



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Conditional Use – Formula Retail

HEARING DATE: 05/03/2018

*Record No.:* **2017-000514CUA**  
*Project Address:* **2001 MARKET ST**  
*Zoning:* NCT-3 (Moderate Scale Neighborhood Commercial District)  
80-X and 40-X Height and Bulk District  
*Block/Lot:* 3535/ 042-045  
*Applicant:* Eric Wiesenfeld  
2001 Market Street, San Francisco, CA 94114  
*Staff Contact:* Nancy Tran – (415) 575-9174  
[nancy.h.tran@sfgov.org](mailto:nancy.h.tran@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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

Reception:  
**415.558.6378**

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Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION

The proposal is a request for Conditional Use Authorization to establish a Formula Retail Use (d.b.a. Genji Sushi) within an existing Whole Foods Market grocery store. The proposed 50 square foot limited restaurant use will provide packaged sushi for takeout, occupying a portion of the existing deli section of the store. The proposal will not involve tenant improvements to the ground floor commercial tenant space. There will be no expansion of the existing building envelope.

### REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization for the proposed Formula Retail limited restaurant, pursuant to Planning Code Sections 303, 303.1, and 752.

### ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** The Department has not received public comment regarding the project. The Project Sponsors conducted a pre-application meeting on the proposed project on December 29, 2016; no persons other than the project sponsors were present at the meeting.
- **Design Review Comments:** No exterior changes to the building are proposed.

### BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan and meets all applicable requirements of the Planning Code. The proposed project will occupy a portion within an existing grocery store as an accessory use on the subject block which will be complimentary to the mix of existing neighborhood-serving uses within the neighborhood. It will also provide new job opportunities to the City. The proposed use would nominally increase the overall

concentration of Formula Retail establishments but would not increase the existing amount of street frontage devoted to formula retail uses within this portion of the NCT-3 Zoning District. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

**ATTACHMENTS:**

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



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion

HEARING DATE: MAY 3, 2018

1650 Mission St.  
Suite 400  
San Francisco,  
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Reception:  
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*Case No.:* **2017-000514CUA**  
*Project Address:* **2001 MARKET STREET**  
*Zoning:* NCT-3 (Moderate Scale Neighborhood Commercial Transit District)  
80-X and 40-X Height and Bulk District  
*Block/Lot:* 3535/ 042-045  
*Project Sponsor:* Eric Wiesenfeld  
2001 Market Street, San Francisco, CA 94114  
San Francisco, CA 94114  
*Property Owner:* Whole Foods Market Inc.  
150 Post Street, Ste 320  
San Francisco, CA 94108  
*Staff Contact:* Nancy Tran – (415) 575-9174  
[nancy.h.tran@sfgov.org](mailto:nancy.h.tran@sfgov.org)

**ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303, 303.1, AND 752, TO ESTABLISH A FORMULA RETAIL USE AT 2001 MARKET STREET, LOTS 042-045 IN ASSESSOR'S BLOCK 3535, WITHIN THE NCT-3 (MODERATE SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT), 80-X AND 40-X HEIGHT AND BULK DISTRICTS.**

### PREAMBLE

On January 12, 2017, Eric Wiesenfeld of Genji Pacific (hereinafter "Project Sponsor") filed Application No. 2017-000514CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish a Formula Retail Use (d.b.a. Genji Sushi) within an existing Whole Foods Market grocery store (hereinafter "Project") at 2001 Market Street, Block 3535 Lots 042-045 (hereinafter "Project Site").

The Planning Department Commission Secretary is the custodian of records; the File for Case No. 2017-000514 is located at 1650 Mission Street, Suite 400, San Francisco, California.

On May 3, 2018, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2017-000514CUA.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption. The Project is within the boundaries of the Market and Octavia Better Neighborhoods Area Plan ("Market and Octavia Plan"). The EIR for the Market and Octavia Plan (Case No. 2003.0347E; State Clearinghouse No. 2004012118) was certified on April 5, 2007.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

**MOVED**, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2017-000514CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The proposal is a request for Conditional Use Authorization to establish a Formula Retail Use (d.b.a. Genji Sushi) within an existing Whole Foods Market grocery store. The proposed 50 square foot limited restaurant use will provide packaged sushi for takeout, occupying a portion of the existing deli section of the store. The proposal will not involve tenant improvements to the ground floor commercial tenant space. There will be no expansion of the existing building envelope.
3. **Site Description and Present Use.** The subject property is at the southwest corner at Dolores Street, located on the east side of a triangular-shaped block bounded by Market Street, Dolores Street and 14th Street. The lot measures approximately 31,550 square feet with 147-feet of frontage on Market Street, approximately 316-feet of frontage on Dolores Street, and approximately 141-feet of frontage on 14th Street. The Project Site is within the boundaries of the Market and Octavia Plan Area and within a NCT-3 (Moderate-Scale, Neighborhood Commercial Transit) Zoning District and 85-B/40-X Height and Bulk Districts. The subject eight-story mixed-use building was constructed circa 2011 and has approximately 31,000 gross square feet of commercial space, 82 residential units and 104 total parking spaces for both uses. The upper residential units are not part of the proposal.
4. **Surrounding Properties and Neighborhood.** The NCT-3 Neighborhood Commercial Transit District is intended in most cases support neighborhood serving commercial uses on lower floors and housing above. These districts are well-served by public transit and aim to maximize residential and commercial opportunities on or near major transit services. The district's form can be either linear along transit-priority corridors, concentric around transit stations, or broader areas where transit services crisscross the neighborhood. Housing density is limited not by lot area, but by the regulations on the built envelope of buildings, including height, bulk, setbacks, and lot coverage, and standards for residential uses, including open space and exposure, and urban design guidelines. Residential parking is not required and generally limited. Commercial establishments are discouraged or prohibited from building accessory off-street parking in order to preserve the pedestrian-oriented character of the district and prevent attracting auto traffic. There are prohibitions on access (i.e. driveways, garage entries) to off-street parking and loading

on critical stretches of NC and transit streets to preserve and enhance the pedestrian-oriented character and transit function.

The subject block is zoned NCT-3 and located across the street and to the south of Safeway. Lots on the east side of Dolores Street are zoned RTO (Residential Transit Oriented District). The subject site is also located at the gateway to Dolores Street and the Mission Dolores Neighborhood. Lots on the east side of Dolores Street are zoned RTO (Residential Transit Oriented District). Properties in the vicinity fronting Market Street contain a mix of uses including restaurants, personal services, and retail stores. Building heights range from two to six stories with residential uses generally above the ground-floor commercial uses. The District is well-served by public transit with the Market and Church Street Metro Station located within one block of the subject property. This station is served by the L-Taraval, M-Ocean View, and KT Ingleside/Third Street lines. The F line also runs along Market Street.

5. **Public Outreach and Comments.** The Department has not received public comment regarding the project. The Project Sponsors conducted a pre-application meeting on the proposed project on December 29, 2016; no persons other than the project sponsors were present at the meeting.

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. **Use Size.** Planning Code Section 752 states that a Conditional Use Authorization is required for uses 6,000 square feet or greater.

