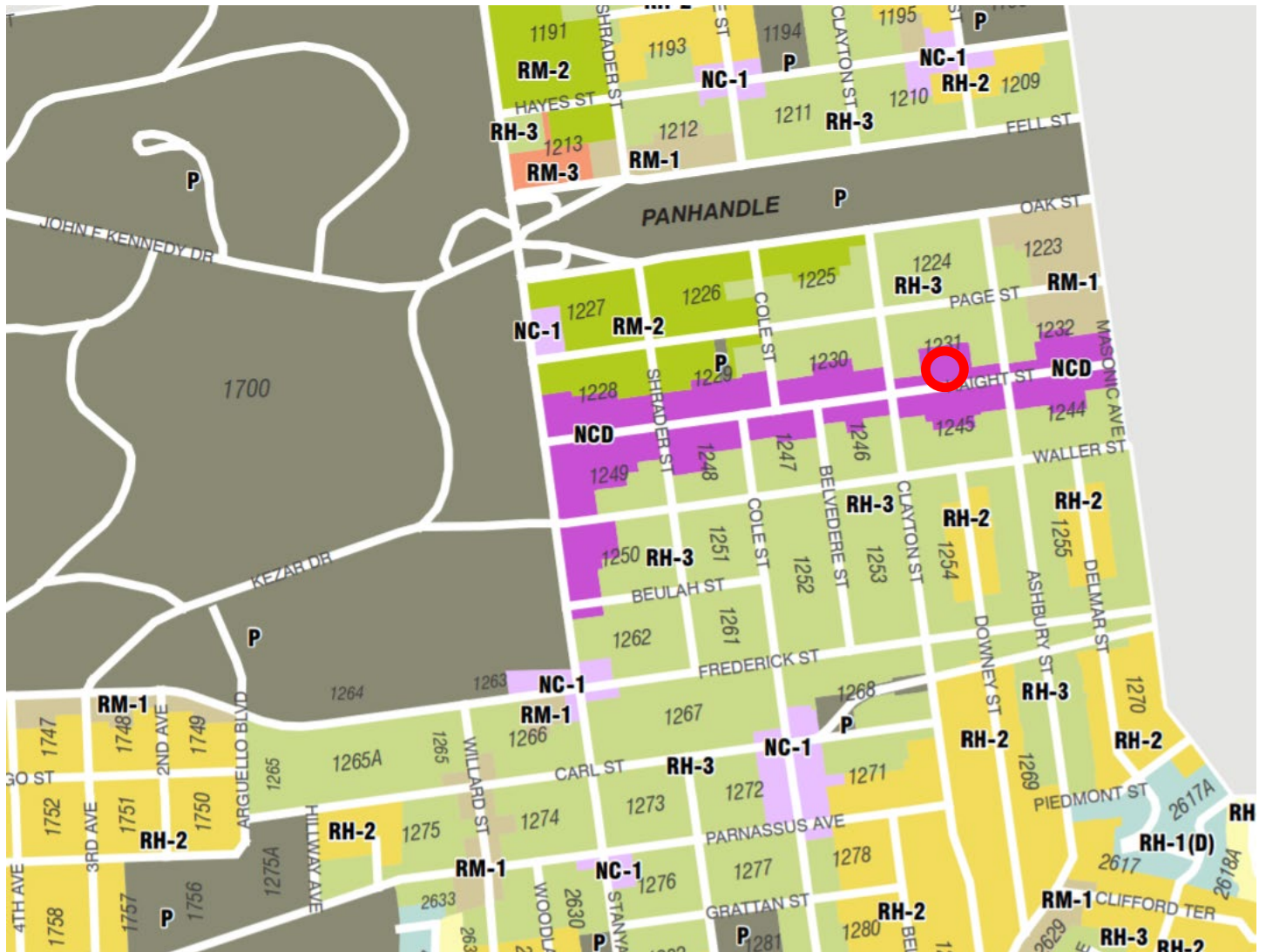
Fax:
415.558.6409

Planning
Information:
415.558.6377

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Lot Area	±3,781	±3,781	No Change
Residential	--	--	--
Commercial/Retail (subject commercial space)	Approx. ±3,650	Approx. ±3,650	No Change
Office	--	--	--
Industrial/PDR <i>Production, Distribution, & Repair</i>	--	--	--
Parking	--	--	--
Usable Open Space	--	--	--
Public Open Space	--	--	--
Other ()			
TOTAL GSF	±3,650	±3,650	No Change
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Market Rate	--	--	--
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. 18 feet	Approx. 18 feet	No Change
Other ()			

