



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Project Summary and Draft Motion

COMMUNITY BUSINESS PRIORITY PROCESSING PROGRAM

HEARING DATE: SEPTEMBER 28, 2017

Date Prepared: September 21, 2017
Case No.: **2016-014416CUA**
Project Address: **1745 TARAVAL STREET**
Zoning: NCD (Neighborhood Commercial District, Taraval Street)
50-X Height and Bulk District
Block/Lot: 2398/041
Project Sponsor: Ken Chan
PO Box 2627
Daly City, CA 94017
Staff Contact: Chris Townes – (415) 575-9195
chris.townes@sfgov.org

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415.558.6377

PROJECT DESCRIPTION

The project seeks a Conditional Use Authorization, pursuant to Planning Code Section 781.1 and 303, to establish a Limited Restaurant use [d.b.a. "Foam USA (boba)"] at an existing 440 square foot tenant space at the ground floor of an existing 1- to 2-story mixed-use corner building, previously occupied by Retail Sales and Services use (d.b.a. "Theme 18"). The project has qualified for review under the Planning Commission's Community Business Priority Processing Program ("CB3P").

REQUIRED COMMISSION ACTION

In the Taraval Street NCD (Neighborhood Commercial District) Zoning District and the Taraval Street Restaurant Subdistrict, pursuant to Planning Code Section 781.1, a change of use to a Limited Restaurant use requires a Conditional Use 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 CB3P Checklist and findings below, the Commission hereby **APPROVES Conditional Use Application**

No. 2016-014416CUA subject to conditions contained in the attached "EXHIBIT A" and in general conformance with plans on file, dated September 20, 2016, and stamped "EXHIBIT B."

CB3P CHECKLIST

	Required Criteria			Comments (if any)
	Complete & adequate	Incomplete and / or inadequate	Not required and / or not applicable	
Project Sponsor's application	X			
CB3P eligibility checklist	X			
Planning Code §101.1 findings	X			See application for findings.
Planning Code §303(c) findings	X			See application for findings.
Planning Code §303(o) findings for Eating and Drinking Uses	X			Commercial frontage: Eating and Drinking uses represent approximately 18% of the existing concentration of commercial tenant spaces which is lower than the recommended 25% threshold.
Any additional Planning Code findings e.g. §303(k) findings for movie theater removals or §303(m) findings for grocery store removals	X			
Photographs of the site and/or context	X			
Scaled and/or dimensioned plans	X			
Clearance under California Environmental Quality Act ("CEQA")	X			

Additional Information	
Notification Period	9/8/2017- 9/28/2017 (20 days mailing; 20 days newspaper; 20 days posted)
Number and nature of public comments received	The Department has not received any correspondence in opposition to the project.
Number of days between filing and hearing	84 days

Generalized Basis for Approval (max. one paragraph)
The project is necessary, desirable for, and compatible with the surrounding neighborhood as follows, and as set forth in the Section 101.1 and 303(c) findings submitted as part of the application. The proposed Limited Restaurant use [d.b.a. "Foam USA" (boba)] would continue to activate a 440 square foot ground-floor tenant space with 13'-5" of linear street frontage, that was previously occupied by a retail establishment (d.b.a. "Theme 18"). A recent field study estimated that approximately 18% of commercial frontage zoned Taraval Street NCD and within 300 linear feet of the subject property is devoted to eating and drinking uses. The proposal would bring this percentage to approximately 21%, which is still lower than the threshold of 25% stated in Section 303(o). The addition of the proposed Limited Restaurant use helps maintain an optimal balance of goods and services; therefore, Staff recommends approval with conditions.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on September 28, 2017.

AYES:

NAYS:

ABSENT:

ADOPTED: September 28, 2017

Jonas P. Ionin
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.

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.

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EXHIBIT A

AUTHORIZATION

This authorization is for a Conditional Use Authorization to allow a Limited Restaurant [d.b.a. "Foam USA" (boba)] located at 1745 Taraval Street, Block 2398, Lot 041 pursuant to Planning Code Section(s) 303 and 781.1 within the Taraval Street Neighborhood Commercial District and a 50-X Height and Bulk District; in general conformance with plans, dated September 20, 2016, and stamped "EXHIBIT B" included in the docket for Case No. 2016-014416CUA and subject to conditions of approval reviewed and approved by the Commission on September 28, 2017 under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on September 28, 2017 under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

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

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

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

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

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

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

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

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

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

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

DESIGN – COMPLIANCE AT PLAN STAGE

1. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
2. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
3. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
4. **Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff before submitting any building permits for construction of the Project. All subsequent sign permits shall conform to the approved signage program. Once approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to compliment, not compete with, the existing architectural character and architectural features of the building.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
5. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans. Odor control ducting shall not be applied to the primary façade of the building.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

1. **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
2. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

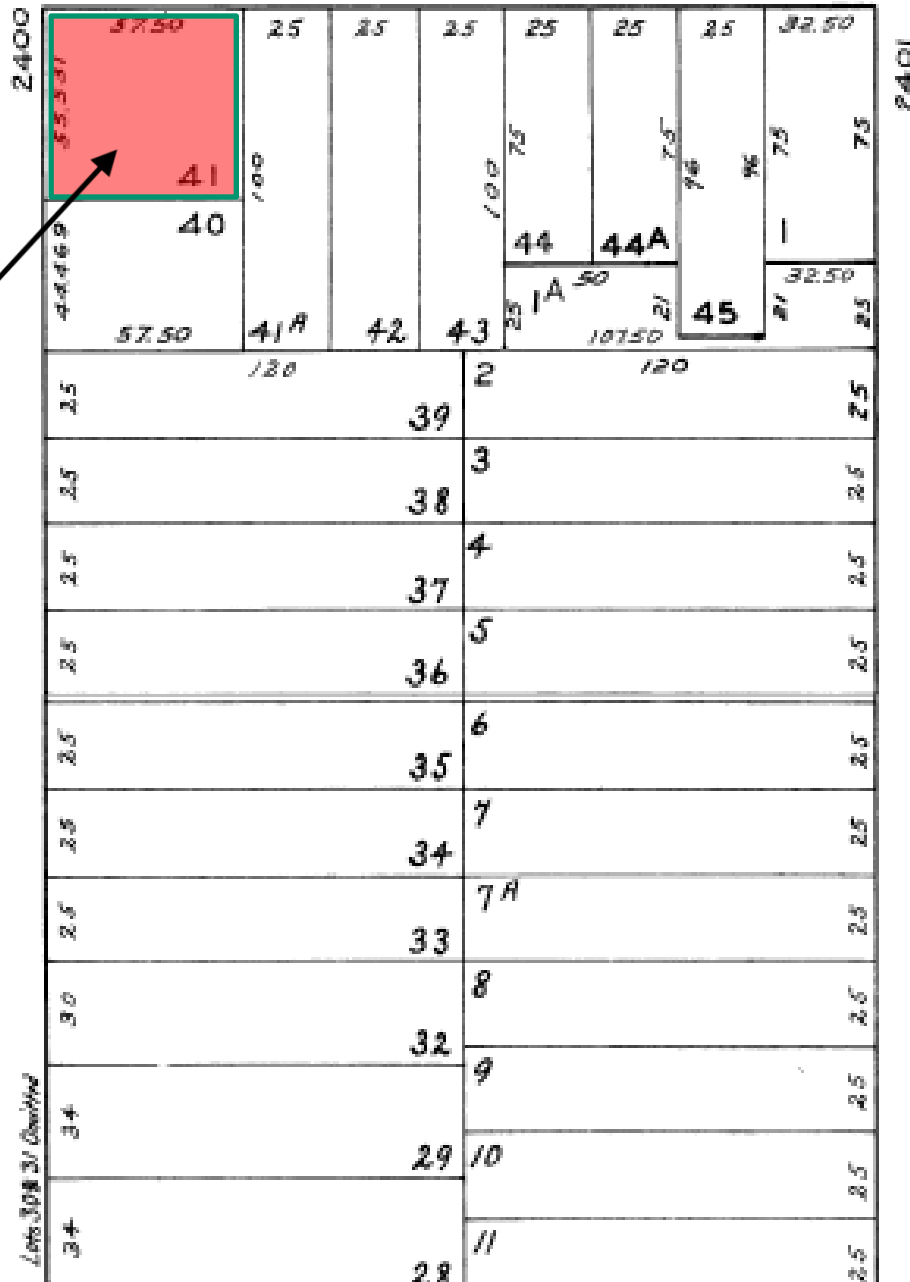
3. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>
4. **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 with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator 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