*The proposal includes a limited restaurant use that will be 50 square feet in size and well below the 6,000 square foot use size threshold.*

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies 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 approximately 50 square foot Formula Retail limited restaurant use will not impact traffic or parking in the District as it is proposed within the existing Whole Foods grocery store. The Project will complement the mix of goods and services currently available in the district and is compatible with the surrounding commercial and residential uses.*

- 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 in the area, in that:

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

*The size and shape of the site and the size, shape and arrangement of the building will not be altered as part of this project. The proposed work will not affect the building envelope.*

- 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;

*The Project will not affect public transit or overburden the existing supply of parking in the neighborhood. The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide as this area is well served by transit.*

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

*The Project will not produce noxious or offensive emissions related to noise, glare and dust.*

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

*The Project would not alter the site's landscaping, open spaces, parking and loading areas, service areas or lighting. Any new signage is required to comply with the requirements of the Planning Code and Formula Retail signage guidelines.*

- 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 and is consistent with objectives and policies of the General Plan as detailed below.*

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

*The proposed project is consistent with the stated purposes of NCT-3 Districts in that the intended use is located at the ground floor, will provide a compatible convenience service for the immediately surrounding neighborhoods during daytime hours.*

- 8. **Formula Retail.** Planning Code Section 303.1 provides additional criteria for the Planning Commission to consider when considering any conditional use pursuant Section 303.1, Formula Retail Uses:

- A. The existing concentrations of Formula Retail uses within the district.

*The Project Sponsor conducted a Formula Retail survey in early 2018. Based on the survey, there are 16 existing Formula Retail establishments out of 89 commercial uses zoned NCT-3 District which*

*accounts for approximately 18% of all businesses within the vicinity. The proposed establishment would nominally increase the concentration of Formula Retail by 1% but would not affect the Formula Retail frontage as the proposal is within an existing Whole Foods grocery store.*

- B. The availability of other similar retail uses within the district.

*There are five limited restaurant uses within the district; however, none provide a similar cuisine as proposed Project. The establishments within ¼ mile that do are full restaurant uses (only one is within NCT-3).*

- C. The compatibility of the proposed Formula Retail use with the existing architectural and aesthetic character of the district.

*The Project will occupy a portion of space within an existing Formula Retail grocery store (d.b.a. Whole Foods). The proposed use will have no effect on the architectural and aesthetic character of the district as no exterior façade alterations are proposed*

- D. The existing retail vacancy rates within the district.

*There are 14 vacancies within the NCT-3 District (10% vacancy rate) and 11 vacancies within ¼ mile (10% vacancy rate).*

- E. The existing mix of Citywide-serving retail uses and neighborhood-serving retail uses within the district.

*Daily Needs: There are currently 50 daily needs-businesses within the NCT-3 and 91 daily needs-businesses within the ¼ mile radius of the subject property. The proposed limited restaurant use qualifies as a "Daily-Needs" use.*

*Citywide Services: There are currently 10 citywide services -businesses within the NCT-3 and 25 citywide services-businesses within ¼ mile radius of the subject property.*

- F. Additional data and analysis set forth in the Performance-Based Design Guidelines adopted by the Planning Commission.

*In the subject NCT-3 district, there are approximately 89 businesses, and approximately 16 businesses (18%) appear to qualify as formula retail. These include Safeway, 24 Hour Fitness, Chase Bank, Verizon, Walgreens, among other uses. The subject project would add an additional formula retail establishment to the district, and the concentration of formula retail establishments will increase to approximately 19% but would not increase the percent in linear frontage.*

Table 1. NCT-3 Ground Floor Frontage Breakdown per Land Use<sup>1</sup>

| Land Use Type        | NCT-3 Frontage Total | NCD-%       | ¼ Mile Vicinity Frontage Total (feet) | Vicinity %  |
|----------------------|----------------------|-------------|---------------------------------------|-------------|
| Animal Hospital      | 0                    | 0%          | 0                                     | 0%          |
| Financial Services   | 0                    | 0%          | 200                                   | 1%          |
| Institutional        | 974                  | 6%          | 498                                   | 3%          |
| Limited-Restaurant   | 252                  | 2%          | 451                                   | 3%          |
| Liquor Store         | 0                    | 0%          | 0                                     | 0%          |
| Medical Service      | 0                    | 0%          | 0                                     | 0%          |
| Movie Theater        | 0                    | 0%          | 0                                     | 0%          |
| Personal Service     | 1,320                | 9%          | 4,303                                 | 29%         |
| Professional Service | 3,557                | 23%         | 1,538                                 | 10%         |
| Restaurant           | 447                  | 3%          | 1,257                                 | 8%          |
| Retail               | 6,726                | 44%         | 5,768                                 | 39%         |
| Vacant               | 1,971                | 13%         | 799                                   | 5%          |
| <b>Total</b>         | <b>15,247</b>        | <b>100%</b> | <b>14,814</b>                         | <b>100%</b> |

*The use mix is varied in the NCT-3. Other limited-restaurant uses comprise 2% of the ground floor frontage (limited restaurants and restaurants combined is 5%). The greatest concentration of frontage for a use type is retail at 44%, followed by professional service at 23%, vacant at 13%, personal services at 9%, and institutional at 6%. These calculations do not include non-retail establishments, such as residences, parking, or public services.*

- G. For Formula Retail uses of 20,000 square feet or more, except for General or Specialty Grocery stores as defined in Articles 2, 7, 8 of this Code, the contents of an economic impact study prepared pursuant to Section 303(i) of the Planning Code.

*As the subject limited restaurant use is less than 20,000 square feet, an economic impact study is not required for this project.*

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

## NEIGHBORHOOD COMMERCE

**OBJECTIVE 1:** MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

<sup>1</sup> The NCD Land Use Table was developed using data collected by the project sponsor and reviewed by Planning Department staff in 2016.

**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.

**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.

**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.

The following guidelines, in addition to others in this objective for neighborhood commercial districts, should be employed in the development of overall district zoning controls as well as in the review of individual permit applications, which require case-by-case review and City Planning Commission approval. Pertinent guidelines may be applied as conditions of approval of individual permit applications. In general, uses should be encouraged which meet the guidelines; conversely, uses should be discouraged which do not.

**Policy 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.

**URBAN DESIGN ELEMENT**

**OBJECTIVE 1: EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.**

**Policy 1.3:** Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

**Policy 1.7:** Recognize the natural boundaries of districts, and promote connections between districts.

10. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:
- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.
  - B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.
  - C. That the City's supply of affordable housing be preserved and enhanced,
  - D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.
  - 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.
  - F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.
  - G. That landmarks and historic buildings be preserved.
  - H. That our parks and open space and their access to sunlight and vistas be protected from development.
11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
12. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

**Summary Findings:**

*The proposed Formula Retail limited restaurant use will occupy approximately 50 square foot of space within the existing Whole Foods grocery store. The Project will provide desirable goods to the neighborhood and will not increase the intensity of activity in the district than the current existing use. The proposed use is complementary to the existing grocery store use and provides nearby residents and employees a neighborhood amenity. The Project will not interfere with other needed neighborhood-serving businesses in the area since there is a number of other vacant retail within the NCT-3 district. The proposal would not displace commercial tenants, affect existing housing, neighborhood parking availability or significantly increase traffic congestion. It will have no effect on the property's ability to withstand an earthquake, alter a landmark/historic building or affect any city-owned parks/open space. On balance, the Project is consistent with the Objectives and Policies of the General Plan.*

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2015-000514CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated March 13, 2018, and stamped “EXHIBIT B”, which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on May 3, 2018.

