



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: JULY 11, 2013

CONSENT CALENDAR

Date: July 3, 2013
Case No.: **2012.0822C**
Project Address: **1865 POST STREET**
Zoning: NC-3 (Neighborhood Commercial, Moderate-Scale)
Japantown Special Use District
50-X Height and Bulk District
Block/Lot: 0701/002
Project Sponsor: Jeremy Schaub (architect)
Gabriel Ng & Associates
1360 9th Avenue, Suite 210
San Francisco, CA 94122
Jim Cheng (tenant)
1865 Post Street
San Francisco, CA 94115
Staff Contact: Christine Lamorena – (415) 575-9085
christine.lamorena@sfgov.org
Recommendation: **Disapproval**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

BACKGROUND

The proposal was originally heard on August 16, 2012. It was also heard on February 7, 2013 and June 6, 2013. At the June 6, 2013 hearing, the Planning Commission adopted a motion of Intent to Disapprove the project. Staff has prepared a Draft Motion to Disapprove the project.

PROJECT DESCRIPTION

The proposal is to add an "Other Entertainment" use to an existing restaurant (d.b.a. Pa'ina Lounge and Restaurant) of approximately 5,900 square feet located on the ground floor of the two-story commercial building. The project would add live and amplified music during the restaurant's evening operating hours. The existing restaurant is open Tuesday to Thursday from 3:00 pm to 11:00 pm, Friday from 3:00 pm to 1:00 am, Saturday from 1:00 pm to 1:00 am, and Sunday from 1:00 pm to 11:00 pm.

The restaurant size would not change. Tenant improvements to the restaurant were completed under Building Permit Application 2011.10.27.7767 and 2013.04.17.4758. Prior to that, the tenant space was vacant for approximately one year after being occupied by a restaurant d.b.a. Sundance Kitchen.

SITE DESCRIPTION AND PRESENT USE

The project site is located on the south side of Post Street, between Fillmore and Webster Streets; Lot 002 in Assessor's Block 0701. The subject property is approximately 8,000 square feet in size and is within the NC-3 Zoning District, Japantown Special Use District, and a 50-X Height and Bulk District. The property is occupied on the second level by the Kinokuniya Mall. The existing restaurant is accessed from Post Street on the ground floor.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located in the Western Addition neighborhood and the southwest corner of the Japantown Special Use District. The surrounding development consists of a variety of commercial and mixed-use buildings featuring ground floor commercial units with residential units above. The scale of development in the area is primarily two- to five-story structures. Commercial areas contain a variety of small-scale businesses which include a mix of cafes, restaurants, specialty stores, variety merchandise stores, and financial institutions.

The site is bounded by the Sundance Kabuki Cinemas to the west and Japan Center Kinokuniya Mall to the east, three-story multi-family housing to the north, and Geary Boulevard to the south. The site north of Post Street is zoned RM-3 (Residential, Mixed, Medium Density). A variety of establishments are located nearby and include the Kintetsu Mall, Miyako Mall, Peace Plaza, Hotel Kabuki, and the JPOP Center.

ENVIRONMENTAL REVIEW

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

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	June 21, 2013	June 21, 2013	20 days
Posted Notice	20 days	June 21, 2013	June 21, 2013	20 days
Mailed Notice	20 days	June 21, 2013	June 21, 2013	20 days

PUBLIC COMMENT

- To date, The Department received several letters in opposition to the project from the Northern California Cherry Blossom Festival, San Francisco Film Society, Japantown Organizing Committee, Sundance Cinemas as well as Kabuki Springs and Spa. Public testimony at previous hearings also includes opposition from the Japantown Taskforce.
- The Department received letters in support of the project from the Kimochi Senior Center and the Nihonmachi Street Fair and a petition from 30 residents living across the street at 1820 Post

Street. Within the last week, the Department received eight emails from individuals in support of the project.

ISSUES AND OTHER CONSIDERATIONS

- The existing restaurant is independently-owned and is not a “Formula Retail” use.
- The proposed project would offer live and amplified music, such as live Hawaiian, jazz, and cover bands as well as DJs, to enhance the existing restaurant use.
- Public testimony from previous hearings on August 16, 2012, February 7, 2013, and June 6, 2013 revealed significant opposition to the project with concerns regarding noise disturbances and negative effects to adjacent businesses.
- A Limited Live Performance (LLP) permit was granted by the Entertainment Commission on July 25, 2012 and allows for live performances as accessory uses in establishments whose primary use is not entertainment. Since the issuance of the LLP permit, the Project Sponsor has received three citations for exceeding conditions attached to the Project Sponsor’s LLP permit. These citations include violations for noise audible outside the establishment, operating past 10:00 pm, exceeding the maximum allowable sound level of 74 dBa, and for using a portable sound system, equipment, and speakers not part of the establishment.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use authorization to add a new use in excess of 4,000 square feet to an “Other Entertainment” use to an existing restaurant of approximately 5,900 square feet within the NC-3 Zoning District and Japantown Special Use District, pursuant to Planning Code Sections 249.31 and 712.48.

BASIS FOR RECOMMENDATION

- Within the last year, the Project Sponsor has received three citations from the Entertainment Commission by violating conditions placed on the LLP permit.
- The project complies with all relevant requirements and standards of the Planning Code. However, the project, on balance, is not consistent with objectives and policies of the General Plan.
- The proposed use is not desirable or compatible with the mix of goods and services currently available in Japantown in that the proposed use would be located between several noise-sensitive businesses that require minimal outside noise disturbances.

RECOMMENDATION: Disapproval

Attachments:

Executive Summary
Hearing Date: July 11, 2013

CASE NO. 2012.0822C
1865 Post Street

Parcel Map
Sanborn Map
Zoning District Map
Aerial Photographs
Site Photographs
Reduced Plans

Attachment Checklist

- | | |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | <input type="checkbox"/> Wireless Telecommunications Materials |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Community Meeting Notice |
| <input checked="" type="checkbox"/> Site Photos | <input type="checkbox"/> Housing Documents |
| | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |
| | <input type="checkbox"/> Residential Pipeline |

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

CL _____

Planner's Initials

CL: G:\DOCUMENTS\2012\ICUs\2012.0822\1865 Post St_ExecutiveSummary_Disapprove.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other |

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Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO THE DISAPPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 249.31, 303, AND 712.48 TO ADD A NEW USE IN EXCESS OF 4,000 SQUARE FEET AS AN “OTHER ENTERTAINMENT” USE TO AN EXISTING RESTAURANT (D.B.A. PA’INA LOUNGE AND RESTAURANT) OF APPROXIMATELY 5,900 SQUARE FEET WITHIN THE NC-3 (NEIGHBORHOOD COMMERCIAL, MODERATE-SCALE) ZONING DISTRICT, JAPANTOWN SPECIAL USE DISTRICT, AND 50-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On June 28, 2012 Jeremy Schaub representing Gabriel Ng & Associates (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 249.31 and 712.48 to add a new use in excess of 4,000 square feet as an “Other Entertainment” use to an existing restaurant (d.b.a. Pa’ina Lounge and Restaurant)

within the NC-3 (Neighborhood Commercial, Moderate-Scale) Zoning District, Japantown Special Use District (SUD), and 50-X Height and Bulk District.

