



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Conditional Use

HEARING DATE: 07/18/2019

*File Date:* December 10, 2018  
*Record No.:* 2017-004654CUA  
*Project Address:* 1901 Fillmore Street (aka 1913 Fillmore)  
*Zoning:* Upper Fillmore Neighborhood Commercial District  
40-X Height and Bulk District  
*Block/Lot:* 0659/005  
*Project Sponsor:* Sheryl Brady  
13400 Riverside Drive #202  
Sherman Oaks, CA 91423  
*Staff Contact:* Katherine Wilborn – (415) 575-9114  
[Katherine.Wilborn@sfgov.org](mailto:Katherine.Wilborn@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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Suite 400  
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### PROJECT DESCRIPTION

The Project is a request for Conditional Use Authorization pursuant to Planning Code Sections 303, 303.1, 703.4, and 718, to establish a Formula Retail use (dba "Saje Natural Wellness," a natural wellness retailer) at the ground level of a one-story commercial building within the Upper Fillmore NCD (Neighborhood Commercial District) District and a 40-X Height and Bulk District. The proposal is to legalize an existing, nonconforming Formula Retail use with approximately 2,512 square feet of floor area (occupied by "Saje Wellness"). The proposal is to legalize the Formula Retail use; no other work is proposed. There will be no expansion of the existing tenant space or building envelope.

### REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization to establish the proposed Formula Retail use within the Upper Fillmore NCD (Neighborhood Commercial District) District and a 40-X Height and Bulk District pursuant to Planning Code Sections 303, 718, and 102.

### ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** The Planning Department has received no public comments on the Project as of the date of this Executive Summary.
- The Project will allow for the legalization of an existing Formula Retail use, and abatement of enforcement case 2017-004654ENF.

## **BASIS FOR RECOMMENDATION**

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan. The Project will legalize a Formula Retail use (natural products store, d.b.a. Saje Wellness) in a single-story store at the corner of Fillmore Street and the through-alley of Wilmot Street. The Department finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be a detriment 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 Brief



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Motion No. #####

HEARING DATE: JULY 18, 2019

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CA 94103-2479

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*Record No.:* 2017-004654CUA  
*Project Address:* 1901 FILLMORE (AKA 1913 FILLMORE)  
*Zoning:* Upper Fillmore NCD (Neighborhood Commercial) Zoning District  
40-X Height and Bulk District  
*Block/Lot:* 0659/005  
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**ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303, 303.1, 703.4, and 718 TO LEGALIZE A FORMULA RETAIL USE AT 1901 FILLMORE, LOT 005 IN ASSESSOR'S BLOCK 0659, WITHIN THE UPPER FILLMORE NCD (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.**

### **PREAMBLE**

On December 10, 2018, Sheryl Brady of Permit Place (hereinafter "Project Sponsor") filed Application No. 2017-004654CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for Conditional Use Authorization to legalize an existing Formula Retail use (d.b.a. "Saje Natural Wellness") at 1901 Fillmore (hereinafter "Project"), Lot 005 within Assessor's Block 0659 (hereinafter "Project Site") in the Upper Fillmore Neighborhood Commercial District.

The Planning Department Commission Secretary is the custodian of records; the File for Case No. 2017-004654CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

On July 18, 2019, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on the Application.

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

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

**MOVED**, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2017-004654CUA, 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 Project includes the legalization of a Formula Retail use (d.b.a. “*Saje Natural Wellness*”, an aromatherapy supply store) at its existing location within the Upper Fillmore Neighborhood Commercial District. The legalization would apply to an existing 2,512 square foot space on the first floor, formerly occupied by Ella Moss (a non-Formula Retail clothing store), which vacated the premise in January 2017, directly before Saje took possession. *Saje Natural Wellness* (hereafter “*Saje*”) currently operates 73 stores worldwide, with 15 of those stores in California, and the Subject Property being the only store in San Francisco. The project is to address Complaint No. 2017-004654ENF and legalize a Formula Retail use. No exterior alterations are proposed.
3. **Site Description and Present use.** The Project Site is located on the southwest corner of Fillmore and Wilmot Street, on Assessor’s Block 0659, Lot 005; within the Japantown Planning Area and the Upper Fillmore NCD (Neighborhood Commercial District) Zoning District; and 40-X Height and Bulk District. The subject parcel has a width of 124 feet and a depth of 81 feet. The building was constructed in 1904 and is an Age Eligible / Unknown (Category B) historic resource. The Project Site was developed into a single structure containing seven commercial storefronts, all amassing one-story in height with a thick unifying dental cornice, heavy frieze with box detailing between corbels, and large picture windows with transoms flanking their respective dentil pediment front entrances. The Subject Property is the northmost commercial storefront of the Project Site at the corner of Fillmore and Wilmot Streets, and as such, its commercial windows continue shortly down Wilmot Street.
4. **Surrounding Properties and Neighborhood.** The Upper Fillmore Neighborhood Commercial District (NCD) is situated between the central and southern portion of Pacific Heights. The NCD is intended to have medium-scaled, multi-purpose commercial district comprising of neighborhood-serving convenience goods, as well as specialized goods and services to a wider trade area. Common commercial businesses include bars, restaurants, specialty groceries, and specialty clothing stores. The districts controls are designed promote continuous retail frontage and maintain the existing equilibrium of neighborhood-serving convenience and specialty commercial uses. The Project Site contains a total of seven Retail Sales and Services. In addition to *Saje*, the other six Retail Sales and Service Uses are: SPQR (Full-Service Restaurant), Perfect Cleaners (Personal Service), Invision Optometry (Service, Health), 45R San Francisco (Formula Retail), Ministry of Supply (Retail Sales, Clothing), and Crossroad Trading Co. (Formula Retail). The surrounding neighborhood includes one- to three-story Edwardian structures, with a predominance for residential-over-commercial uses, and ornamented with Victorian-, Queen Anne-, and Greek Revival- details.

5. **Public Outreach and Comments.** To date, the Department has not received any public comments on the Project. The Project Sponsor conducted a Pre-Application Meeting on October 21, 2018, which was attended by three members of the public.
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. **Formula Retail Use.** A *Formula Retail* use is defined under Planning Code Section 303.1 as a type of retail sales or service activity that has eleven or more other retail sales establishments in operation, or with local land use permit entitlements already approved anywhere in the world. In addition to the eleven establishments either in operation or with local land use or permit entitlements approved for operation, the business maintains two or more of the following features: a standardized array of merchandise, a standardized façade, a standardized décor and color scheme, uniform apparel, standardized signage, and a trademark or service-mark.

Within the Upper Fillmore NCD Zoning District, Formula Retail uses require Conditional Use Authorization under Planning Code Section 718. Planning Code Section 303.1 provides additional criteria for the Planning Commission to consider when considering any Conditional Use pursuant to Section 303.1 (Formula Retail Uses).

*The Project would allow for the legalization of an existing Formula Retail Use (d.b.a. Saje Natural Wellness, a Canadian aromatherapy and skin care retailer) at the approximately 2,512 square-foot ground floor commercial space on the project site. The A Formula Retail Use may be conditionally permitted per Planning Code Section 303, 303.1, and 718.*

- b. **Retail Sales and Services Use within the Upper Fillmore NCD Zoning District.** Section 718 of the Planning Code permits “Retail Sales and Services Uses,” which encompasses personal care merchandise per Planning Code Section 102, on the first and second stories.

*The Project would allow the continuation of a Retail Sales and Services use, which Formula Retail is conditionally encompassed within, at the ground floor of a one-story commercial building.*

- c. **Hours of Operation.** Planning Code Section 713 states that the permitted hours of operation for a commercial use are 6:00am to 2:00am the following day.

*The proposed hours of operation for Saje Natural Wellness are 11:00am to 7:00pm Monday through Saturday, and 11:00am through 6:00pm on Sundays.*

- d. **Street Frontage in Neighborhood Commercial Districts.** Planning Code Section 145.1 requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street

frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

*The first 65 feet of building depth along the Fillmore Street frontage is proposed for use as a Formula Retail establishment, which is considered an active use. The windows will be clear, un-tinted, and unobstructed. There are no proposed changes to the exterior. Currently, there are two vinyl graphic appliques, each adhered to a single storefront window facing the Subject Property's respective cross streets of Wilmot and Fillmore. These two appliques each maintain 78% transparency of the storefront windows to which they are attached. Signs will be required to have a sign permit and comply with the requirements of Article 6 of the Planning Code.*

- e. **Use Size.** Planning Code Section 718 principally permits non-residential uses up to 2,499 square feet. Uses 2,500 square feet or larger require Conditional Use Authorization.

*The Project proposes a total use size of approximately 2,512 square feet (including a mezzanine used for storage), which exceeds the principally permitted use size of this district. However, the commercial unit is a "noncomplying structure", meaning the use size existed lawfully prior to the effective date of Planning Code Section 718. The Subject Property was constructed in 1904, and based on Sanborn maps and Planning Department records, has operated as commercial tenant spaces since its construction. Per Planning Code Section 180(a)(2) and 180(c), the continuation of the existing use size is permitted.*

- f. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department and must comply with Article 6 of the Planning Code.

