



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Conditional Use Authorization

HEARING DATE: 11/15/2018

*Record No.:* **2018-011926CUA**  
*Project Address:* **162 WEST PORTAL AVE**  
*Zoning:* NCD (West Portal Avenue Neighborhood Commercial District)  
26-X Height and Bulk District  
*Block/Lot:* 2988A/006  
*Applicant:* Leandre Davis  
1401 Park Avenue #202  
*Staff Contact:* Bridget Hicks – (415) 575-9054  
[bridget.hicks@sfgov.org](mailto:bridget.hicks@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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Suite 400  
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### PROJECT DESCRIPTION

The Project includes the change of use from a vacant general retail sales and service use (previously dba West Portal Quick Clean) to a limited restaurant (dba Juuce) in the West Portal Avenue Neighborhood Commercial District. The limited restaurant will serve juices, cold sandwiches, and salads. The project involves interior tenant improvements.

### REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization for a change of use from a general retail sales and service use to a limited restaurant in the West Portal Avenue Neighborhood Commercial District pursuant to Planning Code Sections 303 and 729.

### ISSUES AND OTHER CONSIDERATIONS

- **Surrounding Properties and Neighborhood.** The West Portal Avenue Neighborhood Commercial Zoning District provides a selection of goods and services for customers coming mainly from the west of Twin Peaks and Sunset neighborhoods. The District is made up of mostly lively, small-scale retail uses which preserve the existing family-oriented, village character of West Portal Avenue. Currently 14.6% of the commercial lot frontage within 300 feet of the subject property is devoted to eating and drinking uses.
- **General Plan Compliance.** The project will fill a vacant retail storefront and enhance the diversity of neighborhood-serving goods and services in the existing Neighborhood Commercial Zoning District. The project will add a new limited restaurant which is compatible

with the existing neighborhood character and will preserve the cultural and economic diversity of the neighborhood.

- **Public Comment & Outreach.** The Department has received no public comment to date.

## **BASIS FOR RECOMMENDATION**

The Department finds that the Project is, on balance, consistent with the West Portal Avenue Neighborhood Commercial Zoning District controls and the Objectives and Policies of the General Plan. On balance, the Project is consistent with the West Portal Avenue Neighborhood Commercial Zoning District controls for a Conditional Use Authorization. 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 and Renderings  
Exhibit C – Environmental Determination  
Exhibit D – Land Use Data  
Exhibit E – Maps and Context Photos  
Exhibit F - Public Correspondence  
Exhibit G – Project Application



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion

HEARING DATE: NOVEMBER 15, 2018

*Record No.:* **2018-011926CUA**  
*Project Address:* **162 West Portal Avenue**  
*Zoning:* NCD (West Portal Avenue Neighborhood Commercial) Zoning District  
26-X Height and Bulk District  
*Block/Lot:* 2988A/006  
*Project Sponsor:* LeAndre Davis  
1041A Folger Avenue  
Berkeley, CA 94710  
*Property Owner:* Wong Properties  
751 Warrington Avenue  
Redwood City, CA 94063  
*Staff Contact:* Bridget Hicks – (415) 575-9054  
[Bridget.Hicks@sfgov.org](mailto:Bridget.Hicks@sfgov.org)

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**ADOPTING FINDINGS RELATED TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 and 729 TO AUTHORIZE A CHANGE OF USE FROM A VACANT GENERAL RETAIL SALES AND SERVICE (PREVIOUSLY DBA WEST PORTAL QUICK CLEAN) TO A LIMITED RESTAURANT (DBA JUUCE) WITHIN THE WEST PORTAL AVENUE NEIGHBORHOOD COMMERCIAL DISTRICT AND A 26-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On AUGUST 30, 2018, LeAndre Davis of Takami Group (hereinafter "Project Sponsor") filed Application No. 2018-011926CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization for a Change of Use from a General Retail Use to a Limited Restaurant (hereinafter "Project") at 162 West Portal Avenue, Block 2988A Lot 006 (hereinafter "Project Site").

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2018-011926CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

On November 15, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-011926CUA.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption as described in the determination included in the Planning Department files for this project.

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. 2018-011926CUA, 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 a change of use from General Retail Sales and Service to a Limited Restaurant in the West Portal Avenue Neighborhood Commercial Zoning District. The project involves interior tenant improvements.
3. **Site Description and Present Use.** The Project is located on the North side of West Portal Avenue between 14<sup>th</sup> Avenue and Vicente Street. The storefront is approximately 1,163 square feet in area, one story, with 16 feet of frontage along West Portal Avenue. The limited restaurant will be open from 7 a.m. to 6 p.m. daily and will employ approximately 6-8 people. The site is currently vacant and has been for less than one year. The space was previously occupied by a laundromat (dba West Portal Quick Clean) which operated as a General Retail Sales and Service Use.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the West Portal Avenue Neighborhood Commercial Zoning District. The West Portal Avenue Neighborhood Commercial District consists of a variety of family-oriented businesses providing goods and services to customers coming mainly from the surrounding west of Twin Peaks and Sunset single-family residential neighborhoods. Special controls on commercial uses are designed to protect the existing mix of ground-story retail uses and prevent further intensification and congestion in the district. Directly adjacent to the subject property is a full-service restaurant (dba Goat Hill Pizza) and a personal service exercise studio (dba Pure Barre). Within 300 feet of the subject property, 19 percent of commercial uses are food-service establishments.
5. **Public Outreach and Comments.** The Department has received no public comment on this project.
6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
  - A. **West Portal NCD– Change of Use.** Planning Code Section 729 states that in the West Portal Avenue NCD, a Conditional Use authorization is required for the establishment of a limited restaurant.



*The project proposes a change of use from a general retail sales and service use to a limited restaurant.*

**B. Hours of Operation.**

*The proposed hours of operation for Juuce are from 7 a.m. to 6 p.m. every day.*

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

*The subject commercial space has approximately 16 feet of frontage facing West Portal Avenue devoted to either the business entrance or window space. The windows are clear and unobstructed. There are no changes proposed to the commercial frontage.*

**D. Signage.**

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

**E. Formula Retail**

*The proposed tenant is not considered formula retail and the completed formula retail affidavit is included in this packet.*

- 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 proposed use is in keeping with other storefronts on the block face. The proposed limited restaurant will not impact traffic or parking in the District because it is not a destination restaurant. This will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood by removing a vacant storefront. The proposal will provide a food service establishment on an existing commercial corridor.*

- 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 will not alter the existing appearance or character of the project vicinity.*

- (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 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. Pursuant to Planning Code Section 729, no off-street car parking is required if the occupied floor area is less than 5,000 square feet. There is angled metered parking on both sides of West Portal Avenue and a SFMTA public parking lot on adjacent to the subject property on West Portal Avenue that provides 19 spaces. Additionally there are three bicycle spaces out front.*

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

*The proposed use is subject to the standard conditions of approval for a restaurant use as outlined in Exhibit A. These conditions specifically obligate the Project Sponsor to mitigate odor and noise generated by the restaurant use.*

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

*The Project does not require any additional landscaping or screening, and no new off-street parking spaces, loading spaces, open spaces, or service areas are proposed at the subject property. Any*

*proposed signage will be subject to the review and approval of the Planning Department in compliance with the Planning Code.*

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

*The Project complies with all relevant requirements and standards of the Planning Code 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 NC Districts in that the intended use is located at the ground floor and will provide a compatible convenience service for the immediately surrounding neighborhoods during daytime hours.*

8. **Planning Code Section 303 (o)** establishes criteria for the Planning Commission to consider when reviewing applications for projects with regard to Eating and Drinking Uses. For such projects, the Planning Commission shall consider, in addition to the criteria set forth above, the existing concentration of eating and drinking uses in the area. Such concentration should not exceed 25% of the total commercial frontage as measured in linear feet within the immediate area of the subject site. For the purposes of this Section 303 of the Code, the immediate area shall be defined as all properties located within 300' of the subject property and also located within the same zoning district.