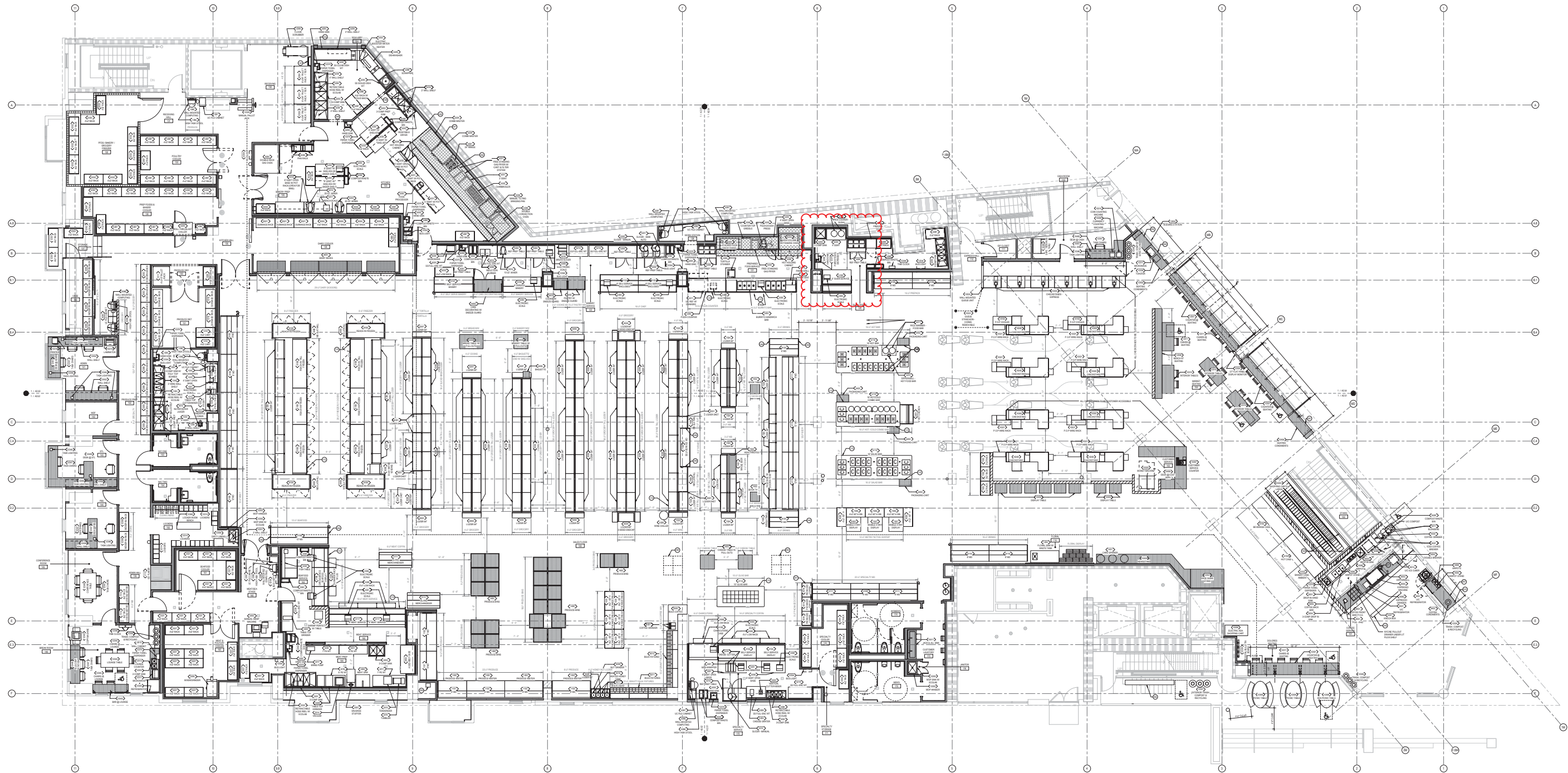
Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 3, 2018



KEYNOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES (F'-INCHES). DIMENSIONS ARE GIVEN TO THE CENTER OF THE FIXTURE OR EQUIPMENT UNLESS OTHERWISE NOTED.

2. ALL FIXTURES AND EQUIPMENT ARE TO BE PROVIDED BY THE CLIENT.

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|------------------------------|---------------------|------------|
| PRINTED: 5/8/2014 6:24:42 PM |                     |            |
| REVISIONS                    |                     |            |
| NO.                          | DESCRIPTION         | DATE       |
| PC                           | PLAN CHECK RESPONSE | 11/16/2012 |
| A1                           | ADDENDUM 1          | 02/15/13   |
| B1                           | BULLETIN 1          | 04/12/13   |
| B2                           | BULLETIN 2          | 07/08/13   |

FIXTURE PLAN

SCALE 1/8" = 1'-0"

DRAWN BY JAS

CHECKED BY EED

JOB NO. 1228.10

WFM-FIXT

SHEET NO.

All drawings and written material appearing herein constitute the original and unpublished work of the architect and the same may not be duplicated, used, or disclosed without the written consent of the architect © Field Paoli



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

|  |   |  |   |
|--|---|--|---|
| Project Address  |   | Block/Lot(s)                                 |   |
| 2001 Market Street   |   | 3535/042-045                                 |   |
| Case No.   | Permit No.  | Plans Dated                                  |   |
| 2017-000514CUA   |   | 05/08/2014                                   |   |
| <input checked="" type="checkbox"/> Addition/<br>Alteration  | <input type="checkbox"/> Demolition<br>(requires HRER if over 45 years old) | <input type="checkbox"/> New<br>Construction | <input type="checkbox"/> Project Modification<br>(GO TO STEP 7) |
| Project description for Planning Department approval.<br>CU to establish a Formula Retail limited restaurant Use (d.b.a. Genji Sushi) within existing Whole Foods(~50 sqft). No tenant improvements or expansion of existing building envelope |   |  |   |

### STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

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

### STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

|   |   |
|---|---|
| <b>If any box is checked below, an <i>Environmental Evaluation Application</i> is required.</b> |   |
| <input type="checkbox"/>  | <b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Air Pollutant Exposure Zone)</i>             |
| <input type="checkbox"/>  | <b>Hazardous Materials:</b> If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i> |

|  |   |
|--|---|
|  | <i> Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap &gt; Maher layer).</i>   |
| <input type="checkbox"/>   | <b>Transportation:</b> 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"/>   | <b>Archeological Resources:</b> 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? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Archeological Sensitive Area)</i>  |
| <input type="checkbox"/>   | <b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography)</i>   |
| <input type="checkbox"/>   | <b>Slope = or &gt; 20%:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography)</i> <b>If box is checked, a geotechnical report is required.</b>                              |
| <input type="checkbox"/>   | <b>Seismic: Landslide Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones)</i> <b>If box is checked, a geotechnical report is required.</b>                |
| <input type="checkbox"/>   | <b>Seismic: Liquefaction Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones)</i> <b>If box is checked, a geotechnical report will likely be required.</b> |
| <b>If no boxes are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.</u></b> |   |
| <input checked="" type="checkbox"/>  | <b>Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.</b>  |
| <b>Comments and Planner Signature (optional):</b>  |   |