On July 11, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2012.0822C.

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 **DISAPPROVES** the Conditional Use requested in Application No. 2012.0822C, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project site is located on the south side of Post Street, between Fillmore and Webster Streets; Lot 002 in Assessor's Block 0701. The subject property is approximately 8,000 square feet in size and is within the NC-3 Zoning District, Japantown SUD, and a 50-X Height and Bulk District. The property is occupied on the second level by the Kinokuniya Mall. The existing restaurant is accessed from Post Street on the ground floor.
3. **Surrounding Properties and Neighborhood.** The project site is located in the Western Addition neighborhood and the southwest corner of the Japantown SUD. The surrounding development consists of a variety of commercial and mixed-use buildings featuring ground floor commercial units with residential units above. The scale of development in the area is primarily two- to five-story structures. Commercial areas contain a variety of small-scale businesses which include a mix of cafes, restaurants, specialty stores, variety merchandise stores, and financial institutions.

The site is bounded by the Sundance Cinemas to the west and Japan Center Kinokuniya Mall to the east, three-story multi-family housing to the north, and Geary Boulevard to the south. The site north of Post Street is zoned RM-3 (Residential, Mixed, Medium Density). A variety of establishments are located nearby and include the Kintetsu Mall, Miyako Mall, Peace Plaza, Hotel Kabuki, and the JPOP Center.

4. **Project Description.** The proposal is to add a new use in excess of 4,000 square feet as an "Other Entertainment" use to an existing restaurant (d.b.a. Pa'ina Lounge and Restaurant) of approximately 5,900 square feet located on the ground floor of the two-story commercial

building. The project would add live and amplified music during the restaurant's evening operating hours. The existing restaurant is open Tuesday to Thursday from 3:00 pm to 11:00 pm, Friday from 3:00 pm to 1:00 am, Saturday from 1:00 pm to 1:00 am, and Sunday from 1:00 pm to 11:00 pm.

The restaurant size would not change. Tenant improvements to the restaurant were completed under Building Permit Application 2011.10.27.7767 and 2013.04.17.4758. Prior to that, the tenant space was vacant for approximately one year after being occupied by a restaurant d.b.a. Sundance Kitchen.

5. **Public Comment.** The Department received several letters in opposition to the project from the Northern California Cherry Blossom Festival, San Francisco Film Society, Japantown Organizing Committee, Sundance Cinemas as well as Kabuki Springs and Spa. Public testimony at previous hearings also includes opposition from the Japantown Taskforce.

The Department received letters in support of the project from the Kimochi Senior Center and the Nihonmachi Street Fair and a petition from 30 residents living across the street at 1820 Post Street. Within the last week, the Department received eight emails from individuals in support of the 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. **Japantown SUD – Use Size.** Planning Code Section 249.31(b)(1)(i) states that in the Japantown SUD, Conditional Use Authorization is required for the establishment of a new use or any change in use in excess of 4,000 gross square feet.

The project would add an "Other Entertainment" use to the existing restaurant. The restaurant is approximately 5,900 square feet. Conditional Use Authorization is required to add this new use to a restaurant of this size.

- B. **Japantown SUD – Findings.** Planning Code Section 249.31(b)(2) states that for any use subject to Conditional Use Authorization, the Planning Commission shall make the following additional findings: (1) The use is not incompatible with the cultural and historic integrity, neighborhood character, development pattern, and design aesthetic of the Japantown SUD; and (2) the use supports one of more of the purposes for establishing the Japantown SUD.

The project is compatible with the Japantown SUD in that it supports and strengthens the cultural identity of the neighborhood. The Hawaiian culture, including the food and music, are significant to Japanese American history and culture dating back over 100 years when Japanese immigrants migrated to the Hawaiian Islands to find work on the islands' plantations. While the existing restaurant currently enhances the economic diversity of the neighborhood, the proposed other entertainment use is not complimentary to other commercial tenants in the immediate adjacent areas,

having an adverse effect on the neighborhood character and development pattern of the Japantown SUD.

- C. **Hours of Operation.** Planning Code Section 712.27 states that there is no limit to hours of operation in the NC-3 Zoning District.

The project would add live and amplified music during the restaurant's evening operating hours. The existing restaurant is open Tuesday to Thursday from 3:00 pm to 11:00 pm, Friday from 3:00 pm to 1:00 am, Saturday from 1:00 pm to 1:00 am, and Sunday from 1:00 pm to 11:00 pm.

- D. **Other Entertainment Use.** Planning Code Section 712.48 states that Other Entertainment, as defined by Planning Code Section 790.38, is principally permitted in the NC-3 Zoning District.

The project would include live and amplified music, such as live Hawaiian, jazz, and cover bands as well as DJs, to enhance the existing restaurant use. The music would be restricted to the inside area and the sound equipment must be inspected and permitted by the Entertainment Commission prior to operation.

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

The subject commercial space has approximately 34 feet of frontage on Post Street with approximately 26 feet devoted to either the restaurant entrance or window space. The windows are clear and unobstructed. There are no changes proposed to the commercial frontage.

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

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

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

The proposed use is not desirable or compatible with the mix of goods and services currently available in Japantown. Public testimony from previous hearings on August 16, 2012, February 7, 2013, and June 6, 2013 indicated significant opposition with concerns regarding noise disturbances and negative effects to adjacent businesses.

A Limited Live Performance (LLP) permit was granted by the Entertainment Commission on July 25, 2012 and allows for live performances as accessory uses in establishments whose primary use is not entertainment. Since the issuance of the LLP permit, the Project Sponsor has received three citations for exceeding conditions attached to the Project Sponsor's LLP permit. These citations include violations for noise audible outside the establishment (Entertainment Commission Good Neighbor Policy #8), operating past 10:00 pm (Police Code Section 1060 & 2900), exceeding the maximum allowable sound level of 74 dBa, and for using a portable sound system, equipment, and speakers not part of the establishment.