Parcel Map

TARAVAL

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S

1701



SUBJECT PROPERTY

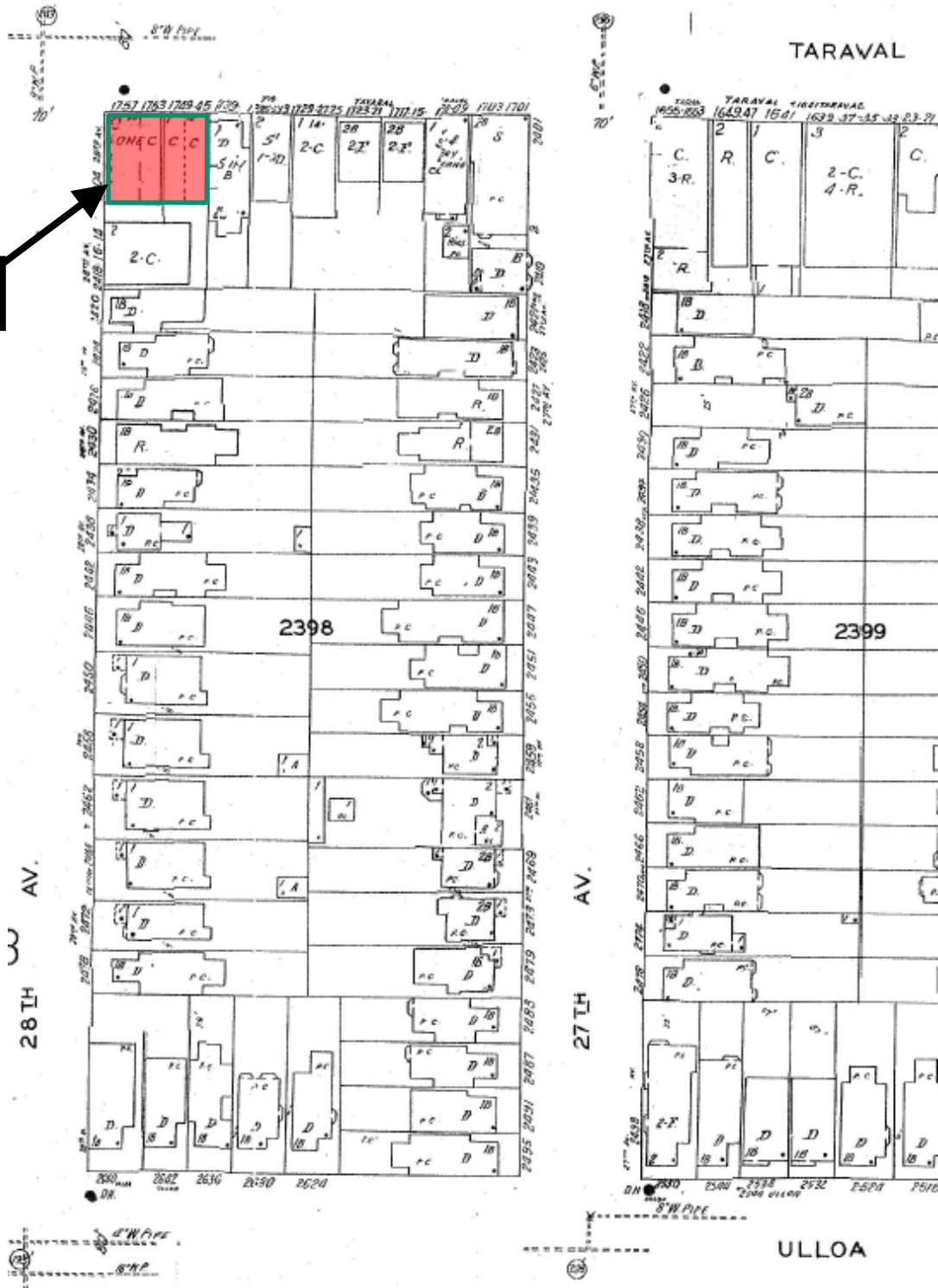
28 TH AVE.

27 TH AVE.



Conditional Use Authorization
Case Number 2016-014416CUA
1745 Taraval Street

Sanborn Map*

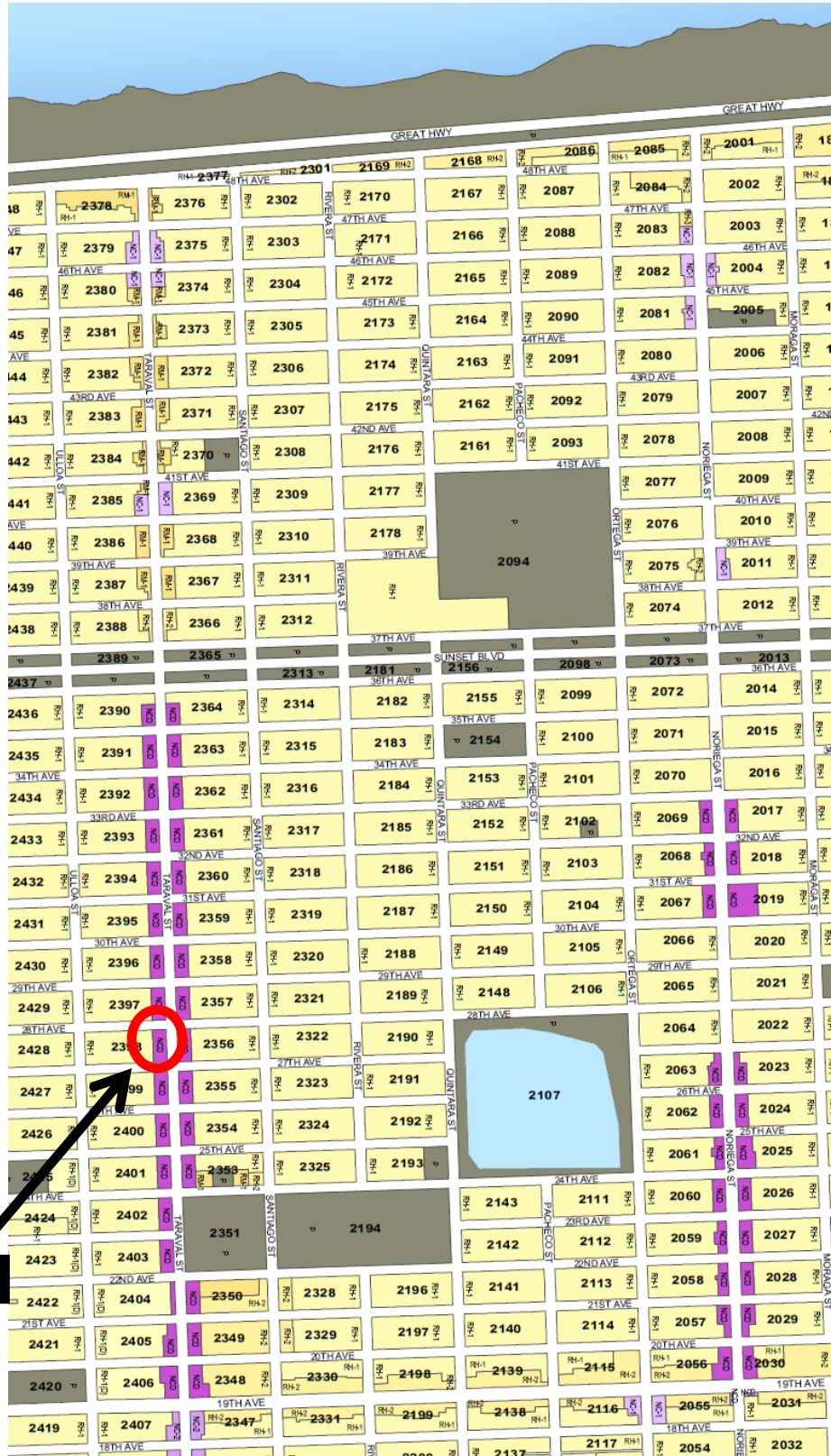


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization
Case Number 2016-014416CUA
1745 Taraval Street