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

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

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

|  |  |
|--|--|
| <b>Check all that apply to the project.</b>                          |  |
| <input type="checkbox"/>   | 1. <b>Change of use and new construction.</b> Tenant improvements not included.  |
| <input type="checkbox"/>   | 2. <b>Regular maintenance or repair</b> to correct or repair deterioration, decay, or damage to building.  |
| <input type="checkbox"/>   | 3. <b>Window replacement</b> that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.   |
| <input type="checkbox"/>   | 4. <b>Garage work.</b> A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.  |
| <input type="checkbox"/>   | 5. <b>Deck, terrace construction, or fences</b> not visible from any immediately adjacent public right-of-way.   |
| <input type="checkbox"/>   | 6. <b>Mechanical equipment installation</b> that is not visible from any immediately adjacent public right-of-way.   |
| <input type="checkbox"/>   | 7. <b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .  |
| <input type="checkbox"/>   | 8. <b>Addition(s)</b> 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. |
| <b>Note: Project Planner must check box below before proceeding.</b> |  |
| <input type="checkbox"/>   | Project is not listed. <b>GO TO STEP 5.</b>  |
| <input type="checkbox"/>   | Project <b>does not conform</b> to the scopes of work. <b>GO TO STEP 5.</b>  |
| <input type="checkbox"/>   | Project involves <b>four or more</b> work descriptions. <b>GO TO STEP 5.</b>   |
| <input type="checkbox"/>   | Project involves <b>less than four</b> work descriptions. <b>GO TO STEP 6.</b>   |

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW  
TO BE COMPLETED BY PRESERVATION PLANNER**

|   |   |
|---|---|
| <b>Check all that apply to the project.</b> |   |
| <input type="checkbox"/>                    | 1. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.                                |
| <input type="checkbox"/>                    | 2. <b>Interior alterations to publicly accessible spaces.</b>   |
| <input type="checkbox"/>                    | 3. <b>Window replacement</b> of original/historic windows that are not “in-kind” but are consistent with existing historic character.   |
| <input type="checkbox"/>                    | 4. <b>Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.  |
| <input type="checkbox"/>                    | 5. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.   |
| <input type="checkbox"/>                    | 6. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.                      |
| <input type="checkbox"/>                    | 7. <b>Addition(s)</b> , 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. <b>Other work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):                                     |

|   |   |
|---|---|
| <input type="checkbox"/>  | <p>9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):</p><br><p>(Requires approval by Senior Preservation Planner/Preservation Coordinator) _____</p>   |
| <input type="checkbox"/>  | <p>10. <b>Reclassification of property status.</b> (Requires approval by Senior Preservation Planner/Preservation Coordinator)</p> <p style="padding-left: 40px;"> <input type="checkbox"/> Reclassify to Category A      <input type="checkbox"/> Reclassify to Category C         </p> <p style="padding-left: 40px;">a. Per HRER dated: _____ (attach HRER)</p> <p style="padding-left: 40px;">b. Other (specify): _____</p> |
| <p><b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b></p> |   |
| <input type="checkbox"/>  | <p><b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b></p>   |
| <input type="checkbox"/>  | <p><b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b></p>  |
| <p><b>Comments (optional):</b></p><br><br>  |   |
| <p><b>Preservation Planner Signature:</b></p>   |   |

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

|                                     |  |   |
|-------------------------------------|--|---|
| <input type="checkbox"/>            | <p><b>Further environmental review required.</b> Proposed project does not meet scopes of work in either (check all that apply):</p> <p style="padding-left: 40px;"> <input type="checkbox"/> Step 2 – CEQA Impacts<br/> <input type="checkbox"/> Step 5 – Advanced Historical Review         </p> <p><b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b></p>   |   |
| <input checked="" type="checkbox"/> | <p><b>No further environmental review is required. The project is categorically exempt under CEQA.</b></p>   |   |
|                                     | <p><b>Planner Name:</b> Nancy Tran</p> <hr/> <p><b>Project Approval Action:</b></p> <p style="padding-left: 20px;">Planning Commission Hearing</p> <p style="font-size: small;">If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p>  | <p><b>Signature:</b></p> <div style="display: flex; align-items: center;"> <div style="font-size: 2em; font-weight: bold; margin-right: 10px;">Nancy Tran</div> <div style="font-size: x-small;">             Digitally signed by Nancy Tran<br/>             DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Nancy Tran, email=Nancy.H.Tran@sfgov.org<br/>             Date: 2018.04.16 16:12:51 -07'00'           </div> </div> |
|                                     | <p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>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.</p> <p>Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.</p> |   |

## STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT TO BE COMPLETED BY PROJECT PLANNER

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

### 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. <b>ATEX FORM</b> |  |

### 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 DEPARTMENT

## Land Use Information

PROJECT ADDRESS: 2001 MARKET ST  
RECORD NO.: 2017-000514CUA

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

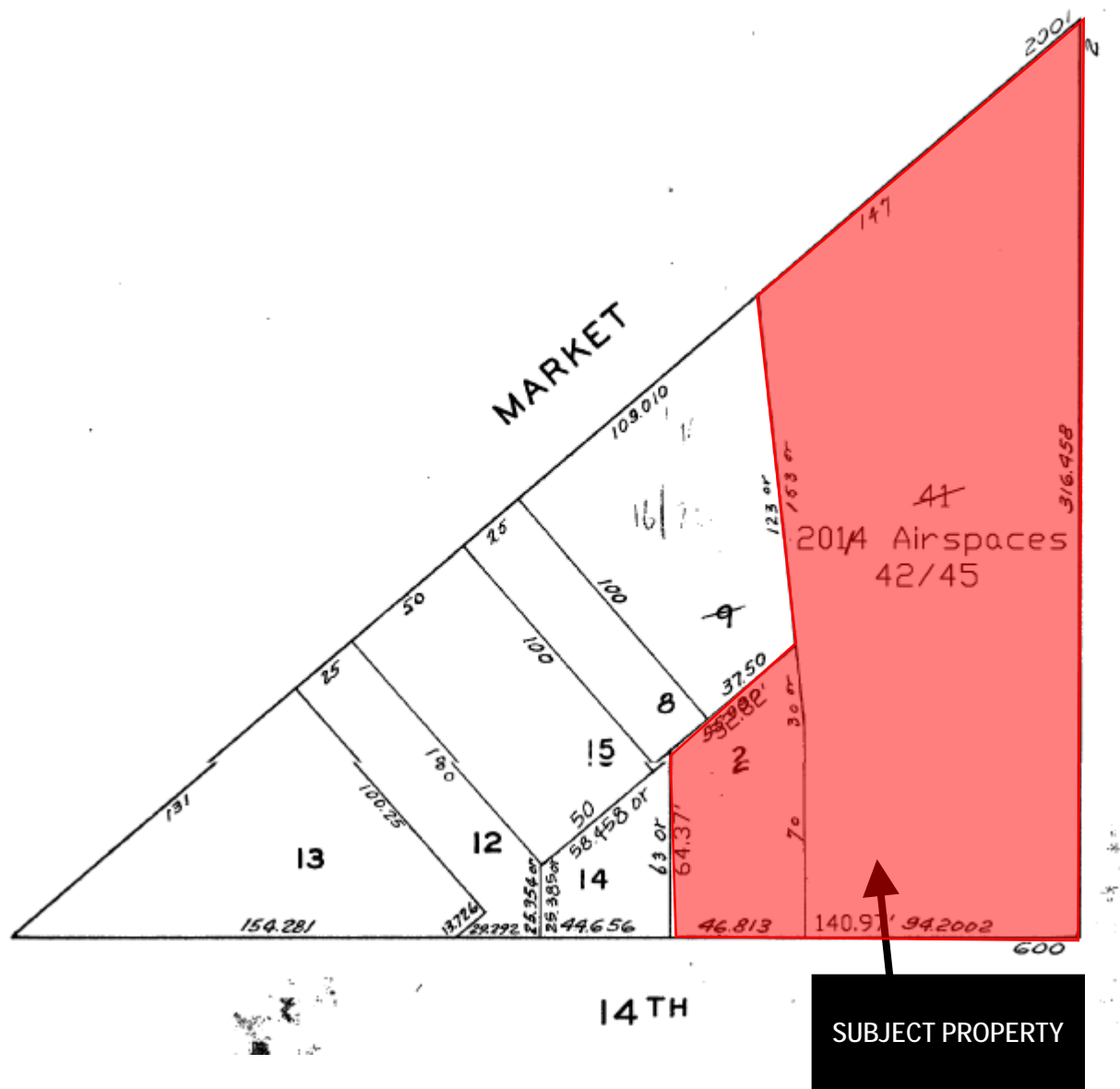
Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