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

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

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

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

Existing traffic patterns would not be significantly affected by the proposed project. There is on-street metered parking in front of the subject property as well as in the surrounding neighborhood and a parking garage less than one block away beneath the Kintetsu Mall. In addition, the project site is well served by transit. There are nearby stops for MUNI bus lines 2-Clement, 3-Jackson, 22-Fillmore, 38-Geary, and 38L-Geary Limited.

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

The project is not anticipated to produce noxious or offensive emissions related to glare, dust, and odor. However, there has been one documented occasion when noise was not contained within the premises. This instance resulted in a citation being issued on October 30, 2012 by the Entertainment Commission. According to testimony by representatives of Sundance Cinemas, several complaints have been made from patrons to cinema staff resulting in refunds being made to theater patrons. Furthermore, a letter dated May 8, 2013 from the San Francisco Film Society indicates that sound bled into the theatre from the subject tenant space. The Project Sponsor will continue to receive citations from the Entertainment Commission if noise cannot be contained.

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

Since the project does not propose the physical expansion of the existing restaurant, no additional landscaping is required. There would be no addition of parking spaces, loading facilities, open space or service areas. All signage and projections would be consistent with the controls of the Planning Code.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The project complies with all relevant requirements and standards of the Planning Code. However, the project, on balance, is not consistent with objectives and policies of the General Plan as detailed below.

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

The project proposes to add live and amplified music during evening operating hours. This use is not appropriate for the neighborhood. The project site is located between Sundance Cinemas and Kabuki Springs & Spa, two noise-sensitive businesses that require a minimal outside noise disturbances.

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

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

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

Policy 1.3:

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

The project has received three citations for violating conditions attached to the Project Sponsor's LLP permit issued on July 25, 2012. Public testimony has also indicated substantial concerns regarding noise disturbances and undesirable consequences to neighboring businesses.

OBJECTIVE 2:

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

Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

The project would enhance the existing restaurant, an existing neighborhood-serving use, by attracting customers seeking an entertainment venue.

OBJECTIVE 6:

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

Policy 6.1:

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

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

Policy 6.2:

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

The existing restaurant is independently owned.

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

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

The project would not preserve or enhance existing neighborhood-serving retail uses. Public testimony from previous hearings on August 16, 2012, February 7, 2013, and June 6, 2013 indicated significant opposition with concerns regarding noise disturbances and negative effects to adjacent neighborhood-serving retail uses.

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

The project would not conserve or protect neighborhood character in order to preserve the cultural and economic diversity of the neighborhood. The project proposes to add live and amplified music in a space that is located between existing noise-sensitive businesses that require minimal outside noise disturbances.

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

The project would not displace any affordable housing.

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

The project would not significantly increase traffic congestion or the availability of parking in the neighborhood. There is on-street metered parking in front of the subject property as well as in the surrounding neighborhood and a parking garage less than one block away beneath the Kintetsu Mall. In addition, the project site is well served by transit. There are nearby stops for MUNI bus lines 2-Clement, 3-Jackson, 22-Fillmore, 38-Geary, and 38L-Geary Limited.

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

The project would not displace or affect any service or industry establishment. Ownership of industrial or service sector businesses would not be affected by this project.

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

The project site was recently remodeled and all alterations conformed to the structural and seismic safety requirements of the 2010 City Building Code.

- G. That landmarks and historic buildings be preserved.

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

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

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

10. The Project is not consistent with and would not promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would not contribute to the character and stability of the neighborhood and would not constitute a beneficial development.
11. The Commission hereby finds that approval of the Conditional Use authorization would not 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 **DISAPPROVES Conditional Use Application No. 2012.0822C** as submitted on June 28, 2012.

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

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

Linda D. Avery
Commission Secretary

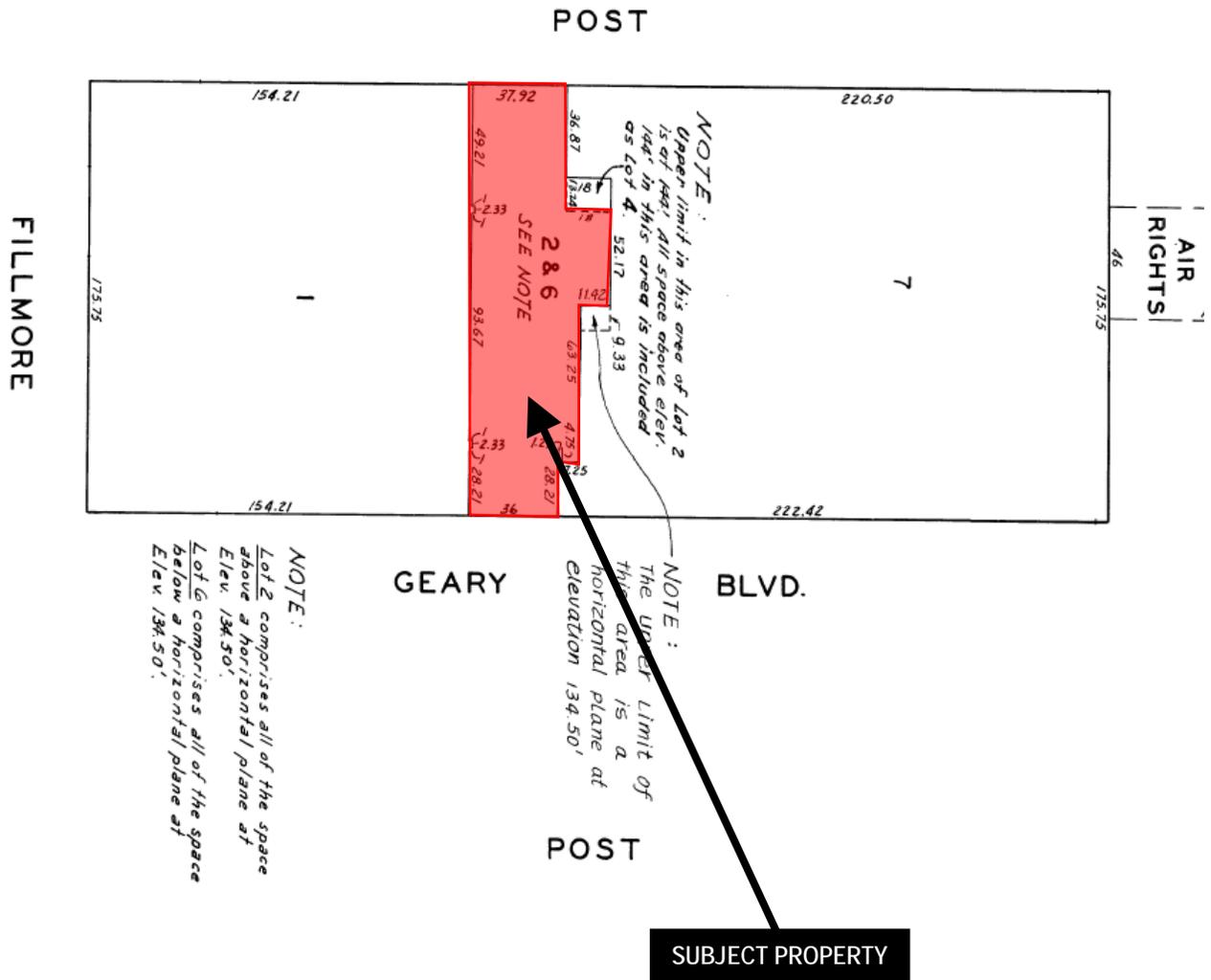
AYES:

NAYS:

ABSENT:

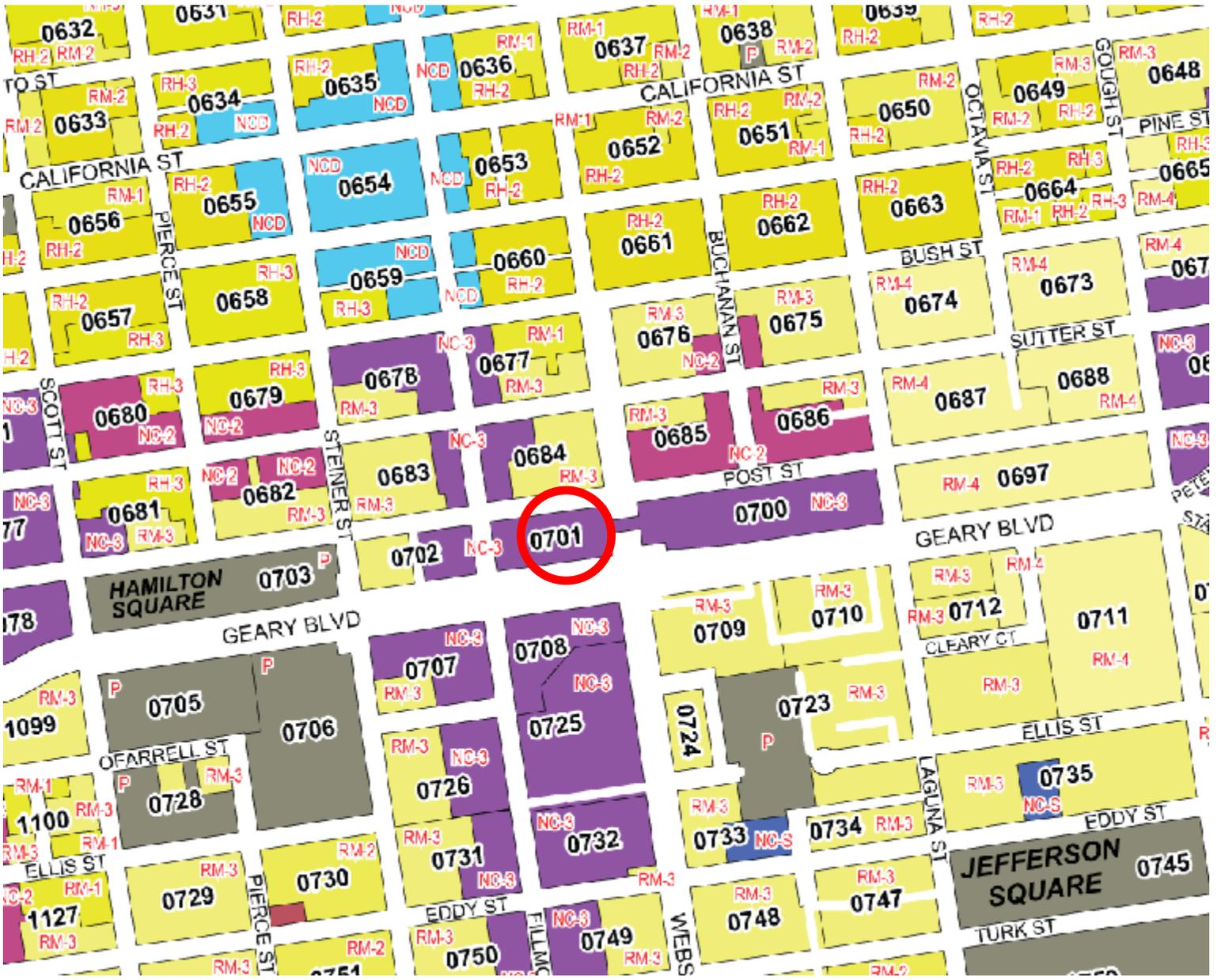
ADOPTED: July 11, 2013

Parcel Map



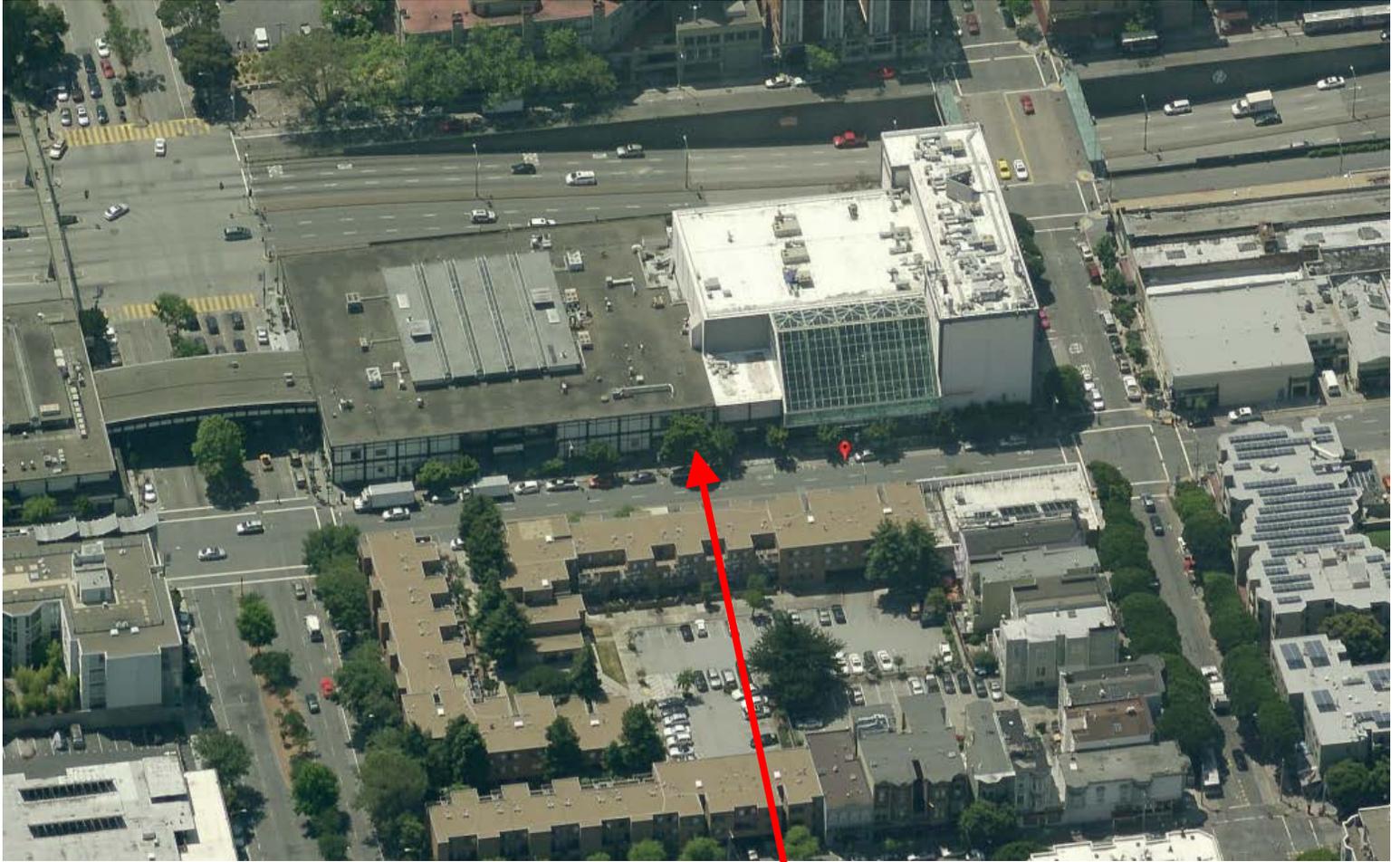
Conditional Use Hearing
 Case Number 2012.0822C
 1865 Post Street
 Block/Lot 0701/002

Zoning Map



Conditional Use Hearing
Case Number 2012.0822C
1865 Post Street
Block/Lot 0701/002

Aerial Photo