*The project does not propose any signage at this time. The existing signage consists of two window appliques, which meet the Department's transparency requirements.*

- 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 size of the use will remain as is existing and is in keeping with other storefronts on the block-face. The proposed legalization of the Formula Retail use will not affect traffic or parking in the District, as the business serves only a moderate number of customers, with sufficient off-street parking available. This will not impact the mix of goods and services currently available in the District, and it will contribute to the continued economic vitality of the neighborhood by continuing its operations.*

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

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The height and bulk of the existing building will remain the same and the Project will not alter the existing appearance or character in the vicinity. The proposed work will not affect the building envelope.*

- (2) 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 Planning Code does not require off-street parking, and there is sufficient street parking. It is unlikely that the use will generate significant vehicular trips citywide, though it will generate moderate trips from the neighborhood due to its close proximity to many other neighborhood-serving sales and services uses.*

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

*The proposed use will not generate significant noise, glare, dust, or odor.*

- (4) 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 space, or lighting. Any new signage would be reviewed for compliance with the Planning Code and Formula Retail 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 purpose of the Upper Fillmore Neighborhood Commercial 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, and will offer specialty products for the larger trade area.*

8. **Formula Retail.** Planning Code Section 303.1 provides additional criteria for the Planning Commission to consider when considering any Conditional Use pursuant to Planning Code Section 303.1, Formula Retail uses:

- a. The existing concentration of Formula Retail uses within the District.

*There are approximately 12 existing Formula Retail uses out of approximately 44 commercial establishments within 300 feet of the Project Site. The existing intensity of Formula Retail uses is approximately 27% within 300 feet of the Project Site, which accounts for approximately 21% of the total linear frontage in that same vicinity. The 300' radius encompasses roughly one-fourth of the Upper Fillmore Neighborhood Commercial District, where the Project Site is located, and a small portion of the Fillmore Street Neighborhood Commercial Transit District.*

- b. The availability of other similar retail uses within the District.

*Of the 44 businesses surveyed within a 300' radius of the Project Site, 12 (27%) are Formula Retail uses. All similar businesses provide a different array of goods and services.*

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

*The Project would not alter any of the existing exterior details of the subject building. Therefore, the Project is compatible within, and will have no adverse effect on, the architectural and aesthetic characters of the District.*

- d. The existing retail vacancy rates within the District.

*The Project, if approved, will not affect the retail vacancy rate within a 300' radius, as the proposed Formula Retail use is a legalization of an already extant store. According to the 300' radius survey provided, there are no vacancies in the area.*

- e. The existing mix of Citywide-serving retail uses and neighborhood-serving retail uses within the District.

*The Project Site's Upper Fillmore NCD Zoning District is of medium size, with a focus on both neighborhood-serving Retail uses, as well as Citywide-serving specialty goods. The intent and diverse nature of convenient- and specialty- Retail will not be impacted, as the Project is an existing neighborhood-serving and specialty use that will continue to operate out of its existing storefront.*

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

*The proposed use is consistent with the existing character of the district, which is comprised of a variety of goods and services. The subject property would provide a nominal change in the number of existing Formula retail commercial frontage within the district.*

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

## COMMERCE AND INDUSTRY

### Objectives and Policies

#### OBJECTIVE 1:

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

#### Policy 1.1:

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

#### Policy 1.2:

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

#### Policy 1.3:

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

*The Project to legalize an existing Formula Retail Sales and Services use would allow the establishment (dba "Saje Natural Wellness") to continue providing convenient goods and services to the surrounding neighborhood and specialty sales to the larger trade area, as well as providing resident employment opportunities to those in the community. The applicant has 6 full-time employees and employs 1-5 additional, seasonally employees (totaling staff of 6-10 team members at any given time). The Conditions of Approval will ensure that the use meets minimum, reasonable performance standards.*

#### OBJECTIVE 2:

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

#### Policy 2.1:

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

*The Project will allow the legalization of an existing Formula Retail use (which has no other location in San Francisco), and would retain an existing commercial business and diverse economic base.*

#### OBJECTIVE 3:

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

#### Policy 3.4:

Assist newly emerging economic activities.

*The Project will allow the legalization of a Formula Retail use that would employ 6-10 employees, which will enhance the diverse economic base of the City.*

## **NEIGHBORHOOD COMMERCE**

### **Objectives and Policies**

#### **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.

#### **Policy 6.3:**

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of existing affordable housing and needed expansion of commercial activity.

*The Project will not prevent the District from achieving optimal diversity in the types of goods and services available in the neighborhood. The Project will provide the neighborhood with a Formula Retail service for goods and services that specializes in selling aromatherapy and natural skin care products.*

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.

*The Project has not shown and is not anticipated to show significantly effect on the existing mix of neighborhood-serving retail uses and provides opportunities for resident employment. The Project would retain the current mix of retail. The Project will continue to provide desirable services and will continue to provide employment opportunities to those in the community.*

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

*The Project is not anticipated to adversely affect the character or diversity of the neighborhood. There are no changes proposed to the façade.*

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

*The Project would not have any adverse effect on the City's supply of affordable housing.*

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

*The Project Site is well-served by nearby public transportation options. The Project is located along two Muni bus lines (22-Fillmore and 3-Jackson), and is within walking distance of numerous others (1-California, 2-Clement, 24-Divisadero, and 38-Geary). The Project also provides off-street parking at the principally permitted amounts.*

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

*The Project will not displace or adversely affect any service sector or industrial businesses as the Project is already occupying a commercial space.*

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

*The Project will not adversely affect the property's ability to withstand an earthquake. The Project will comply with the requirements of the San Francisco Building Code.*

- G. That landmarks and historic buildings be preserved.

*The Project is not located in a landmark or historic building, and will not adversely impact the City's stock of such buildings.*

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

*The Project will have no negative effect on existing parks and open spaces, and will not adversely affect their access to sunlight, or vistas.*

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 would promote the health, safety and welfare of the City.

**DECISION**

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No 2017-004654CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated January 16, 2017, 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 July 18, 2019.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:

## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use to allow the enlargement of a Formula Retail use (d.b.a. **Saje Natural Wellness**) located at 1901 Fillmore Street (aka 1913 Fillmore Street), Block 0659, Lot 005, pursuant to Planning Code Sections 303, 303.1, 703.4, and 718 within the **Upper Fillmore Neighborhood Commercial District** Zoning District and a **40-X** Height and Bulk District; in general conformance with plans, dated **January 16, 2017**, and stamped "EXHIBIT B" included in the docket for Case No. **2017-004654CUA** and subject to conditions of approval reviewed and approved by the Commission on **July 18, 2019** under Motion No. #####. 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 **July 18, 2019** under Motion No. #####.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. ##### 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](http://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](http://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](http://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](http://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](http://www.sf-planning.org)*

### DESIGN

6. **Signage.** Any signs on the property shall be made to comply with the requirements of Article 6 of the Planning Code.

## MONITORING

7. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of the 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 action under their jurisdiction.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org).*

## OPERATION

8. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the tenant space 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, [www.sfdpw.org](http://www.sfdpw.org).*  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org).*

## MONITORING – AFTER ENTITLEMENT

9. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of the 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 action under their jurisdiction.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org).*
10. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org).*
11. **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](http://www.sf-planning.org).*

# EXHIBIT B

## PLANS

**PROJECT INFORMATION**

|                              |  |
|------------------------------|--|
| PROJECT NAME                 | TENANT IMPROVEMENT<br>45rpm RETAIL STORE   |
| PROJECT ADDRESS              | 1905 FILLMORE STREET<br>SAN FRANCISCO, CA 94115  |
| BUILDING OWNERS              | COUCH FAMILY TRUST OF 1990<br>998 MAGNOLIA AVE<br>LARKSPUR CA. 94939   |
| TENANT                       | 45rpm studio u.s.a. inc.<br>169 Mercer St. New York, NY 10012<br>917-237-0045  |
| CONTACT PERSON               | LUCIAN ROBERT BLAZEJ<br>STRATEGIC SOLUTIONS<br>50 Laidley St. San Francisco, CA 94131<br>415-695-1111  |
| CIVIL ENGINEER               | HIROSHI SAKAMOTO<br>STATE OF CALIFORNIA REGISTERED ENGINEER<br>LICENCE # 33824<br>Space Design and Consulting<br>111 E Poplar Ave. San Mateo, CA 94401<br>650-773-8165   |
| ZONING                       | NCD - UPPER FILLMORE NEIGHBORHOOD<br>COMMERCIAL DISTRICT   |
| EXISTING USAGE               | RETAIL   |
| PROPOSED USAGE               | RETAIL (NO CHANGE)   |
| PARCELS (Block/Lot)          | 0659/005   |
| BUILDING LEVELS              | 1STORY + (E) MEZZANINE   |
| TENANT SPACE AREA            | RETAIL SPACE : 987.0 SQ. FT. (NO CHANGE)<br>STORAGE (GROUND FLOOR): 195.7 SQ. FT. (NO CHANGE)<br>BATHROOM : 47.3 SQ. FT. (NO CHANGE)<br>STORAGE (E) MEZZANINE : 243.0 SQ. FT. (NO CHANGE)<br>TOTAL FLOOR AREA (GIA): 1473.0 SQ. FT.(NO CHANGE) |
| BUILDING TYP                 | COMMERCIAL STORES  |
| TYPE OF CONSTRUCTION         | TYPE V - B   |
| SPRINKLER SYSTEM             | SPRINKLERED  |
| OCCUPANCY TYPE               | B/M  |
| PLANNING HISTORICAL RESOURCE | B - UNKNOWN  |
| YEAR BUILT                   | 1904   |

**APPLICABLE CODE**

ALL WORK SHALL CONFORM TO ALL APPLICABLE CODES, ORDINANCES AND REGULATION AS PRESCRIBED BY THIS CITY OF SAN FRANCISCO

THESE PLAN AND DETAILS WERE DESIGNED IN COMPLIANCE WITH THE CALIFORNIA BUILDING, FIRE, MECHANICAL AND PLUMBING CODES, 2013 CBC, 2013 CMC, 2013 CPC, 2013 CEC, AND 2013 CFC

FEDERAL AND STATE DISABILITIES GUIDELINES AND REGULATIONS AND ANY OTHER REGULATIONS, CODES OR ORDINANCES AS AMENDED BY THE STATE OF CALIFORNIA AND CITY OF SAN FRANCISCO THAT ARE APPLICABLE TO THIS PROJECT.

