



EXECUTIVE SUMMARY CONDITIONAL USE AUTHORIZATION

HEARING DATE: OCTOBER 15, 2020

Record No.: 2019-022108CUA
Project Address: 1560 HAIGHT STREET
Zoning: Haight Street Neighborhood Commercial Zoning District
Haight Street Alcoholic Restricted Use Subdistrict
Fringe Financial Service Restricted Use District
40-X Height and Bulk District
Block/Lot: 1231/016
Project Sponsor: Nicholas Pounder, Burnham Nationwide
650 California Street
San Francisco, CA 94108
Property Owner: 1560 Haight Street LLC
650 California Street
San Francisco, CA 94103
Staff Contact: Sharon M. Young – (628) 652-7349
sharon.m.young@sfgov.org

Recommendation: Approval with Conditions

Project Description

The Project is to establish a Formula Retail Use (d.b.a. 2nd Street USA, a retail clothing and accessories store) in an approximately 2,190 square foot ground floor commercial space which was occupied by another non-formula retail use (d.b.a. Diamond Supply Co.). The project site is located within the Haight Street Neighborhood Commercial Zoning District, Haight Street Alcoholic Restricted Use Subdistrict, Fringe Financial Service Restricted Use District, and a 40-X Height and Bulk District. The Project will involve interior tenant improvements to the ground floor commercial tenant space. There will be no expansion of the existing building envelope or storefront modifications proposed. New business signage will be filed under separate permit. According to the project sponsor, there are currently approximately 1,893 2nd Street USA store locations worldwide. The proposed project will allow for the establishment of a new 2nd Street USA store location in San Francisco within the Haight-Ashbury neighborhood.

Required Commission Action

In order for the Project to proceed, the Commission must grant Conditional Use Authorization to establish the proposed Formula Retail Use (d.b.a. 2nd Street USA) within the Haight Street Neighborhood Commercial Zoning District and a 40-X Height and Bulk District pursuant to Planning Code Sections 303, 303.1, 703.4, and 719.

Issues and Other Considerations

- **Public Comment & Outreach.**
 - **Support/Opposition:** The Planning Department has not received public comment in support or in opposition to the Project as of the date of this Executive Summary.
 - **Outreach:** The project sponsors conducted a pre-application meeting on the proposed project on July 10, 2019; one person other the project sponsors were present at the pre-application meeting. The project sponsors have provided a letter of support of the proposed project from the Haight Ashbury Merchant Association (HAMA) from their outreach efforts.
- **Performance-Based Design Guidelines.** As a Formula Retail Use, the Project has been reviewed for compliance with the Performance-Based Design Guidelines. Interior tenant improvements are proposed, as well as signage alterations. The Project complies with the guidelines and does not have an adverse effect on the architectural and aesthetic character of the District. The proposed signage will be required to have a separate sign permit and comply with the requirements of the Planning Code and Formula Retail sign guidelines.

Environmental Review

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

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 not significantly change the number of formula retail establishments, amount of linear frontage dedicated to formula retail, it will lower the commercial vacancy rate, and provide an active commercial use (retail) in the neighborhood. 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. The proposed project will allow for the establishment of a new 2nd Street USA store location within the Haight-Ashbury neighborhood.

Attachments:

Draft Motion – Conditional Use Authorization with Conditions of Approval
Exhibit B – Plans
Exhibit C – Environmental Determination
Exhibit D – Land Use Data
Exhibit E – Maps and Context Photos
Exhibit F - Project Sponsor Submittal (formula retail survey, HAMA letter)



PLANNING COMMISSION DRAFT MOTION

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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 719 TO ESTABLISH A FORMULA RETAIL USE (D.B.A. 2ND STREET USA) AT 1560 HAIGHT STREET, LOT 016 IN ASSESSOR'S BLOCK 1231, WITHIN THE HAIGHT STREET NEIGHBORHOOD COMMERCIAL ZONING DISTRICT, HAIGHT STREET ALCOHOLIC RESTRICTED USE SUBDISTRICT, FRINGE FINANCIAL SERVICE RESTRICTED USE DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On December 3, 2019, Nicholas Pounder (hereinafter "Project Sponsor") filed Application No. 2019-022108CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303, 303.1, 703.4 and 719 to establish a Formula Retail Use (d.b.a. 2nd Street USA) within a vacant ground floor commercial space at 1560 Haight Street (hereinafter "Project"), Lot 016 within Assessor's Block 1231 (hereinafter "Project Site").

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

On October 15, 2020, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2019-022108CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2019-022108CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

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. 2019-022108CUA, 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 is for Conditional Use Authorization pursuant to Planning Code Sections 303, 303.1, 703.4, and 719 to establish a Formula Retail Use within the Haight Street Neighborhood Commercial Zoning District, Haight Street Alcoholic Restricted Use Subdistrict, Fringe Financial Service Restricted Use District, and a 40-X Height and Bulk District. The Project is to establish a Formula Retail Use (d.b.a. 2nd Street USA, a retail clothing and accessories store) in an approximately 2,190 square foot ground floor commercial space which was occupied by another non-formula retail use (d.b.a. Diamond Supply Co.). The Project will involve interior tenant improvements to the ground floor commercial tenant space. There will be no expansion of the existing building envelope or storefront modifications proposed. New business signage will be filed under separate permit. According to the project sponsor, there are currently approximately 1,893 2nd Street USA store locations worldwide. The Project will allow for the establishment of a new 2nd Street USA store location in San Francisco within the Haight-Ashbury neighborhood.
- 3. Site Description and Present Use.** The project site at 1560 Haight Street is located on the north side of Haight Street between Ashbury and Clayton Streets, Assessor’s Block 1231 Lot 016. It is located within the Haight Street Neighborhood Commercial Zoning District, Haight Street Alcohol Restricted Use Subdistrict, Fringe Financial Service Restricted Use District, and a 40-X Height and Bulk District. The subject lot is approximately 3,781.25 square feet (27.5 feet wide by 137.5 feet deep) in size and is occupied by a three-story commercial building constructed in 1904. The subject property at 1560 Haight Street is located on the ground floor of the commercial and residential building. There are four residential units on the second and third floors of the building.
- 4. Surrounding Properties and Neighborhood.** The project site is located within the Haight-Ashbury Neighborhood. The surrounding development consists primarily of one-to-two story residential and commercial buildings within the Haight Street Neighborhood Commercial Zoning District. A mix of food establishments, personal services, and small retail establishments defines the Haight Street NCD corridor in the immediate vicinity. Some of the existing commercial establishments on the subject

block include Haight Ashbury T-Shirts, Ashbury Tobacco Center, Haight Ashbury Music Center, Distractions, Haight Ashbury Free Clinic, and Haight Street Market. Some of the existing commercial establishments on the opposite block include Club Deluxe, Aviator Nation, Liquid Experience, Day Dreams, The Gold Cane, Held Over, Slice House, Cal Surplus, Body Rok, Haight Ashbury Tattoo, Crossroads Trading, and Buffalo Exchange. On Clayton and Ashbury Streets running north and south of the project site, there are two- to three-story residential dwellings within the RH-3 (Residential, House, Three-Family) Zoning District.

- 5. Public Outreach and Comments.** The Planning Department has not received public comment in support or in opposition as of the date of this Draft Motion. The project sponsors conducted a pre-application meeting on the proposed project on July 10, 2019; one person other the project sponsors were present at the pre-application meeting. The project sponsors have provided a letter of support of the Project from the Haight Ashbury Merchant Association (HAMA).
- 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 or retail sales or service establishment that has eleven or more other retail sales establishments in operation, or with local land use or permit entitlements already approved, located 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 facade, a standardized decor and color scheme, uniform apparel, standardized signage, a trademark or a servicemark.