*The proposed project will add an additional limited restaurant to the existing concentration of eating and drinking uses in the area. The current concentration of eating and drinking uses of total commercial frontage as measured in linear feet within the immediate area of the subject site is 14.6 percent. With the addition of this limited restaurant (dba Juuce) the concentration of eating and drinking uses will be approximately 15.6 percent. Therefore, the proposal meets the restrictions of Planning Code Section 303 (o).*

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

## COMMERCE AND INDUSTRY ELEMENT

### Objectives and Policies

#### 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 add a commercial activity to a currently vacant property.*

**OBJECTIVE 3**

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

**Policy 3.1**

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

*This project will provide the opportunity for local residents including high school and college students to apply and work at the limited restaurant.*

**NEIGHBORHOOD COMMERCE**

**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 6.2:**

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

**Policy 6.10:**

Promote neighborhood commercial revitalization, including community-based and other economic development efforts where feasible.

*The project will revitalize an existing vacant retail storefront and enhance the diversity of neighborhood-serving goods and services in the existing West Portal Avenue Neighborhood Commercial District. Currently, only 14.6 percent of the total commercial frontage within the immediate area are eating and/or drinking uses. The proposed limited restaurant serving juices and health foods will enhance the existing mix of neighborhood-serving goods and services, and will increase the concentration to 15.6 percent.*

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 proposed project will enhance and preserve the mix of neighborhood-serving goods and services. The project will bring residents into the West Portal Avenue Neighborhood Commercial District to utilize this service and other businesses in the district.*

- 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 will preserve the neighborhood character of services provided and protect the cultural and economic diversity of the neighborhood.*

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

*The Project does not possess nor propose any housing.*

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

*The Project Site is served by nearby public transportation options. The Project is located along a Muni bus lines (57-Lakeshore and 91-West Portal Station) Muni Light Rail (K, T, and M lines) and within walking distance of Muni bus lines (23-Bayview District and 48-Third + 20<sup>th</sup> Streets) the West Portal Station which services Muni Light Rail (K, T, M, L, and S lines). West Portal Avenue is identified as a Key Walking Street. The West Portal NCD provides off-street parking at the principally permitted amounts and sufficient bicycle parking for business patrons.*

- 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 does not include commercial office development.*

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

*The Project will not impact the property's ability to withstand an earthquake and all tenant improvements will conform to the structural and seismic safety requirements of the Building Code.*

- G. That landmarks and historic buildings be preserved.

*Currently, the Project Site does not contain any City Landmarks or historic buildings.*

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

*The project proposes no changes to the building envelope and therefore will not create any additional impact on parks and open space and their access to sunlight and 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 Authorization 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. 2018-011926CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 20, 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 November 15, 2018.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: November 15, 2018

SAN FRANCISCO  
PLANNING DEPARTMENT

EXHIBIT A

# Conditions of Approval

Conditional Use Authorization  
Case No. 2018-011926CUA  
162 West Portal Avenue



## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use to allow a limited restaurant (d.b.a. **Juuce**) located at [162 West Portal Avenue, Block 2988A, and Lot 006] pursuant to Planning Code Sections **303 and 729** within the **West Portal Avenue Neighborhood Commercial** District and a **26-X** Height and Bulk District; in general conformance with plans, dated **August 20, 2018**, and stamped "EXHIBIT B" included in the docket for Record No. **2018-011926CUA** and subject to conditions of approval reviewed and approved by the Commission on **November 15, 2018** under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **November 15, 2018** under Motion No **XXXXXX**.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

### SEVERABILITY

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

### CHANGES AND MODIFICATIONS

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

## Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](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 – COMPLIANCE AT PLAN STAGE

6. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING - AFTER ENTITLEMENT

7. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

8. **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)*

## OPERATION

9. **Eating and Drinking Uses.** As defined in Planning Code Section 202.2, Eating and Drinking Uses, as defined in Section [102](#), shall be subject to the following conditions:
  - A. The business operator shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Street and Sidewalk Maintenance Standards. In addition, the operator shall be responsible for daily monitoring of the sidewalk within a one-block radius of the subject business to maintain the sidewalk free of paper or other litter associated with the business during business hours, in accordance with Article 1, Section [34](#) of the San Francisco Police Code.

*For information about compliance, contact the Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>.*

- B. When located within an enclosed space, the premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building, and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

*For information about compliance of fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, [www.sfdph.org](http://www.sfdph.org).*

*For information about compliance with construction noise requirements, contact the Department of Building Inspection at 415-558-6570, [www.sfdbi.org](http://www.sfdbi.org).*

*For information about compliance with the requirements for amplified sound, including music and television, contact the Police Department at 415-553-0123, [www.sf-police.org](http://www.sf-police.org).*

- C. While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

*For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), [www.baaqmd.gov](http://www.baaqmd.gov) and Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

- D. Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

*For information about compliance, contact the Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>.*

10. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>*

11. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the

area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

12. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

13. **Hours of Operation.** The subject establishment is limited to the following hours of operation:  
Every day from 6 a.m. to 2 a.m.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