Exhibit E - Maps and Context Photos

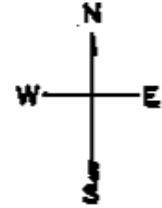
Zoning Map



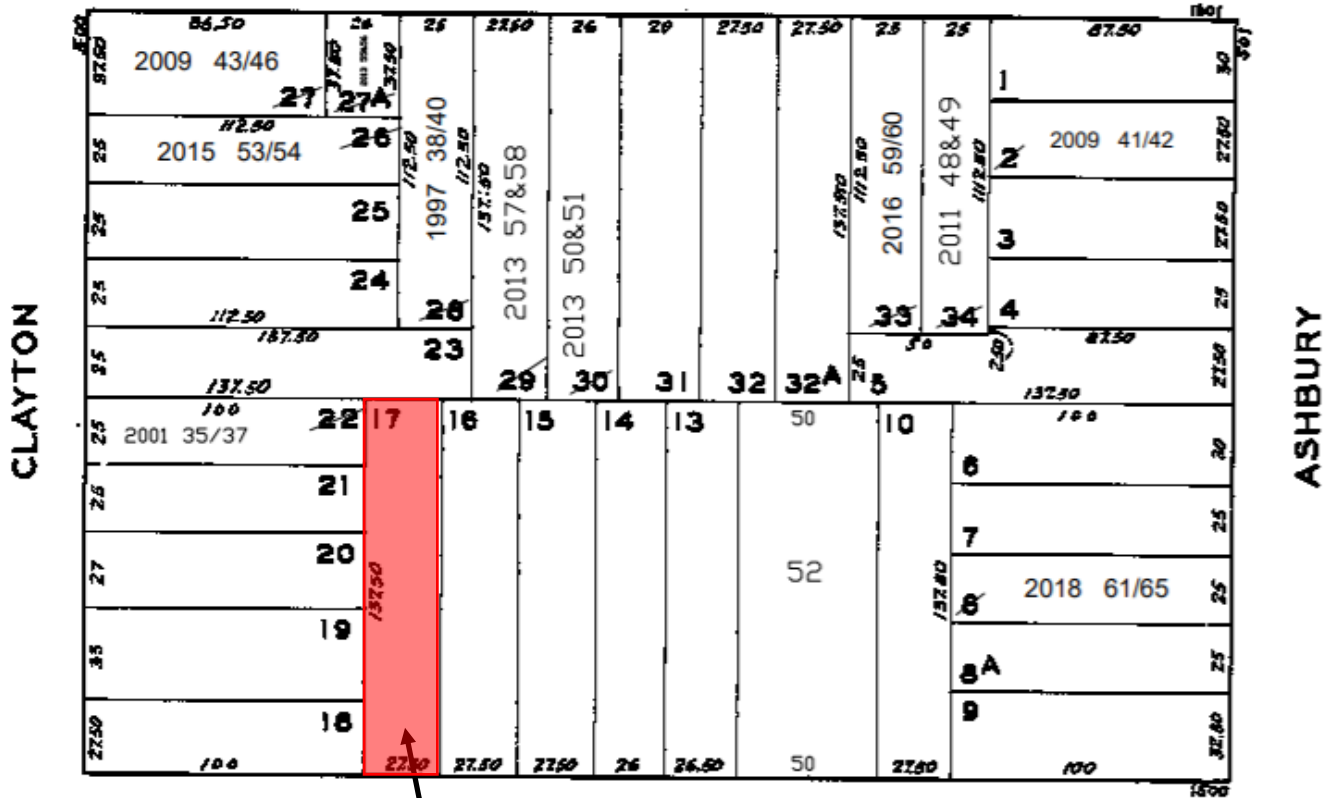
Conditional Use Hearing
Case Number 2019-017867CUA
1566 - 1568 Haight Street