**CLOTHING STORE "45rpm"  
1905 FILLMORE STREET  
SAN FRANCISCO, CA94115**

**SCOPE OF WORK - TENANT IMPROVEMENT**

THE SCOPE OF WORK INCLUDES TENANT IMPROVEMENTS FOR A CLOTHING STORE "45rpm." EXISTING TENANT USE : RETAIL

THIS PROJECT PROPOSES TO INSTALL NEW WALLS TO CREATE TWO FITTING ROOMS, ADD NEW DOOR TO THE BACK AREA, INSTALL NEW CEILING AND REPLACE FLOORING.

ADA BATHROOM UPGRADE IN REAR CORNER.

FIRE SPRINKLERS : EXISTING FIRE SPRINKLERS SHALL BE MODIFIED TO MATCH NEW CEILING HEIGHT

LIGHTING : REMOVE AND REPLACE EXISTING LIGHTING FIXTURES

HVAC : EXISTING A/C AND HEATER TO REMAIN

**GENERAL NOTES**

ALL CONSTRUCTION WORK SHALL COMPLY WITH THE APPLICABLE FEDERAL, STATE AND LOCAL CODES, LAWS AND REGULATIONS.

CONTRACTOR SHALL VERIFY EXISTING CONDITIONS AT JOB SITE REPORT ALL DISCREPANCIES TO THE ARCHITECT PRIOR TO PROCEEDING WITH THE WORK.

VERIFY LOCATIONS OF ALL UTILITY LINES, CONDUITS, SURFACE OR SUBSURFACE STRUCTURES, ETC., OF ANY NATURE THAT MAYBE AFFECTED BY THE WORK BEFORE STARTING THE WORK.

SHOULD ANY OF THE ABOVE ITEMS BE DISTURBED, DISCONNECTED, OR DAMAGED DURING THE WORK, BEAR ALL EXPENSES OF WHATEVER NATURE ARISING FROM SUCH DISTURBANCE OR THE REPLACEMENT OR REPAIR THEREOF, AND REPLACE OR REPAIR SUCH ITEMS AS REQUIRED.

FLOOR AND EXISTING / NEW WALLS TO BE READY FOR NEW FINISH INSTALLATION AND APPLICATION. ALL SURFACES SHALL BE CLEARED AND FREE OF DEBRIS AND ADHESIVE.

CONTRACTOR SHALL PROTECT NEW OR EXISTING WORK, EQUIPMENT, MATERIALS AND FINISHES. DAMAGED ITEMS SHALL BE REPAIRED OR REPLACED AT THE EXPENSE OF THE CONTRACTOR.

CONTRACTOR SHALL, AT ALL TIMES DURING THE COURSE OF THE WORK, KEEP THE CONSTRUCTION AREA, THE OWNER'S PREMISES, INCLUDING STREETS AND OTHER AREAS USED BY THE CONTRACTOR, CLEAN AND FREE FROM ACCUMULATION OF WASTE MATERIALS AND RUBBISH. CONTRACTOR SHALL PROVIDE DUST CONTROL MEASURES AS REQUIRED.

AT COMPLETION OF THE WORK, REMOVE FROM THE BUILDING AND THE PREMISES ALL SURPLUS MATERIALS AND DEBRIS, AND CLEAN UP THOROUGHLY TO THE OWNER'S SATISFACTION.

ALL DIMENSIONS SHOWN ON FLOOR PLAN ARE TO FACE OF FINISH, UNLESS OTHERWISE NOTED.

ALL OPEN JOINTS, PENETRATIONS AND OTHER OPENINGS IN THE BUILDING ENVELOPED SHALL BE SEALED, CAULKED, GASKETED OR WEATHER-STRIPPED TO LIMIT AIR LEAKAGE.

SUPPLY AND INSTALLATION OF FIRE EXTINGUISHERS ARE PART OF THIS CONTRACT. FIRE EXTINGUISHERS ARE TO BE INSTALLED PER FIRE DEPARTMENT REQUIREMENTS BY THE CONTRACTOR.

CONSTRUCTION CONTRACTORS SHALL MUFFLE AND SHIELD INTAKES AND EXHAUSTS, SHROUD IMPACT TOOLS, AND USE ELECTRIC POWERED RATHER THAN DIESEL-POWERED CONSTRUCTION EQUIPMENT ( AS FEASIBLE )

ALL STATIONARY NOISE - GENERATING EQUIPMENT SHALL BE LOCATED AS FAR AS POSSIBLE FROM NEIGHBORING PROPERTY LINES.

ALL CONSTRUCTION EQUIPMENTS SHALL BE MAINTAINED AND OPERATED ACCORDING TO MANUFACTURE'S MAINTENANCE SCHEDULES AND RECOMMENDATIONS TO MINIMIZE NOISE AND EXHAUST EMISSIONS ( PARTICULARLY NITROGEN OXIDES ).

**INDEX OF DRAWINGS**

|       |   |
|-------|---|
| A - 0 | PROJECT INFORMATION, APPLICABLE CODE, SCOPE OF WORK, GENERAL NOTES, VICINITY MAP, SITE PLAN AND INDEX OF DRAWINGS |
| A - 1 | GROUND FLOOR PLAN, (E) MEZZANINE FLOOR PLAN AND AREA NOTATION   |
| A - 2 | BUILDING SECTION, (E) FRONT ELEVATION AND (N) SIGN DETAIL   |
| A - 3 | CURRENT PHOTOS  |

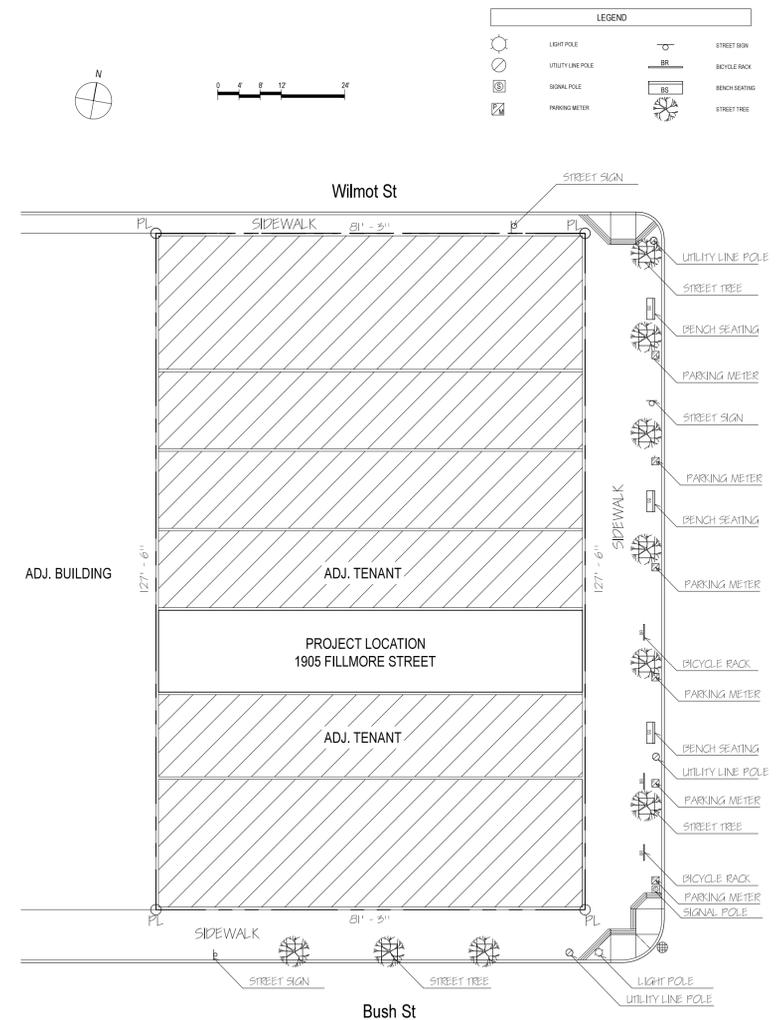
**VICINITY MAP**

NO SCALE



**SITE PLAN**

SCALE 1/16" = 1' - 0"