Zoning Map

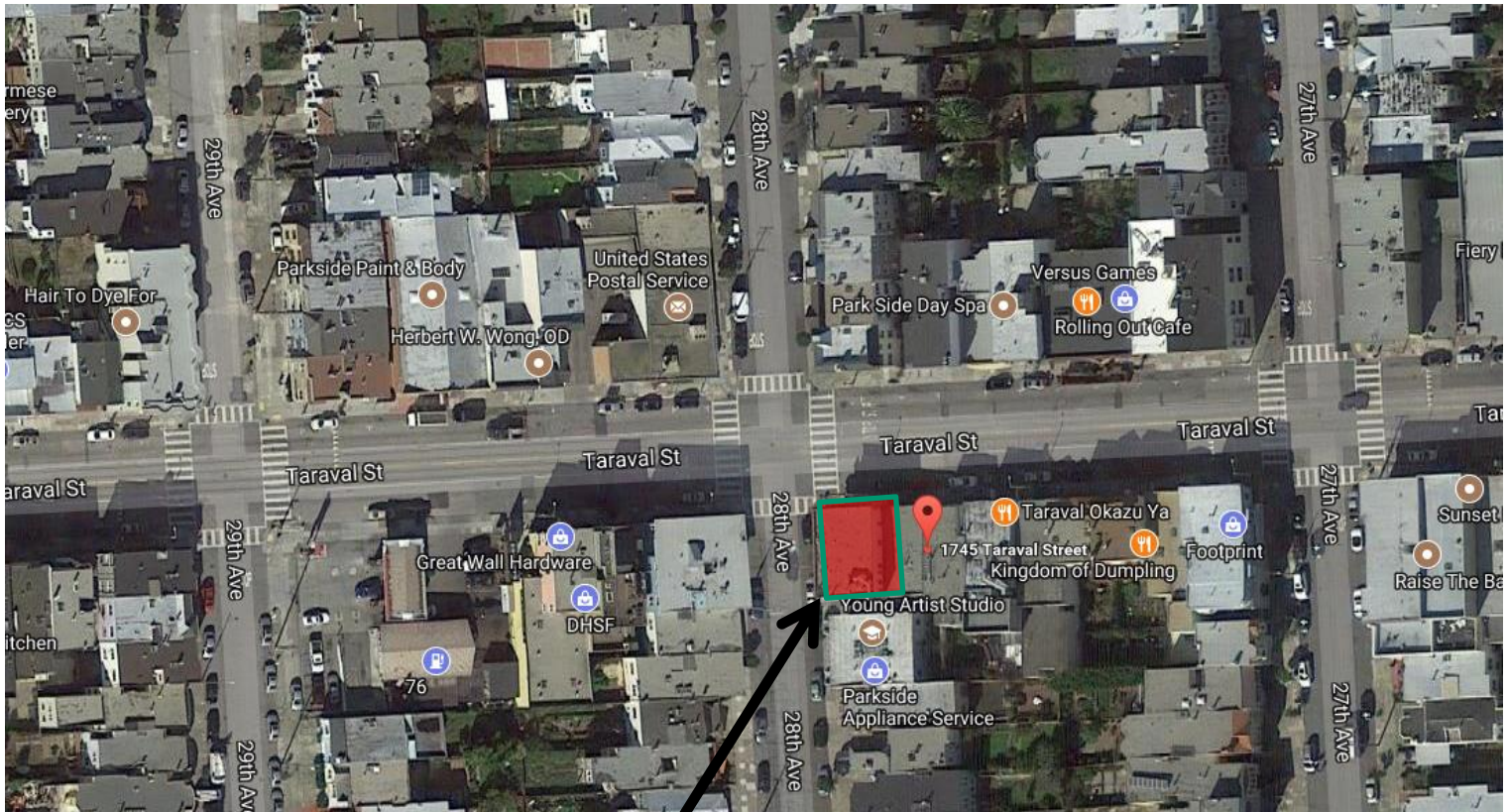


SUBJECT PROPERTY



Conditional Use Authorization
Case Number 2016-014416CUA
1745 Taraval Street

Aerial Photo



PROJECT SITE



Site Photo



SUBJECT TENANT SPACE

Taraval Street Frontage



28th Avenue Frontage

Conditional Use Authorization
Case Number 2016-014416CUA
1745 Taraval Street

Site Photo



View East along Taraval Street



View West along Taraval Street

Conditional Use Authorization
Case Number 2016-014416CUA
1745 Taraval Street



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
1745 Taraval Street		2398/041	
Case No.	Permit No.	Plans Dated	
2016-014416CUA	2016.0923.8670	9/20/16	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 50 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. A change of use of a ground floor commercial tenant space from Retail Sales and Services (dba "Theme 18") to Limited-Restaurant [dba "Foam USA" (boba)]. The 440 sf commercial tenant space is located within a 1- to 2-story multi-tenant mixed-use corner building.			

STEP 1: EXEMPTION CLASS

TO BE COMPLETED BY PROJECT PLANNER

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input checked="" type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.; change of use if principally permitted or with a CU.
<input type="checkbox"/>	Class 3 – New Construction. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.
<input type="checkbox"/>	Class__

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? 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?
<input type="checkbox"/>	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 hot spot? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Hot Spots)
<input type="checkbox"/>	Hazardous Materials: Any project site that 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 soil disturbance of any amount or a change of use from industrial to commercial/residential? If yes, should the applicant present documentation of a completed Maher Application that has been submitted to the San Francisco Department of Public Health (DPH), this box does not need to be checked, but such documentation must be appended to this form. In all other circumstances, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment and/or file a Maher Application with DPH. (refer to EP_ArcMap > Maher layer.)

<input type="checkbox"/>	Soil Disturbance/Modification: 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	Noise: Does the project include new noise-sensitive receptors (schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) fronting roadways located in the noise mitigation area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Noise Mitigation Area)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	Slope = or > 20%: Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, or grading on a lot with a slope average of 20% or more? <i>Exceptions: do not check box for work performed on a previously developed portion of site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1,000 sq. ft., shoring, underpinning, retaining wall work, grading –including excavation and fill on a landslide zone – as identified in the San Francisco General Plan? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and a Certificate or higher level CEQA document required
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve excavation of 50 cubic yards of soil or more, square footage expansion greater than 1000 sq ft, shoring, underpinning, retaining wall work, or grading on a lot in a liquefaction zone? <i>Exceptions: do not check box for work performed on a previously developed portion of the site, stairs, patio, deck, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required
<input type="checkbox"/>	Serpentine Rock: Does the project involve any excavation on a property containing serpentine rock? <i>Exceptions: do not check box for stairs, patio, deck, retaining walls, or fence work.</i> (refer to EP_ArcMap > CEQA Catex Determination Layers > Serpentine)
If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an <u>Environmental Evaluation Application</u> is required.	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional):	

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" type="checkbox"/>	Category B: Potential Historical Resource (over 50 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 50 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 checked="" type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	3. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	4. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	5. 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"/>	6. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	8. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	9. 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 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 checked="" type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION 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 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. Reclassification of property status to Category C. (Requires approval by Senior Preservation Planner/Preservation Coordinator) a. Per HRER dated: _____ (attach HRER) b. Other (specify):
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.
<input 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:	

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

<input type="checkbox"/>	Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review STOP! Must file an <i>Environmental Evaluation Application</i>.	
<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA.	
	Planner Name: Chris Townes	Signature or Stamp: <div style="display: flex; align-items: center;"> <div style="flex: 1;"> Christopher Townes <small>*If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</small> </div> <div style="flex: 1; text-align: right;"> <small>Digitally signed by Christopher Townes DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Christopher Townes, email=Chris.Townes@sfgov.org Date: 2017.09.19 13:02:52 -07'00'</small> </div> </div>
	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 first approval action.	

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.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
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 CATEX FORM	

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.	
Planner Name:	Signature or Stamp:

San Francisco Planning Commission
1650 Mission St. Suite 400
SF, CA, 94103-2414

Dear Planning Commissioners,

We are writing to urge you to approve the CUA application at 1745 Taraval St for opening our first family business Foam Boba Tea shop. We have first submitted the application in September of 2016. We have been working very closely with the City Planning Department to fulfill all CUA requirements before the hearing. We, the family, have been suffering from financial crisis due to the unexpected length of CUA process.

The Foam Boba Tea shop will be 100% family owned small business based in San Francisco. Like its name, it represents our Dream, our San Franciscan Dream. It's our passion to make the first cold brew ice tea in San Francisco. The business will be a "To-Go" type of business which selling fresh cold brew ice tea. We will use our special handcrafted blended tea leafs to brew in cold water for hours. We will add flavored, food coloring and fresh fruit to make it distinguished in the Tea industry. In my best of knowledge, there is no truly cold brew ice tea in San Francisco yet. We will be the first business to introduce the cold brew technique into San Francisco's tea industry.

There are several reasons we decided to open the business in Sunset Parkside neighborhood. Sunset Parkside is the first neighborhood where we settled from our immigration. We are familiar with this neighborhood, we know what businesses are running in this neighborhood and Taraval St has muni streetcar running all day long. Since it's "to-go" drink, passengers can easily grab a drink on/off the muni of their daily commute. In addition, we have decided to hire students from the neighborhood that would be well supporting and rewarding to ourselves.

Foam, which will be our brand name, contains our passion, dream and future. We will ensure our operation will only bring in and add values to the local business, jobs, safety and other community friendly benefits. Therefore, we are convinced that you will endorse our San Francisco Mayor's Ed Lee to support small business and approve our CUA application.

Sincerely,

Foam Tea Shop
08/31/2017

D.A. CHECKLIST (p. 1 of 2): The address of the project is: 1745 TARMAL ST. S.F.