Within the Haight Street Neighborhood Commercial Zoning District, Formula Retail Uses require Conditional Use Authorization under Planning Code Section 703.4. 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 is to allow the establishment of a Formula Retail Use (d.b.a. 2nd Street USA) in an approximately 2,190 square foot vacant ground floor commercial space on the project site. A Formula Retail Use may be conditionally permitted per Planning Code Sections 303, 303.1, and 703.4.

- B. Retail Sales and Services Use within the Haight Street Neighborhood Commercial Zoning District.** Section 719 of the Planning Code permits "retail sales and services use" establishments (defined under Planning Code Sections 102, 202.2a, and 202.3) on the first, second, and third stories and above.

The Project is to establish a 'retail sales and service use' (also formula retail use d.b.a. 2nd Street USA) on the ground (1st) floor of the three-story commercial and residential building.

- C. Hours of Operation.** Section 719 of the Planning Code allows hours of operation from 6 a.m. until 2 a.m. as of right and requires Conditional Use authorization to operate between the hours of 2 a.m. and 6 a.m. within the Haight Street Neighborhood Commercial Zoning District.

The proposed formula retail use d.b.a. 2nd Street USA will operate within the permitted hours of operation within the Haight Street Neighborhood Commercial Zoning District under Planning Code Section 719.

- D. **Off-Street Parking.** Section 151 of the Planning Code requires off-street parking for eating and drinking uses at a maximum of 1.5 parking spaces for each 200 square feet of Occupied Floor Area, where the Occupied Floor Area exceeds 5,000 square feet.

The subject ground floor commercial space, with approximately 2,190 square feet in floor area, does not require any off-street parking spaces.

- E. **Off-Street Freight Loading.** Section 152 does not require loading spaces if gross floor area is less than 10,000 square feet.

The subject commercial tenant space on the ground (1st) floor with approximately 2,190 square feet of floor area does not exceed 10,000 square feet and will not require any loading spaces.

- F. **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.

Approximately 90% (11-12 feet) of the street frontage (storefront's glass portal entry area) of the commercial space at the ground level on Haight Street is fenestrated with transparent windows and doorways allowing for visibility to the inside of the building. On either side of the storefront's glass portal entry area are existing doorways (egress door and entry door area to the residential units on the second and third floors of the building). The proposed store will meet the storefront transparency requirements.

- G. **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 proposed business signage for "2nd Street USA" will be required to have a separate sign permit and comply with the requirements of the Planning Code and Formula Retail sign guidelines. The Project proposes a wall sign on the building's facade. The proposed project generally complies with the

guidelines and Planning Code and will not have a significant adverse effect on the architectural and aesthetic character of the District.

- 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 and shape of the site and the arrangement of the structures on the site are adequate for the Project. There will be no physical expansion of the existing building.

- 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 size and shape of the site and the arrangement of the structures on the site are existing and adequate for the proposed project. No expansion of the existing building (subject ground floor commercial space) is proposed.

- (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;

Existing traffic patterns will not be significantly affected by the Project. Public transit (Muni Lines 7, 33, 37, 43) is located within walking distance of the project site; a bus stop is located at the corner of Haight and Clayton Streets on the subject block. There is on-street parking in front of the subject property and in the surrounding neighborhood.

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

No significant noxious or offensive emissions such as glare, dust, or odor are expected to be produced by the Project.

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

There will be no addition of off-street parking spaces, loading facilities, open space or service areas. All project signage and projections will be consistent with the controls of the Planning Code. The existing building has exterior lighting directed onto the project site and immediately surrounding sidewalk area.

- 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 Project is consistent with the stated purpose of the Haight Street Neighborhood Commercial Zoning District in that the intended use is a neighborhood-serving business.

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

[Note: This formula retail survey is hereinafter referred to as “the District” is a study area of ground floor commercial businesses within a 300-foot radius of the project site.]

- A. The existing concentrations of formula retail uses within the district.

According to the project sponsor’s survey, there are 5 existing ground-story Formula Retail establishments out of 46 ground floor retail establishments within a 300-foot radius of the project site. This comprises approximately 10.9% of the businesses. Some of these formula retail businesses include Sunglass Hut, Bodyrok, Crossroads Trading, Buffalo Exchange, and Dr Martens. The total lot frontage that has commercial uses within 300 feet of the project site is 1,576 lineal feet. However, only 1,147 lineal feet are actual commercial use. The remaining balance is either partially residential or are non-active frontage (i.e. utility and/or entrances for the building). Of the 1,147 lineal feet of commercial uses, 117 lineal feet (10.2% of commercial) has commercial uses that either are or would be considered Formula Retail and 1,030 lineal feet are Non-Formula Retail commercial uses. An additional 79 lineal feet (6.9% of commercial) are vacant.

The proposed 2nd Street USA store would nominally increase the number of formula retail establishments approximately 2.1% from 13% of the businesses (from 5 to 6 formula retail businesses) and formula retail linear commercial street frontage approximately 8.06% (from 117 to 127 linear feet).

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

According to the project sponsor’s formula retail survey within a 300-foot radius, six businesses are similar retail uses (which are secondhand and/or vintage clothing stores). The businesses include Buffalo Exchange, Held Over, Crossroads Trading, Love Street Vintage, Relic Vintage, and Haight Ashbury T-Shirts.

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

According to the project sponsors, the project would not alter any of the existing exterior details of the subject building except for new business signage, re-stain the wood portion of the existing front facade on the ground floor, and interior tenant improvements (new finishes, millwork, minor non load-bearing partition work, any necessary ADA upgrades, and display fixtures). The proposed project will be compatible with the existing architectural and aesthetic character of the District.

- D. The existing retail vacancy within the district.

According to the project sponsor's survey, there are currently four vacant storefronts within 300 feet of the subject property. This represents approximately 79 linear feet of 1,147 linear feet of buildings with commercial frontage, or approximately 5% of the total street commercial frontage that is vacant within a 300-foot radius of the project site.

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

The proposed formula retail use will be a neighborhood-servicing and City-wide serving use which will complement the mix of goods and services currently available within this portion of the Haight Street Neighborhood Commercial Zoning District, which primarily includes a mixture of include a mixture of eating and drinking establishments, personal services, and small retail establishments. Approximately 90% (40 locations) of the ground floor commercial uses in the district are "Daily-Needs" or neighborhood and Citywide-serving. The proposed formula retail use will complement the mix of goods and services currently available within this portion of the Haight Street Neighborhood Commercial Zoning District within a 300-foot mile radius of the project site.

- 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 wide variety of goods and services. The subject project would provide a nominal change to the number of existing formula retail establishments and the existing formula retail commercial frontage within the district.

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

As the subject formula retail use is less than 20,000 square feet, an economic impact study is not required for the proposed project.

- 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 1:

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

Policy 1:

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

The Project would continue to be compatible with and complementary to the types of uses characterizing this portion of the Haight Street Neighborhood Commercial Zoning District, which includes a mixture of eating and drinking establishments, personal services, and small retail establishments.

OBJECTIVE 1:

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

Policy 3:

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

Approval of the Project would be consistent with the mixed commercial-residential character of this portion of the Haight Street Neighborhood Commercial Zoning District. The proposed project would not adversely affect any affordable housing resources in the neighborhood.

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 6:

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 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.

No existing commercial tenant will be displaced. The Project will not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.

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

Policy 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 help maintain the existing commercial-residential character in the neighborhood by occupying a vacant ground floor commercial space in the neighborhood with another retail sales and services use.

Policy 4:

Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

The Project will help maintain the existing commercial-residential character in the neighborhood by occupying a vacant ground floor commercial space in the neighborhood with another retail sales and services use.

Policy 8:

Preserve historically and/or architecturally important buildings or groups of buildings in neighborhood commercial districts.

The Project will involve tenant improvements to the ground floor commercial tenant space which are compatible with the building's existing architectural and aesthetic character. There will be no expansion of the existing building envelope.

Policy 9:

Regulate uses so that traffic impacts and parking problems are minimized.