Space Design and Consulting

111 E Poplar Ave. #101  
San Mateo, CA 94401  
650-773-8165

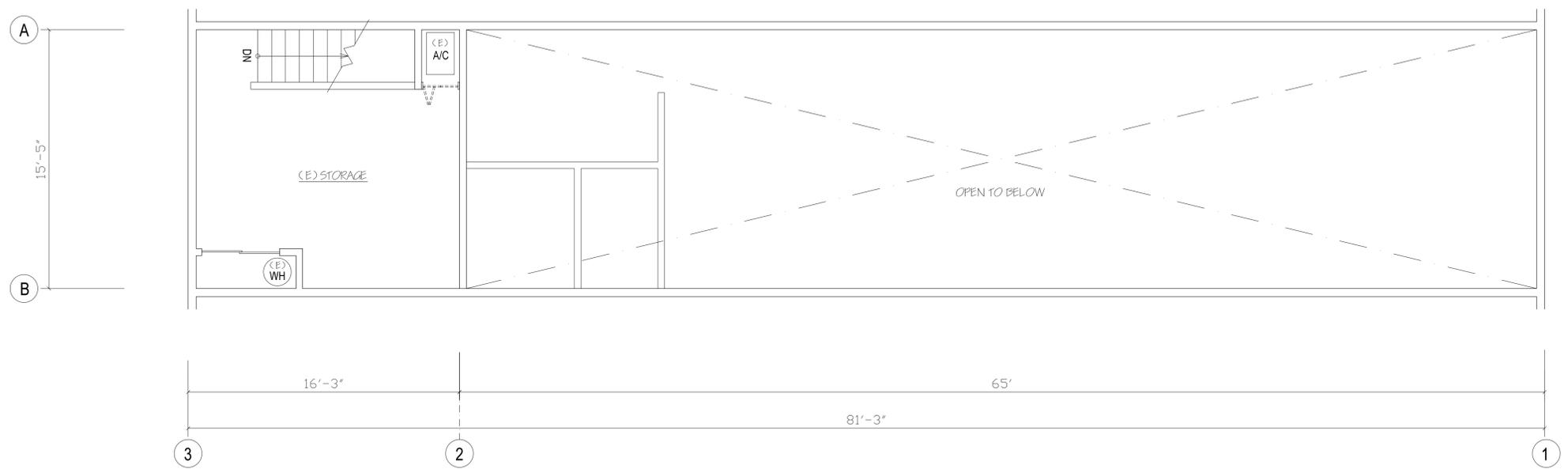
CLOTHING STORE "45rpm"

1905 FILLMORE STREET  
SAN FRANCISCO, CA 94115

|         |                |
|---------|----------------|
| DRAWN   | SUGI           |
| CHECKED | H. S.          |
| DATE    | 11 / 30 / 2015 |
| SCALE   | AS NOTED       |

SHEET

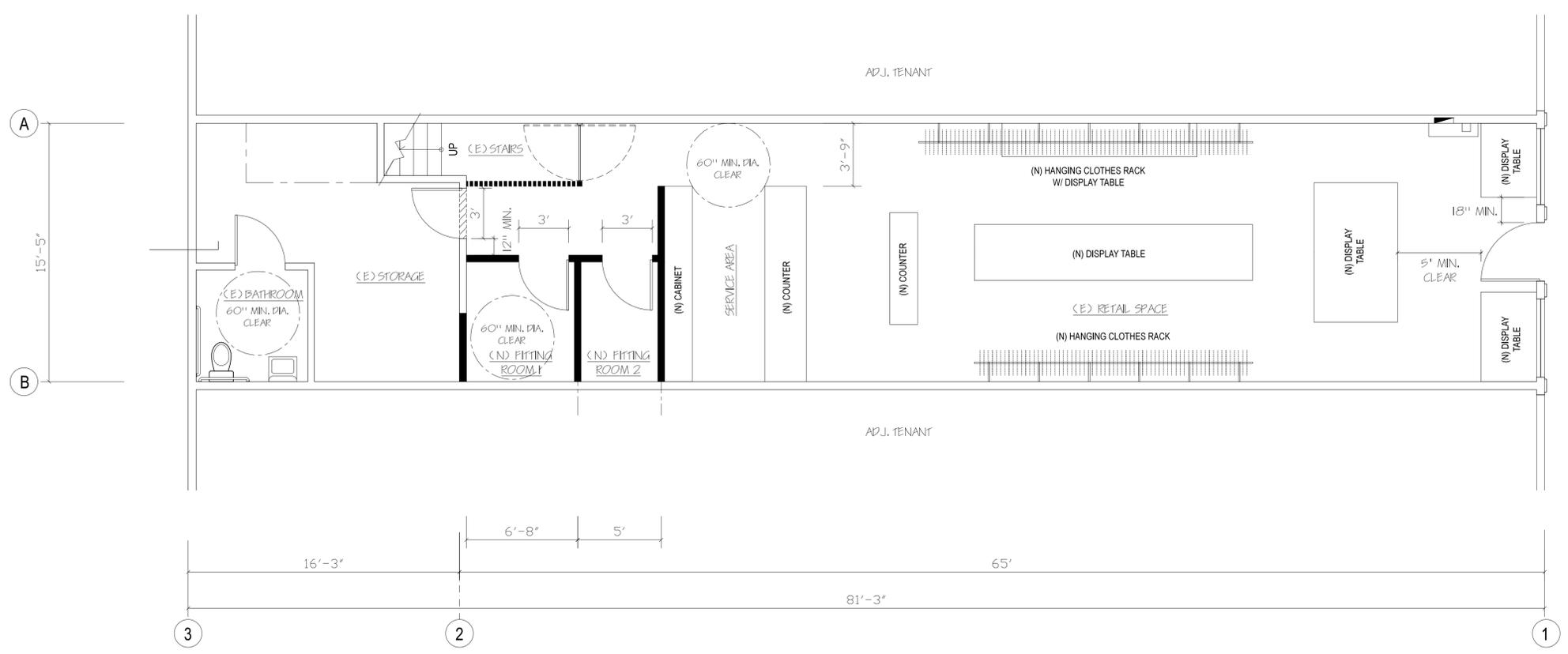
**A - 0**



2  
A-1 (E) MEZZANINE FLOOR PLAN SCALE 1/4" = 1'-0"

**LEGEND**

|     |               |
|-----|---------------|
|     | EXISTING WALL |
|     | NEW WALL      |
|     | REMOVE WALL   |
| (N) | NEW           |
| (E) | EXISTING      |



1  
A-1 GROUND FLOOR PLAN SCALE 1/4" = 1'-0"



| ZONE                    | AREA (GIA)     |
|-------------------------|----------------|
| (E) RETAIL SPACE        | 987.0 SQ. FT.  |
| (E) STORAGE             | 195.7 SQ. FT.  |
| (E) BATHROOM            | 47.3 SQ. FT.   |
| (E) MEZZANINE (STORAGE) | 987.0 SQ. FT.  |
| (E) TOTAL FLOOR AREA    | 1473.0 SQ. FT. |

Space Design and Consulting  
 111 E Poplar Ave. #101  
 San Mateo, CA 94401  
 650-773-8165

CLOTHING STORE 1145rpm"  
 1905 FILLMORE STREET  
 SAN FRANCISCO, CA 94115

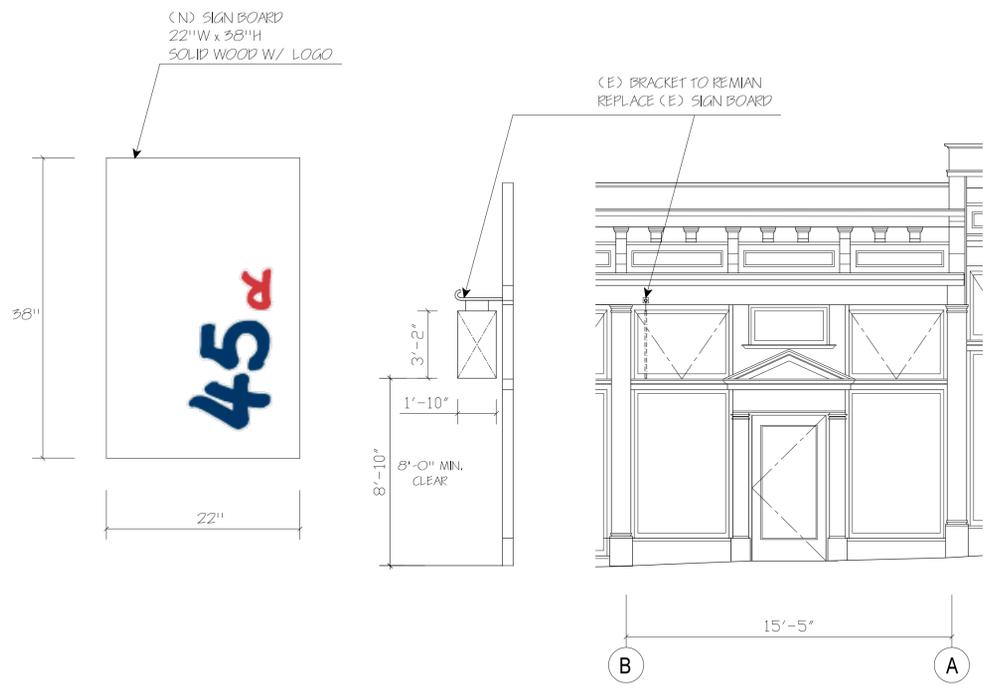
|         |                |
|---------|----------------|
| DRAWN   | SUGI           |
| CHECKED | H. S.          |
| DATE    | 11 / 30 / 2015 |
| SCALE   | AS NOTED       |

Space Design and Consulting  
111 E Poplar Ave. #101  
San Mateo, CA 94401  
650-773-8165

