



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Action DRA-0292

HEARING DATE: SEPTEMBER 20, 2012

Date: September 27, 2012
Case No.: **2012.0876D**
Project Address: **613 FAXON AVENUE**
Permit Application: 2012.04.18.8543
Zoning: Ocean Avenue NCT (Neighborhood Commercial Transit) District
45-X Height and Bulk District
Block/Lot: 3191/010
Project Sponsor: Frank Baumgartner
Asian Neighborhood Design
1245 Howard Street
San Francisco, CA 94103
DR Requestor: Hui Cha Paik
625 Faxon Avenue
San Francisco, CA 94112
Staff Contact: Michael Smith – (415) 588-6322
michael.e.smith@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

ADOPTING FINDINGS RELATED TO TAKING DISCRETIONARY REVIEW IN CASE NO. 2012.0876D AND THE APPROVAL OF BUILDING PERMIT 2012.04.18.8543 PROPOSING TO CONVERT THE EXISTING COMMERCIAL SPACE INTO AN APPROXIMATELY 2,000 SQUARE-FOOT RESTAURANT USE D.B.A "CHAMPA GARDEN". THE PROJECT INCLUDES INTERIOR AND EXTERIOR TENANT IMPROVEMENTS TO THE SPACE BUT WOULD NOT ENLARGE THE BUILDING. THE PROPOSED USE HAS BEEN DETERMINED NOT TO BE A FORMULA RETAIL USE. THE SUBJECT PROPERTY IS LOCATED WITHIN THE OCEAN AVENUE NCT (NEIGHBORHOOD COMMERCIAL, TRANSIT) DISTRICT, A 45-X HEIGHT AND BULK DISTRICT, AND THE BALBOA PARK AREA PLAN.

PREAMBLE

On April 18, 2012, Frank Baumgartner of Asian Neighborhood Design (AND) filed for Building Permit Application No. 2012.04.18.8543 proposing to convert the existing commercial space into an approximately 2,000 square-foot restaurant use d.b.a "Champa Garden". The project includes interior and exterior tenant improvements to the space but would not enlarge the building. The proposed use has been determined not to be a formula retail use. The subject property is located within the Ocean Avenue NCT (Neighborhood Commercial, Transit) District, a 45-X Height and Bulk District, and the Balboa Park Area Plan.

On July 5, 2012 Jasmine Song on behalf of Hui Cha Paik (hereinafter "Discretionary Review (DR) Requestor") filed an application with the Planning Department (hereinafter "Department") for Discretionary Review (2012.0876D) of Building Permit Application No. 2012.04.18.8543.

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

On September 20, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Discretionary Review Application 2012.0876D.

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.

ACTION

The Commission hereby takes Discretionary Review requested in Application No. 2012.0876D and approves the Building Permit Application 2012.04.18.8543 subject to the following condition:

1. The property owner shall install additional street trees at the property's Faxon Avenue street frontage.

BASIS FOR RECOMMENDATION

The reasons that the Commission took the action described above include:

1. The Commission is concerned that the livability of the neighborhood is being negatively affected by patrons parking illegally on the sidewalks when frequenting businesses on Ocean Avenue. The installation of additional street trees along the property's Faxon Avenue frontage would keep patrons from illegally parking on the sidewalk in front of the proposed restaurant.
2. The project complies with the Planning Code and the General Plan and is beneficial for the neighborhood because it will provide employment opportunities, help revitalize neighborhood, and activate a vacant storefront and in doing so improve safety within the neighborhood.

APPEAL AND EFFECTIVE DATE OF ACTION: Any aggrieved person may appeal this Building Permit Application to the Board of Appeals within fifteen (15) days after the date the permit is issued. For further information, please contact the Board of Appeals at (415) 575-6881, 1650 Mission Street # 304, San Francisco, CA, 94103-2481.

I hereby certify that the Planning Commission took Discretionary Review and approved the building permit as reference in this action memo on September 20, 2012.

Linda D. Avery
Commission Secretary

AYES: Fong, Wu, Anotnini, Borden, Hillis, Moore, Sugaya

NAYS: none

ABSENT: none

ADOPTED: September 20, 2012