Parcel Map



PAGE



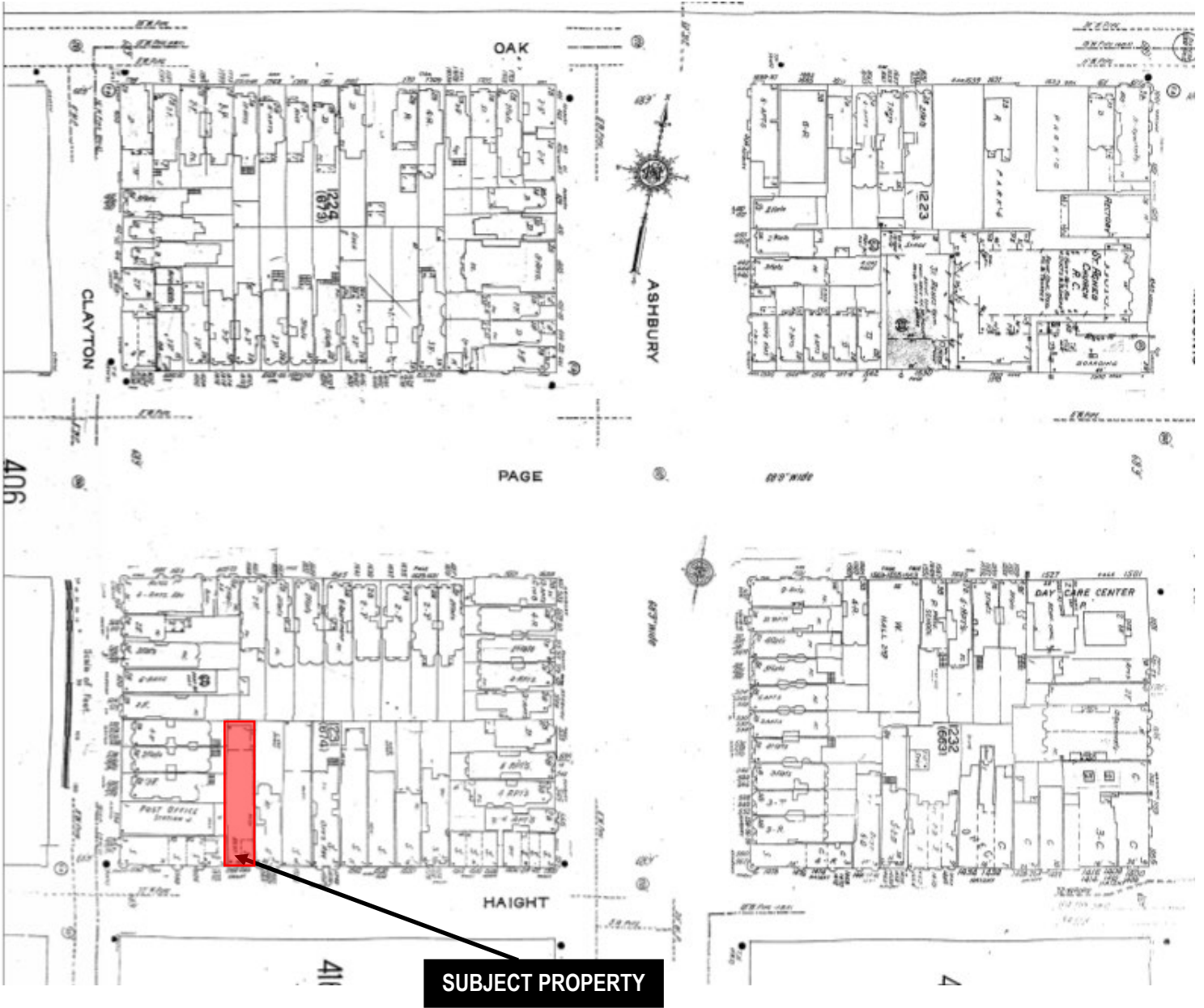
SUBJECT PROPERTY

HAIGHT

Conditional Use Hearing
 Case Number 2019-017867CUA
 1566 - 1568 Haight Street



Sanborn Map*