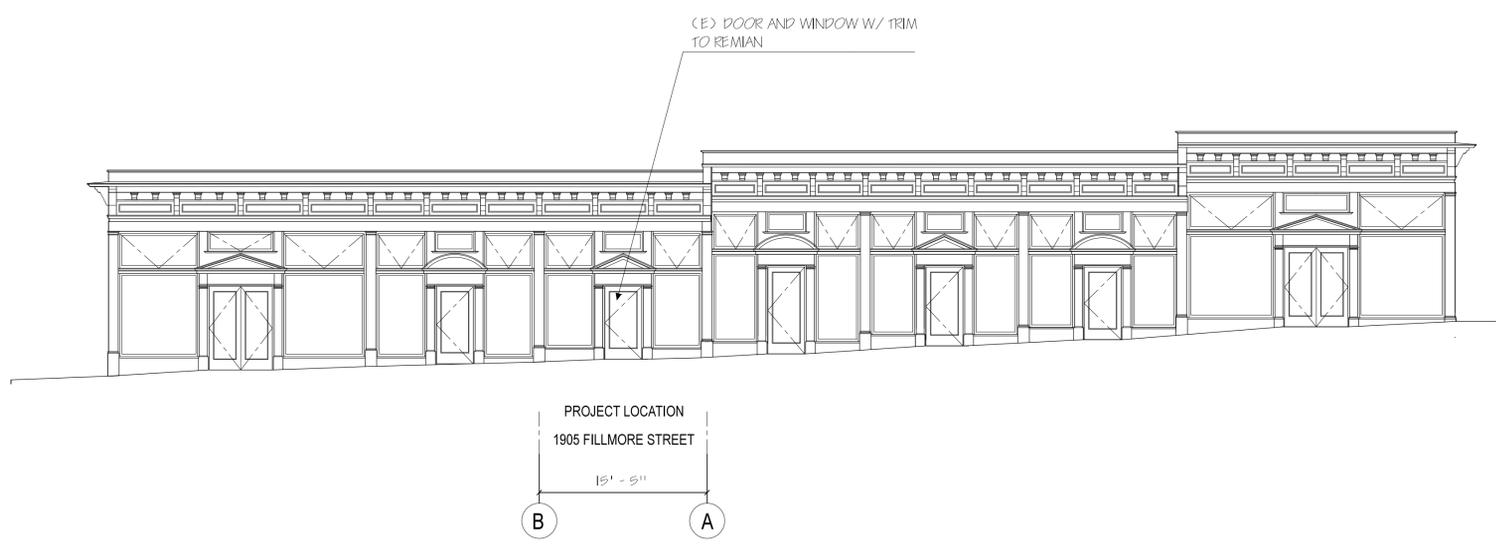
CLOTHING STORE "45rpm"  
1905 FILLMORE STREET  
SAN FRANCISCO, CA 94115

|         |                |
|---------|----------------|
| DRAWN   | SUGI           |
| CHECKED | H. S.          |
| DATE    | 11 / 30 / 2015 |
| SCALE   | AS NOTED       |

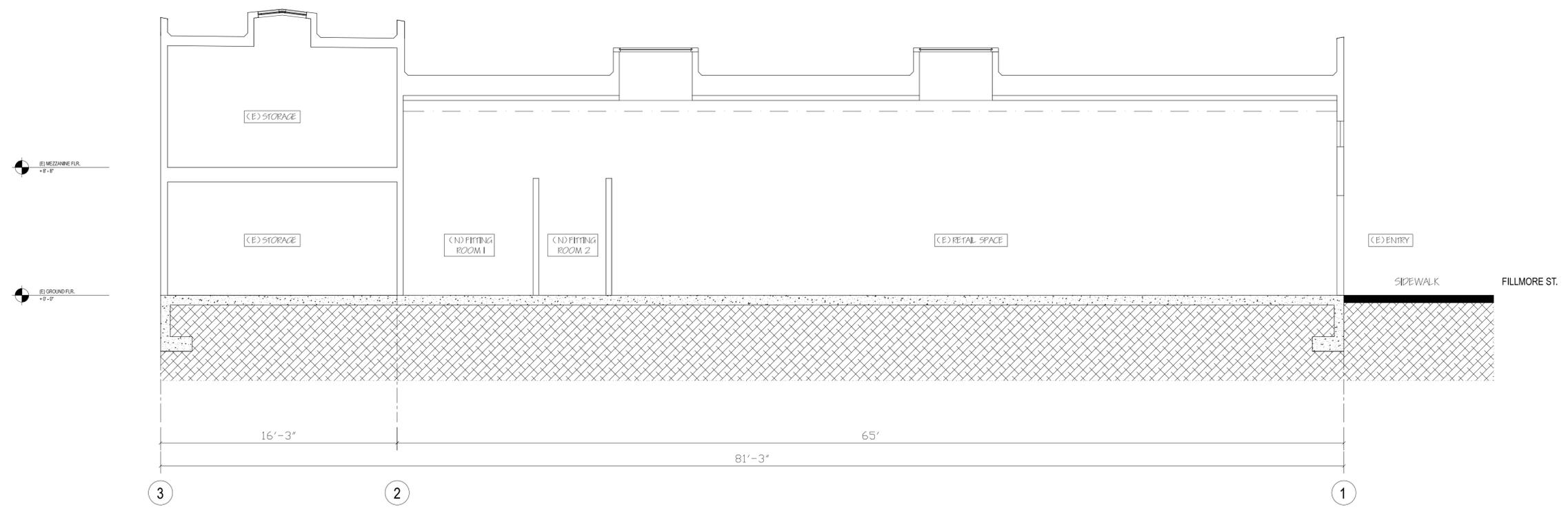
SHEET  
**A - 2**



3  
A-2 (N) SIGN DETAIL SCALE 1/4" = 1'-0" 0 1' 2' 3' 6'



2  
A-2 FRONT ELEVATION - FILLMORE ST. SCALE 1/8" = 1'-0" 0 2' 4' 6' 12'



1  
A-2 BUILDING SECTION - EAST/WEST SCALE 1/4" = 1'-0" 0 2' 4' 6' 12'

# EXHIBIT C

## ENVIRONMENTAL DETERMINATION



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

|  |   |  |
|--|---|--|
| <b>Project Address</b>   |   | <b>Block/Lot(s)</b>                                  |
| 1901-1911 Fillmore Street  |   | 0659005  |
| <b>Case No.</b>  |   | <b>Permit No.</b>                                    |
| 2017-004654PRJ   |   | 201701268010   |
| <input type="checkbox"/> <b>Addition/<br/>Alteration</b>   | <input type="checkbox"/> <b>Demolition (requires HRE for<br/>Category B Building)</b> | <input type="checkbox"/> <b>New<br/>Construction</b> |
| <b>Project description for Planning Department approval.</b><br>To legalize a formula retail use d.b.a. Sage Wellness. |   |  |

### STEP 1: EXEMPTION CLASS

|  |  |
|--|--|
| <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.</b> Up to three new single-family residences or six 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.   |
| <input type="checkbox"/>   | <b>Class 32 - In-Fill Development.</b> New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:<br>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.<br>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.<br>(c) The project site has no value as habitat for endangered rare or threatened species.<br>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.<br>(e) The site can be adequately served by all required utilities and public services.<br><br><b>FOR ENVIRONMENTAL PLANNING USE ONLY</b> |
| <input type="checkbox"/>   | <b>Class _____</b>   |

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

If any box is checked below, an *Environmental Evaluation Application* is required.

|                          |   |
|--------------------------|---|
| <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, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)   |
| <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 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)  |
| <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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)  |
| <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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) <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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report will likely be required.</b>  |

**If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an *Environmental Evaluation Application* is required, unless reviewed by an Environmental Planner.**

**Comments and Planner Signature (optional):**

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

|  |  |
|--|--|
| <b>PROPERTY IS ONE OF THE FOLLOWING:</b> (refer to Parcel Information Map) |  |
| <input type="checkbox"/>   | <b>Category A:</b> Known Historical Resource. <b>GO TO STEP 5.</b>   |
| <input checked="" type="checkbox"/>  | <b>Category B:</b> Potential Historical Resource (over 45 years of age). <b>GO TO STEP 4.</b>                  |
| <input 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 checked="" 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 PROJECT 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 checked="" 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):<br><br>Legalizing existing Formula Retail use. no exterior work on this permit  |
| <input checked="" type="checkbox"/>  | 9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):<br><br>Legalizing existing Formula Retail use<br><br>(Requires approval by Senior Preservation Planner/Preservation Coordinator)   |
| <input type="checkbox"/>   | 10. <b>Reclassification of property status.</b> (Requires approval by Senior Preservation Planner/Preservation<br><input type="checkbox"/> Reclassify to Category A<br>a. Per HRER dated<br>b. Other (specify):<br><input type="checkbox"/> Reclassify to Category C<br>(attach HRER) |
| <b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b> |   |
| <input type="checkbox"/>   | <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>  |
| <input checked="" type="checkbox"/>  | <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>   |
| <b>Comments (optional):</b><br>no exterior work to be performed under this permit                    |   |
| <b>Preservation Planner Signature:</b> Katherine Wilborn   |   |

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

|   |   |  |
|---|---|--|
| <input type="checkbox"/>  | <b>Further environmental review required.</b> Proposed project does not meet scopes of work in either (check all that apply):<br><input type="checkbox"/> Step 2 - CEQA Impacts<br><input type="checkbox"/> Step 5 - Advanced Historical Review<br><b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b> |  |
| <input checked="" type="checkbox"/>   | <b>No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.</b>   |  |
|   | <b>Project Approval Action:</b><br>Building Permit  | <b>Signature:</b><br>Katherine Wilborn |
|   | If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.   | 06/03/2019                             |
| Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.<br>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.<br>Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals. |   |  |

## 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) |
| 1901-1911 Fillmore Street                      |                              | 0659/005                                    |
| Case No.                                       | Previous Building Permit No. | New Building Permit No.                     |
| 2017-004654PRJ                                 | 201701268010                 |   |
| Plans Dated                                    | Previous Approval Action     | New Approval Action                         |
|  | Building Permit              |   |
| 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? |
| <b>If at least one of the above boxes is checked, further environmental review is required.</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:  | Date:   |
|  |   |