SUBJECT PROPERTY

Conditional Use Hearing
Case Number 2012.0822C
1865 Post Street
Block/Lot 0701/002

Site Photo



Conditional Use Hearing
Case Number 2012.0822C
1865 Post Street
Block/Lot 0701/002

Context Photo

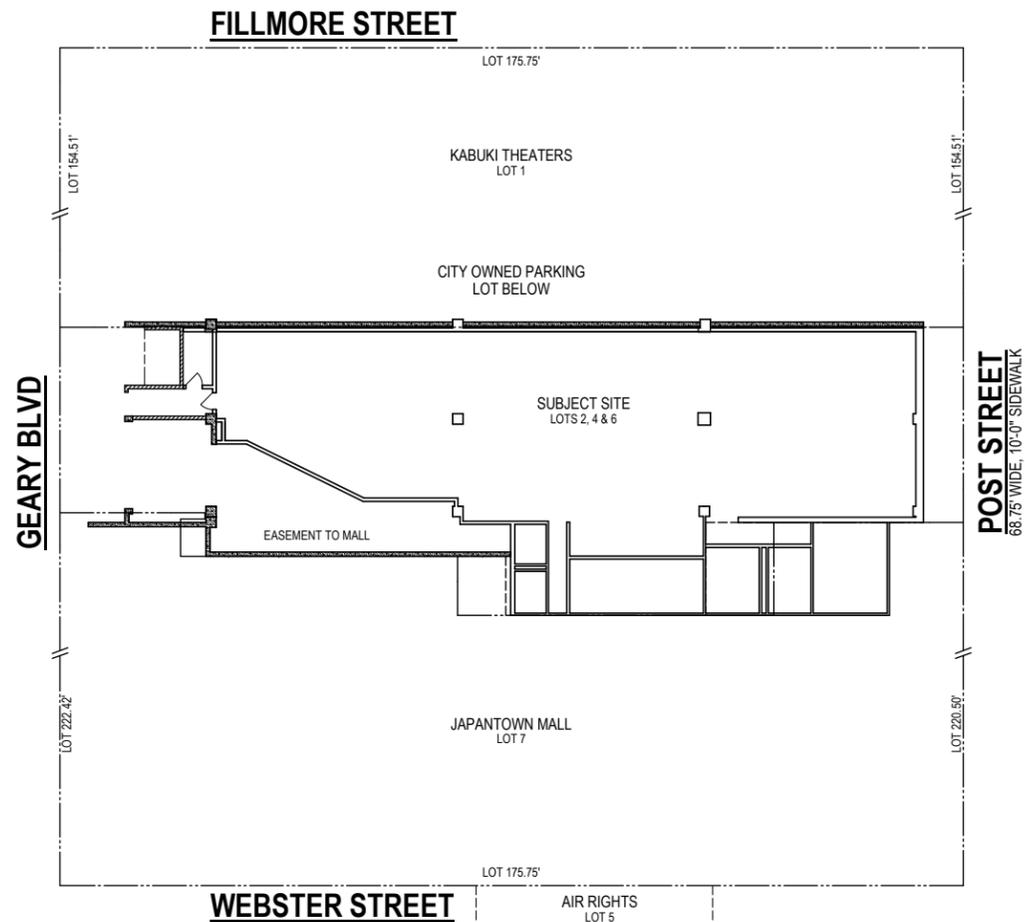


Conditional Use Hearing
Case Number 2012.0822C
1865 Post Street
Block/Lot 0701/002