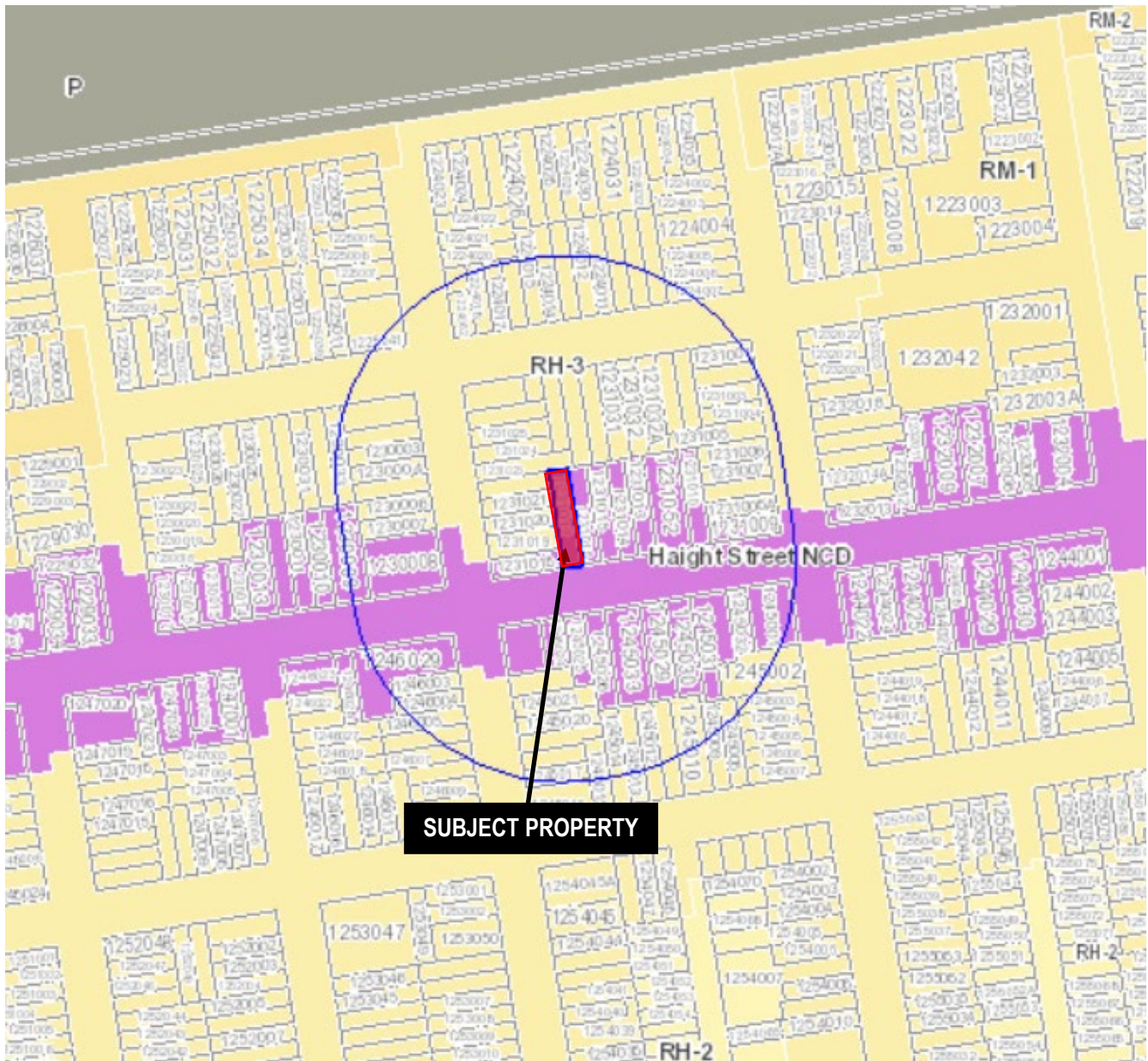


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Conditional Use Hearing
Case Number 2019-017867CUA
1566 - 1568 Haight Street