- | <p>1. The proposed use of the project is _____ (FOAM, USA, (BOBA) _____) (e.g. Retail Office, Restaurant, etc.)</p> <p>2. Describe the area of remodel, including which floor: _____ GROUND FLOOR</p> <p>3. The construction cost of this project excluding disabled access upgrades to the path of travel is \$_____. The estimated amount of \$145,800 is based on the 2015 IBC Construction Cost Index. (Check one) <input type="checkbox"/> More Than <input checked="" type="checkbox"/> Less Than. The Accessibility threshold amount of \$145,800 is based on the 2015 IBC Construction Cost Index. <input type="checkbox"/> Threshold <input checked="" type="checkbox"/> Threshold and/or Annual</p> <p>4. Is this a City project and/or does it receive any form of public funding? Check one <input type="checkbox"/> Yes / <input checked="" type="checkbox"/> No. If Yes, then see Step 3 on the Instructions page of the Disabled Access Upgrade Compliance Checklist package for additional forms required.</p> <p>Conditions below must be fully documented by accompanying drawings</p> <p>5. Read A through D below carefully and check the most applicable boxes. Check one box only:</p> <p><input type="checkbox"/> A: All existing conditions serving the area of remodel fully comply with access requirements. No further upgrades are required:
Fill out page 2 of D.A. Checklist</p> <p><input type="checkbox"/> B: Project Adjusted cost of construction is greater than the current valuation threshold:
Fill out and attach page 2 of D.A. Checklist and any other required forms to plans</p> <p><input checked="" type="checkbox"/> C: Project adjusted cost of construction is less than or equal to the current valuation threshold:
List items that will be upgraded on Form C. All other items shall be checked on page 2 of the D.A. Checklist in the "Not required by code" column.</p> <p><input type="checkbox"/> D: Proposed project consists entirely of Barrier removal:
Fill out and attach Barrier removal form to Plans</p> <p><input type="checkbox"/> E: Proposed project is minor revision to previously approved permit drawings only.
If Yes, then see Step 3 on the Instructions page of the Disabled Access Upgrade Compliance Checklist package for additional forms required.
If No, then see Step 3 on the Instructions page of the Disabled Access Upgrade Compliance Checklist package for additional forms required.
Provide previously approved permit application here: _____ Description of revision: _____</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| <p>CBC chapter 2 section 402 Definitions:</p> <p>Technically Infeasible - an alteration of a building or a facility, that has little likelihood of being made possible by the use of existing or readily available building materials, components, techniques, or building members that is an essential part of the structural frame, or because other existing physical to site constraints prohibit modification or addition of elements, spaces or features that are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.</p> <p>Unreasonable Hardship - When the enforcing agency finds that compliance with the building standard would make the specific work of the project affected by the building standard infeasible, based on an overall evaluation of the following factors:</p> <ol style="list-style-type: none"> 1. The cost of providing access; 2. The cost of all construction contemplated; 3. The impact of proposed improvements on financial feasibility of the project; 4. The nature of the accessibility, which would be gained or lost; 5. The nature of the use of the facility under construction and its availability to persons with disabilities. <p>The details of any Technical Infeasibility or Unreasonable Hardship shall be recorded and entered into the files of the Department. All Unreasonable Hardships shall be ratified by the AEC.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>D.A. CHECKLIST (p. 2 of 2): The address of the project is: _____ 1745 TARAVAL, ST. S.F. _____</p> <p>Check all applicable boxes and specify where on the drawings the details are shown:</p> <table border="1"> <thead> <tr> <th>Location of detail (p. 3 of 2)</th> <th>Existing Fully Complying</th> <th>Will be Up-graded to Full Compliance</th> <th>Equivalent facilitation will provide full access</th> <th>Compliance is Technically Infeasible</th> <th>Approved in compliance with immediately preceding code</th> <th>Not required by Code (and/or none existing)</th> <th>Non-compliant request URH Must be ratified by AAC</th> </tr> </thead> <tbody> <tr> <td>One accessible entrance including approach walk, vertical clearance, door (plan), plan, door, gate and hardware for door/gate</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>An accessible route to the area of 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| Stairs | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Accessible public pay phone | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Accessible drinking fountains | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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- CHANGE OF GROUND FLOOR COMMERCIAL TENANT SPACE USE FROM RETAIL SALES AND SERVICES ("THEME 18") TO LIMITED RESTAURANT (FOAM USA "BOBA") WITHIN A TWO STORY REMODEL—USE BUILDING. TENANT IMPROVEMENT TO INSTALL BOBA RELATED EQUIPMENT AND REPLACE FLOOR TILES (INTERIOR WORK ONLY).

ELECT. & PLUMBING UNDER SEPARATE PERMIT.

AGENT:	DESIGNER
EN YANYI 15 TARAVAL ST. CA 94116 (5) 971-0802	KENNETH CHAN P.O. BOX 2627 DALY CITY CA 94017 (415) 699-9249

9-20-2016
SCALE:
As Noted



GENERAL NOTES

- 1. PROVIDE ALL REQUIRED MAINTENANCE CLEARANCES IN ACCORDANCE WITH AC UNIT MANUFACTURER'S RECOMMENDED INSTALLATION.
- 2. FIRE EXTINGUISHER MIN. 2A-10B-C TYPE. EXTINGUISHER MOUNTED AT A HEIGHT OF 36-48 INCHES ABOVE THE FINISH FLOOR.

SHEET NOTES:

- 1 PROVIDE CEILING EXHAUST FAN, HUMIDISTAT & ENERGY STAR (MIN. 5 AIR CHANGE/HR.) & DISCHARGE AIR TO OUTSIDE OF BLDG. WITH BACKDRAFT DAMPER. MIN. OF 3 FT. FROM THE PROPERTY LINE AND ANY OPENING. (EXHAUST FAN AND LIGHTS TO BE SEPARATELY SWITCHED FOR BATHROOMS.)
- 2 NO PLASTIC PLUMBING PIPE ALLOW.

LEGEND

	EXISTING WALL TO REMAIN	AFF	ABOVE FINISHED FLOOR
	WALL OR CEILING MOUNT EMERGENCY LIGHTING UNIT W/ 90 MINUTE BATTERY BACK-UP.	BLDG CLG DN	BUILDING CEILING DOWN
	(N) WALL MOUNT EXIT SIGN, SINGLE FACE	DWG	DRAWING
	WALL RECEPTABLE ±1/2" A.F.F.	(E) FLR GAL TYP	EXISTING FLOOR GALLONS TYPICAL
	SHEET NOTE REFERENCE		
	WALL SWITCH ±42" A.F.F.		
	1-4' FLUORESCENT LIGHT		

FOOD EQUIPMENT LIST

ITEM	DESCRIPTION
1	3-COMPARTMENT SINK
2	PRE-RINSE FAUCET
3	REFRIGERATOR
4	FULL AUTOMATIC VENTLESS COUNTERTOP DEEP FryER.
5	PREP TABLE
6	HAND SINK
7	CASHIER COUNTER
8	MOP SINK
9	(E) WATER HEATER
10	ICE MACHINE
11	ICE BINE

ROOM FINISH SCHEDULE

ROOM	FLOOR	BASE	WALL		CEILING		REMARKS
			MATERIAL	FINISH	MATERIAL	FINISH	
RESTROOM	CERAMIC TILE SLIP-RESISTANT	4" HT. CERAMIC TILE	FRP-4" A.F.F.	PAINTED FINISH	GYP. BD.	SMOOTH FINISH	SEMI-GLOSS PAINT LIGHT COLOR FINISH
RETAIL SPACE	TILE SLIP-RESISTANT	4" HT. TILE	GYP. BD.	PAINTED FINISH	GYP. BD.	SMOOTH FINISH	LIGHT COLOR FINISH
WORK STATION	TILE SLIP-RESISTANT	4" HT. TILE	FRP-8" A.F.F.	PAINTED SMOOTH FINISH	GYP. BD.	SMOOTH FINISH	LIGHT COLOR FINISH

NOTES:

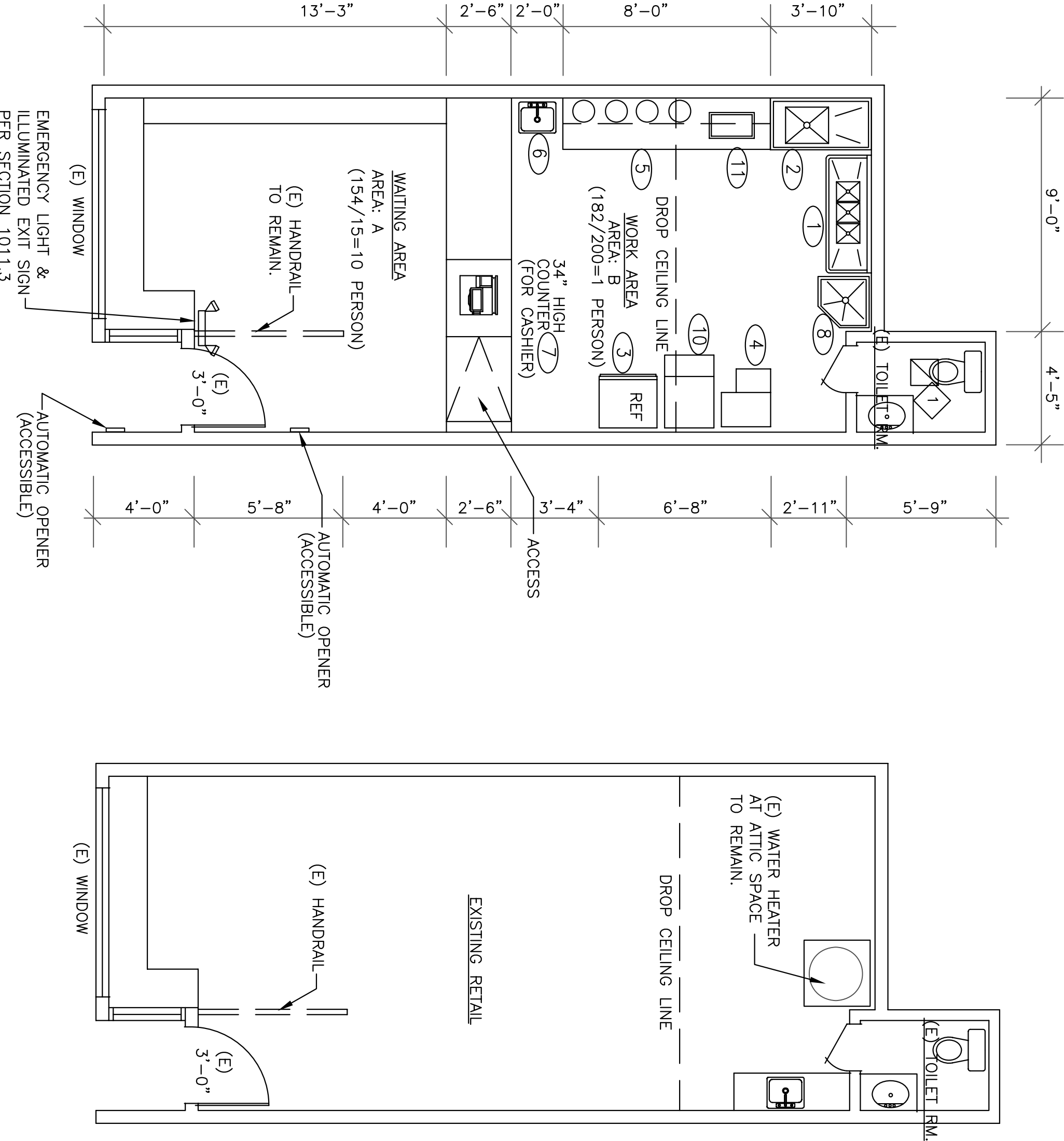
- 1. PROVIDE A SMOOTH, DURABLE, NONABSORBENT & CLEANABLE FLOOR SURFACE WITH A CONTINUE UP TO THE WALL OR TOE-KICKS (INCLUDING FLOOR MOUNTED COUNTER & CABINET TOE-KICK BASES) W/ MIN. 5" HIGH SEAMLESS MANNER AND FORMING A 3/8" RADIUS COVE AS AN INTEGRAL UNIT.

FIXTURE CONNECTIONS

CODE	ITEM	W	V	HW	CW	G	REMARKS
HS-1	HAND SINK	2"	1 1/2"	1/2"	1/2"	-	ZURN OR APPROVED EQUAL.
SK-1	PREP SINK	1 1/2" (I. D.)	1 1/2"	1/2"	1/2"	-	ZURN OR APPROVED EQUAL.
SK-2	3 COMP. SINK.	2"	1 1/2"	1/2"	1/2"	-	ZURN OR APPROVED EQUAL.
MS-1	MOP SINK	3"	2"	1/2"	1/2"	-	ZURN OR APPROVED EQUAL.
3	REFRIGERATOR	-	-	-	-	-	120/1/60, 1/3 hp.
4	FULL AUTOMATIC VENTLESS COUNTERTOP DEEP FryER.	-	-	-	-	-	240/3/60, 30 amps.
9	ELECTRIC WATER HEATER	-	3/4"	3/4"	-	-	120/1/60
10	ICE MACHINE	-	-	-	-	-	120/1/60, 15 amps

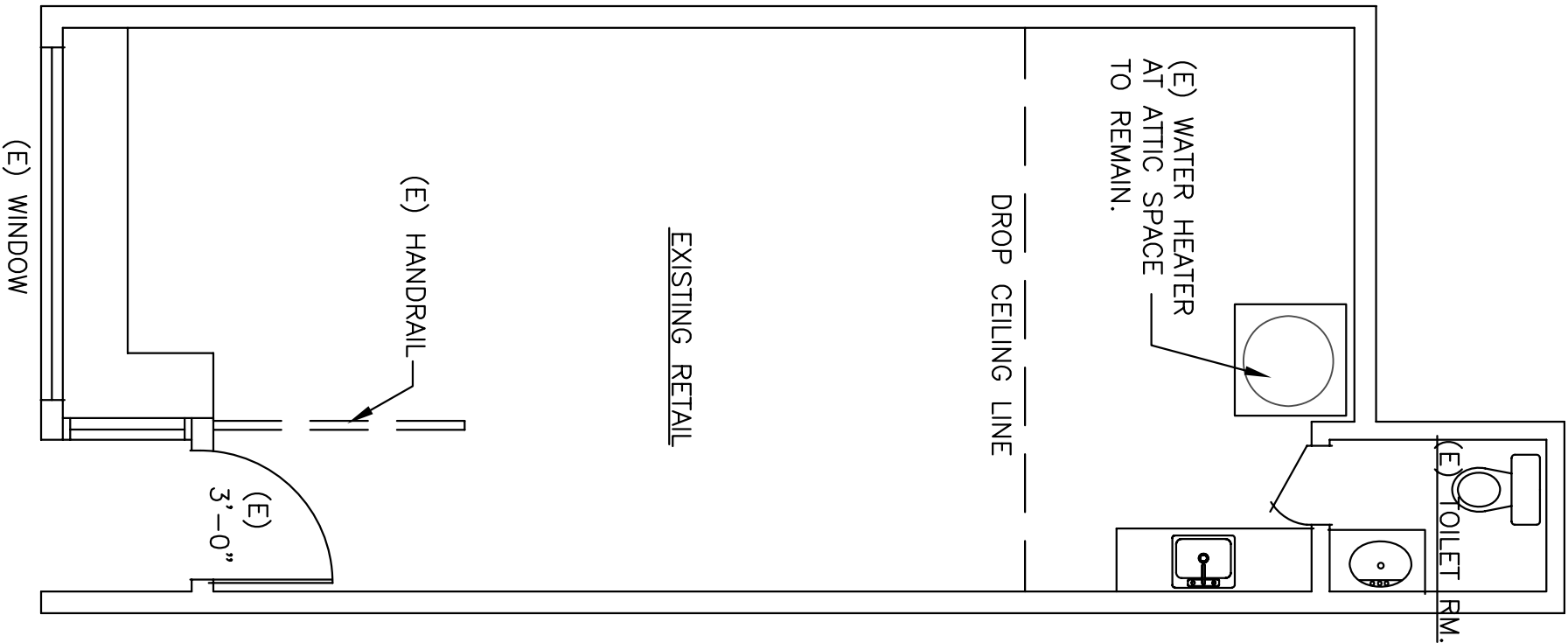
NOTES:

- 1. CONNECT TO EXISTING WASTE, VERIFY EXACT SIZE & LOCATION.



PROPOSED GROUND FLOOR PLAN

SCALE: 1/4"=1'-0"



EXISTING GROUND FLOOR PLAN

SCALE: 1/4"=1'-0"



EXISTING FRONT ELEVATION

NOT TO SCALE



EXISTING SIDE ELEVATION

NOT TO SCALE

REVISION:

DESIGNER
KENNETH CHAN
P.O. BOX 2627
DALY CITY CA 94017
(415) 699-9249

TANENT:
ZHEN YANYI
1745 TARAVAL ST.
S.F. CA 94116
(415) 971-0802

1745 TARAVAL STREET
SAN FRANCISCO, CA 94116
BLOCK:2398. LOT: 041

SHEET TITLE
CONVERT (E) RETAIL SPACE
TO FOAM USA (BOBA)
SITE PLAN, LOCATION MAP & NOTES

DATE:

9-20-2016

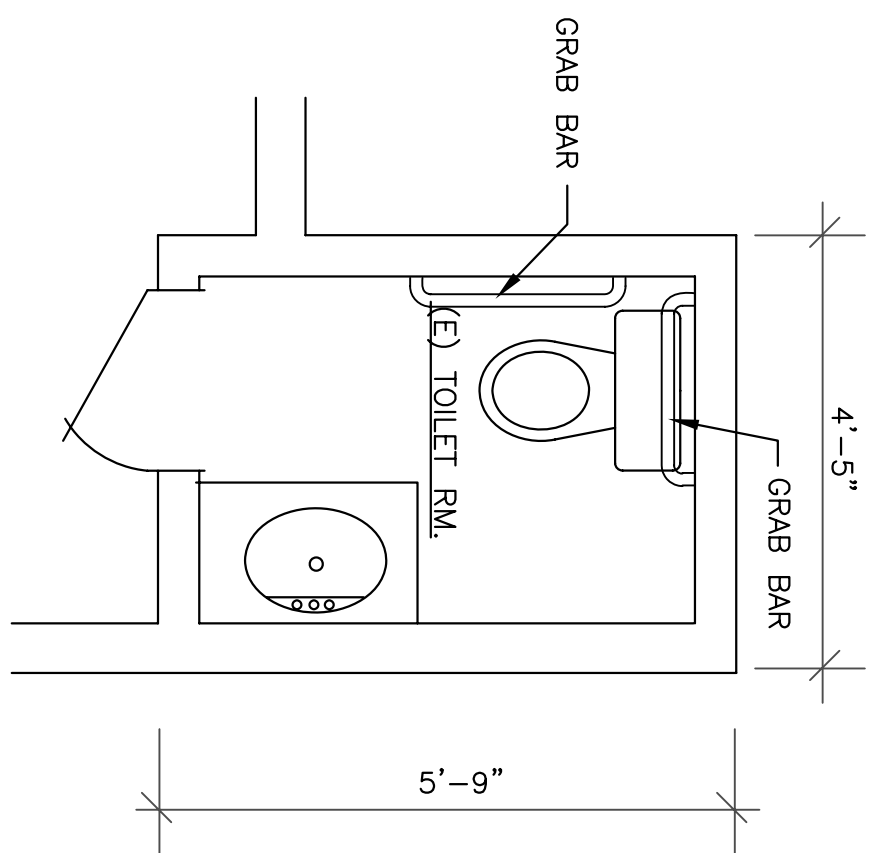
SCALE:

As Noted

DRAWN BY:

K.C.

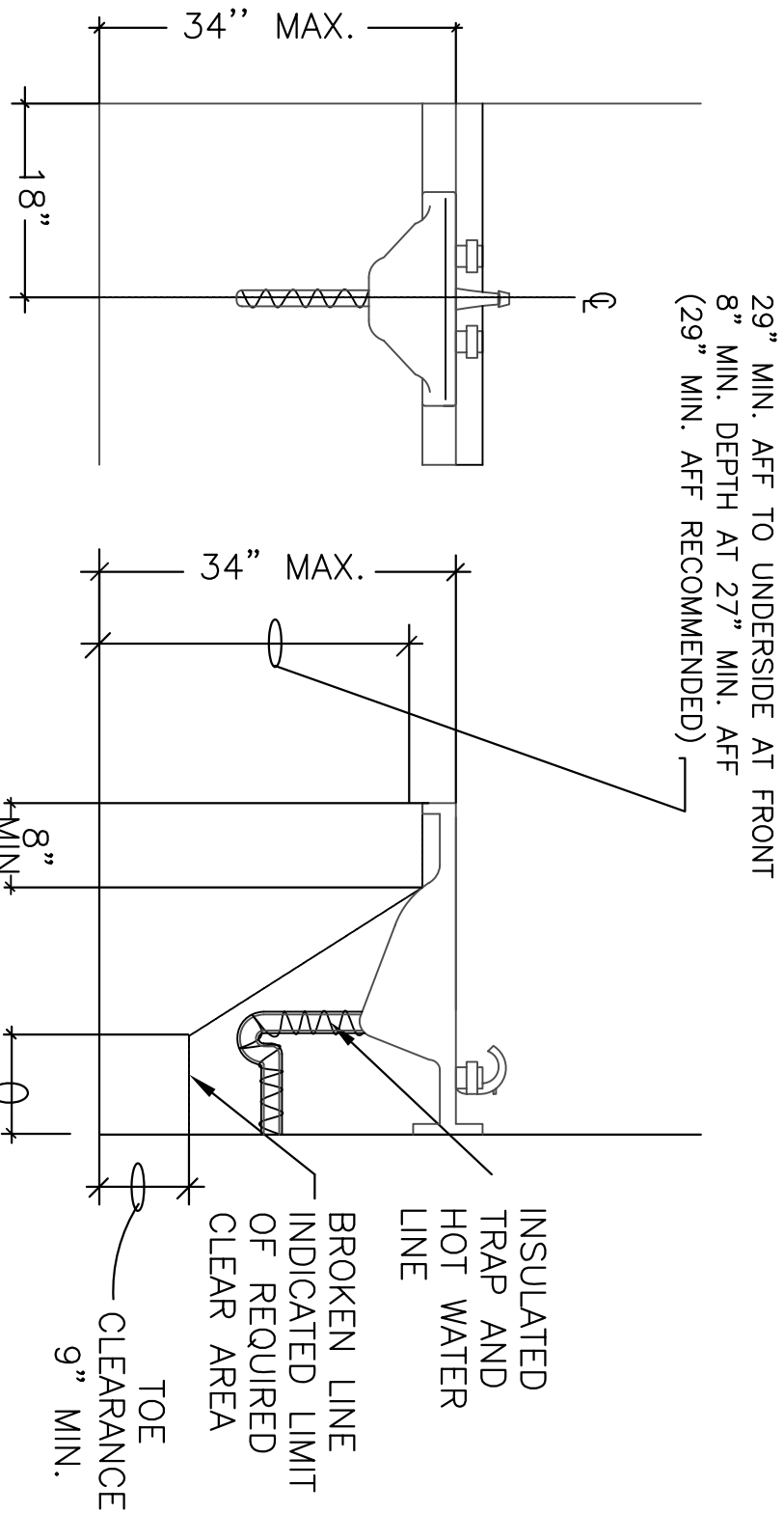
A-2



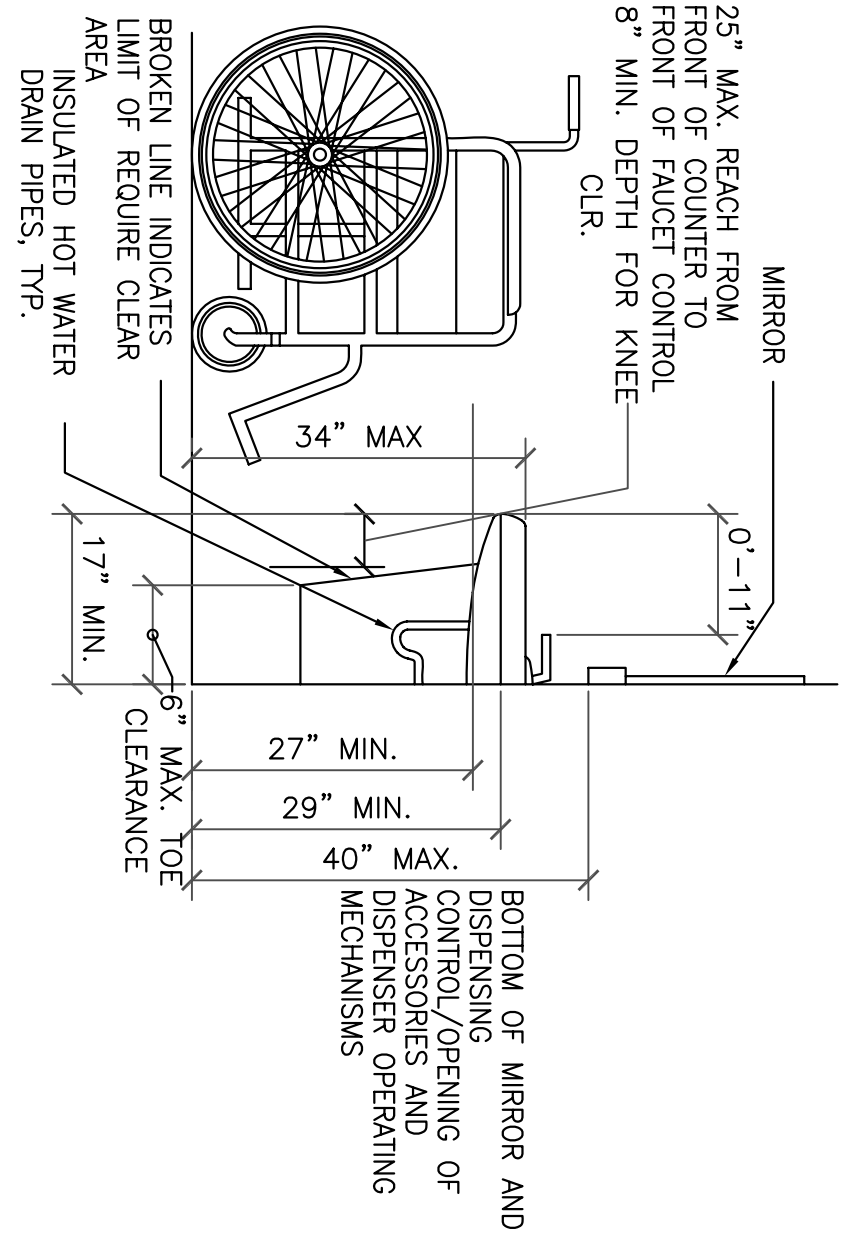
1
A-3

ENLARGED TOILET RM. PLAN

SCALE: 1/2"=1'-0"