ABBREVIATIONS

&	AND
@	AT
CL	CENTER LINE
Ø	DIAMETER
#	FOUND OR NUMBER
PL	PROPERTY LINE
A.D.	AREA DRAIN
ADJ.	ADJACENT
ALUM.	ALUMINUM
APPROX.	APPROXIMATE
ARCH.	ARCHITECTURAL
AWN.	AWNING WINDOW
BD.	BOARD
BLDG.	BUILDING
BLKG.	BLOCKING
BM.	BEAM
BOT.	BOTTOM
C.B.	CATCH BASIN
C.O.	CLEANOUT
CAB.	CABINET
CLG.	CEILING
CLO.	CLOSET
CLR.	CLEAR
COL.	COLUMN
CONC.	CONCRETE
CONST.	CONSTRUCTION
CORR.	CORRIDOR
CSMT.	CASEMENT WINDOW
D.H.	DOUBLE HUNG WINDOW
DBL.	DOUBLE
DEPT.	DEPARTMENT
DET.	DETAIL
DIA.	DIAMETER
DIM.	DIMENSION
DN.	DOWN
DR.	DOOR
D/W.	DISHWASHER
DWG.	DRAWING
E	EAST
(E)	EXISTING
EA.	EACH
EL.	ELEVATION
ELEC.	ELECTRICAL
ELEV.	ELEVATOR
EQ.	EQUAL
EXT.	EXTERIOR
F.D.	FLOOR DRAIN
F.D.C.	FIRE DEPT. CONNECTION
F.G.	FIXED GLASS WINDOW
F.P.	FIREPLACE
FDN.	FOUNDATION
FIN.	FINISH
FLR.	FLOOR
FLUOR.	FLUORESCENT
FT.	FOOT OR FEET
FTG.	FOOTING
G.F.I.	GROUND FAULT
I.	INTERRUPTER
G.S.M.	GALVANIZED SHEET METAL
GA.	GAUGE
GL.	GLASS
GND.	GROUND
GYP.	GYPSPUM
H.B.	HOSE BIBB
HDWD.	HARDWOOD
HORIZ.	HORIZONTAL
HR.	HOUR
HT.	HEIGHT
INSUL.	INSULATION
INT.	INTERIOR
LAV.	LAVATORY
LT.	LIGHT
MAX.	MAXIMUM
MECH.	MECHANICAL
MET.	METAL
MFR.	MANUFACTURER
MIN.	MINIMUM
MISC.	MISCELLANEOUS
N.	NORTH
(N)	NEW
N.T.S.	NOT TO SCALE
NO. OR #	NUMBER
O.C.	ON CENTER
O.F.D.	OVERFLOW DRAIN
O.H.	OVERHANG
OBS.	OBSCURED
OPNG.	OPENING
P/L	PROPERTY LINE
PL	PLATE
PLYWD.	PLYWOOD
PT.	POINT
Q.T.	QUARRY TILE
R.	RISER
R.D.	ROOF DRAIN
R.W.	REDWOOD
R.W.L.	RAIN WATER LEADER
RAD.	RADIUS
REFR.	REFRIGERATOR
REINF.	REINFORCED
REQ.	REQUIRED
RET.	RETAINING
S.	SOUTH
S.G.D.	SLIDING GLASS DOOR
S.H.	SINGLE HUNG WINDOW
SIM.	SIMILAR
SL.	SLIDER WINDOW
SPEC.	SPECIFICATION
SQ.	SQUARE
STD.	STANDARD
STL.	STEEL
STOR.	STORAGE
STR.	STRUCTURAL
SYM.	SYMMETRICAL
T.&G.	TONGUE & GROOVE
THK.	THICK
TYP.	TYPICAL
U.O.N.	UNLESS OTHERWISE NOTED
VERT.	VERTICAL
W.	WEST
W/	WITH
WD.	WOOD
W/O	WITHOUT
WP.	WATERPROOF
WT.	WEIGHT

PA'INA LOUNGE & RESTAURANT



NOTES
 (E) EXIT SIGNS PER SEC. 1011
 (E) EMERGENCY LIGHTING PER SEC. 1006.3
 COMMERCIAL SPACE FULLY COMPLIES W/ THE REQUIREMENTS FOR THE PHYSICALLY DISABLED

SCOPE OF WORK
 - INSTALL SOUNDPROOFING AT CEILING AND WALL
 - SHOW LOCATION OF TEMPORARY STAGE FOR PLANNING DEPARTMENT REFERENCE
 - NO CHANGES TO LIFE SAFETY OR ACCESSIBILITY

GENERAL NOTES

PLEASE TAKE NOTICE THAT THE DRAWINGS AS PREPARED BY GABRIEL NG + ARCHITECTS, INC. FOR THE PROJECT ARE LIMITED TO THE EXTENT AS REQUIRED FOR PLAN CHECK PURPOSES BY CITY AGENCIES HAVING JURISDICTION OVER THE PROJECT.

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DESIGN-BUILD (DESIGN AND INSTALL) ALL SYSTEMS AND ELEMENTS AS REQUIRED FOR THE CONSTRUCTION OF THE PROJECT, INCLUDING BUT NOT LIMITED TO PLUMBING, MECHANICAL, FIRE SPRINKLER AND ELECTRICAL SYSTEMS; AND ALL DETAILS FOR ROOFING, FLASHING, WATERPROOFING AND SOUND PROOFING STANDARDS.

THE USE OF THESE DRAWINGS FOR THE CONSTRUCTION OF THE PROJECT SHALL CONSTITUTE THE CONTRACTOR'S REPRESENTATION THAT IT HAS REVIEWED AND VERIFIED THE BUILDABILITY OF THE PROJECT AS SHOWN ON THESE DRAWINGS IN THE LIGHT OF SITE CONDITIONS AND APPLICABLE CODE REQUIREMENTS; AND THAT ONCE CONSTRUCTION HAS COMMENCED, THE CONTRACTOR SHALL UNDERTAKE FULL RESPONSIBILITIES TO DESIGN-BUILD ALL ELEMENTS AND MAKE NECESSARY ADJUSTMENTS AS REQUIRED FOR THE COMPLETION OF THE PROJECT IN ITS ENTIRETY PURSUANT TO ALL APPLICABLE CODE REQUIREMENTS, TRADE AND WORKMENSHP STANDARDS.

ALL CONSTRUCTION WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY BUILDING CODE AND INTERNATIONAL BUILDING CODE, AS WELL AS ALL APPLICABLE FEDERAL, STATE, OSHA, BAY AREA AIR QUALITY MANAGEMENT DISTRICT, COUNTY AND CITY ORDINANCES, AMENDMENTS AND RULINGS. THE CITY CODE SHALL GOVERN WHEN IT AND THE IBC OR ANY OTHER REFERENCE CODES AND STANDARDS ARE IN CONFLICT.

THE CONTRACTOR SHALL GIVE ALL NOTICES NECESSARY AND INCIDENTAL TO THE LAWFUL EXECUTION OF THE WORK.

