



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Project Summary and Draft Motion No.

SMALL BUSINESS PRIORITY PROCESSING PILOT PROGRAM

HEARING DATE: NOVEMBER 13, 2014

(CONTINUED FROM HEARING DATE OCTOBER 23, 2014)

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Date Prepared: November 6, 2014
Case No.: **2014.0977C**
Project Address: **2312 MARKET STREET**
Zoning: Upper Market Neighborhood Commercial Transit (NCT)
50-X Height and Bulk District
Block/Lot: 3562/001
Project Sponsor: Kam Li
351 Chadbourne Avenue
Millbrae, CA 94030
Staff Contact: Marcelle Boudreaux – (415) 575-9140
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PROJECT DESCRIPTION

The business is an existing Restaurant use (d.b.a. Tacos Club) that seeks to modify existing conditions of Motion No. 14434 (case no. 1997.366C) – specifically to remove conditions #2 and #4, to serve any cuisine type and to operate during the same business hours as the rest of the zoning district, respectively. The project has qualified for review under the Planning Commission's Small Business Priority Processing Pilot Program ("SB4P"). An eating establishment use has been conditionally authorized at this location since 1997. In 1999, case no. 1999.362 requested to remove condition #2 which would allow sales of any cuisine type and was disapproved by the Commission. The subject business is located in one storefront out of of approximately four storefront spaces, within a three-story over ground-floor commercial building, situated at the southwest intersection of Market Street and 16th Street, within the Upper Market NCT. Commercial uses in the surrounding blocks include professional services, personal services, full and limited restaurants, a bar, and retail sales and services. Zoning district permitted operating hours are between 6 a.m. and 2 a.m. daily.

REQUIRED COMMISSION ACTION

Action is being sought to modify existing conditions of Motion No. 14434, case no. 1997.366C approved July 24, 1997, which established the original eating establishment use. Condition No. 2 of this motion, with restrictions on operating hours, and Condition No. 4, with restrictions on cuisine type, shall be removed upon commission authorization.

DECISION

Based upon information set forth in application materials submitted by the project sponsor and available in the case file (which is incorporated herein by reference as though fully set forth) and based upon the SB4P Checklist and findings below, the Commission hereby **APPROVES Conditional Use Application No. 2014.0977C** and in general conformance with plans on file, and stamped "EXHIBIT B."

SB4P CHECKLIST

	Required Criteria			Comments (if any)
	Complete & adequate	Incomplete and / or inadequate	Not required and / or not applicable	
Project Sponsor's application	X			
SB4P eligibility checklist	X			
Planning Code §101.1 findings	X			
Planning Code §303(c) findings	X			
Planning Code §303(p) findings for Eating and Drinking Uses	X			Eating and drinking establishment concentration is 25%, as measured by commercial frontage in linear feet (300 foot radius from the subject property). This site has been an active eating establishment use for approximately 17 years; the project sponsor seeks to maintain the existing Restaurant use. No change in concentration.
Photographs of the site and/or context	X			
Scaled and/or dimensioned plans	X			

Additional Information	
Notification Period	Mailed notice 10/02/14 (21 days); Posted notice 10/03/14 (20 days); Hearing date continued at the 10/16/14 public hearing
Number and nature of public comments received	No objection from Duboce Triangle Neighborhood Association
Number of days between filing and hearing	115 days (Commission hearing scheduling delayed due to sponsor's request)

Generalized Basis for Approval (max. one paragraph)
Pursuant to Section 303, the project must obtain conditional use authorization to modify a previously approved conditional use, in order to proceed. The sponsor requests removal of conditions No. 2 and No. 4 from Motion No. 14434, with restrictions on operating hours and cuisine type. No other changes are requested. The proposed project meets eligibility requirements of SB4P, meets all applicable requirements of the Planning Code and is consistent with the General Plan. The proposal is compatible with the neighborhood and necessary and desirable.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on November 13, 2014.

AYES:
NAYES:
ABSENT:
ADOPTED:

Jonas P. Ionin
Planning Commission Secretary

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.