**EXHIBIT B**

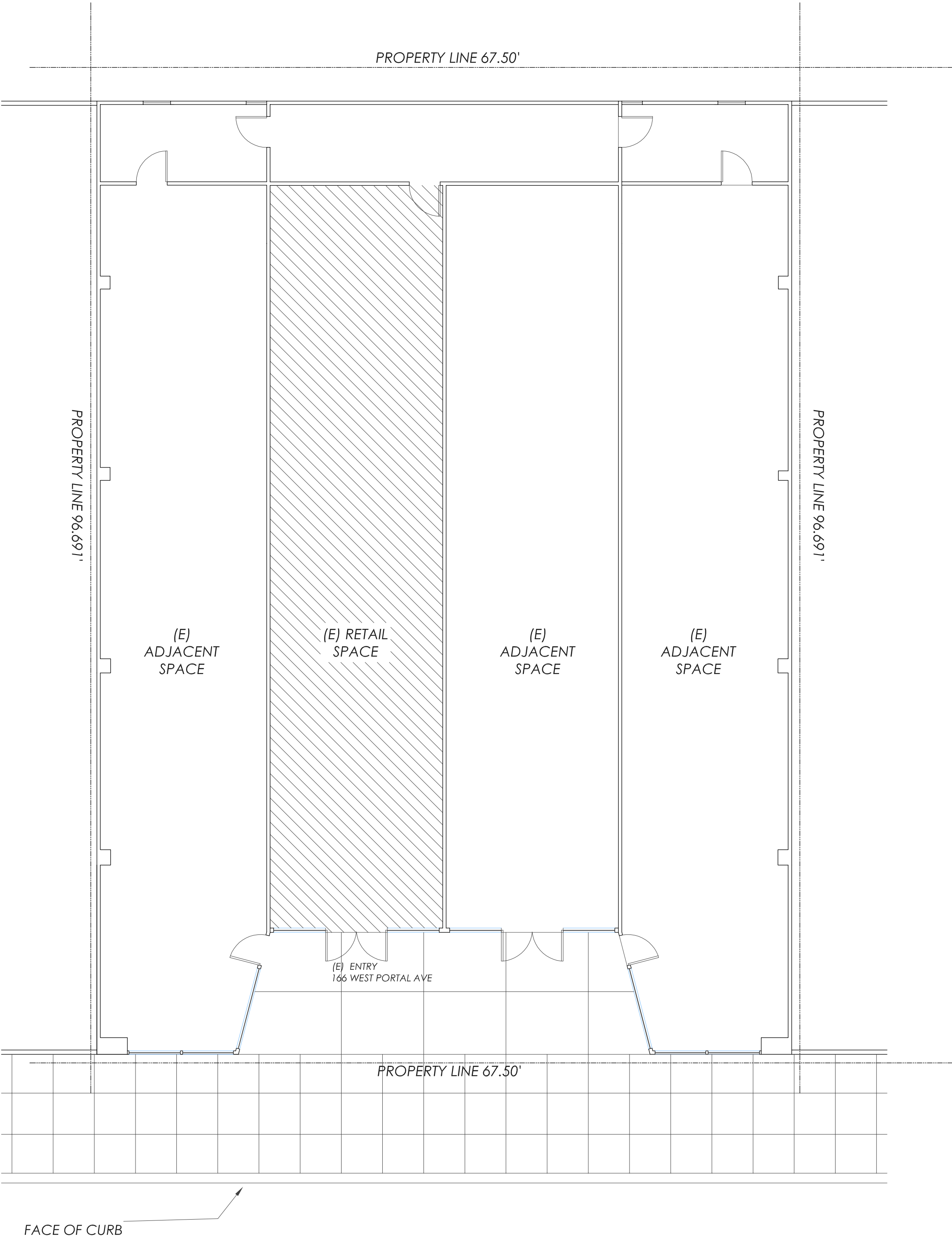
**Plans and Renderings**

Conditional Use Authorization  
Case No. 2018-011926CUA  
162 West Portal Avenue





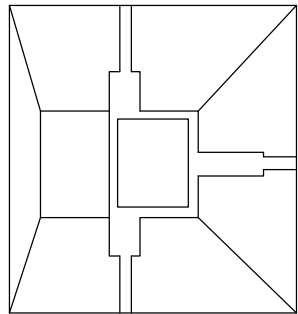
FULL STORE FRONTAGE ELEVATIONS



1 EXISTING SITE PLAN  
166 W. Portal Ave. San Francisco, CA SCALE: 1/8" = 1'-0"

REVISIONS	BY

TAKAMI ENGINEERING  
GROUP, INC.  
1041A Folger Avenue  
Berkeley, Ca 94710  
510.549.0440  
www.takamigroup.com



PROJECT:

PROPOSED JUICE AND SALAD  
SHOP FOR:

JUUCÉ

EDDIE NASSER  
166 WEST PORTAL AVENUE  
SAN FRANCISCO, CA 94124  
APN: 2988A/006

SHEET TITLE:

EXISTING SITE  
PLAN

DATE: AUGUST 20, 2018

SCALE: NOTED

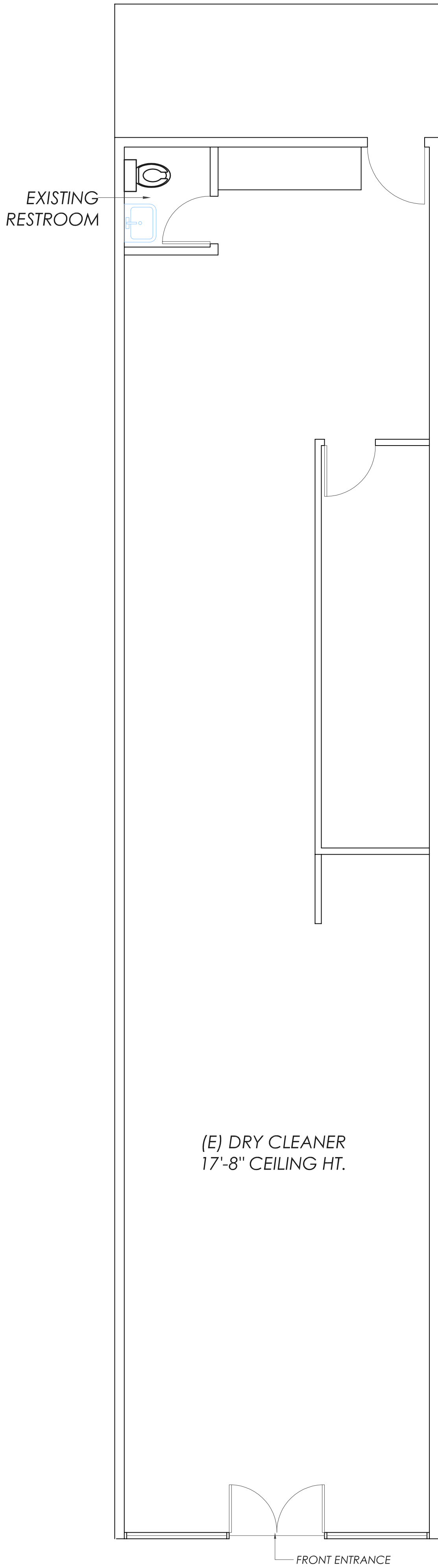
DRAWN: L. DAVIS

CHECKED: H. HOWELL

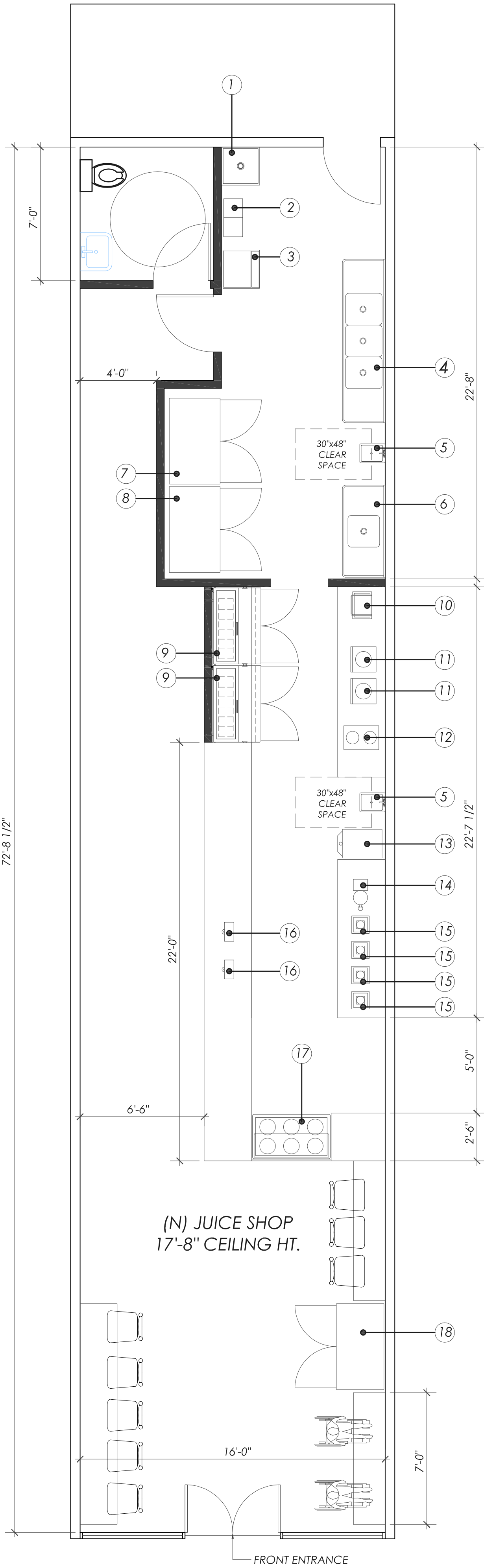
JOB: 6677

SHEET  
A1.0  
OF 2 SHEETS





1 EXISTING FLOOR PLAN  
166 West Portal Ave., San Francisco, CA 94127  
1,163 SQ. FT. SCALE: 1/4"=1'-0"



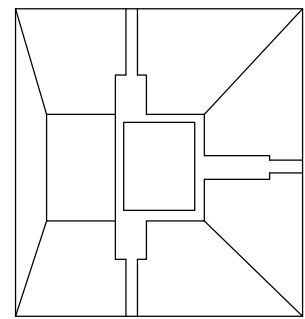
2 PROPOSED FLOOR PLAN  
166 West Portal Ave., San Francisco, CA 94127  
1,163 SQ. FT. SCALE: 1/4"=1'-0"

EQUIPMENT SCHEDULE

Ref. No.	Qty.	Type
1	1	Curbed Mop Sink
2	1	Employee Lockers
3	1	Ice Machine
4	1	3-Comp. Sink
5	2	Hand Sink
6	1	1-Comp. Sink
7	1	Reach-in Freezer
8	1	Reach-in Refrigerator
9	2	Mega Top Unit 48"
10	1	Panini Press
11	2	Induction Burner
12	1	Soup Kettle
13	1	Single Hopper Soft Serve Machine
14	1	Juicer
15	4	Blender
16	2	Point of Sale
17	1	Ice Cream Dipping Cabinet
18	1	Glass Door Reach-in Refrigerator

REVISIONS	BY

TAKAMI ENGINEERING  
GROUP, INC.  
1041A Folger Avenue  
Berkeley, Ca 94710  
510.549.0440  
www.takamigroup.com



PROJECT:

PROPOSED JUICE AND SALAD  
SHOP FOR:

JUUCÉ

EDDIE NASSER  
166 WEST PORTAL AVENUE  
SAN FRANCISCO, CA 94124  
APN: 2988A/006

SHEET TITLE:

PROPOSED FLOOR  
PLAN

DATE: AUGUST 20, 2018

SCALE: NOTED

DRAWN: L. DAVIS

CHECKED: H. HOWELL

JOB: 6677

SHEET  
A1.1

OF 2 SHEETS



EXHIBIT C

**Environmental Determination:  
CEQA Categorical Exemption**

Conditional Use Authorization  
Case No. 2018-011926CUA  
162 West Portal Avenue



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b>		<b>Block/Lot(s)</b>
162 WEST PORTAL AVE		2988A006
<b>Case No.</b>		<b>Permit No.</b>
2018-011926PRJ		
<input checked="" type="checkbox"/> <b>Addition/ Alteration</b>	<input type="checkbox"/> <b>Demolition (requires HRE for Category B Building)</b>	<input type="checkbox"/> <b>New Construction</b>
<b>Project description for Planning Department approval.</b> Change of Use from an existing dry cleaners to a new juice and cold sandwich, and salad shop.		

### 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: (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. (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.  <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 checked="" 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 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 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 checked="" 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):  Project will not include alterations to the exterior and is limited only to interior alterations associated with a change of use.
<input type="checkbox"/>	9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):  (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 <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category A  a. Per HRER dated  b. Other (specify): </div> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category C  (attach HRER) </div> </div>
<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>
Comments (optional):	
Preservation Planner Signature: Stephanie Cisneros	

**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): <input type="checkbox"/> Step 2 - CEQA Impacts <input type="checkbox"/> Step 5 - Advanced Historical Review <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> Commission Hearing  If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	<b>Signature:</b> Bridget Hicks  11/06/2018
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action. 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)
162 WEST PORTAL AVE		2988A/006
Case No.	Previous Building Permit No.	New Building Permit No.
2018-011926PRJ		
Plans Dated	Previous Approval Action	New Approval Action
	Commission Hearing	
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.	

### 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 Data**

Conditional Use Authorization  
Case No. 2018-011926CUA  
162 West Portal Avenue



# SAN FRANCISCO PLANNING DEPARTMENT

## Land Use Information

PROJECT ADDRESS: 162 WEST PORTAL AVE  
RECORD NO.: 2018-011926CUA

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	1,163	No Change	0
Office GSF	N/A	N/A	N/A
Industrial/PDR GSF <i>Production, Distribution, &amp; Repair</i>	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>1,163</b>	N/A	N/A
	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	1	0	1
Number of Stories	1	0	1
Parking Spaces	N/A	N/A	N/A
Loading Spaces	N/A	N/A	N/A
Bicycle Spaces	3	0	3
Car Share Spaces	N/A	N/A	N/A
Other ( )	N/A	N/A	N/A