The Project would not adversely affect public transit or place a burden on the existing supply of parking in the neighborhood. Many patrons would be able to walk from their residences or places of employment, and the Project is well served by public transportation. There is on-street parking in the surrounding neighborhood.

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 will be complementary to the existing commercial establishments within the immediate neighborhood and will provide new job opportunities to the City.

- 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 and enhance the cultural and economic diversity of the neighborhood by helping to establish a retail store use in the area. Existing housing will not be affected by the proposed project.

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

The Project will not displace any affordable housing.

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

It is not anticipated that the proposed project would significantly increase the automobile traffic congestion and parking problems in the neighborhood.

- 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.

There is no commercial office development associated with the Project and there would be no displacement of any existing industrial or service businesses in the area.

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

The Project will comply with all applicable earthquake safety standards and built to the current standards of the California Building Code.

- G. That landmarks and historic buildings be preserved.

The Project will not significantly affect any landmarks or historic buildings.

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

The Project will not affect any city-owned park or open space.

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. 2019-022108CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated August 4, 2020, 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 October 15, 2020.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:

EXHIBIT A

Authorization

This authorization is for conditional use to allow a Formula Retail Use (d.b.a. 2nd Street USA) in an approximately 2,190 square foot ground floor commercial space at 1560 Haight Street in Assessor's Block 1231, Lot 016 pursuant to Planning Code Sections 303, 303.1, 703.4, and 719 within the Haight Street Neighborhood Commercial Zoning District, Haight Street Alcoholic Restricted Use Subdistrict, Fringe Financial Service Restricted Use District, and a 40-X Height and Bulk District in general conformance with plans, dated August 4, 2020, and stamped "EXHIBIT B" included in the docket for Record No. 2019-022108CUA and subject to conditions of approval reviewed and approved by the Commission on October 15, 2020 under Motion No. XXXXX. 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 **October 15, 2020** under Motion No. XXXXX.

Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXX 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 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.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 628.652.7463, www.sfplanning.org

- 6. Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) become effective. 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 628.652.7463, www.sfplanning.org

- 7. 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 628.652.7463, www.sfplanning.org

- 8. 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 the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) became effective.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 9. 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 628.652.7463, www.sfplanning.org

- 10. 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 628.652.7463, www.sfplanning.org

- 11. Signage.** Any signs on the property shall be made to comply with the requirements of Article 6 of the Planning Code for signage and Formula Retail guidelines for signage.

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

Design – Compliance at Plan Stage

- 12. Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling, shall be provided within enclosed areas of the property and clearly labeled and illustrated on the building plans. Space for the collection and storage of recyclable and compositable 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 628.652.7600, www.sfplanning.org

Operation

- 13. 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, 628.271.2000, www.sfpublishworks.org

- 14. 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 628.652.7463, www.sfplanning.org

Monitoring - After Entitlement

- 15. 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 628.652.7463, www.sfplanning.org

- 16. 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 628.652.7463, www.sfplanning.org

- 17. 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 628.652.7463, www.sfplanning.org

Exhibit B - Plans

- 2

PROJECT DATA TABLE



| | |
|---------------|---|
| SCOPE OF WORK | 9 |
|---------------|---|



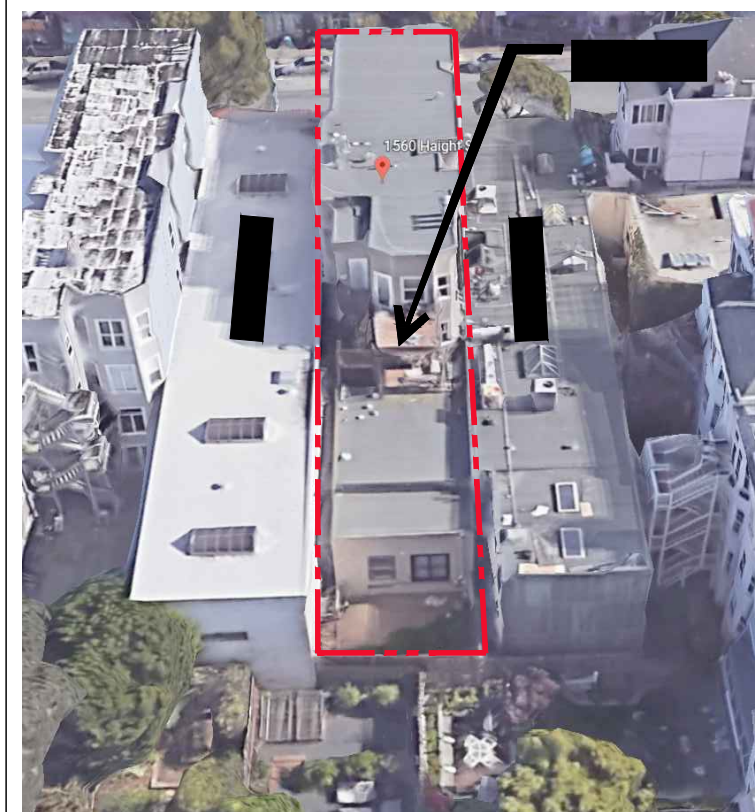
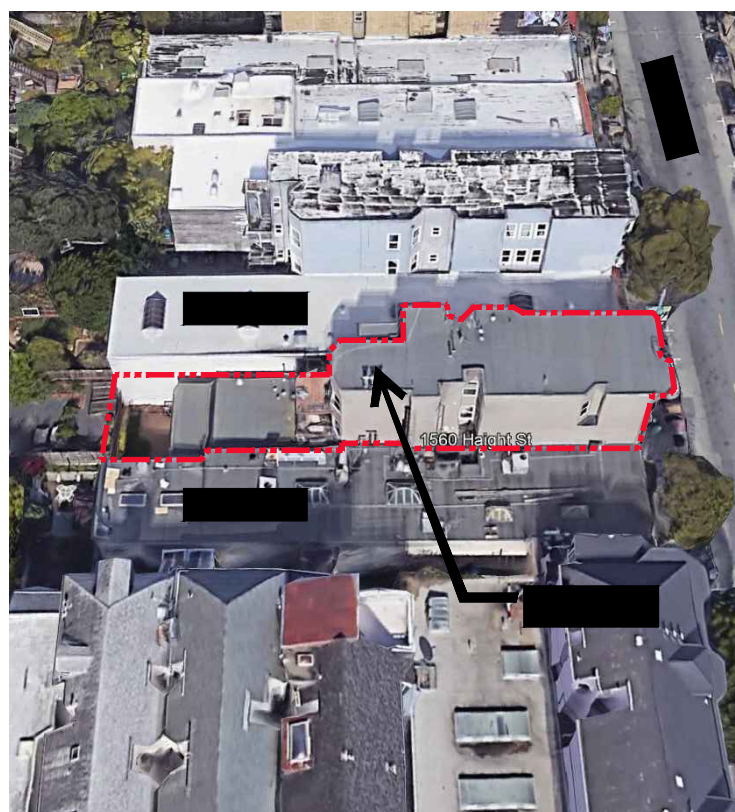
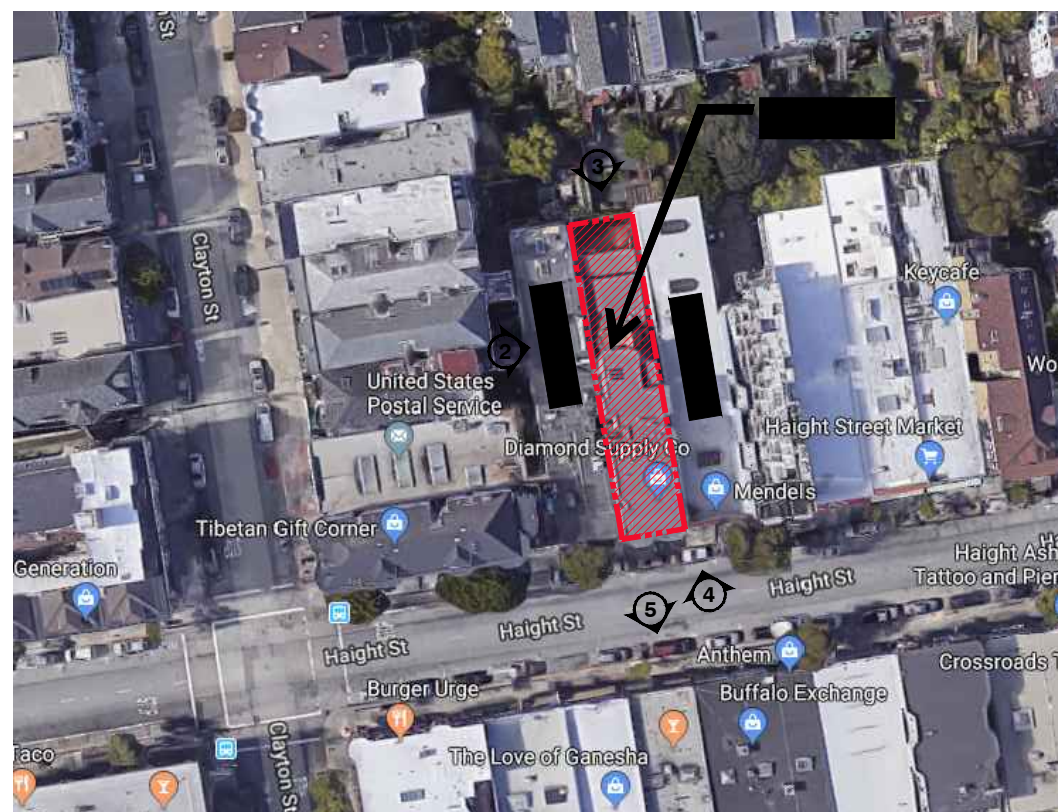
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|---------------------------------|---|
| PROJECT TEAM & APPLICABLE CODES | 5 |
|---------------------------------|---|