300- FOOT MILE RADIUS

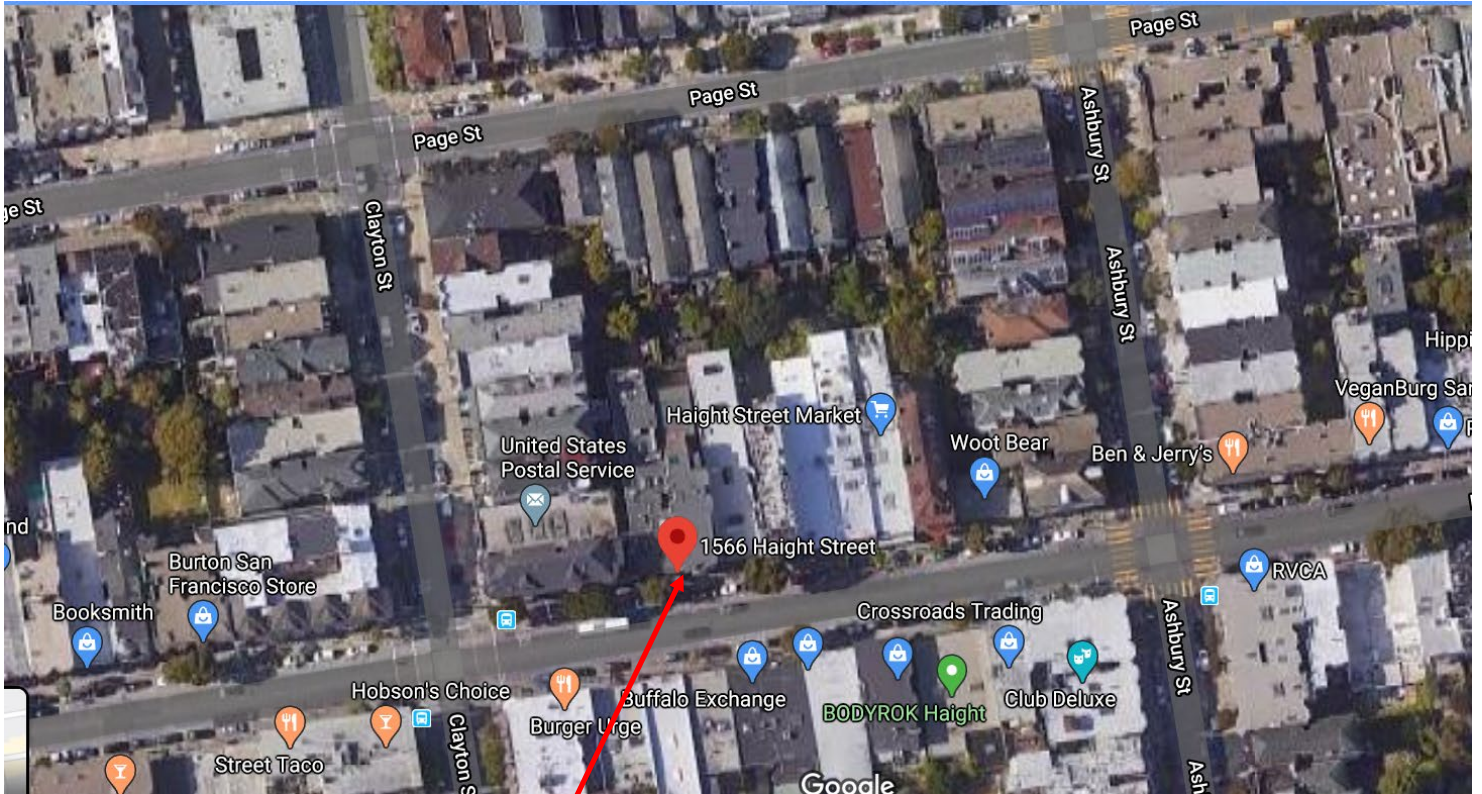


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2019-017867CUA
1566 - 1568 Haight Street

Aerial Photo



SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2019-017867CUA
1566 - 1568 Haight Street

Project Sponsor Site Photos



SUBJECT PROPERTY

Conditional Use Hearing
Case Number 2019-017867CUA
1566 - 1568 Haight Street

Project Sponsor Interior Site Photos



Conditional Use Hearing
Case Number 2019-017867CUA
1566 - 1568 Haight Street

Project Sponsor Interior Site Photos



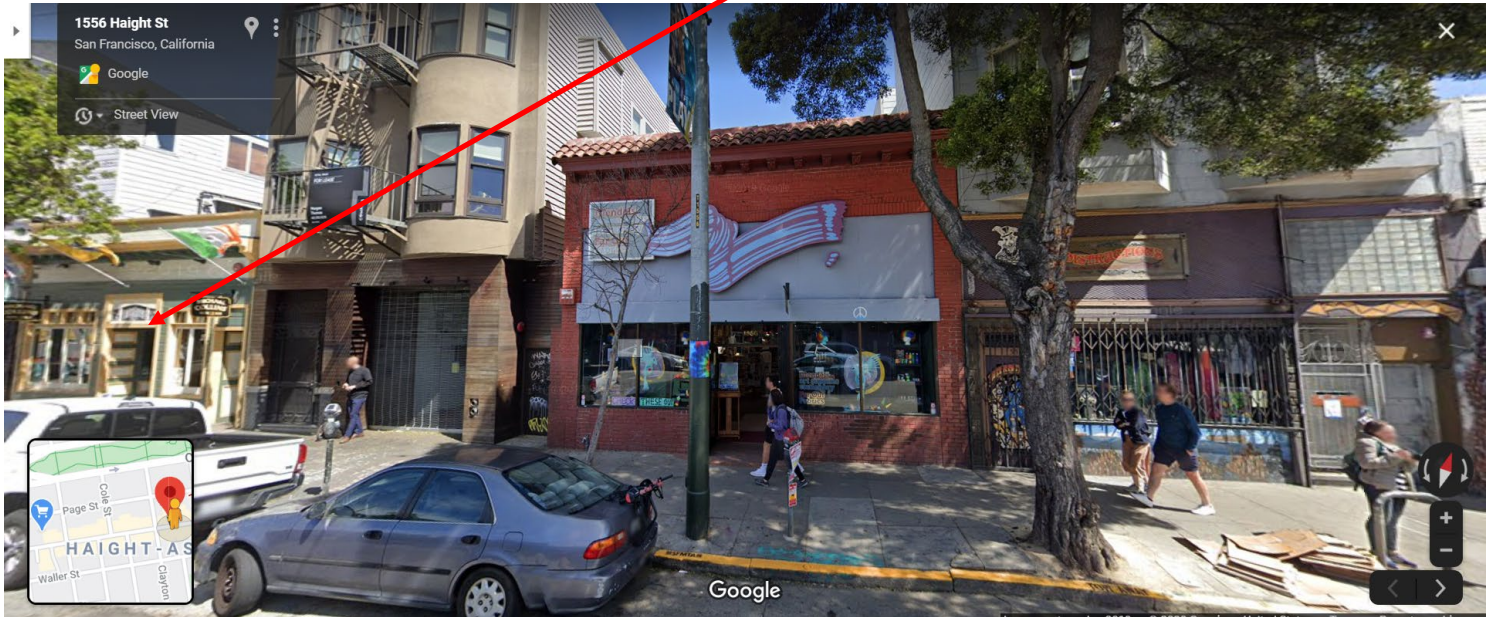
Conditional Use Hearing
Case Number 2019-017867CUA
1566 - 1568 Haight Street