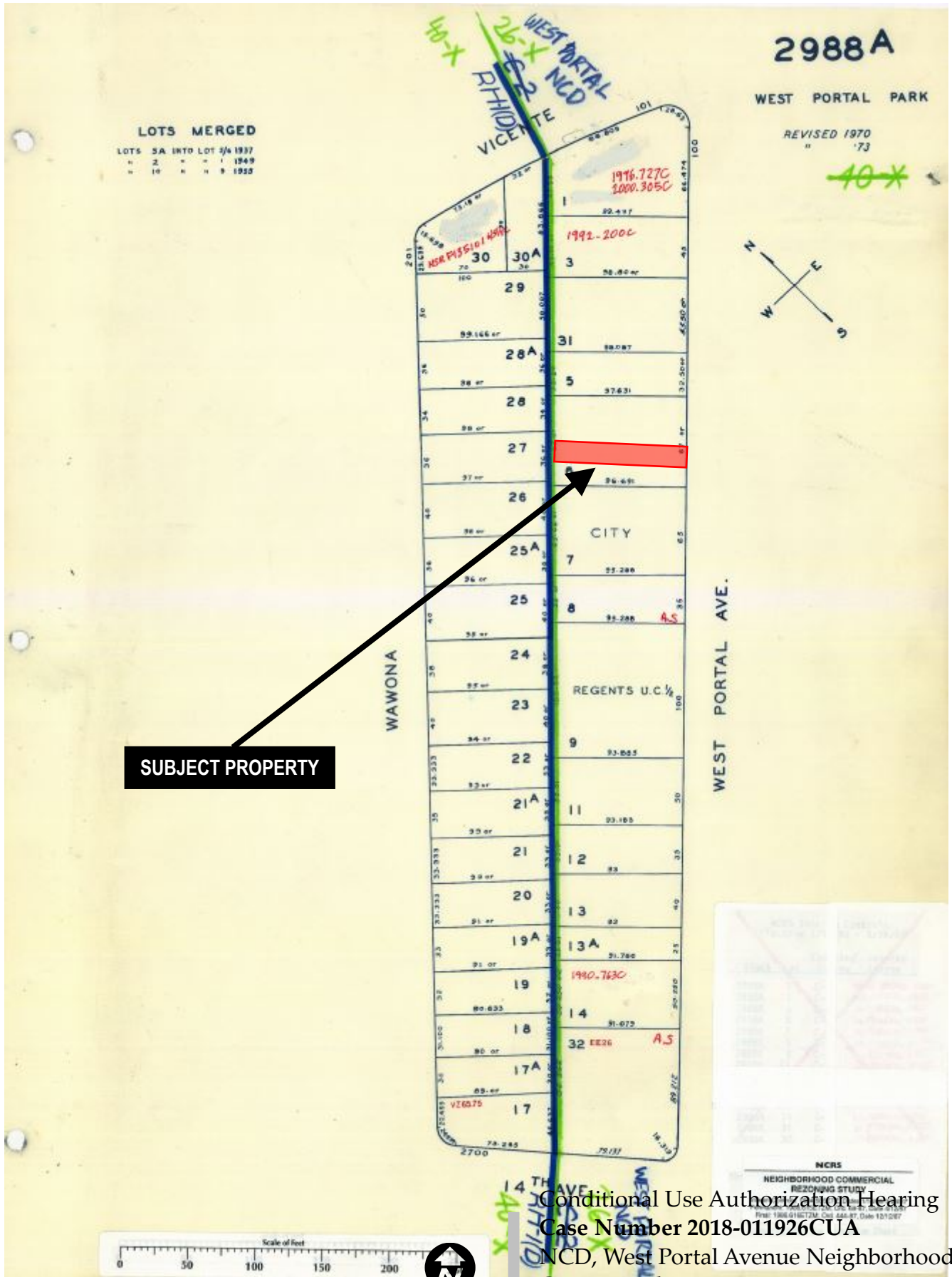
	EXISTING	PROPOSED	NET NEW
<b>LAND USE - RESIDENTIAL</b>			
Studio Units	N/A	N/A	N/A
One Bedroom Units	N/A	N/A	N/A
Two Bedroom Units	N/A	N/A	N/A
Three Bedroom (or +) Units	N/A	N/A	N/A
Group Housing - Rooms	N/A	N/A	N/A
Group Housing - Beds	N/A	N/A	N/A
SRO Units	N/A	N/A	N/A
Micro Units	N/A	N/A	N/A
Accessory Dwelling Units	N/A	N/A	N/A

EXHIBIT E

# Maps and Context Photos

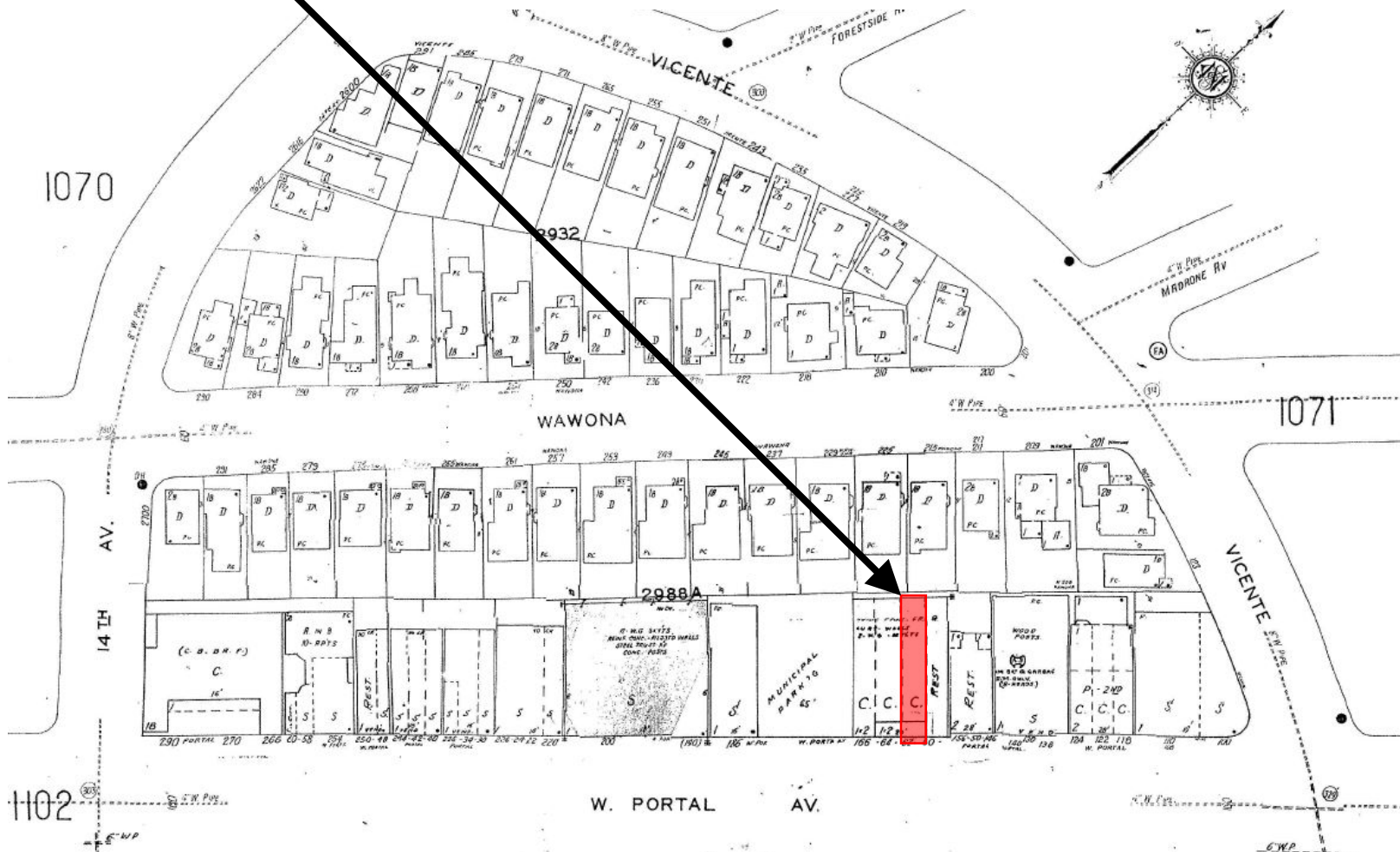
Conditional Use Authorization  
Case No. 2018-011926CUA  
162 West Portal Avenue