| | |
|--------|------------------------|
| ELEV. | ELEVATION |
| ELEC. | ELECTRICAL |
| EMERG. | EMERGENCY |
| EQ. | EQUAL |
| F.E. | FIRE EXTINGUISHER |
| F.O. | FACE OF |
| F.R. | FIRE RETARDANT |
| FIN. | FINISH |
| FL. | FLOOR |
| FLUOR. | FLUORESCENT |
| GA. | GAUGE |
| GL. | GLASS |
| GYP. | GYPSUM |
| HWOD. | HARDWOOD |
| HORIZ. | HORIZONTAL |
| HT. | HEIGHT |
| HR. | HOUR |
| HVAC | HEATING VENTILATION |
| A.C. | AIR CONDITIONER |
| I.D. | INSIDE DIAMETER (DIM.) |
| INSUL. | INSULATION |
| JT. | JOINT |
| LAM. | LAMINATE |
| LT. | LIGHT |
| MAX. | MAXIMUM |
| MECH. | MECHANICAL |
| MFR. | MANUFACTURER |
| MIN. | MINIMUM |
| MISC. | MISCELLANEOUS |
| MTL. | METAL |
| N. | NORTH |
| N.I.C. | NOT IN CONTRACT |
| N.T.S. | NOT TO SCALE |
| (N) | NEW |

| | |
|-------------|---|
| SHEET INDEX | 2 |
|-------------|---|


 AUGUST 4, 2020

A0.00



**J.T.NAKAOKA
ASSOCIATES
ARCHITECTS**
10390 SANTA MONICA BLVD
LOS ANGELES, CALIF. 90025
TELEPHONE: (310) 286-9375

THE CONTRACTOR IS RESPONSIBLE FOR REVIEW OF ALL PORTIONS OF CONSTRUCTION DOCUMENTS (INCLUDING, BUT NOT LIMITED TO DETAILS, DIMENSIONS, PLANS SECTIONS AND SPECIFICATIONS) PERTAINING TO ANY SPECIFIC AREA OR ITEM OF CONSTRUCTION PRIOR TO COMMENCEMENT OF WORK. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT'S OFFICE IMMEDIATELY OF ANY INCONSISTENCIES, DISCREPANCIES OR OMISSIONS PRIOR TO COMMENCEMENT OF ANY WORK AND AWAIT THE ARCHITECT'S CLARIFICATION WHERE APPLICABLE.

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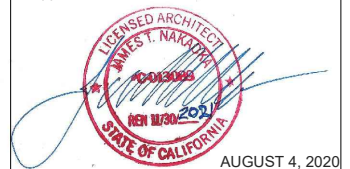
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2nd Street USA

1560 HAIGHT ST.
SAN FRANCISCO, CA
94117

Consultants:

Approvals:

[illegible]

Sheet Title

SITE & VICINITY PHOTOS

| Job No. | Date | Scale |
|---------|------|----------|
| 1800.05 | - | AS SHOWN |

A0.01

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LOS ANGELES, CALIF. 90025
TELEPHONE: (310) 286-9375

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94117

Consultants:

approvals:

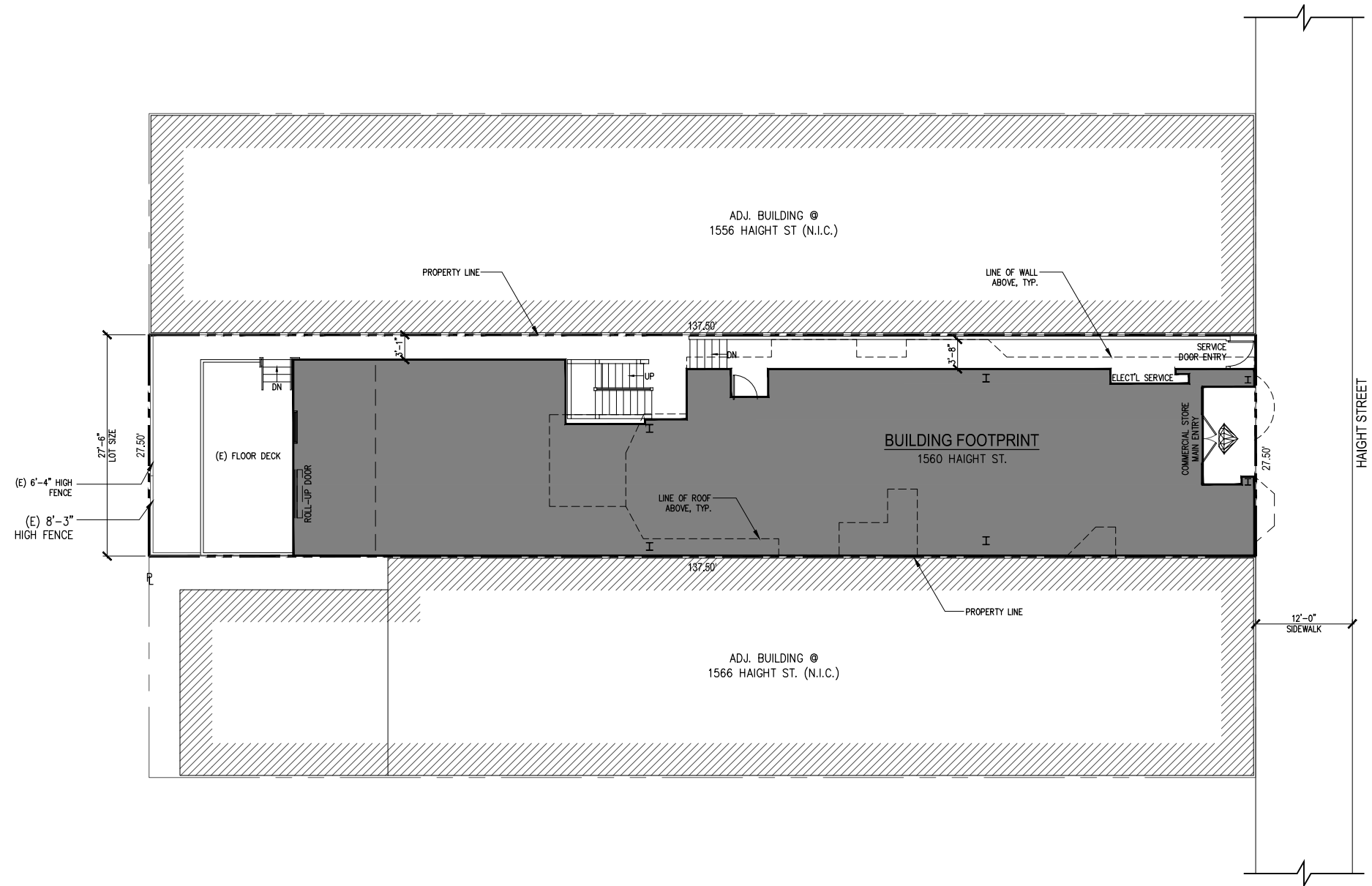
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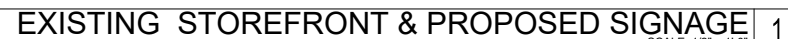
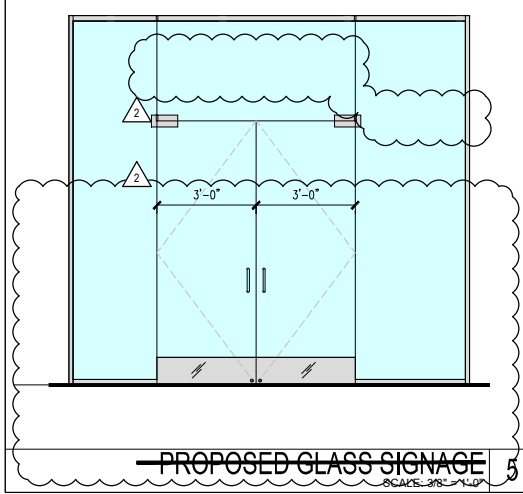
Sheet Title