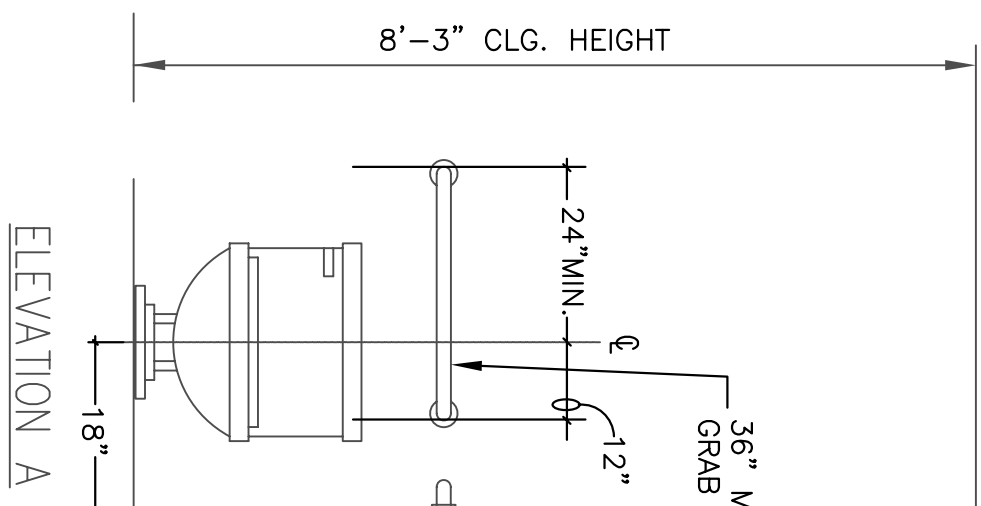
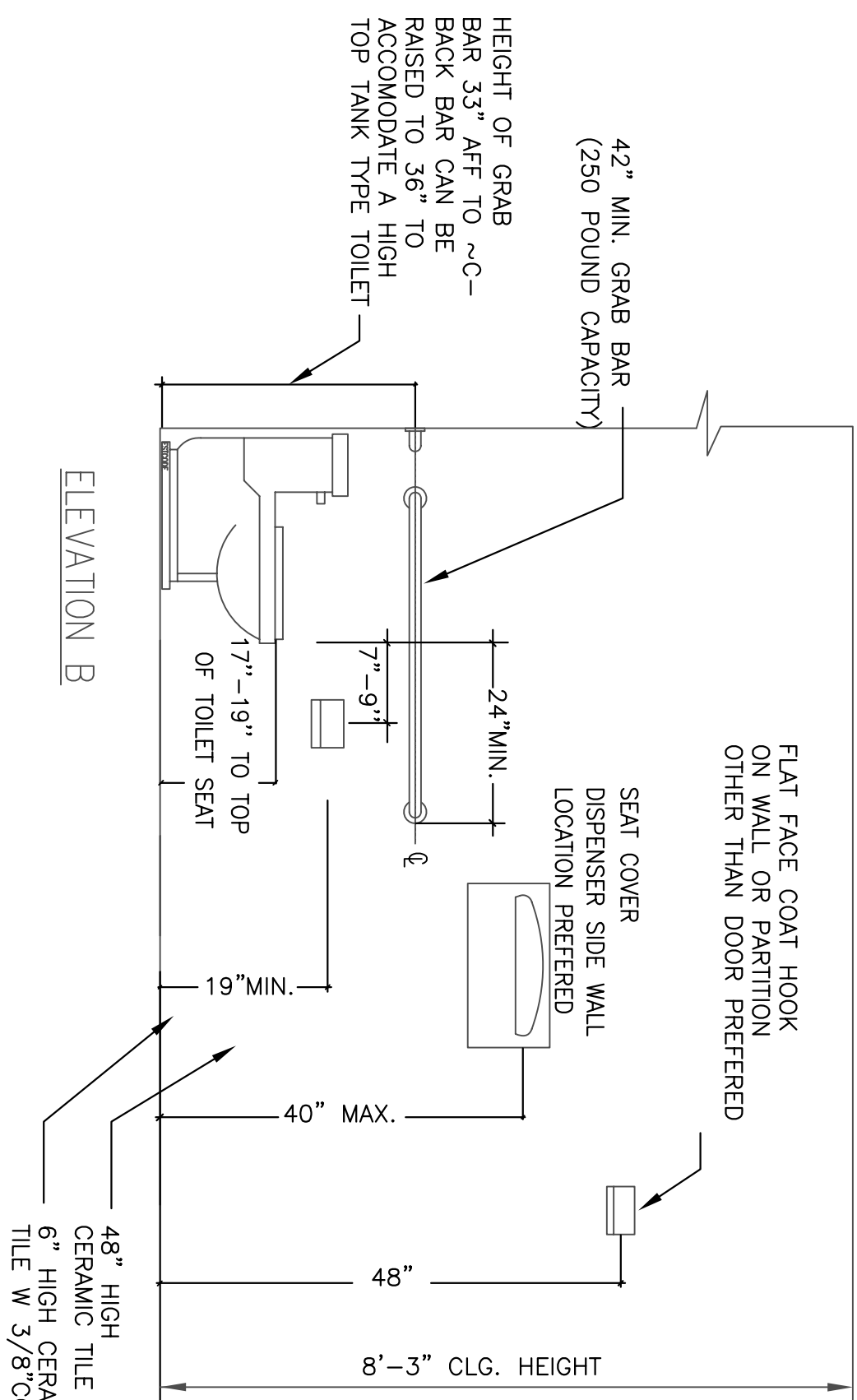
4	COUNTER LAVATORY
A-3	NOT TO SCALE