Site Photo

PORTION OF SUBJECT BLOCK ON HAIGHT STREET



SUBJECT COMMERCIAL SPACE



Conditional Use Hearing
Case Number 2019-017867CUA
1566 - 1568 Haight Street

Site Photo

PORTION OF OPPOSITE BLOCK ON HAIGHT STREET



Conditional Use Hearing
Case Number 2019-017867CUA
1566 - 1568 Haight Street

Exhibit F - Project Sponsor Submittal

6/5/2020

San Francisco Planning Commission
1650 Mission St, Suite 400
San Francisco, CA 94103

Project Address: 1566 - 1568 Haight Street
Assessor's Block/Lot: 1231/017
Property Owner: Maybelle M Schumacher Trust
Zoning District: Haight Street Neighborhood Commercial District/40-X
Building Permit Number: 200810234956, 200905087985
Planning Record Number: 2019-017867CUA

RE: Project Sponsor Brief

Dear Honorable Planning Commissioners,

Background Explanation:

This building was built by my great grandfather in 1908 and has been a source of pride for our family for generations. My father has been the caretaker for many years but now due to his failing health we have had to step in to assist. It is our family's intent to continue to maintain the building and its historical contribution to the community.

The building has operated as a restaurant/ bar for over 50 years. First as the Pall Mall Grill, then Martin Mack's, then HQ Bar and Restaurant and now currently as Michael Collin's Irish Bar & Restaurant. On September 5, 2008 a fire occurred which caused considerable damage to the building. The SFFD had considerable issues in overcoming the fire due to the small size of the crawlspace underneath the building. In order to prevent this issue in the future and to improve life safety, it was decided that the best course of action was to excavate and install an accessible basement as well as fire corridor. This solution was founded upon guidance from Brian Ballard in SF Fire Planning, along with the engineer and architect at the time.

Rebuilding was overseen by the current tenant at the time, Brian Molony. Appropriate building permits were secured. During the rebuilding process in order to be in compliance with the current building and fire codes, the basement had to be expanded, fire sprinklers installed, and an additional fire and emergency exit corridor created. This was a requirement by the SF Fire Department as a condition of the building permit approval. In order to accommodate the new fire safety exit, the safest solution involved merging the adjacent vacant retail space of approx. 380 sf with the existing bar and restaurant space. In addition, the women's handicapped restroom had to be relocated to the back of the building. The corridor serves as both the basement access and the secondary safety ingress and egress for the building. The resulting structure is now one of the safest, structurally and seismically sound buildings in the area. These modifications were completed at considerable expense and with proper permits. It is worth noting that the small

retail space had been vacant since 1985 and was not contributing to the overall business health of the neighborhood.

This issue was originally addressed and tentatively approved through Conditional Use Case No. 2010.0385C with the previous tenant who oversaw the rebuild. Unfortunately, due to personal issues, his partnership with the business ended just prior to completing the CUA. After paying the original CUA application fee of \$3735.10, the outstanding requirements for approval as noted in May 2011 incorporated a fine of \$7800 of which \$5350 had been paid prior to the departure of the previous tenant. Due to the lapse in time though, the CUA was closed. Our family has now paid current all outstanding fees and penalties as of Dec 2019.