EXISTING SITE PLAN

| Job No. | Date | Scale |
|---------|------|----------|
| 800.05 | - | AS SHOWN |

A0.02





A1.00

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Approvals:

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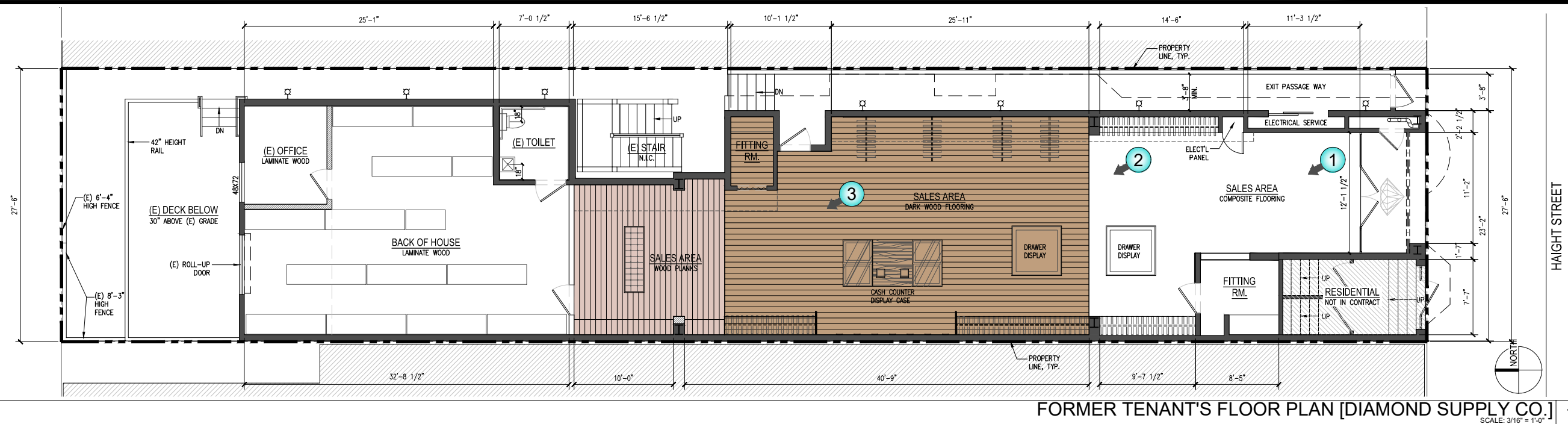
Sheet Title

EXISTING
BLDG. SECTIONS

| | | |
|---------|------|----------|
| Job No. | Date | Scale |
| 800.05 | - | AS SHOWN |

A1.02





**J.T.NAKAOKA
ASSOCIATES
ARCHITECTS**
10390 SANTA MONICA BLVD
LOS ANGELES, CALIF. 90025
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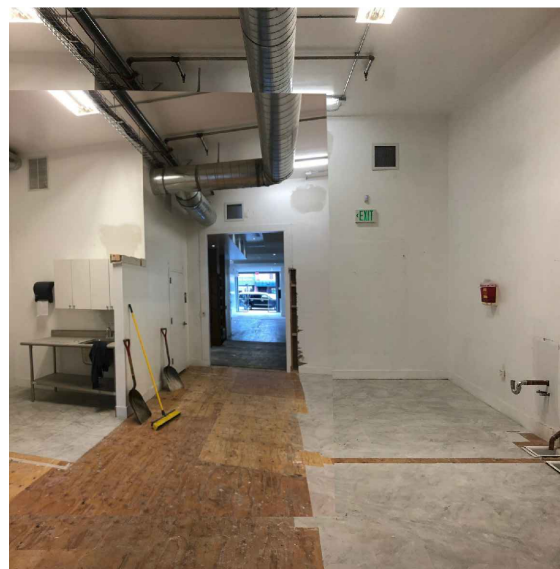
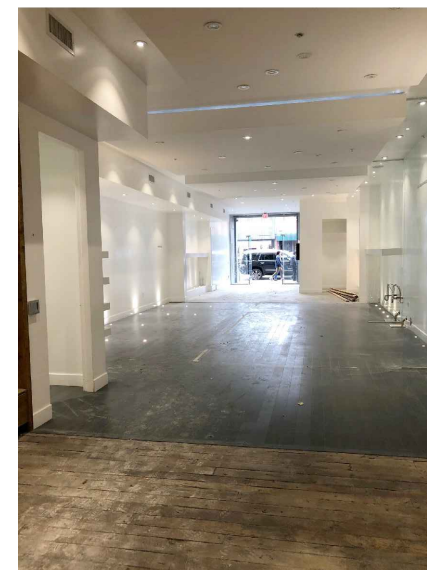
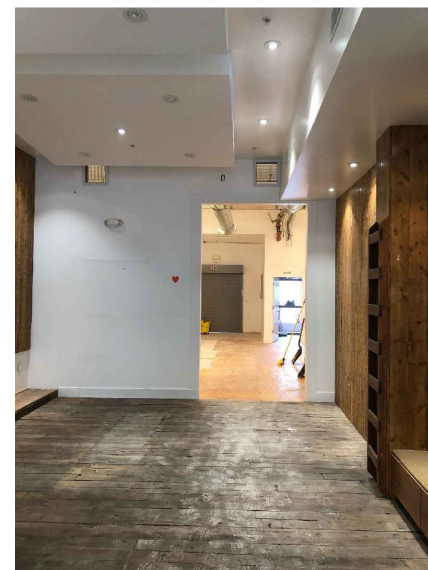
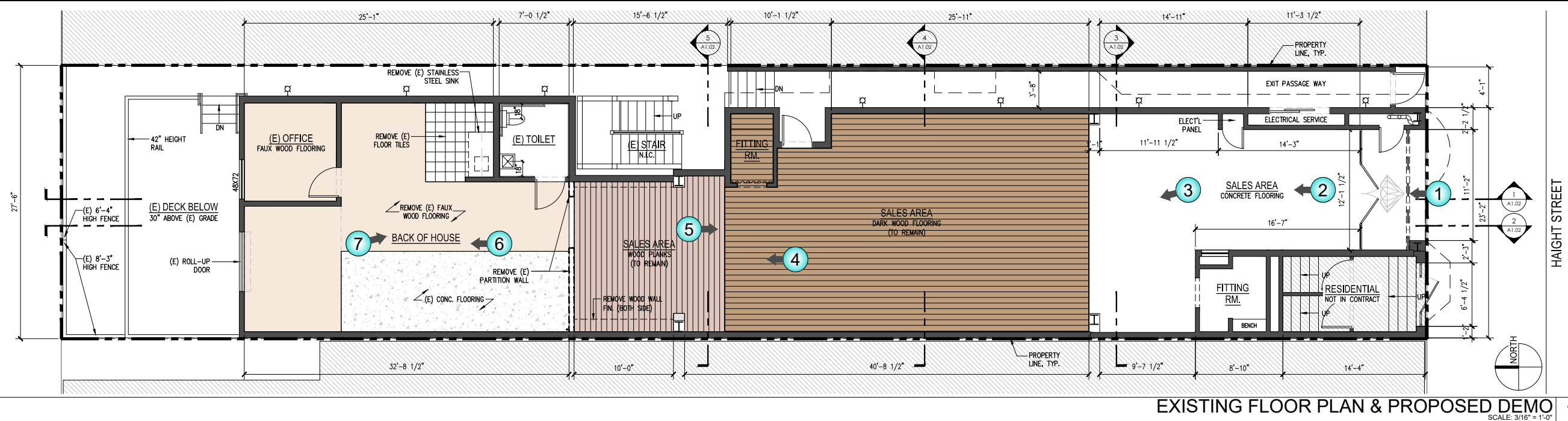
Sheet Title