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS OF THE LOT, EASEMENT, SOIL CONDITIONS, ALL PROPOSED DIMENSIONS, INCLUDING EXCAVATION, UNDERPINNING, DRAINAGE AND UTILITY LINES AT SUBJECT PROPERTY, AS WELL AS, AT ADJACENT PROPERTIES. IF THE CONTRACTOR ENCOUNTERS DISCREPANCIES IN THE DRAWINGS, HE SHALL CONTACT THE ARCHITECT FOR CLARIFICATION BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COSTS OF CORRECTIONS TO THE WORK IF HE NEGLECTS TO ADHERE TO THIS PROCESS.

THE DRAWINGS ARE INTENDED TO DESCRIBE AND PROVIDE FOR A FINISHED PIECE OF WORK. THE CONTRACTOR SHALL UNDERSTAND THAT THE WORK HEREIN DESCRIBED SHALL BE COMPLETED IN A GOOD AND WORKMANLIKE MANNER AND IN EVERY DETAIL ALTHOUGH EVERY NECESSARY ITEM INVOLVED IS NOT PARTICULARLY MENTIONED. EXCEPT AS OTHERWISE SPECIFICALLY STATED, THE CONTRACTOR SHALL PAY FOR ALL NECESSARY PERMITS, FEES, MATERIALS, LABOR, TOOLS, AND EQUIPMENT FOR THE ENTIRE COMPLETION OF THE WORK INTENDED TO BE DESCRIBED.

AT ALL TIMES, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR THE CONDITIONS AT THE JOB SITE, INCLUDING SAFETY OF PEOPLE, SUBJECT PROPERTY, AND ADJACENT PROPERTIES. THE ARCHITECT SHALL NOT REVIEW THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES.

THE ARCHITECT SHALL NOT HAVE CONTROL OR CHARGE OF, AND SHALL NOT BE RESPONSIBLE FOR, CONSTRUCTION MEANS, TECHNIQUES, SEQUENCES OR PROCEDURES, FOR THE OMISSIONS OF THE CONTRACTOR OR SUBCONTRACTORS PERFORMING ANY OF THE WORK OR FOR THE FAILURE OF ANY OF THEM TO CARRY OUT THE WORK IN CONFORMANCE WITH THE PLANS AND SPECIFICATIONS.

ALL DRAWINGS, SPECIFICATIONS, AND INFORMATION FURNISHED HERewith ARE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT AND SHALL BE HELD CONFIDENTIAL AND SHALL NOT BE USED FOR ANY PURPOSE OR PURPOSES OTHER THAN THOSE FOR WHICH THEY HAVE BEEN SUPPLIED AND PREPARED. THE ARCHITECT'S DRAWINGS, SPECIFICATIONS OR OTHER DOCUMENTS SHALL NOT BE USED BY THE OWNER OR OTHERS ON OTHER PROJECTS. FOR ADDITIONS TO THIS PROJECT OR FOR COMPLETION OF THIS PROJECT BY OTHERS, EXCEPT BY AGREEMENT IN WRITING, AND WITH APPROPRIATE COMPENSATION TO THE ARCHITECT.

ANY DRAWINGS ISSUED WITHOUT THE APPROVAL STAMP, SIGNED AND DATED BY THE BUILDING DEPARTMENT SHALL BE CONSIDERED IN THE PRELIMINARY STAGE AND SHALL NOT BE USED FOR CONSTRUCTION.

DO NOT SCALE DRAWINGS.

DRAWING INDEX

- A-0 SITE PLAN / NOTES
- A-2 FLOOR PLAN, DETAILS & NOTES

PROJECT DATA

BUILDING PERMIT APPLICATION #: _____
 BLOCK/LOT: 0701 / 002
 ZONING: NC-3
 OCCUPANCY: A-2
 NUMBER OF UNITS: 1
 NUMBER OF STORIES: 1
 TYPE OF CONSTRUCTION: 1

VICINITY MAP



SYMBOLS

	COLUMN GRID LINE		EL. = XX.XX' ELEVATION
	SECTION / DETAIL IDENTIFICATION SHEET NUMBER		EXISTING STUD WALL
	INTERIOR ELEVATION ID		NEW STUD WALL
	INTERIOR ELEVATION #		NEW DOOR
	SHEET NUMBER		EXISTING WALL/DOOR TO BE REMOVED
	ENLARGED PLAN SECTION OR DETAIL REFERENCE		EXISTING WALL/DOOR TO REMAIN
	DOOR NUMBER		WALL DETAIL NUMBER
	WINDOW NUMBER		



GABRIEL NG + ARCHITECTS INC.
 1360 9TH AVENUE, SUITE 210
 SAN FRANCISCO CA 94122
 415-682-8060 Fax 510-281-1359
 www.gabrielngarchitects.com

(E) RESTAURANT PLANNING REVISIONS
 1865 POST STREET
 BLOCK 0701 / LOT 002
 SAN FRANCISCO, CA 94115

SITE PLAN / NOTES

Date	By
10/26/11	JS
5/21/12	JS
6/19/12	JS
10/25/12	JS
3/26/13	JS
Stage & Soundproofing	

Job 110917

Sheet

A-0

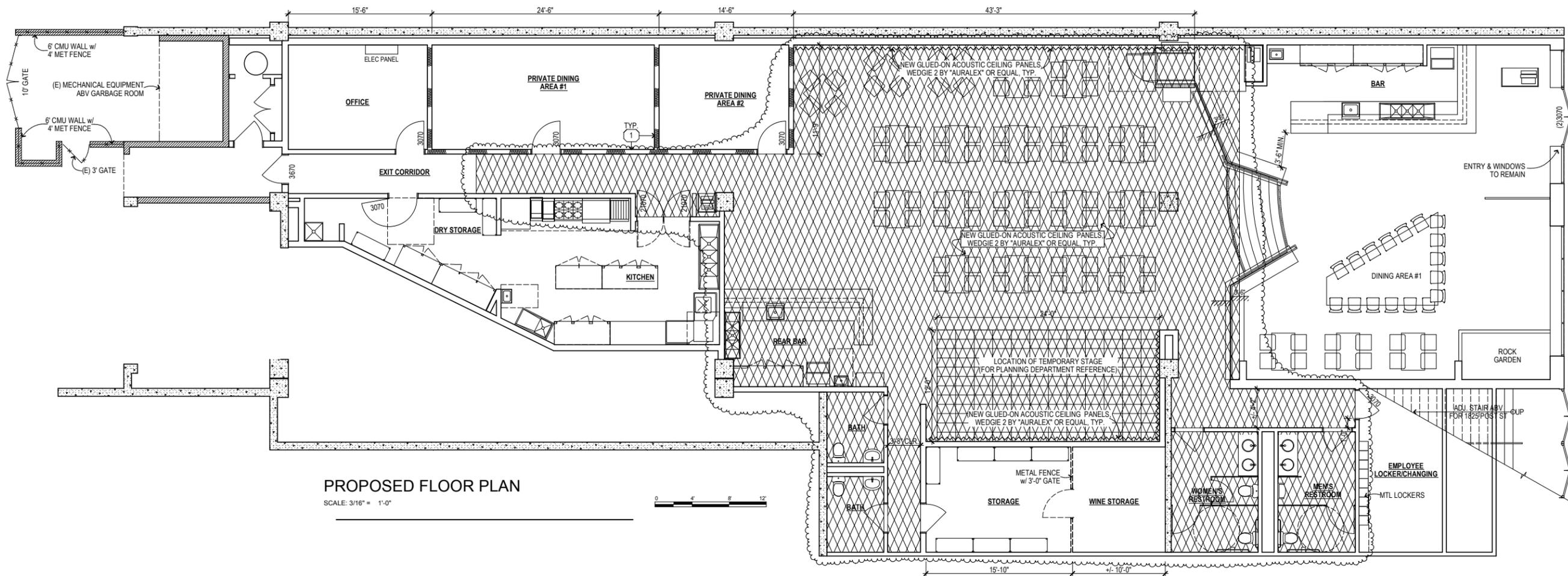
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FLOOR PLAN, DETAILS & NOTES