Project Description:

The present authorized use is as an existing full service restaurant and bar with an area of 3270 sq feet and a seating capacity for up to 66 persons. After the rebuilding project and the merger of the two spaces, the resulting area is approximately 3650 sq feet with a seating capacity for up to 81. We seek to get approval for the legalization of the rebuilding modifications and the merger of the two spaces as well as for the increased seating capacity up to 81 people. Current occupancy count is 126. While there is currently no entertainment, our tenant would like to offer live entertainment consisting of up to two performers up to 11pm if possible. Per motion 11899 and the 1999 Letter of Determination as noted by Scott Sanchez, the approved hours of operation are limited between 8:00 a.m. to 10:00 p.m. for the Restaurant and 8:00 a.m. to 2:00 a.m. for the Bar. We would like to maintain those approved hours. We also seek to eliminate the requirement to provide for valet parking which is not feasible in this location with the limited street parking nor is it necessary as there is a bus stop at the corner and there are other modes of transportation available to patrons like Uber, Lyft, and taxi service.

In conclusion, great measures were taken to improve the safety of the structure. The rebuilding was completed thoughtfully and at great expense to ensure the structural integrity of the building and to promote the safest environment for our patrons and the surrounding community. While the building is of historical importance, the current long-term tenancy is a welcomed fixture in the neighborhood as well. It is supported by the local merchants in the area as indicated by the letters of support provided herewith. The restaurant/bar promotes foot traffic which in turn increases the potential customer base for the surrounding businesses. The bar currently employs approx. 10 employees. If allowed to increase the seating capacity and add for some live entertainment, the business has the potential for growth and in turn the need for additional employment for the area. The project meets all relevant conditional use criteria. For these reasons, we respectfully request that you approve our project.

Best regards,

Tricia Wray
tricia@triciawray.com
408-218-3055

Brandon Wray
bdonwray@gmail.com
408-806-0453

Enclosure: Community Letters of Support

San Francisco Planning Commission
1650 Mission St., Suite 400
San Francisco, CA 94103

Honorable Planning Commissioners,

I have been a merchant in the Haight- Ashbury neighborhood community for the past 3 years. The Michael Collins restaurant/bar has been an iconic fixture in the neighborhood. It draws in customers for all the businesses along the street. The improvements that were made after the fire appear to have enhanced the safety of the building and the community as a whole.

Mr. Richard Schumacher has been our landlord for the past 3 years. He has been a responsible building owner and proactive landlord who cares for our community. We are in support of the proposal to merge the two retail spaces.

Respectfully,

Wayne Tran, Owner
The One Up Salon
1576 Haight Street, San Francisco, CA 94117
415-819-9210



June 3, 2020

San Francisco Planning Commission
1650 Mission St., Suite 400
San Francisco, CA 94103

Honorable Planning Commissioners,

I have been a merchant in the Haight-Ashbury neighborhood community since 2007. The Michael Collins restaurant/bar has been an iconic fixture in the neighborhood. It draws in customers for all the businesses along the street. The improvements that were made after the fire have enhanced the safety of not only the building but the community as a whole.

Mr. Richard Schumacher has been our landlord for the past 13 years. He has been a responsible building owner and proactive landlord who cares for our community. We are in support of the proposal to merge the two retail spaces

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Lee Chan', with a horizontal line extending to the right.

Lee Chan

Haight Street Sunglasses



Tricia Wray <tricia@triciawray.com>

Letter of Support for Planning Commission

1 message

JenJen Fritz <jenjen@warriorwithindesigns.com>

Thu, Jun 4, 2020 at 7:48 PM

To: Tricia Wray <tricia@triciawray.com>, Sunny Powers <sunny@loveonhightsf.com>

San Francisco Planning Commission
[1650 Mission St., Suite 400](#)
[San Francisco, CA 94103](#)

Dear Honorable Planning Commissioners,

I have been a merchant in the Haight- Ashbury neighborhood community for the past 7 years. The Michael Collins restaurant/bar has been an iconic fixture in the neighborhood. It draws in customers for all the businesses along the street. The improvements that were made after the fire have enhanced the safety of not only the building but the community as a whole.

Mr. Richard Schumacher has been our landlord for the past 4 years. He has been a respectful and responsible building owner and proactive landlord who cares for our his tenants and his community. We are in support of the proposal to merge the two retail spaces. We think it will be a good thing for the community.