FORMER TENANT'S
FLOOR PLAN & PHOTOS

| Job No. | Date | Scale |
|---------|------|----------|
| 1800.05 | - | AS SHOWN |

A2.00

FORMER TENANT'S PHOTOS [DIAMOND SUPPLY CO.] 2
SCALE: NTS



**J.T.NAKAOKA
ASSOCIATES
ARCHITECTS**
10390 SANTA MONICA BLVD
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Sheet Title

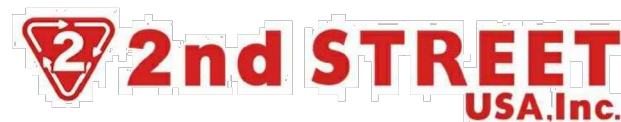
**EXISTING FLOOR PLAN
& PROPOSED DEMO,
& (E) STORE PHOTOS**

| Job No. | Date | Scale |
|---------|------|----------|
| 1800.05 | - | AS SHOWN |

A2.01

| EXISTING STORE PHOTOS | 2 |
|-----------------------|---|
|-----------------------|---|

NO PROPOSED
CHANGES TO
LIGHTING OR HVAC



**J.T.NAKAOKA
ASSOCIATES
ARCHITECTS**

10390 SANTA MONICA BLVD
LOS ANGELES, CALIF. 90025
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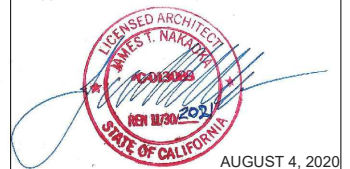
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Consultants:

Approvals:

[illegible]

Sheet Title

2ND STREET STORE IMAGES

| Job No. | Date | Scale |
|---------|------|----------|
| 1800.05 | - | AS SHOWN |

A4.00



2nd STREET

1560 HAIGHT ST
SAN FRANCISCO, CA 94117

MAXIMUM VISIBILITY
MAXIMUM VISIBILITY

ph) 310.455.2349
fx) 310.455.1727
1035 Henry Ridge
Topanga, CA 90290

retail services

 Revised 7/31/20 - Removed secondary "2nd Street" vinyl signage on storefront

NOTE: The information contained in these documents is intended only for the use of person(s) directly associated with the respective project and no one else. Drawings are not to be copied, duplicated or distributed without the prior written consent of Maximum Visibility, Inc.