# EXHIBIT D

## LAND USE



# SAN FRANCISCO PLANNING DEPARTMENT

## Land Use Information

PROJECT ADDRESS: 1901 (AKA 1913) FILLMORE STREET  
RECORD NO.: 2017-004654CUA

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

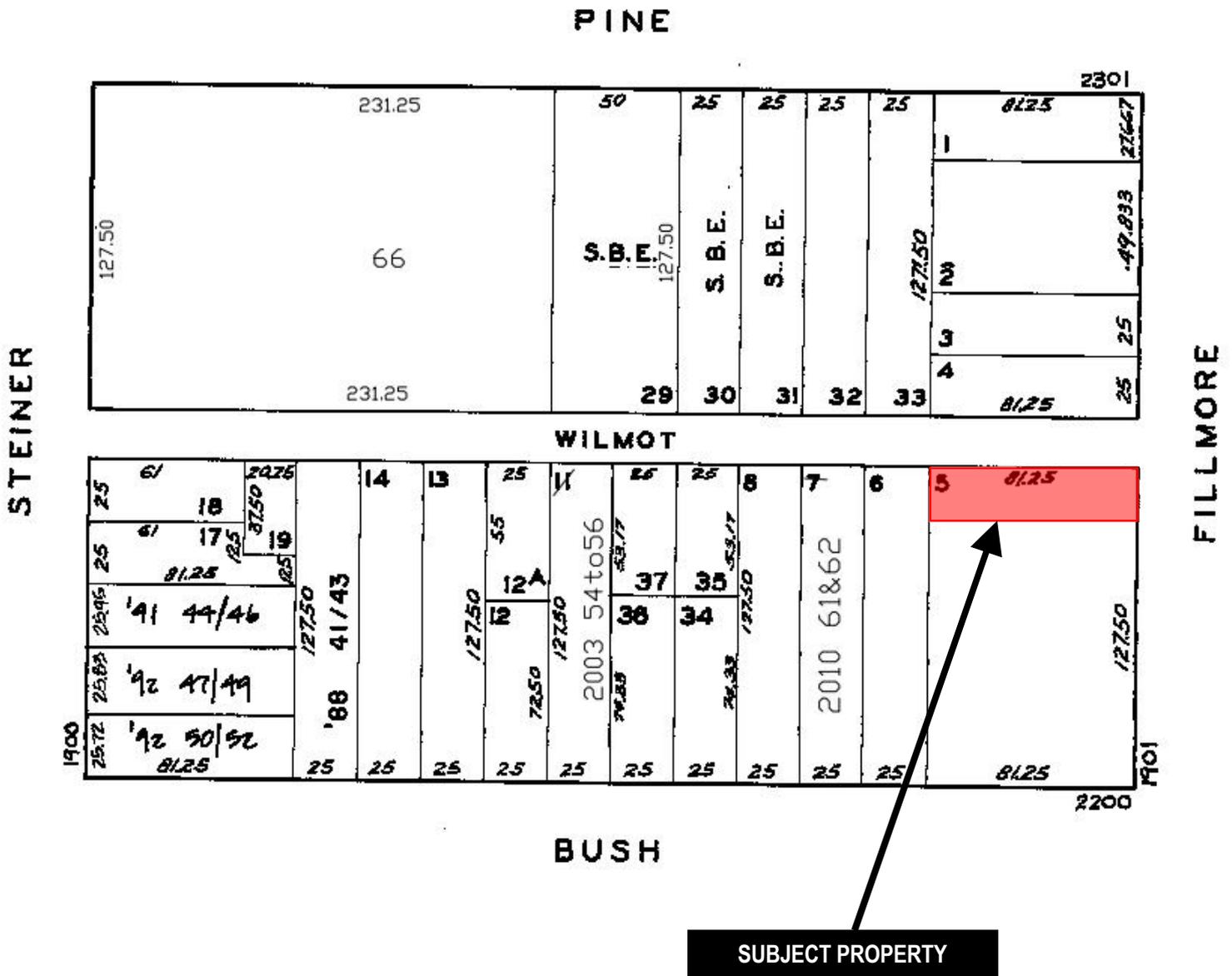
Planning  
Information:  
**415.558.6377**

|   | EXISTING     | PROPOSED  | NET NEW      |
|---|--------------|-----------|--------------|
| <b>GROSS SQUARE FOOTAGE (GSF)</b>   |              |           |              |
| Parking GSF   | N/A          | N/A       | N/A          |
| Residential GSF   | N/A          | N/A       | N/A          |
| Retail/Commercial GSF   | 2,512        | NO CHANGE | 0            |
| Office GSF  | N/A          | N/A       | N/A          |
| Industrial/PDR GSF<br><small>Production, Distribution, &amp; Repair</small> | N/A          | N/A       | N/A          |
| Medical GSF   | N/A          | N/A       | N/A          |
| Visitor GSF   | N/A          | N/A       | N/A          |
| CIE GSF   | N/A          | N/A       | N/A          |
| Usable Open Space   | N/A          | N/A       | N/A          |
| Public Open Space   | N/A          | N/A       | N/A          |
| Other   | N/A          | N/A       | N/A          |
| <b>TOTAL GSF</b>  | <b>2,512</b> | <b>0</b>  | <b>2,512</b> |
|   | EXISTING     | NET NEW   | TOTALS       |
| <b>PROJECT FEATURES (Units or Amounts)</b>                                  |              |           |              |
| Dwelling Units - Affordable   | N/A          | N/A       | N/A          |
| Dwelling Units - Market Rate  | N/A          | N/A       | N/A          |
| Dwelling Units - Total  | N/A          | N/A       | N/A          |
| Hotel Rooms   | N/A          | N/A       | N/A          |
| Number of Buildings   | N/A          | N/A       | N/A          |
| Number of Stories   | N/A          | N/A       | N/A          |
| Parking Spaces  | N/A          | N/A       | N/A          |
| Loading Spaces  | N/A          | N/A       | N/A          |
| Bicycle Spaces  | N/A          | N/A       | N/A          |
| Car Share Spaces  | N/A          | N/A       | N/A          |
| Other   | N/A          | N/A       | N/A          |

# EXHIBIT E

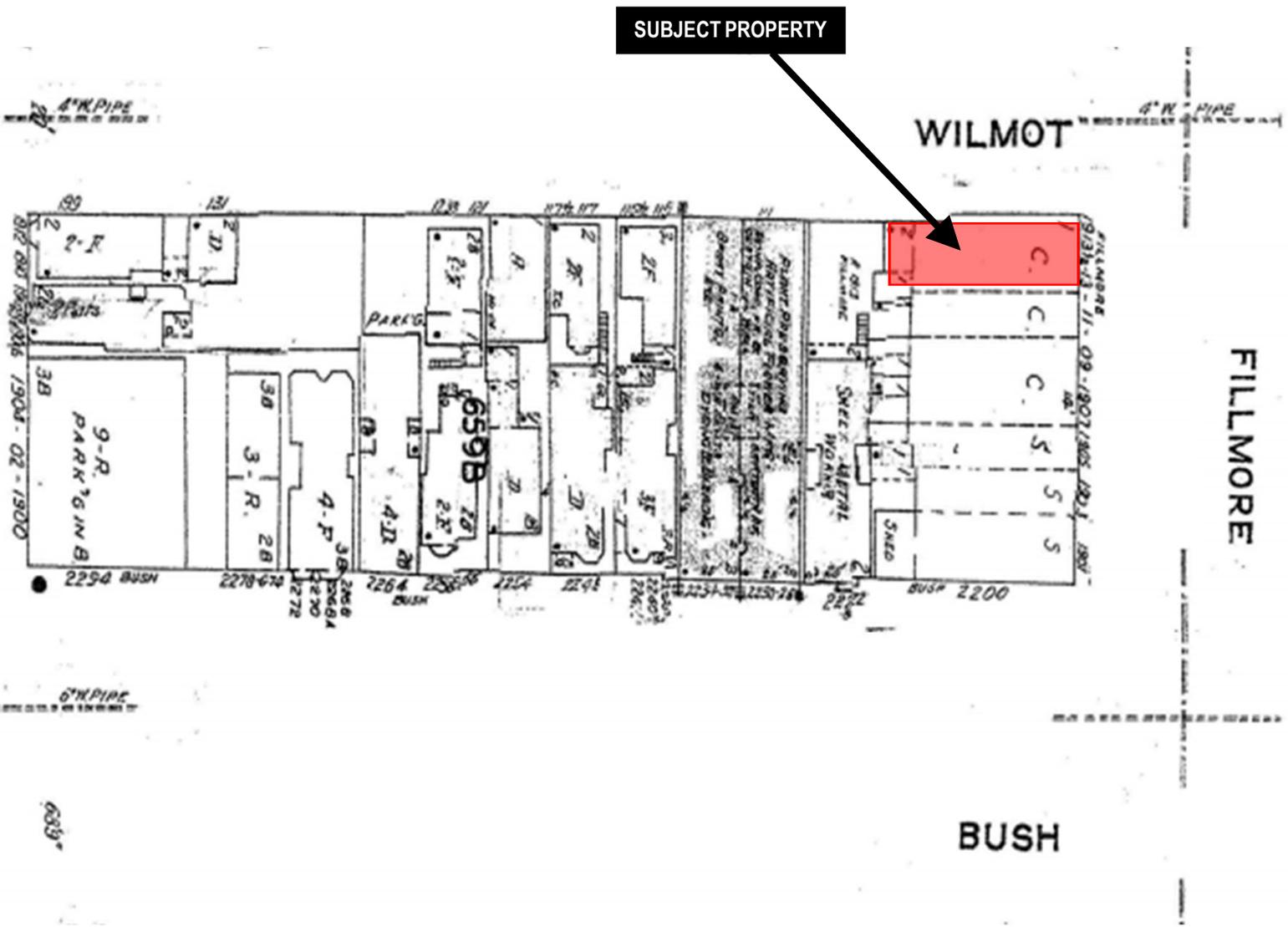
## MAPS AND CONTEXT PHOTOS

# Parcel Map



Conditional Use Authorization  
 Case Number 2017-004654CUA  
 Formula Retail – Saje Natural Wellness  
 1901 (aka 1913) Fillmore Street