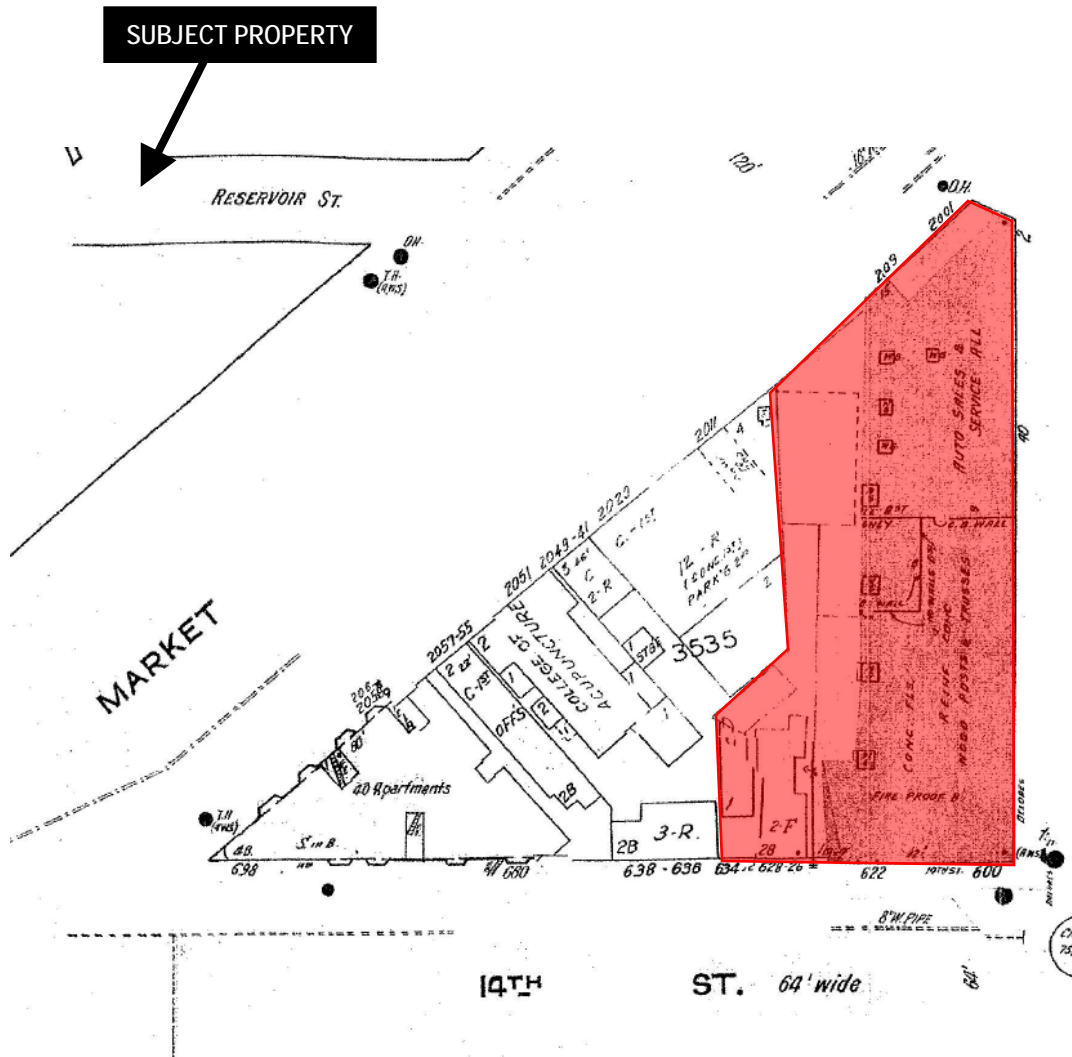
|   | EXISTING                 | PROPOSED  | NET NEW |
|---|--------------------------|-----------|---------|
| <b>GROSS SQUARE FOOTAGE (GSF)</b>                               |                          |           |         |
| Lot Area  | 31,550 sq. ft.           | No Change |         |
| Residential   | 82                       | No Change |         |
| Commercial/Retail   | 31,000 gsf               | No Change |         |
| Office  | N/A                      | N/A       |         |
| Industrial/PDR<br><i>Production, Distribution, &amp; Repair</i> | N/A                      | N/A       |         |
| Parking   | unknown                  | No Change |         |
| Usable Open Space   | 8,220 sq. ft.            | No Change |         |
| Public Open Space   | N/A                      | N/A       |         |
| Other ( )   |                          |           |         |
| TOTAL GSF   | 187,400 gsf              |           |         |
|   | EXISTING                 | NET NEW   | TOTALS  |
| <b>PROJECT FEATURES (Units or Amounts)</b>                      |                          |           |         |
| Dwelling Units - Market Rate                                    | unknown                  | No Change |         |
| Dwelling Units - Affordable                                     | Unknown (min. 20%)       | No Change |         |
| Hotel Rooms   | N/A                      | N/A       |         |
| Parking Spaces  | 104                      | No Change |         |
| Loading Spaces  | 2 +1 dock                | No Change |         |
| Car Share Spaces  | 3                        | No Change |         |
| Bicycle Spaces  | 41 Class 1<br>50 Class 2 | No Change |         |
| Number of Buildings   | 1                        | No Change |         |
| Number of Stories   | 8                        | No Change |         |
| Height of Building(s)   | 85 feet                  | No Change |         |
| Other ( )   |                          |           |         |

# Block Book Map



Conditional Use Authorization Hearing  
Formula Retail  
**Case Number 2017-000514CUA**  
2001 Market Street