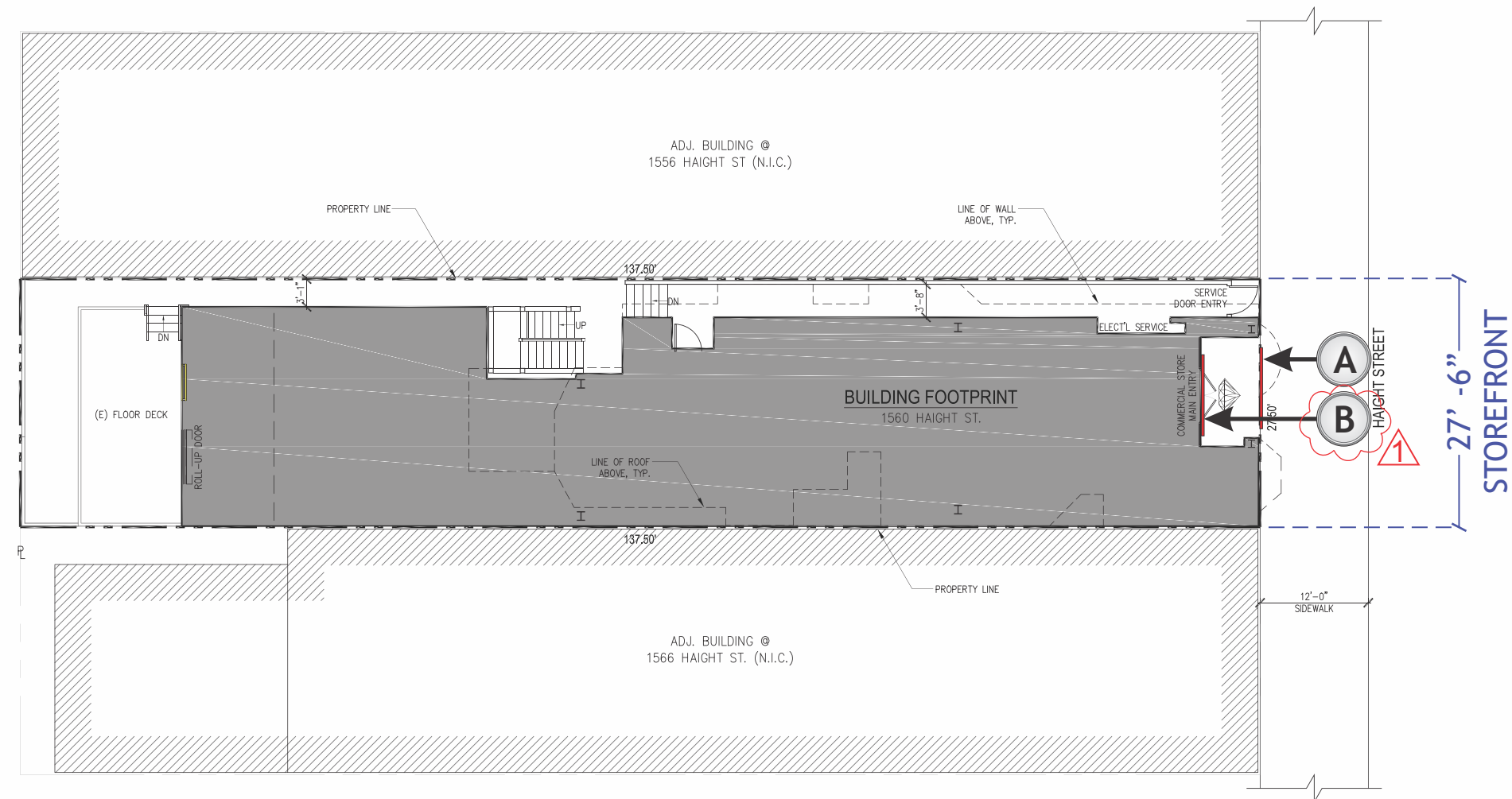
© 2020

Sheet Title
Cover Page

Date
May 11, 2020

Sheet Number

1 of 5



SCOPE OF WORK

KEY PLAN



VICINITY MAP



SITE MAP

MAXIMUM VISIBILITY

ph) 310.455.2349
fx) 310.455.1727
1035 Henry Ridge
Topanga, CA 90290

retail services

Project



2nd STREET
1560 HAIGHT ST
SAN FRANCISCO, CA 94117

Sheet Title

Site Location Plan

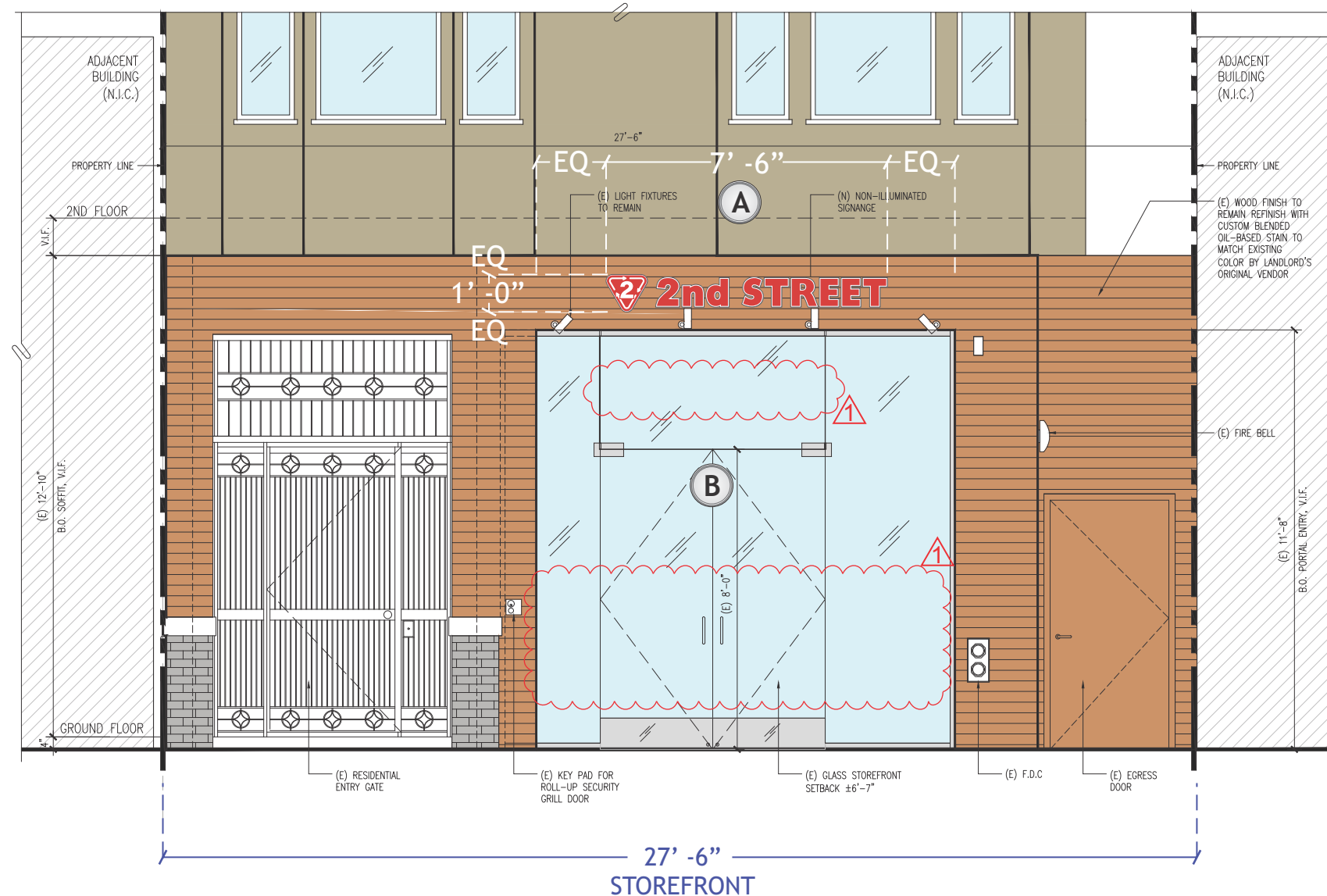
Date

May 11, 2020

Sheet Number

2 of 5

1 Revised 7/31/20 - Removed secondary "2nd Street" vinyl signage on storefront



1

STOREFRONT ELEVATION

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

MAXIMUM VISIBILITY

ph) 310.455.2349
fx) 310.455.1727
1035 Henry Ridge
Topanga, CA 90290

retail services

1 Revised 7/31/20 - Removed secondary "2nd Street" vinyl signage on storefront

Project



2nd STREET
1560 HAIGHT ST
SAN FRANCISCO, CA 94117

Sheet Title

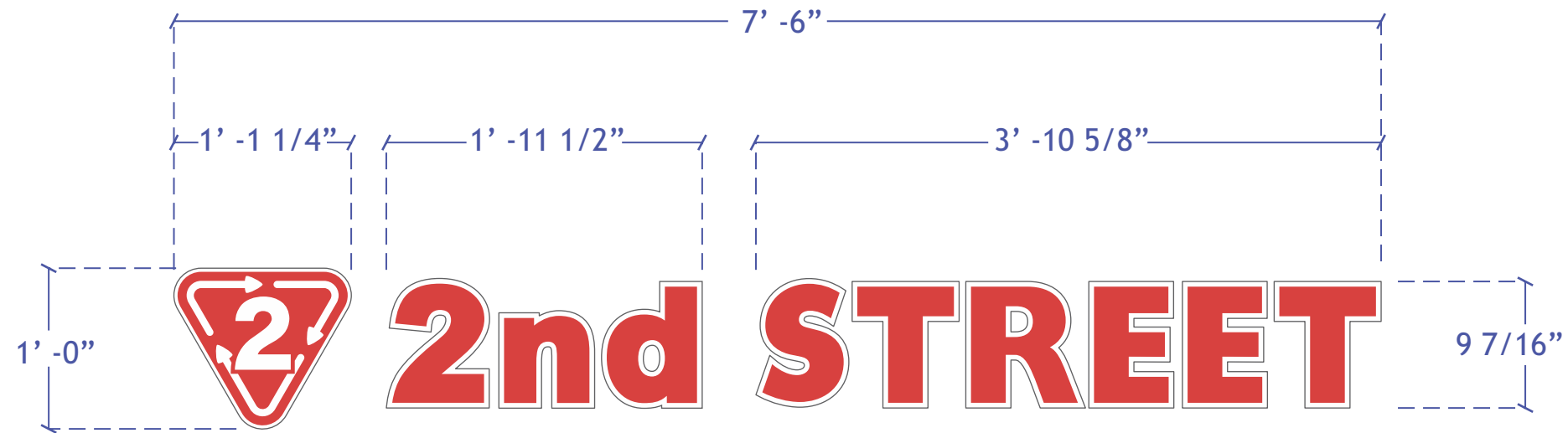
Front Building Elevation

Date

May 11, 2020

Sheet Number

3 of 5



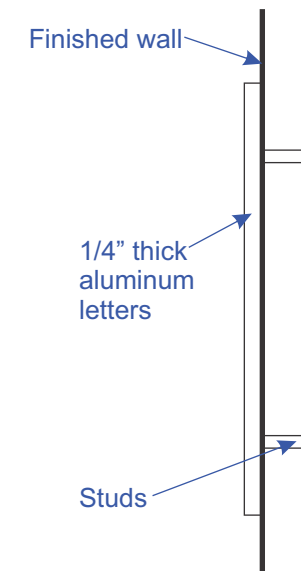
A **NON ILLUMINATED DIMENSIONAL LETTERS & LOGO** 7.5'
One set required Scale: 1" = 1'-0"

SPECIFICATIONS:

Fabricate (1) set of non illuminated FCO letters and logo.