# Sanborn Map\*

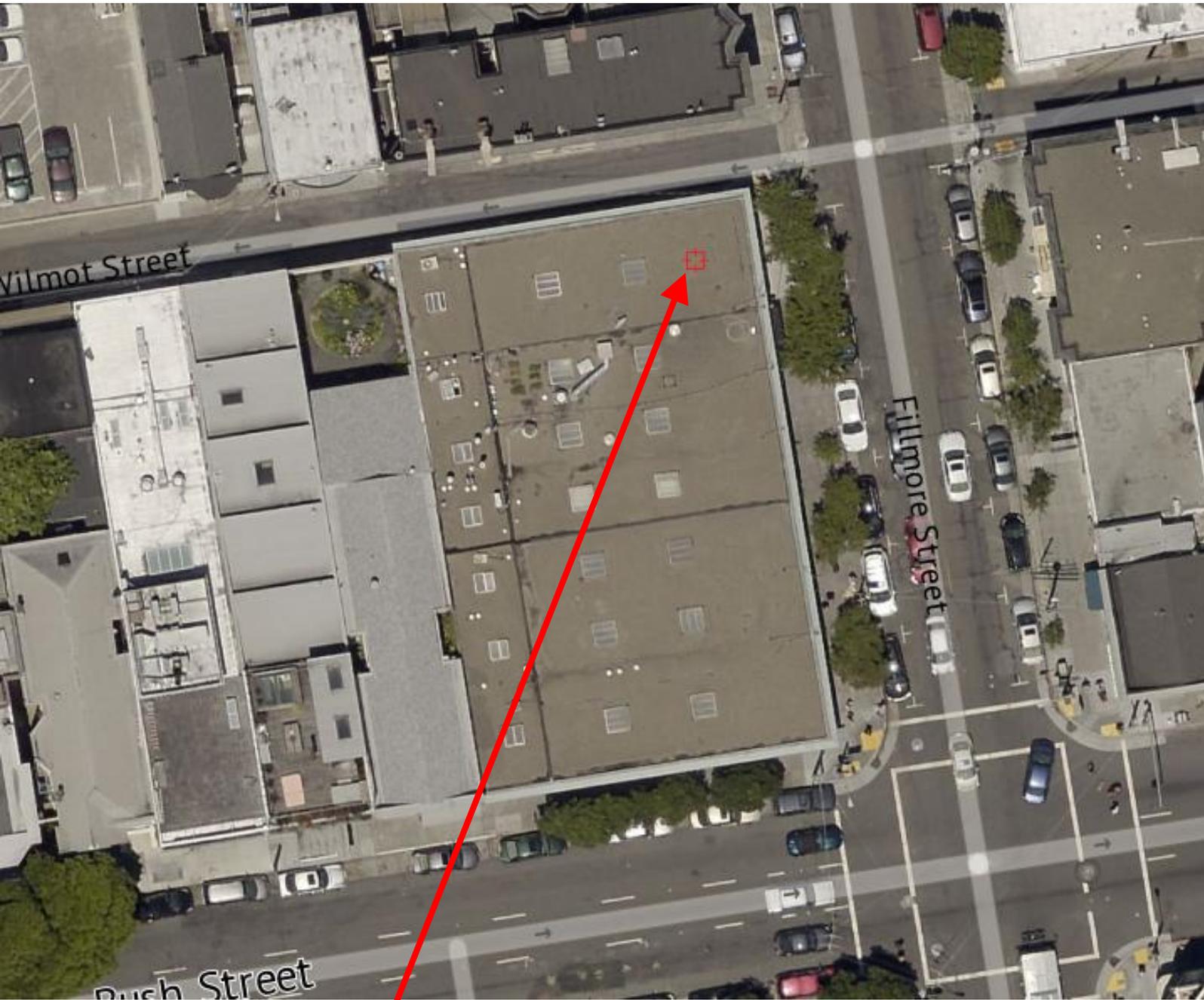


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization  
Case Number 2017-004654CUA  
Formula Retail – Saje Natural Wellness  
1901 (aka 1913) Fillmore Street

# Aerial Photo – View 1

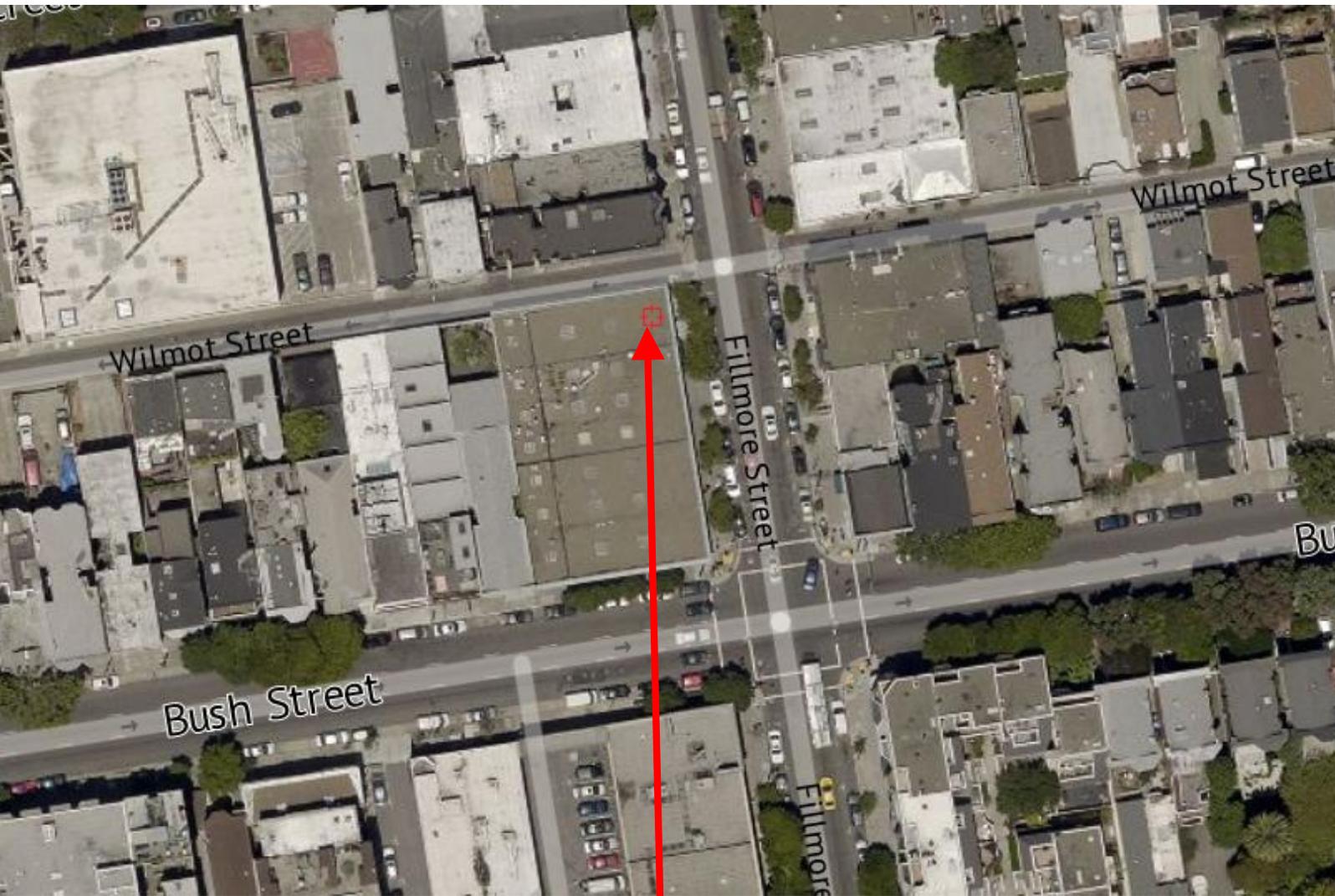


**SUBJECT PROPERTY**



Conditional Use Authorization  
Case Number 2017-004654CUA  
Formula Retail – Saje Natural Wellness  
1901 (aka 1913) Fillmore Street

# Aerial Photo – View 2



**SUBJECT PROPERTY**



Conditional Use Authorization  
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Formula Retail – Saje Natural Wellness  
1901 (aka 1913) Fillmore Street