# Sanborn Map\*

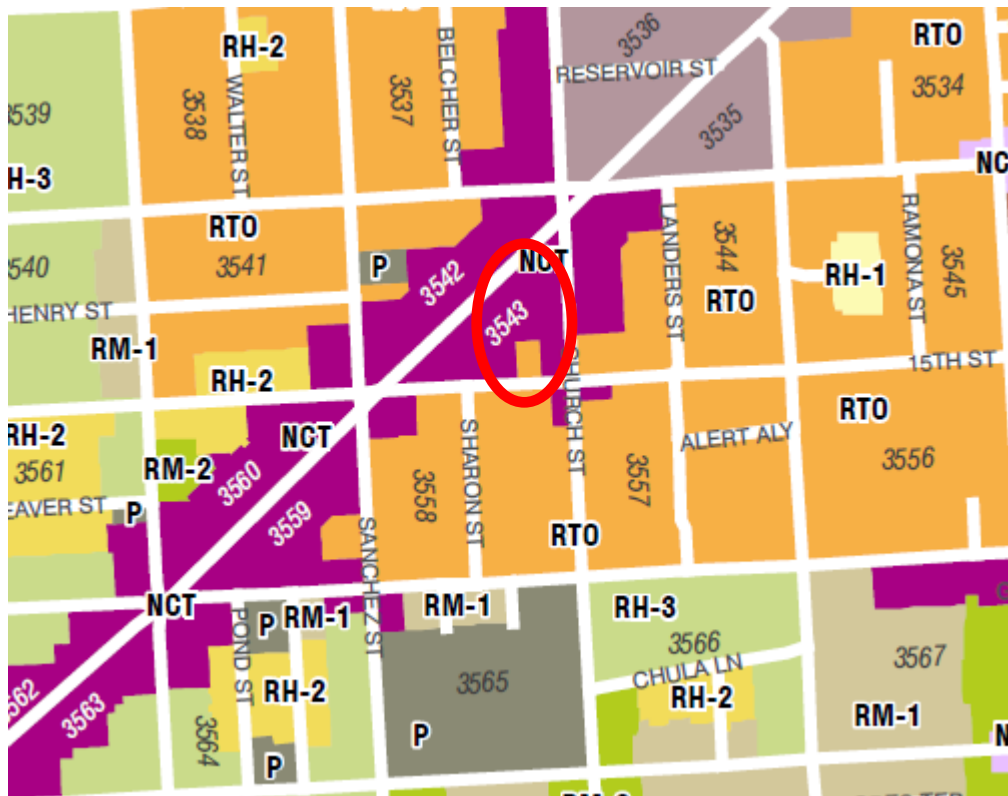


*\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.*



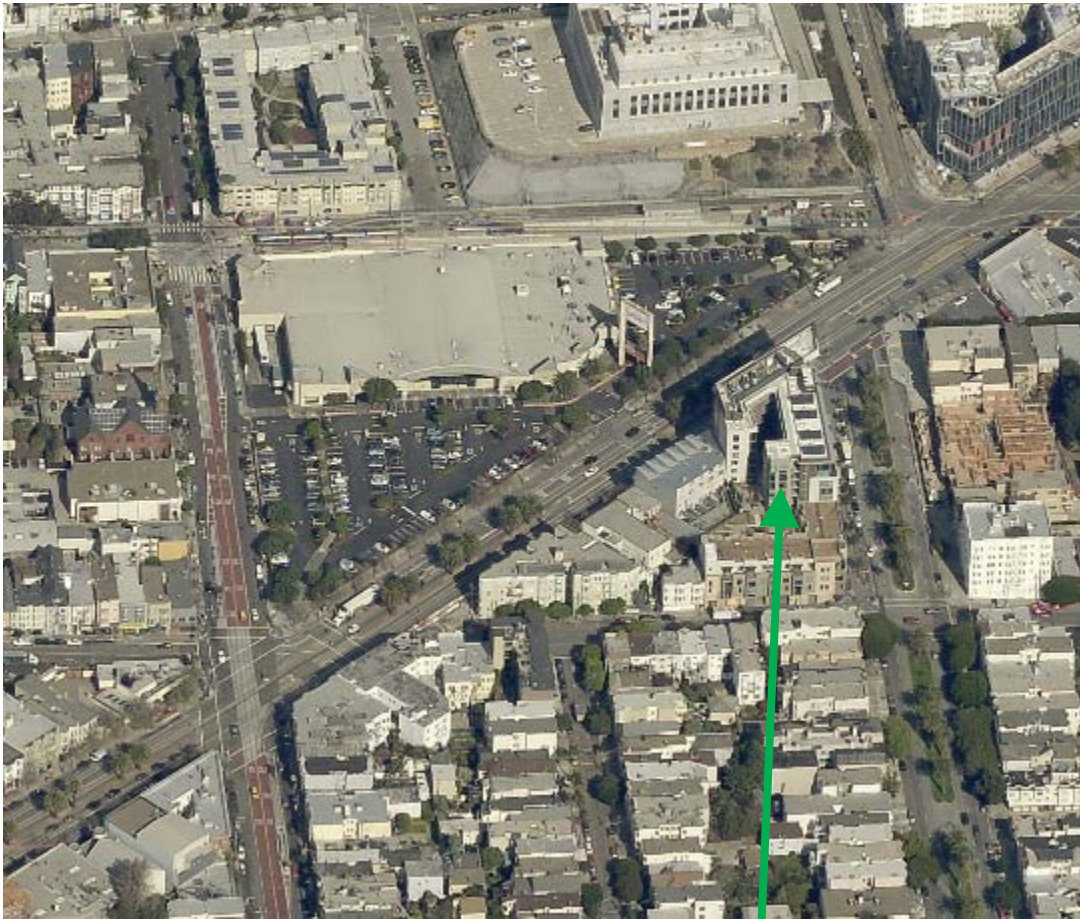
Conditional Use Authorization Hearing  
Formula Retail  
**Case Number 2017-000514CUA**  
2001 Market Street

# Zoning Map



Conditional Use Authorization Hearing  
Formula Retail  
Case Number 2017-000514CUA  
2001 Market Street

# Aerial Photo



SUBJECT PROPERTY



Conditional Use Authorization Hearing  
Formula Retail  
Case Number 2017-000514CUA  
2001 Market Street

# APPLICATION FOR Conditional Use Authorization

## 1. Owner/Applicant Information

|  |   |
|--|---|
| PROPERTY OWNER'S NAME:<br>Whole Foods Market                               |   |
| PROPERTY OWNER'S ADDRESS:<br>2001 Market Street<br>San Francisco, CA 94114 | TELEPHONE:<br>(415 ) 626 . 1430<br>EMAIL: |

|   |  |  |
|---|--|--|
| APPLICANT'S NAME:<br>Genji Pacific                                    |  | Same as Above <input type="checkbox"/> |
| APPLICANT'S ADDRESS:<br>2001 Market Street<br>San Francisco, CA 94114 | TELEPHONE:<br>( 732 ) 778. 7897<br>EMAIL:<br>e.wiesenfeld@genjiweb.com |  |

|   |   |  |
|---|---|--|
| CONTACT FOR PROJECT INFORMATION:<br>Eric Wiesenfeld         |   | Same as Above <input type="checkbox"/> |
| ADDRESS:<br>218 Tilton Ave., Apt 207<br>San Mateo, CA 94401 | TELEPHONE:<br>(732 ) 778. 7897<br>EMAIL:<br>e.wiesenfeld@genjiweb.com |  |

|  |                                 |  |
|--|---------------------------------|--|
| COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR): |                                 | Same as Above <input type="checkbox"/> |
| ADDRESS:<br>Not Applicable   | TELEPHONE:<br>(     )<br>EMAIL: |  |