# Parcel Map



# Sanborn Map\*

SUBJECT PROPERTY

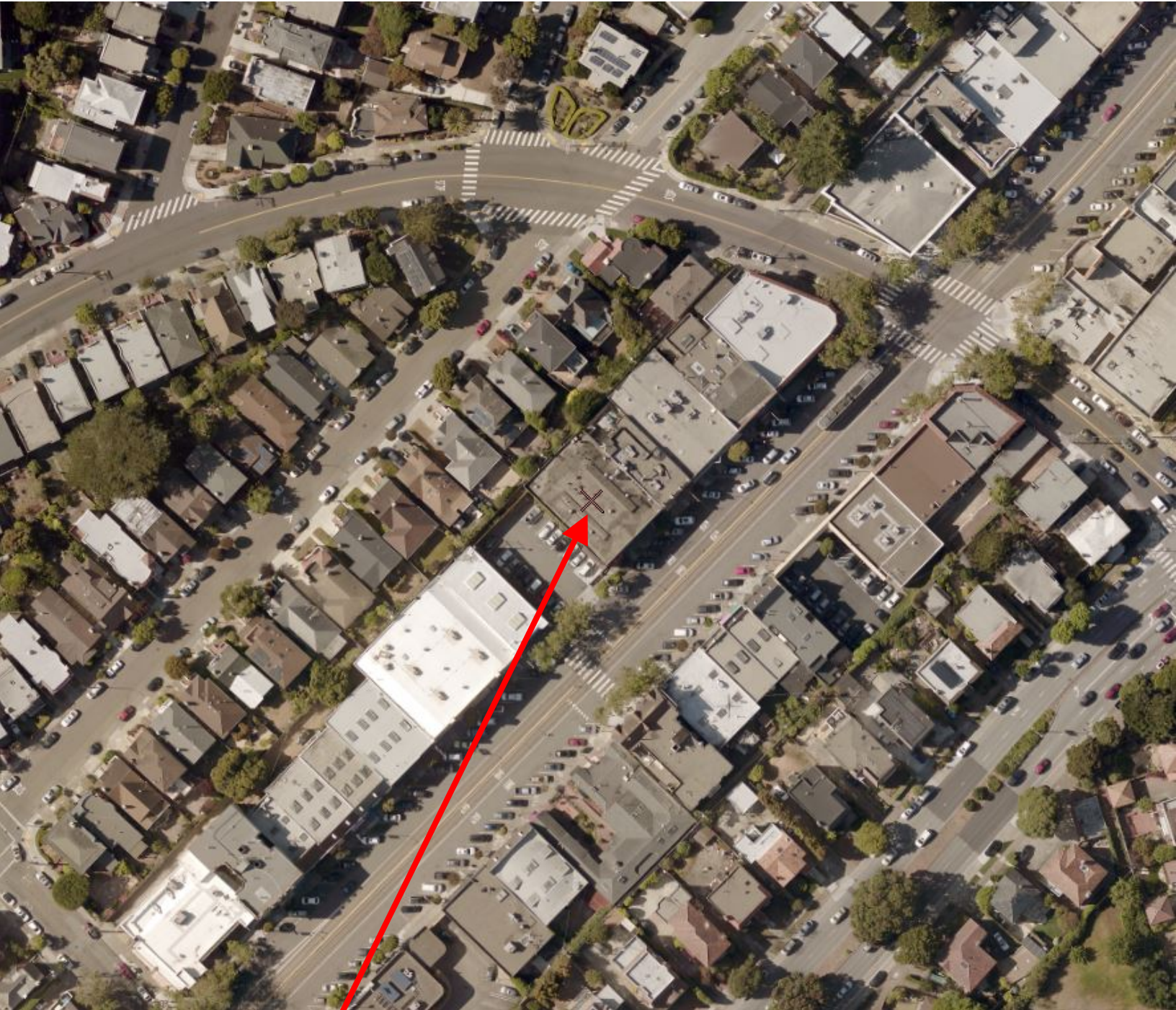


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.





# Aerial Photo

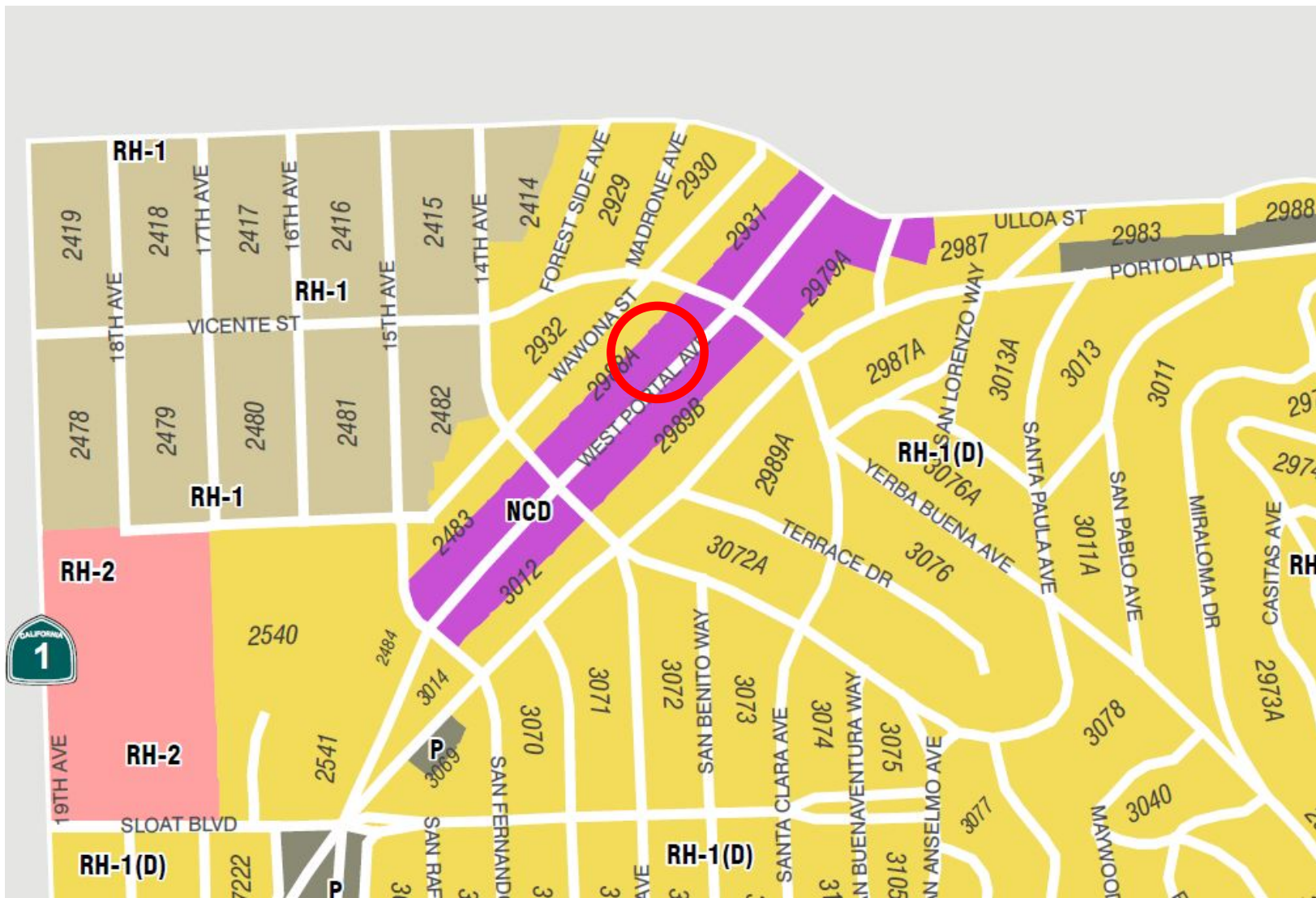


**SUBJECT PROPERTY**





# Zoning Map



Conditional Use Authorization Hearing  
Case Number 2018-011926CUA  
NCD, West Portal Avenue Neighborhood  
Commercial District  
162 West Portal Avenue

# Site Photo



Conditional Use Authorization Hearing  
**Case Number 2018-011926CUA**  
NCD, West Portal Avenue Neighborhood  
Commercial District  
162 West Portal Avenue

EXHIBIT F  
**Public Correspondence**

Conditional Use Authorization  
Case No. 2018-011926CUA  
162 West Portal Avenue



EXHIBIT G  
**Project Applications**

Conditional Use Authorization  
Case No. 2018-011926CUA  
162 West Portal Avenue



# PROJECT APPLICATION (PRJ)

## GENERAL INFORMATION

### Property Information

Project Address: 162(166) West Portal Ave



Block/Lot(s): 2988A/006



### Property Owner's Information

Name: Y. Wood Wong/Wong Properties



Address: 751 Warrington Ave.  
Redwood City, Ca 94063

Email Address:

Telephone: 650-722-3919



### Applicant Information

☐ Same as above

Name: LeAndre Davis



Company/Organization: Takami Engineering Group, Inc.