Respectfully,

Name: Jennifer Patten & Sunshine Powers
Business Name: Little Wing & Love on Haight
Address: [1572 Haight Street, San Francisco, CA 94117](#)
Phone number: 415-722-0752

--

Jen Patten
Owner + Creator
Warrior Within Designs
One Planet, One People

"Listen from within your heart knows the way"



Tricia Wray <tricia@triciawray.com>

Fwd: Michael Collins Bar

1 message

colum crowley <columhq@gmail.com>
To: Tricia Wray <tricia@triciawray.com>

Thu, Jun 4, 2020 at 10:18 PM

----- Forwarded message -----

From: **colum crowley** <columhq@gmail.com>
Date: Thu, Jun 4, 2020 at 10:18 PM
Subject: Re: Michael Collins Bar
To: Joe Goldmark <joeg5@comcast.net>

On Wed, Jun 3, 2020 at 1:41 PM Joe Goldmark <joeg5@comcast.net> wrote:
Honorable Planning Commissioners,

I have been a merchant in the Haight- Ashbury neighborhood community for the past 34 years. The Michael Collins restaurant/bar has been an iconic fixture in the neighborhood. It draws in customers for all the businesses along the street. The improvements that were made after the fire have enhanced the safety of not only the building but the community as a whole.

We are in support of the proposal to merge the two retail spaces.

Respectfully,
Joe Goldmark
Amoeba Music
[1855 Haight St.](#)
415-831-1200

--

Joe Goldmark
Amoeba S.F. (415) 831-1200
VinylBeat.com



Tricia Wray <tricia@triciawray.com>

(no subject)

1 message

colum crowley <columhq@gmail.com>
To: Tricia Wray <tricia@triciawray.com>

Thu, Jun 4, 2020 at 11:51 PM

San Francisco Planning Commission
[1650 Mission St., Suite 400](#)
[San Francisco, CA 94103](#)

Honorable Planning Commissioners,

I have been leasing [1568 haight](#) off the Schumachers for the last couple of years . It draws in customers for all the businesses along the street. The improvements that were made after the fire have enhanced the safety of not only the building but the community as a whole. I can tell you that the work that was done from the steel to the fire sprinklers make it one of the safest building in San Francisco

Mr. Richard Schumacher has been our landlord for the past XX years. He has been a responsible building owner and proactive landlord who cares for our community. We are in support of the proposal to merge the two retail spaces.

Respectfully,
Name Colum Crowley
Business Name Michael Collins Irish Bar
Address [1568 haight st](#)
Phone number 415 5963559



Tricia Wray <tricia@triciawray.com>

Fwd: SF Mercantile in support of The Michael Collins Restaurant/Bar

1 message

colum crowley <columhq@gmail.com>
To: Tricia Wray <tricia@triciawray.com>

Thu, Jun 4, 2020 at 10:18 PM

----- Forwarded message -----

From: **remmons** <remmons@sfmercantile.com>
Date: Wed, Jun 3, 2020 at 1:59 PM
Subject: SF Mercantile in support of The Michael Collins Restaurant/Bar
To: columhq@gmail.com <columhq@gmail.com>

Honorable Planning Commissioners,

I have been a merchant in the Haight- Ashbury neighborhood community for the past 3 years. The Michael Collins restaurant/bar has been an iconic fixture in the neighborhood. It draws in customers for all the businesses along the street. The improvements that were made after the fire have enhanced the safety of not only the building but the community as a whole. We are in support of the proposal to merge the two retail spaces.

Respectfully,
Robert Emmons, owner
San Francisco Mercantile
[1698 Haight Street, SF, CA 94117](#)
415.606.9097

Steven C. and Sharron G. Wilson
989 Oak Street
San Francisco CA 94117
415 863-4878 415 971-8675 (cell)
stevenwilson1572@yahoo.com

June 5, 2020

Planning Commission

To whom it may concern:

My wife and I are San Francisco residents. My wife is a native San Franciscan. I have lived here, in San Francisco, since 1971

We are former tenants of Richard and Nancy Schumacher, since 1972 through October, 2016. We were tenants at 1572 Haight Street, which is immediately adjacent to the business at 1568 and 1566 Haight Street.

For health and safety reasons, we totally support the merging of 1566 Haight, making it a part of 1568 Haight Street, as an additional fire exit. That is certainly the most sensible use for that small space.

I am familiar with the interiors of both 1568 and 1566 Haight Steet, having done business with the Bar/Restaurant at 1568 many times over the last 45 years. The interior area of 1566 Haight is so narrow to do anything else with that space other than an additional safety exit, would be absurd.

I have known the property owners for these past 45 years, and have complete confidence that they have reached the decision to make this change, with the most careful consideration.

Sincerely,

Steven C. Wilson and Sharron G. Wilson