# Aerial Photo – View 3

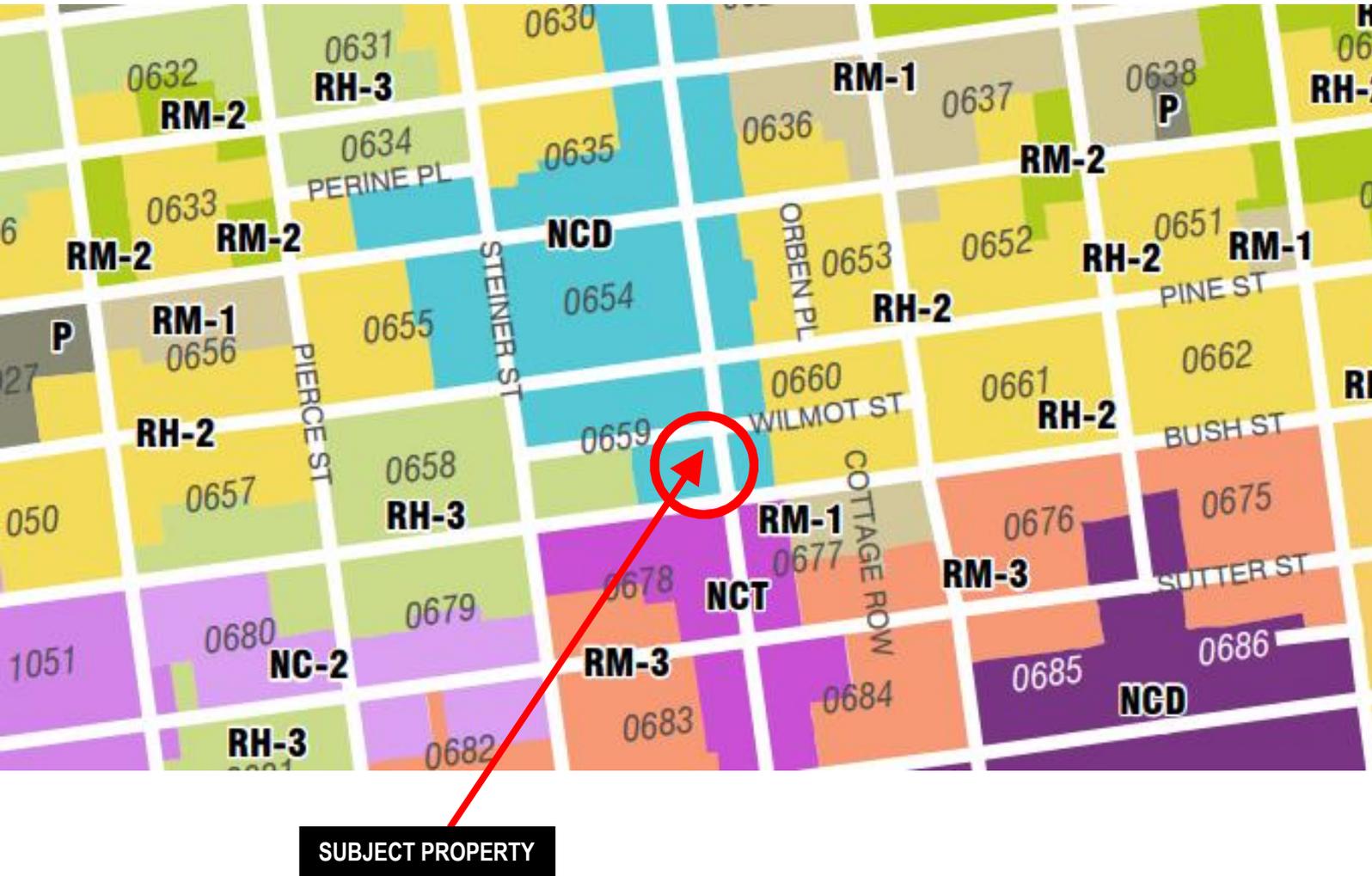


**SUBJECT PROPERTY**



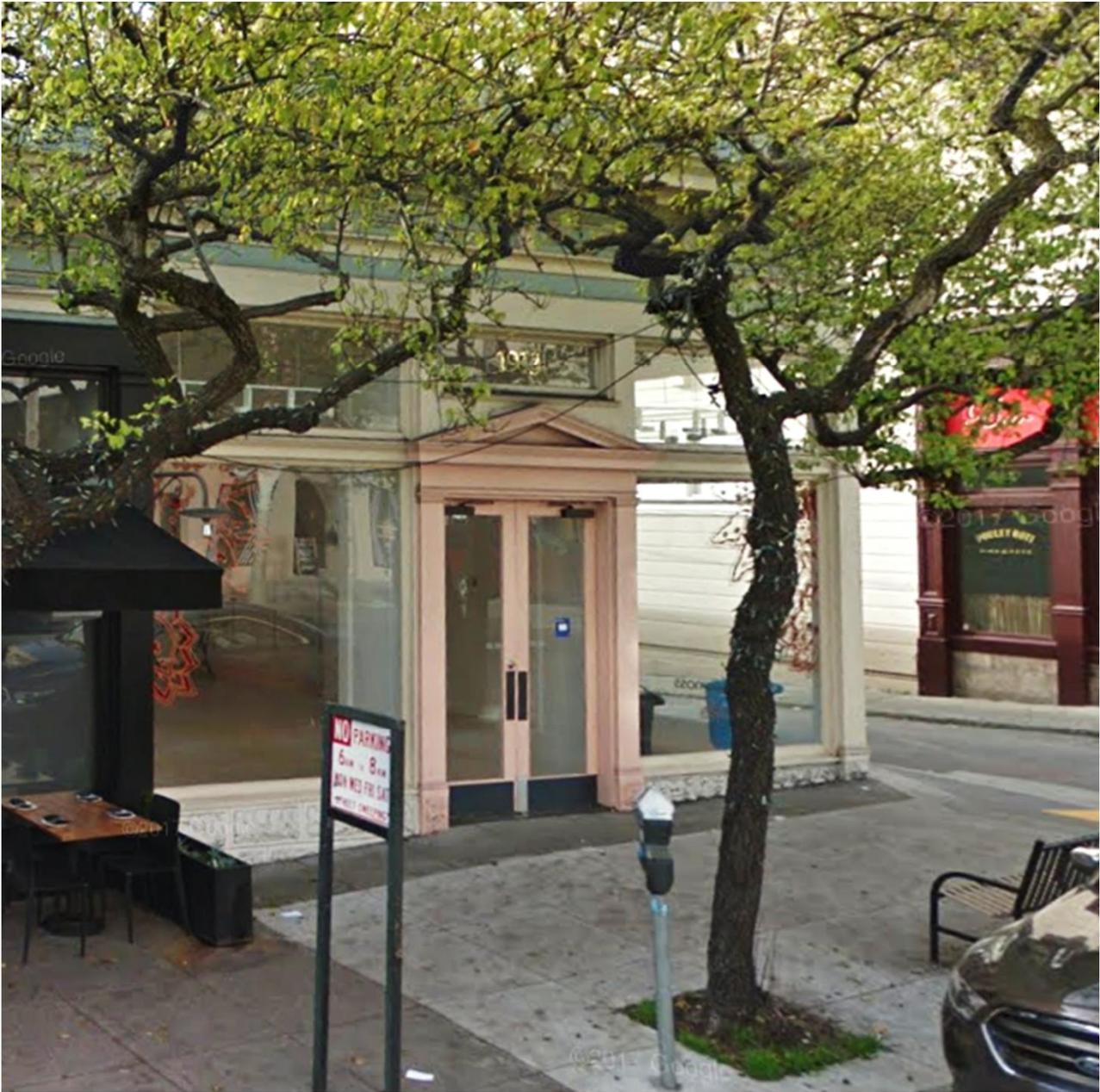
Conditional Use Authorization  
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# Zoning Map



Conditional Use Authorization  
Case Number 2017-004654CUA  
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1901 (aka 1913) Fillmore Street

# Site Photo



Source: GoogleMaps, c. 2017

# Site Photo



Conditional Use Authorization  
Case Number 2017-004654CUA  
Formula Retail – Saje Natural Wellness  
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# Site Photo



# Site Photo



Conditional Use Authorization  
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# EXHIBIT F

## PROJECT SPONSOR BRIEF

SAJE Natural Wellness  
1913 Fillmore Street  
San Francisco, CA 94115

CASE NUMBER 2017-004654-CUA

Building Permit 201701268010 allowed the interior improvements of SAJE Natural Wellness retail store, Following the completion of said improvements, the store was open for business. A complaint was received. Researching city records, staff realized that that the building permit was processed without Conditional Use Authorization (CUA) approval for a Formula Retail Use.

Pursuant to PCS 303.1(b), Formula Retail Use is defined by 11 or more retail sales locations worldwide. SAJE Natural Wellness has 78 stores worldwide, including the San Francisco location which classifies the retailer as a Formula Retail Use. Therefore, SAJE Natural Wellness is before the Planning Commission for approval of a CUA to allow a Formula Retail Use in conjunction with an existing 2,205sf SAJE Natural Wellness retail sales location with operating hours of 11:00am-7:00pm Monday through Saturday and 11:00am-6:00pm Sunday.

SAJE Natural Wellness, a Canadian retailer, provides private-label essential oils, home essentials, and skin care products with a commitment to 100% natural formulations. They are committed to provide the highest quality 100% natural product available in the world. The majority of their products are manufactured locally which allows the freshest ingredients and the utmost attention to detail. SAJE Natural Wellness stands behind their products unconditionally and is committed to providing positive customer service. SAJE Natural Wellness is also dedicated to education in the field of natural wellness by means of host wellness seminars, sound healing sessions, meditation, and yoga in their stores, including their San Francisco location, all open to the public.

SAJE Natural Wellness San Francisco store location currently has 2 managers and 5 part time team members totaling 7 employees. Staffing ranges include 2 managers and 4-8 part time team members depending on the season. All store locations, including its San Francisco location, provides a "back of house." This area provides team members an eating area and a space to decompress on break time. Team members read the 7 Spiritual Laws (Deepak Chopra) before the start of day and everyone is encouraged to set goals and take care of their wellness which is part of the culture of SAJE Natural Wellness. Team members are also invited to the in-store seminars that are hosted by the store a library of reading material and books are available to borrow.

SAJE Natural Wellness San Francisco store location is truly special where the public is inspired to live healthier and happier lives, team members are inspired to contribute and make a difference, and a stronger, healthier community is being formed, one wellness goal at a time creating a desirable/compatible neighbor with the surrounding area.