Address:

Email Address: takamigroup@gmail.com



Telephone: 415-672-6066



### Please Select Billing Contact:

☐ Owner

☐ Applicant

☒ Other (see below for details)

Name: Eddie Naser



Email: eateryt@yahoo.com



Phone: 415-608-2318



### Please Select Primary Project Contact:

☐ Owner

☒ Applicant

☐ Billing

## RELATED APPLICATIONS

### Related Building Permit Applications

☒ N/A

Building Permit Applications No(s):

### Related Preliminary Project Assessments (PPA)

☒ N/A

PPA Application No(s):

PPA Letter Date:

## PROJECT INFORMATION

### Project Description:

Please provide a narrative project description that summarizes the project and its purpose. Please list any special authorizations or changes to the Planning Code or Zoning Maps if applicable.

The proposed project includes taking over a vacated dry cleaners and creating a juice and cold sandwich and salad shop.

### Project Details:

- ☒ Change of Use    ☐ New Construction    ☐ Demolition    ☐ Facade Alterations    ☐ ROW Improvements
- ☐ Additions    ☐ Legislative/Zoning Changes    ☐ Lot Line Adjustment-Subdivision    ☐ Other \_\_\_\_\_

- Residential:**    ☐ Senior Housing    ☐ 100% Affordable    ☐ Student Housing    ☐ Dwelling Unit Legalization
- ☐ Inclusionary Housing Required    ☐ State Density Bonus    ☐ Accessory Dwelling Unit

Indicate whether the project proposes rental or ownership units:    ☐ Rental Units    ☐ Ownership Units    ☐ Don't Know

- Non-Residential:**    ☐ Formula Retail    ☐ Medical Cannabis Dispensary    ☐ Tobacco Paraphernalia Establishment
- ☐ Financial Service    ☐ Massage Establishment    ☐ Other: \_\_\_\_\_

**Estimated Construction Cost:** \$101,000

## PROJECT AND LAND USE TABLES

		Existing	Proposed
General Land Use	Parking GSF	0 +	0 +
	Residential GSF	0 +	0 +
	Retail/Commercial GSF	1,163 +	1,163
	Office GSF	0 +	0 +
	Industrial-PDR	0 +	0 +
	Medical GSF	0 +	0 +
	Visitor GSF	0 +	0
	CIE (Cultural, Institutional, Educational)	0 +	0 +
	Useable Open Space GSF	0 +	0 +
	Public Open Space GSF	0 +	0 +

Project Features	Dwelling Units - Affordable	0 +	0
	Dwelling Units - Market Rate	0 +	0 +
	Dwelling Units - Total	0 +	0 +
	Hotel Rooms	0 +	0 +
	Number of Building(s)	1 +	1 +
	Number of Stories	1 +	1 +
	Parking Spaces	0 +	0 +
	Loading Spaces	0 +	0 +
	Bicycle Spaces	3 +	0 +
	Car Share Spaces	0 +	0 +
	Other: _____		


Land Use - Residential	Studio Units		
	One Bedroom Units		
	Two Bedroom Units		
	Three Bedroom (or +) Units		
	Group Housing - Rooms		
	Group Housing - Beds		
	SRO Units		
	Micro Units		
	Accessory Dwelling Units For ADUs, list all ADUs and include unit type (e.g. studio, 1 bedroom, 2 bedroom, etc.) and the square footage area for each unit.		


## ENVIRONMENTAL EVALUATION SCREENING FORM





This form will determine if further environmental review is required.

If you are submitting a Building Permit Application only, please respond to the below questions to the best of your knowledge. You do not need to submit any additional materials at this time, and an environmental planner will contact you with further instructions.

If you are submitting an application for entitlement, please submit the required supplemental applications, technical studies, or other information indicated below along with this Project Application.

Environmental Topic	Information	Applicable to Proposed Project?	Notes/Requirements
<b>1a. General</b>	Estimated construction duration (months):	N/A	
<b>1b. General</b>	Does the project involve replacement or repair of a building foundation? If yes, please provide the foundation design type (e.g., mat foundation, spread footings, drilled piers, etc)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>2. Transportation</b>	Does the project involve a child care facility or school with 30 or more students, or a location 1,500 square feet or greater?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit an Environmental Supplemental- <a href="#">School and Child Care Drop-Off &amp; Pick-Up Management Plan</a> .
<b>3. Shadow</b>	Would the project result in any construction over 40 feet in height?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, an initial review by a shadow expert, including a recommendation as to whether a shadow analysis is needed, may be required, as determined by Planning staff. (If the project already underwent Preliminary Project Assessment, refer to the shadow discussion in the PPA letter.)  An additional fee for a shadow review may be required.
<b>4. Biological Resources</b>	Does the project include the removal or addition of trees on, over, or adjacent to the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes:  Number of existing trees on, over, or adjacent to the project site:  Number of existing trees on, over, or adjacent to the project site that would be removed by the project:  Number of trees on, over, or adjacent to the project site that would be added by the project:
<b>5a. Historic Preservation</b> 	Would the project involve changes to the front façade or an addition visible from the public right-of-way of a structure built 45 or more years ago or located in a historic district?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit a complete <a href="#">Historic Resource Determination</a> Supplemental Application. Include all materials required in the application, including a complete record (with copies) of all building permits.
<b>5b. Historic Preservation</b>	Would the project involve demolition of a structure constructed 45 or more years ago, or a structure located within a historic district?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, a historic resource evaluation (HRE) report will be required. The scope of the HRE will be determined in consultation with <a href="mailto:CPC-HRE@sfgov.org">CPC-HRE@sfgov.org</a> .

 Please see the [Property Information Map](#) or speak with Planning Information Center (PIC) staff to determine if this applies.

Environmental Topic	Information	Applicable to Proposed Project?	Notes/Requirements
6. Archeology 	Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeologically sensitive area or eight (8) feet below grade in a non-archeologically sensitive area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If Yes, provide depth of excavation/disturbance below grade (in feet*):  <i>*Note this includes foundation work</i>
7. Geology and Soils 	Is the project located within a Landslide Hazard Zone, Liquefaction Zone or on a lot with an average slope of 20% or greater?  -----  Area of excavation/disturbance (in square feet):  -----  Amount of excavation (in cubic yards):  -----	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A geotechnical report prepared by a qualified professional must be submitted if one of the following thresholds apply to the project: <ul style="list-style-type: none"> <li>● The project involves: <ul style="list-style-type: none"> <li>○ excavation of 50 or more cubic yards of soil, or</li> <li>○ building expansion greater than 1,000 square feet outside of the existing building footprint.</li> </ul> </li> <li>● The project involves a lot split located on a slope equal to or greater than 20 percent.</li> </ul> <u>A geotechnical report may also be required for other circumstances as determined by Environmental Planning staff.</u>
8. Air Quality 	Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollutant Exposure Zone?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, the property owner must submit copy of initial filed application with department of public health. More information is found <a href="#">here</a> .
9a. Hazardous Materials	Would the project involve work on a site with an existing or former gas station, parking lot, auto repair, dry cleaners, or heavy manufacturing use, or a site with underground storage tanks?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit a Phase I Environmental Site Assessment prepared by a qualified consultant.
9b. Hazardous Materials 	Is the project site located within the Maher area and would it involve ground disturbance of at least 50 cubic yards or a change of use from an industrial use to a residential or institutional use?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit a copy of the <a href="#">Maher Application Form</a> to the Department of Public Health. Also submit a receipt of Maher enrollment with the Project Application.  For more information about the Maher program and enrollment, refer to the Department of Public Health's <a href="#">Environmental Health Division</a> .  <u>Maher enrollment may also be required for other circumstances as determined by Environmental Planning staff.</u>

## PRIORITY GENERAL PLAN POLICIES FINDINGS

Please state how the project is consistent or inconsistent with each policy, or state that the policy is not applicable:

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

The West Portal community welcomes retail shops like the one proposed and the local residents will have an opportunity to apply and work at our juice shop. Many high school and college kids frequent this area and have jobs in this community.