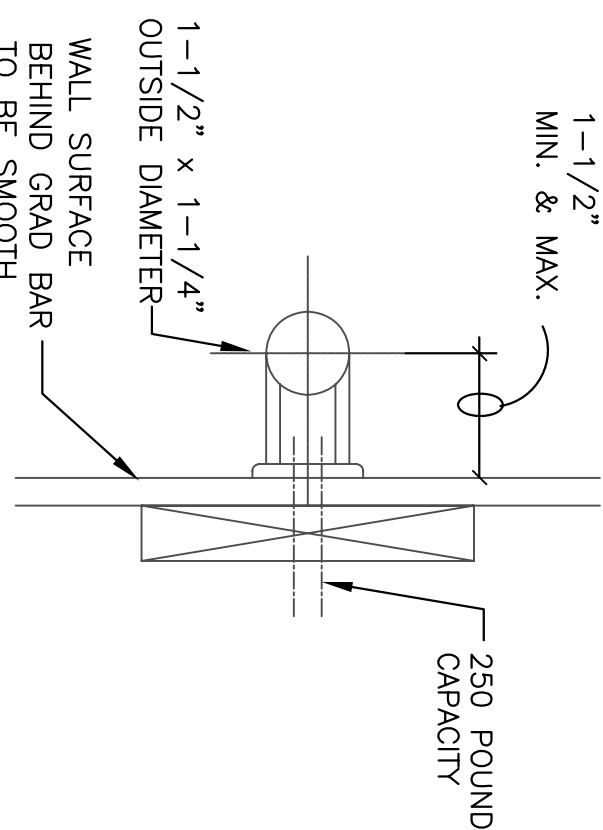
6
A-3

COUNTER LAVATORY

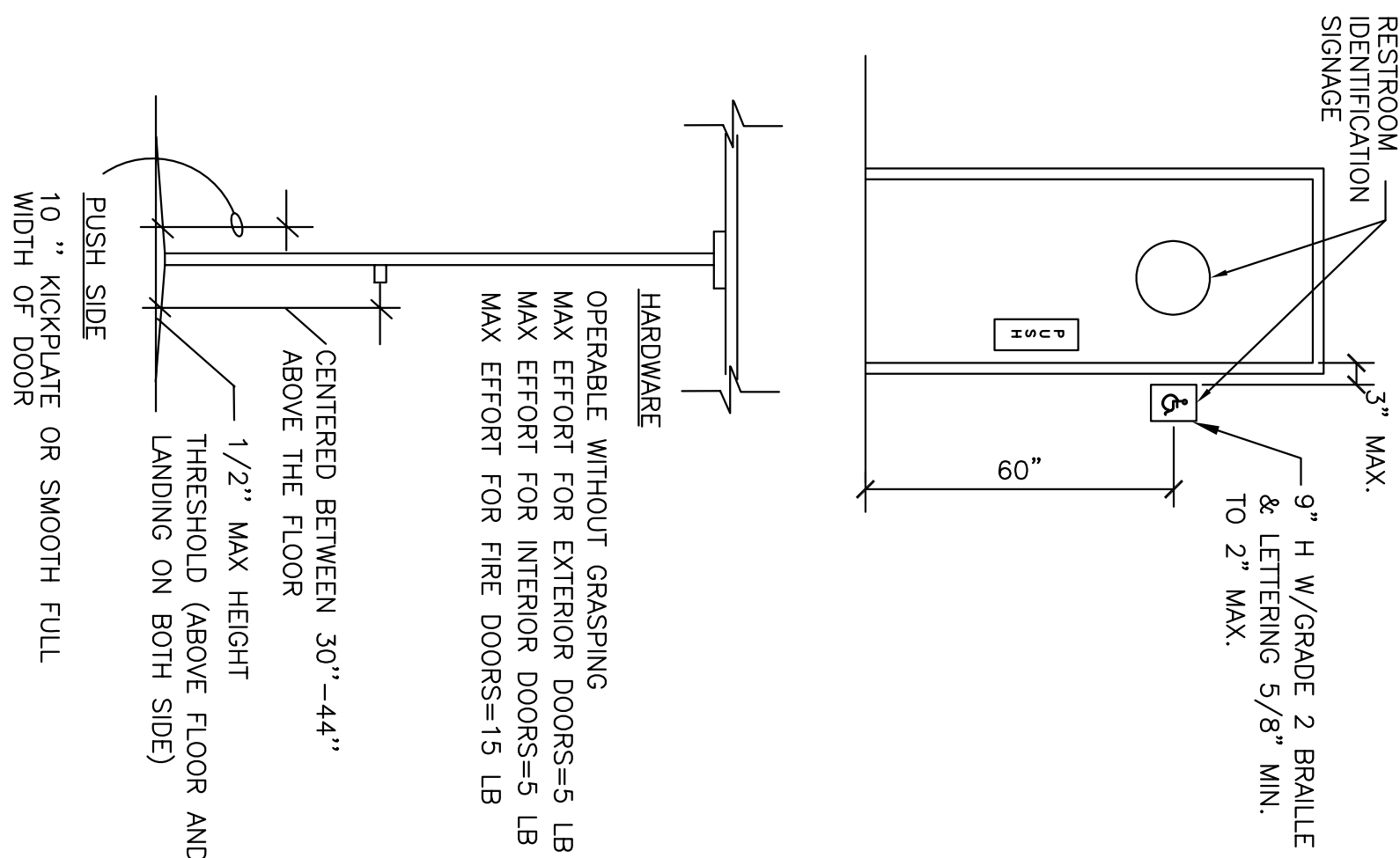
SCALE: N.T.S.

ELEVATION A

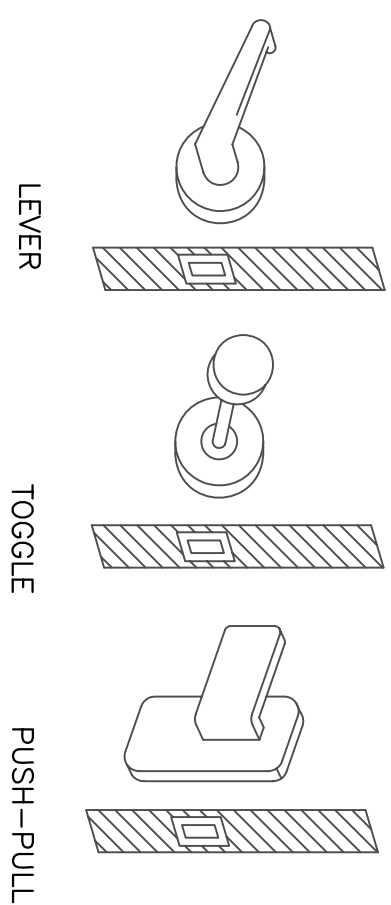
ELEVATION B



GRAB BAR

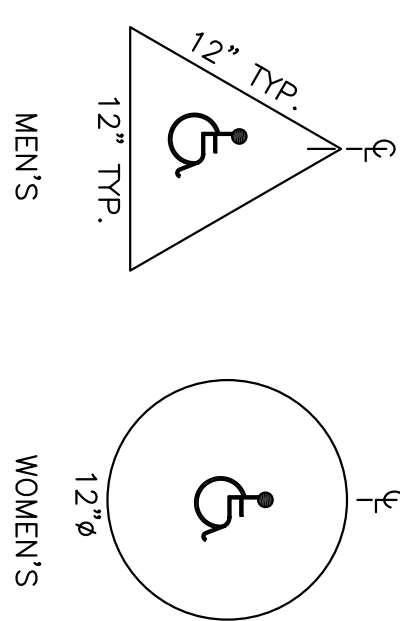


3 A-3	ACCESSIBLE DOOR DETAIL NOT TO SCALE
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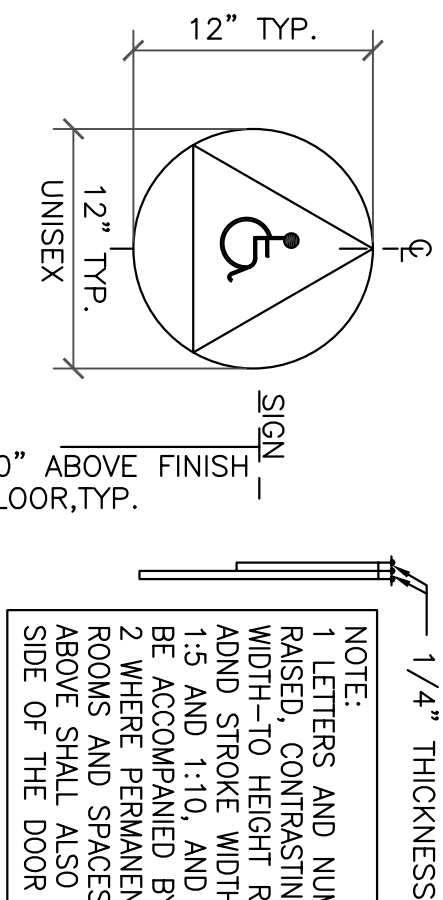


HC DOOR HARDWARE DESIGN

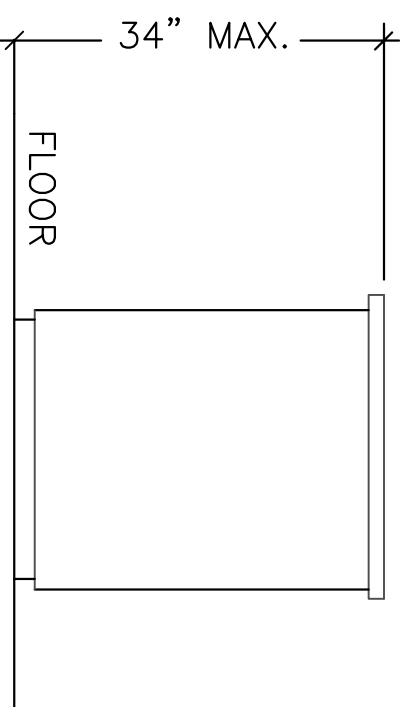
5	
A-3	NOT TO SCALE



7	HANDICAPPED SIGNAGE
A-3	SCALE: N.T.S.



7	HANDICAPPED SIGNAGE
A-3	SCALE: N.T.S.



CASHIER COUNNER

8	
A-3	

NOT TO SCALE

Form C: DISABLED ACCESS 20% RULE

This form is only required for projects equal to or under the valuation threshold when box "C" is checked off on the D.A. Checklist and is for providing an itemized list of the estimated costs for the expenditures used for disabled access upgrades for this project. Reproduce this form along with the D.A. Checklist and any required form(s) on the plans.

In general, projects valued over the threshold are not eligible for the 20% rule (see CBE 11B-202.4, Exceptions 1 through 8 for other exceptions).

disproportionately provisions described in Exception 8, even if the value of the project exceeds the valuation threshold in Exception 8. Refer to the Code for the types of buildings & facilities that qualifies for this 20% disproportionately provisions when project valuation is over the threshold.

	Contractor's Estimated Cost	DBI Revised Cost
A) Cost of Construction: (Excluding Materials to the Pain of Travel as required by 11B-202.4)	\$ 35,000	\$ 35,000
B) 20% of A) :	\$ 7,000	\$ 7,000

List the Upgrade Expenditures and their respective construction cost below:

1. INSTALL GRAB BARS, REPLACE	\$	1,800	\$	1,800
2. TOILET BOWL, LAVATORY, FLOORING	\$		\$	
3. & TOILET RM. DOOR.	\$		\$	
4. INSTALL GRAB BARS, REPLACE	\$	5,200	\$	5,200
5.	\$		\$	
6.	\$		\$	
7.	\$		\$	
8.	\$		\$	
9.	\$		\$	

Total Upgrade Expenditures Should be approximately equal to, but not to exceed, Line B	\$ 7,000	\$ 7,000
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