## 2. Location and Classification

|  |                 |                    |                  |                       |
|--|-----------------|--------------------|------------------|-----------------------|
| STREET ADDRESS OF PROJECT:<br>2001 Market Street |                 | ZIP CODE:<br>94114 |                  |                       |
| CROSS STREETS:<br>Dolores Street                 |                 |                    |                  |                       |
| ASSESSORS BLOCK/LOT:<br>3535 /                   | LOT DIMENSIONS: | LOT AREA (SQ FT):  | ZONING DISTRICT: | HEIGHT/BULK DISTRICT: |

### 3. Project Description

|   |                                    |   |                |
|---|------------------------------------|---|----------------|
| ( Please check all that apply )   |                                    | PRESENT OR PREVIOUS USE:                                    |                |
| <input type="checkbox"/> Change of Use  | <input type="checkbox"/> Rear      | Sushi vendor within Whole Foods Market.                     |                |
| <input type="checkbox"/> Change of Hours  | <input type="checkbox"/> Front     | PROPOSED USE:   |                |
| <input type="checkbox"/> New Construction   | <input type="checkbox"/> Height    | Sale of sushi. Preparation on site in small allotted space. |                |
| <input type="checkbox"/> Alterations  | <input type="checkbox"/> Side Yard | BUILDING APPLICATION PERMIT NO.:                            | DATE FILED:    |
| <input type="checkbox"/> Demolition   |                                    | Not Applicable  | Not Applicable |
| <input checked="" type="checkbox"/> Other Please clarify: Change of vendor in store |                                    |   |                |

### 4. Project Summary Table

If you are not sure of the eventual size of the project, provide the maximum estimates.

|   | EXISTING USES     | EXISTING USES TO BE RETAINED | NET NEW CONSTRUCTION AND/OR ADDITION | PROJECT TOTALS:   |
|---|-------------------|------------------------------|--------------------------------------|-------------------|
| <b>PROJECT FEATURES</b>   |                   |                              |                                      |                   |
| Dwelling Units  | 0                 | 0                            | 0                                    | 0                 |
| Hotel Rooms   | 0                 | 0                            | 0                                    | 0                 |
| Parking Spaces  | 0                 | 0                            | 0                                    | 0                 |
| Loading Spaces  | 0                 | 0                            | 0                                    | 0                 |
| Number of Buildings   | 0                 | 0                            | 0                                    | 0                 |
| Height of Building(s)   | 0                 | 0                            | 0                                    | 0                 |
| Number of Stories   | 0                 | 0                            | 0                                    | 0                 |
| Bicycle Spaces  | 0                 | 0                            | 0                                    | 0                 |
| <b>GROSS SQUARE FOOTAGE (GSF)</b>                               |                   |                              |                                      |                   |
| Residential   | 0                 | 0                            | 0                                    | 0                 |
| Retail  | 50 sq. ft.        | 50 sq. ft.                   | 0                                    | 50 sq. ft.        |
| Office  | 0                 | 0                            | 0                                    | 0                 |
| Industrial/PDR<br><i>Production, Distribution, &amp; Repair</i> | 0                 | 0                            | 0                                    | 0                 |
| Parking   | 0                 | 0                            | 0                                    | 0                 |
| Other (Specify Use)   | 0                 | 0                            | 0                                    | 0                 |
| <b>TOTAL GSF</b>  | <b>50 sq. ft.</b> | <b>50 sq. ft.</b>            | <b>0</b>                             | <b>50 sq. ft.</b> |

Please describe any additional project features that are not included in this table:  
( Attach a separate sheet if more space is needed )

Genji will be replacing an existing vendor in said location in same limited square footage. There is no construction involved in the opening or operations. There may be cosmetic change in branding at the shelves, but this does not constitute construction.

5. Action(s) Requested (Include Planning Code Section which authorizes action)

Approval of business operations.

## Conditional Use Findings

Pursuant to Planning Code Section 303(c), before approving a conditional use authorization, the Planning Commission needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and
2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
  - (a) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
  - (b) 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;
  - (c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
  - (d) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan.

Genji operates as a vendor within the established Whole Foods locations. We will be replacing a former sushi vendor, who previously occupied the same space and location. With the size and intensity contemplated and use of space at the proposed location, Genji will provide a quick and healthy Japanese inspired meal for the community using all sustainable ingredients. As we are replacing the previous sushi vendor and will be using the exact structure and equipments and are operating within the established Whole Foods location, we will not have any changes to the size and shape of the structure, we don't expect changes in traffic patterns, we will not produce offensive emissions such as noise, glare, dust, and odor, and we will not be making any changes to the landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs. While we create additional employment opportunities, we have no store front location nor impact on the external community. Our primary impact is to provide high quality sushi and culturally diverse, Japanese inspired cuisine.

## Priority General Plan Policies Findings

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the City Planning Code. These eight policies are listed below. Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

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

Genji will preserve and mirror previous retail use. No change. Genji operates as a vendor within the established Whole Foods Locations. We will be replacing a former sushi vendor, who previously occupied the same space and location and will create additional employment opportunities. Our primary impact is to provide high quality sushi and culturally diverse, Japanese inspired cuisine.

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

Genji will help to maintain the cultural diversity through dining options and experiences. Genji operates as a vendor within the established Whole Foods Locations. We will be replacing a former sushi vendor, who previously occupied the same space and location. While we create additional employment opportunities, we have no store front location nor impact on the external community. Our primary impact is to provide high quality sushi and culturally diverse, Japanese inspired cuisine.

3. That the City's supply of affordable housing be preserved and enhanced;

No impact on housing. Genji operates as a vendor within the established Whole Foods Locations. We will be replacing a former sushi vendor, who previously occupied the same space and location. While we create additional employment opportunities, we have no store front location nor impact on the external community. Our primary impact is to provide high quality sushi and culturally diverse, Japanese inspired cuisine.

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;

No impact on traffic or transit. Genji operates as a vendor within the established Whole Foods Locations. We will be replacing a former sushi vendor, who previously occupied the same space and location. While we create additional employment opportunities, we have no store front location nor impact on the external community. Our sole impact is to provide high quality sushi and culturally diverse, Japanese inspired cuisine.

5. 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;

Unchanged economic base. Genji operates as a vendor within the established Whole Foods Locations. We will be replacing a former sushi vendor, who previously occupied the same space and location. While we create additional employment opportunities, we have no store front location nor impact on the external community. Our sole impact is to provide high quality sushi and culturally diverse, Japanese inspired cuisine.

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

No impact on preparedness for earthquake or public safety. Genji operates as a vendor within the established Whole Foods Locations. We will be replacing a former sushi vendor, who previously occupied the same space and location. While we create additional employment opportunities, we have no store front location nor impact on the external community. Our sole impact is to provide high quality sushi and culturally diverse, Japanese inspired cuisine.

7. That landmarks and historic buildings be preserved; and

No impact on external landmarks or buildings. Genji operates as a vendor within the established Whole Foods Locations. We will be replacing a former sushi vendor, who previously occupied the same space and location. While we create additional employment opportunities, we have no store front location nor impact on the external community. Our sole impact is to provide high quality sushi and culturally diverse, Japanese inspired cuisine.

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

No impact. Genji operates as a vendor within the established Whole Foods Locations. We will be replacing a former sushi vendor, who previously occupied the same space and location. While we create additional employment opportunities, we have no store front location nor impact on the external community. Our primary positive environmental impact is through the provision of all natural, sustainable sushi and food products in compostable packaging.