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

The existing housing will not be disturbed by this proposed juice shop and the neighborhood character will be enhanced upon. The West Portal community is somewhat diverse and this establishment will preserve the diversity and improve upon it.

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

This project does not affect affordable housing

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

Current metered parking is available in front of the proposed store and will not be altered for loading zone purposes, etc. This project will not overburden any aspects of transit services.

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;

The West Portal community welcomes retail shops like the one proposed and the local residents will have an opportunity to apply and work at our juice shop. The prior business was a dry-cleaning operation. Many high school and college kids frequent this area and have jobs in this community.

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

All employers and employees will be trained for preparedness.

7. That landmarks and historic buildings be preserved; and

This is not a historical property or a contributor

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

This project is a few miles from any parks or open public spaces.

# 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) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.

Signature

Project Agent/Applicant

Relationship to Project  
(i.e. Owner, Architect, etc.)

415-672-6066

Phone

LeAndre Davis

Name (Printed)

takamigroup@gmail.com

Email

For Department Use Only

Application received by Planning Department:

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

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





# CONDITIONAL USE AUTHORIZATION

## SUPPLEMENTAL APPLICATION

### Property Information

Project Address: 162 (166) West Portal Ave

Block/Lot(s): 2988A/006

### Action(s) Requested

Action(s) Requested (Including Planning Code Section(s) which authorizes action)

In the West Portal NCD (Section 729) is a back dated ordinance that discourages an over-saturation of restaurants in the West Portal corridor.

However, the proposed Juice and cold sandwich shop is not a restaurant; just a walk in and walk-out Organic refreshment establishment. We will have bar height as well as wheelchair accessible counter seating.

### 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. If the proposed use exceeds the non-residential use size limitations for the zoning district, additional findings must be provided per Planning Code Section 303(c)(1)(A-C).

The space located at 162(166) West Portal Avenue is very small at 1,163 sf. The current business was a dry cleaners operation that has since closed. The proposed use is a juice and cold sandwich shop store. This will not be a sit down restaurant; just a quick order, pick up and leave type of business. This type of business is very compatible with the current businesses. There is a yoga and fitness studio next door and a full service restaurant next to that.

This will be the only store of its kind proposed and not related to any formula retail establishment.

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.

a. This will be a non-hazardous business which will serve healthy juices and snacks. The interior improvements are minimal and will not impact the existing neighborhood or traffic flow.

b. The accessibility and traffic patterns will stay pretty much the same. No impact will be made to front facade of door approach. We will serve healthy juices and snacks. The interior improvements are minimal and will not impact the existing neighborhood or traffic flow.

c. All construction methods will be free of offensive emissions, noise, dust, and odor. This project will be a low impact improvement project.

d. There exist no landscaping in the area except street trees. They will not be disturbed during or after construction.

3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.

The proposed use will not affect the general plan.

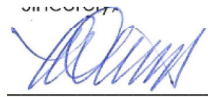
4. The use or feature satisfies any criteria specific to the use of features listed in Planning Code Section 303(g), et seq.

Due to the small number of new employees required for this juice shop, the Project sponsor has committed to hiring only San Francisco residents whenever possible. The Project Sponsor will work with the Mayor's Office of Economic and Workforce Development to help with job placement for entry-level positions, and post job openings in local newspapers and websites.

# 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) Other information or applications may be required.



Signature

LeAndre Davis

Name (Printed)

Designer/Applicant

415-672-6066

takamigroup@gmail.com

Relationship to Project

Phone

Email

(i.e. Owner, Architect, etc.)

# APPLICANT'S SITE VISIT CONSENT FORM

I herby authorize City and County of San Francisco Planning staff to conduct a site visit of this property, making all portions of the interior and exterior accessible.



Signature

LeAndre Davis

Name (Printed)

8/27/18

Date

For Department Use Only

Application received by Planning Department:

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

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

# AFFIDAVIT FOR Formula Retail Establishments

## 1. Location and Classification

STREET ADDRESS OF PROJECT: 162 (166) West Portal Avenue		
ASSESSORS BLOCK/LOT: 2988A / 006	ZONING DISTRICT: West Portal NCD	HEIGHT/BULK DISTRICT: 26x

## 2. Proposed Use Description

PROPOSED USE (USE CATEGORY PER ARTICLE 7 OR 8): Cafe Retail	
PROPOSED BUSINESS NAME: JUUCE'	
DESCRIPTION OF BUSINESS, INCLUDING PRODUCTS AND/OR SERVICES: Natural juice and cold sandwich take out cafe. No exhaust hood proposed.	
BUILDING PERMIT APPLICATION NO.: (if applicable)	CONDITIONAL USE CASE NO.: (if applicable)

## 3. Quantity of Retail Locations

		TOTAL
3.a	How many retail locations of this business are there worldwide? Please include any property for which a land use permit or entitlement has been granted.	0
3.b	How many of the above total locations are in San Francisco?	0

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 utilize any of the following Standardized Features?

	FEATURES	YES	NO
A	Array of Merchandise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B	Trademark	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
H	Signage	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	TOTAL		0

Enter the total number of Yes/No answers above.

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

## 5. Applicant's Affidavit

NAME: <b>LeAndre Davis</b>		<input type="checkbox"/> Property Owner	<input checked="" type="checkbox"/> Authorized Agent
MAILING ADDRESS: (STREET ADDRESS, CITY, STATE, ZIP) <b>1041A Folger Avenue Berkeley, Ca 94710</b>			
PHONE: <b>( 415 ) 672-6066</b>		EMAIL: <b>takamigroup@gmail.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: 9/10/18

PLANNING DEPARTMENT USE ONLY			
PLANNING CODE SECTION(S) APPLICABLE:			
HOW IS THE PROPOSED USE REGULATED AT THIS LOCATION?			
<input type="checkbox"/> Principally Permitted <input type="checkbox"/> Principally Permitted, Neighborhood Notice Required (Section 311/312) <input type="checkbox"/> Not Permitted <input type="checkbox"/> Conditional Use Authorization Required (Please list Case Number below)			
CASE NO.	MOTION NO.	EFFECTIVE DATE	NSR RECORDED?
			<input type="checkbox"/> Yes <input type="checkbox"/> No
COMMENTS:			
VERIFIED BY:			
Signature: _____		Date: _____	
Printed Name: _____		Phone: _____	



### 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.*