PROPOSED FLOOR PLAN

SCALE: 3/16" = 1'-0"



RIVERBANK ACOUSTICAL LABORATORIES

1512 BATAVIA AVENUE GENEVA ILLINOIS 60134
 OF IIT RESEARCH INSTITUTE
 708/232-0104
 FOUNDED 1918 BY WALLACE CLEMENT SARBINE

REPORT

FOR: USAFoam
 ON: WEDGIES Sound Absorbent Wedges
 Auralex™
 2" Wedgies
 Sound Absorption Test
 RAL™-A95-57

Page 1 of 4

CONDUCTED: 24 February 1995

TEST METHOD

The test method conformed explicitly with the requirements of the ASTM Standard Test Method for Sound Absorption and Sound Absorption Coefficients by the Reverberation Room Method: ASTM C423-90a and E795-93. Riverbank Acoustical Laboratories has been accredited by the U.S. Department of Commerce, National Institute of Standards and Technology (NIST) under the National Voluntary Laboratory Accreditation Program (NVLAP) for this test procedure. A description of the measuring technique is available separately. The microphone used was a Bruel & Kjaer serial number 792729.

DESCRIPTION OF THE SPECIMEN

The test specimen was designated by the manufacturer as WEDGIES sound absorbent wedges. The overall dimensions of the specimen as measured were 2.44 m (96 in.) wide by 1.82 m (72 in.) long and 51 mm (2.0 in.) thick. The specimen consisted of forty-eight pieces. Each piece as measured was 305 mm (12 in.) wide by 305 mm (12 in.) long by 51 mm (2 in.) thick. The specimen was tested in the laboratory's 292 m³ (10,311 ft³) test chamber. The manufacturer's description of the specimen was as follows: WEDGIES was formulated of flame-retardant high density (1.5-1.7 pcf) open cell polyurethane foam rubber that was cut in an anechoic wedge design. The thickness was 51 mm (2 in.) at the peaks and 13 mm (0.5 in.) at the base. A visual inspection verified the manufacturer's description of the specimen. The weight of the specimen as measured was 3.7 kg (8.25 lbs) an average of 0.83 kg/m³ (0.17 lbs/ft³). The area used in the calculations was 4.5 m² (48 ft²). The room temperature at the time of the test was 21°C (70°F) and 60% relative-humidity.

MOUNTING A

The test specimen was laid directly against the test surface.

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REPORT

USAFoam
 Auralex™
 2" Wedgies
 RAL™-A95-57

Page 2 of 4

TEST RESULTS

1/3 Octave Center Frequency (Hz)	Absorption Coefficient	Total Absorption In Sabins	% Of Uncertainty With 95% Confidence Limit With Specimen
100	0.15	7.06	3.17
** 125	0.15	6.98	2.27
160	0.10	5.04	2.36
200	0.19	8.93	1.56
** 250	0.21	10.18	1.32
315	0.36	17.15	1.18
400	0.45	21.75	1.28
** 500	0.70	33.54	1.04
630	0.90	43.16	0.84
800	0.99	47.42	0.79
** 1000	0.99	47.31	0.70
1250	1.05	50.50	0.74
1600	1.05	50.26	0.58
** 2000	1.05	50.45	0.50
2500	1.01	48.38	0.55
3150	1.03	49.57	0.42
** 4000	1.05	50.30	0.48
5000	1.08	51.98	0.49

NRC = 0.75

Studiofoam® Wedgies™

Product Information



NRC: .75; Qty: 24 or 96; Coverage: 24 or 96 sq. ft.; Sugg. Adhesive: 1 Foamtak or Tubetak/24 sq. ft. or 1 Foamtak or 3 Tubetak/96 sq. ft.

Studiofoam Wedgies are 1" squares of 2" thick Studiofoam and are a great solution for spot treating sound studios, home listening rooms, iso booths and more. With slightly more wedges per square foot than 2" acoustic Studiofoam, Wedgies feature maximized surface area for greater exposure to sound waves. Studiofoam Wedgies are a great solution for small flutter echo problem areas and, when spread apart, yield beneficial sound diffusion off their exposed edges.

A famous designer used Wedgies and called to tell us they were even more effective than he'd hoped they'd be, so you know you can trust them to tame your space!

Wedgies are available in Charcoal Gray only!

PLAN NOTES:

- 3-1/2" SOUND ATTENUATION BLANKET TYPICAL AT OFFICE & PRIVATE DINING ROOMS.

Date	By
10/26/11	JS
5/21/12	JS
CHANGE OF USE	
6/19/12	JS
PER NOPDR#1	
10/25/12	JS
Planning Commission	
3/26/13	JS
Stage & Soundproofing	

Job 110917

Sheet

A-2

Of Sheets

THE RESULTS REPORTED ABOVE APPLY ONLY TO THE SPECIFIC SAMPLE SUBMITTED FOR MEASUREMENT. NO RESPONSIBILITY IS ASSUMED FOR PERFORMANCE OF ANY OTHER SPECIMEN.
 ACCREDITED BY DEPARTMENT OF COMMERCE, NATIONAL VOLUNTARY LABORATORY ACCREDITATION PROGRAM FOR SELECTED TEST METHODS FOR ACOUSTICS.
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