## Estimated Construction Costs

|   |  |
|---|--|
| TYPE OF APPLICATION:<br><b>Not Applicable</b>                         |  |
| OCCUPANCY CLASSIFICATION:<br><b>Not Applicable</b>                    |  |
| BUILDING TYPE:<br><b>Not Applicable</b>                               |  |
| TOTAL GROSS SQUARE FEET OF CONSTRUCTION:<br><br><b>Not Applicable</b> | BY PROPOSED USES:<br><b>Not Applicable</b><br><br> |
| ESTIMATED CONSTRUCTION COST:<br><b>0</b>                              |  |
| ESTIMATE PREPARED BY:<br><b>Not Applicable</b>                        |  |
| FEE ESTABLISHED:<br><b>0</b>  |  |

## Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print name, and indicate whether owner, or authorized agent:

Eric Wiesenfeld

Owner / Authorized Agent (circle one)

# Application Submittal Checklist

Applications listed below submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent and a department staff person.**

| APPLICATION MATERIALS  | CHECKLIST                           |
|--|-------------------------------------|
| Application, with all blanks completed   | <input checked="" type="checkbox"/> |
| 300-foot radius map, if applicable   | <input checked="" type="checkbox"/> |
| Address labels (original), if applicable   | <input checked="" type="checkbox"/> |
| Address labels (copy of the above), if applicable  | <input checked="" type="checkbox"/> |
| Site Plan  | <input checked="" type="checkbox"/> |
| Floor Plan   | <input type="checkbox"/>            |
| Elevations   | <input type="checkbox"/>            |
| Section 303 Requirements   | <input checked="" type="checkbox"/> |
| Prop. M Findings   | <input checked="" type="checkbox"/> |
| Historic photographs (if possible), and current photographs  | <input type="checkbox"/>            |
| Check payable to Planning Dept.  | <input type="checkbox"/>            |
| Original Application signed by owner or agent  | <input type="checkbox"/>            |
| Letter of authorization for agent  | <input checked="" type="checkbox"/> |
| Other:<br>Section Plan, Detail drawings (ie. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (ie. windows, doors) | <input type="checkbox"/>            |

## NOTES:

☐ Required Material. Write "N/A" if you believe the item is not applicable, (e.g. letter of authorization is not required if application is signed by property owner.)

☐ Typically would not apply. Nevertheless, in a specific case, staff may require the item.

☐ Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

**After your case is assigned to a planner, you will be contacted and asked to provide an electronic version of this application including associated photos and drawings.**

Some applications will require additional materials not listed above. The above checklist does not include material needed for Planning review of a building permit. The "Application Packet" for Building Permit Applications lists those materials.

No application will be accepted by the Department unless the appropriate column on this form is completed. Receipt of this checklist, the accompanying application, and required materials by the Department serves to open a Planning file for the proposed project. After the file is established it will be assigned to a planner. At that time, the planner assigned will review the application to determine whether it is complete or whether additional information is required in order for the Department to make a decision on the proposal.

For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_

Date: \_\_\_\_\_

# AFFIDAVIT FOR Formula Retail Uses

## 1. Location and Classification

|   |                  |                       |
|---|------------------|-----------------------|
| STREET ADDRESS OF PROJECT:<br><b>2001 Market Street San Francisco, CA 94114</b> |                  |                       |
| ASSESSORS BLOCK/LOT:<br><b>3535 / 41-45</b>                                     | ZONING DISTRICT: | HEIGHT/BULK DISTRICT: |

## 2. Proposed Use Description

|   |  |
|---|--|
| PROPOSED USE (USE CATEGORY PER ARTICLE 7 OR 8):<br><b>Preparation and sale of sushi</b>   |  |
| PROPOSED BUSINESS NAME:<br><b>Genji Pacific</b>   |  |
| DESCRIPTION OF BUSINESS, INCLUDING PRODUCTS AND/OR SERVICES:<br><b>Genji is dedicated to the finest quality all-natural sushi and Japanese-inspired cuisine in a grab-and-go style. Our sushi bars are located in over 180 Whole Foods Market locations in 21 states and the District of Columbia, as well as the U.K. (See attachment)</b> |  |
| BUILDING PERMIT APPLICATION NO.: (if applicable)<br><b>Not applicable</b>   | PLANNING DEPARTMENT CASE NO.: (if applicable)<br><b>Not applicable</b> |

## 3. Quantity of Retail Locations

|     |   | TOTAL |
|-----|---|-------|
| 3.a | How many retail locations of this business are there worldwide?<br>Please include any property for which a land use permit or entitlement has been granted. | 191   |
| 3.b | How many of the above total locations are in San Francisco?   | 7     |

If the number entered on Line 3.a above is 11 or more, then the proposed use *may* be a Formula Retail Use. Continue to section 4 below.

If the number entered on Line 3.a above is 10 or fewer, no additional information is required. Proceed to section 5 on the next page and complete the Applicant's Affidavit.

## 4. Standardized Features

Will the proposed business use any of the following Standardized Features?

|       | FEATURES             | YES                                 | NO                                  |
|-------|----------------------|-------------------------------------|-------------------------------------|
| A     | Array of Merchandise | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| B     | Trademark            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| C     | Servicemark          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| D     | Décor                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| E     | Color Scheme         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| F     | Façade               | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| G     | Uniform Apparel      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| H     | Signage              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| TOTAL |                      | 3                                   | 5                                   |

Enter the total number of Yes/No answers above.

If the total YES responses are **two (2) or more**, then the proposed use is a Formula Retail Use.

## 5. Applicant's Affidavit

|  |  |  |  |
|--|--|--|--|
| NAME:<br><b>Eric Wiesenfeld</b>  |  | <input type="checkbox"/> Property Owner    | <input checked="" type="checkbox"/> Authorized Agent |
| MAILING ADDRESS: (STREET ADDRESS, CITY, STATE, ZIP)<br><b>218 Tilton Ave., Apt 207 San Mateo, CA 94401</b> |  |  |  |
| PHONE:<br><b>(732 ) 778.7897</b>   |  | EMAIL:<br><b>e.wiesenfeld@genjiweb.com</b> |  |

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: Other information or applications may be required.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

| PLANNING DEPARTMENT USE ONLY  |  |
|---|--|
| PLANNING CODE SECTION(S) APPLICABLE:  |  |
| HOW IS THE PROPOSED USE REGULATED AT THIS LOCATION?   |  |
| <input type="checkbox"/> Principally Permitted<br><input type="checkbox"/> Principally Permitted, Neighborhood Notice Required (Section 311/312)<br><input type="checkbox"/> Not Permitted<br><input type="checkbox"/> Conditional Use Authorization Required |  |
| COMMENTS:   |  |
| VERIFIED BY:  |  |
| Signature: _____ Date: _____  |  |
| Printed Name: _____ Phone: _____  |  |



**SAN FRANCISCO  
PLANNING  
DEPARTMENT**

**FOR MORE INFORMATION:**  
Call or visit the San Francisco Planning Department

**Central Reception**  
1650 Mission Street, Suite 400  
San Francisco CA 94103-2479

TEL: **415.558.6378**  
FAX: **415 558-6409**  
WEB: **<http://www.sfplanning.org>**

**Planning Information Center (PIC)**  
1660 Mission Street, First Floor  
San Francisco CA 94103-2479

TEL: **415.558.6377**  
*Planning staff are available by phone and at the PIC counter.  
No appointment is necessary.*