Letters to be 1/4" thick aluminum, painted white with first surface applied red vinyl (3M Scotchcal Translucent vinyl 3630-53 Cardinal Red) inset on letter faces to show white border and graphic on logo.

Letters and logo to be stud mounted, flush to building surface.



Revised 7/31/20 - Removed secondary "2nd Street" vinyl signage on storefront

MAXIMUM VISIBILITY

ph) 310.455.2349
 fx) 310.455.1727
 1035 Henry Ridge
 Topanga, CA 90290

retail services

Project



2nd STREET
 1560 HAIGHT ST
 SAN FRANCISCO, CA 94117

Sheet Title

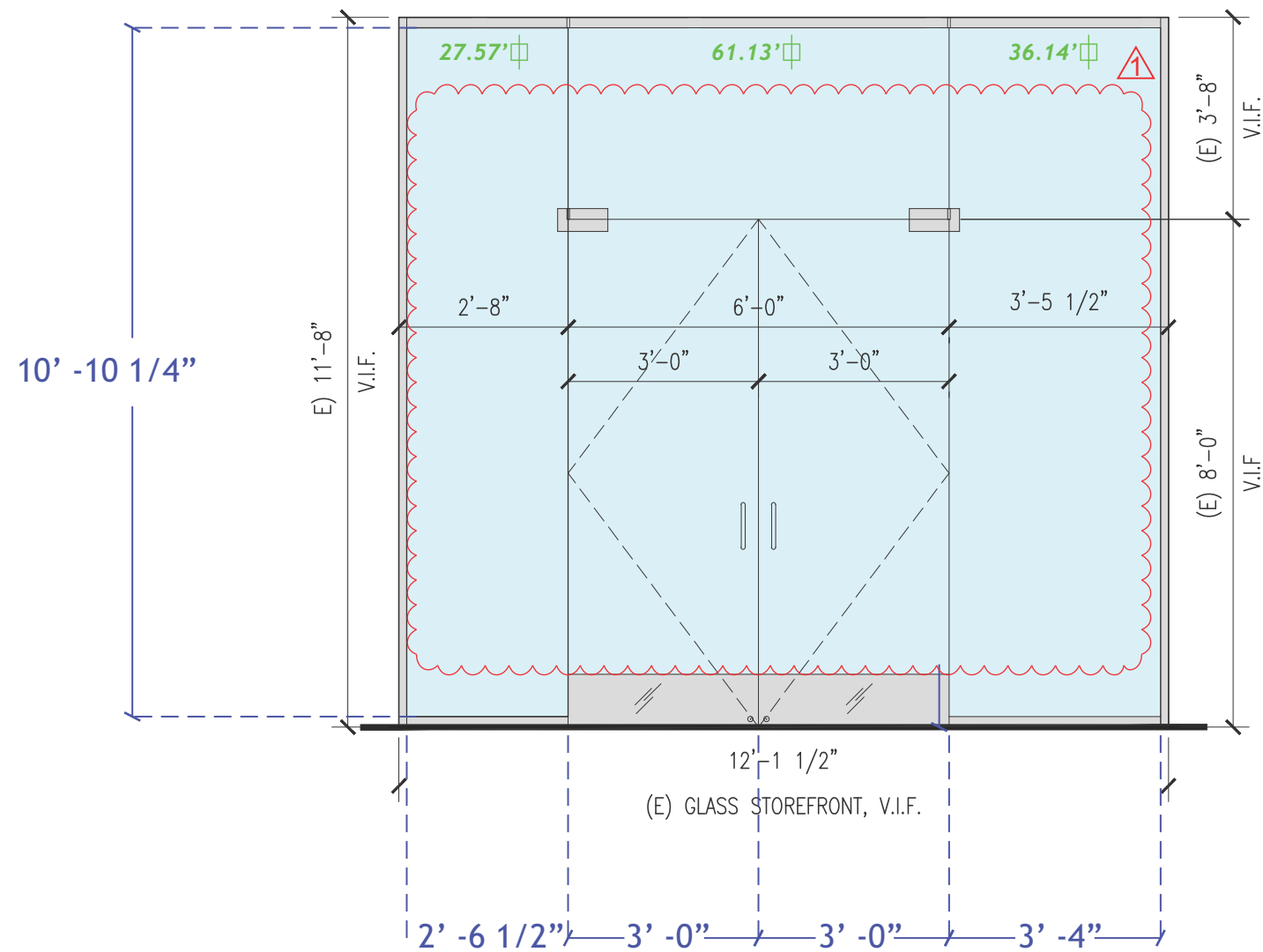
Sign Specifications

Date

May 11, 2020

Sheet Number

4 of 5



□ = Sign square footage
 △ 0.0 TOTAL SF
 □ = Window square footage
 124.84 TOTAL SF

B ~~NON ILLUMINATED WINDOW VINYL~~

~~One set required~~

Scale: 3/8" = 1'-0"

~~Second surface applied white vinyl~~

MAXIMUM VISIBILITY

ph) 310.455.2349
 fx) 310.455.1727
 1035 Henry Ridge
 Topanga, CA 90290

retail services

△ Revised 7/31/20 - Removed secondary "2nd Street"
 vinyl signage on storefront

Project



2nd STREET
 1560 HAIGHT ST
 SAN FRANCISCO, CA 94117

Sheet Title

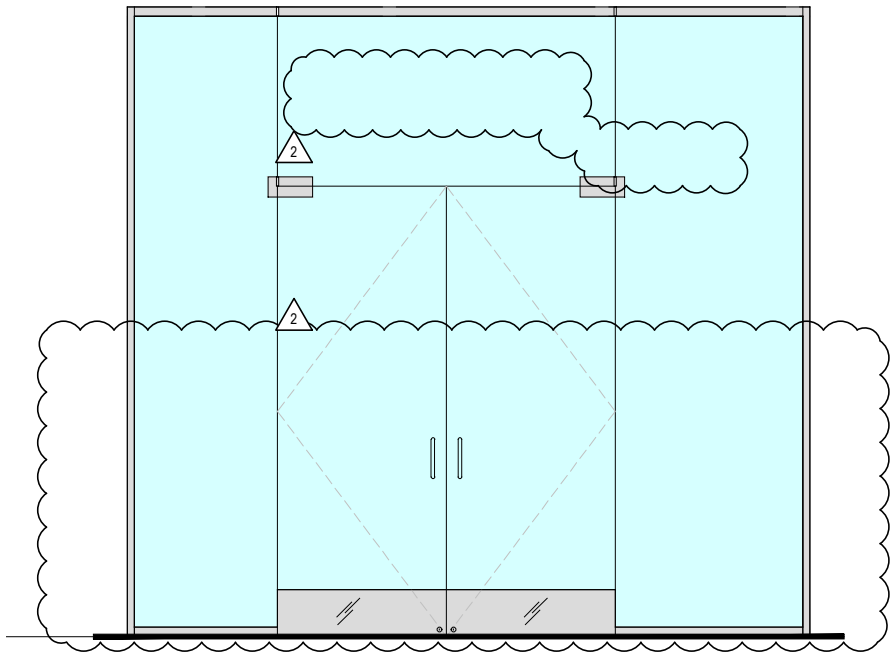
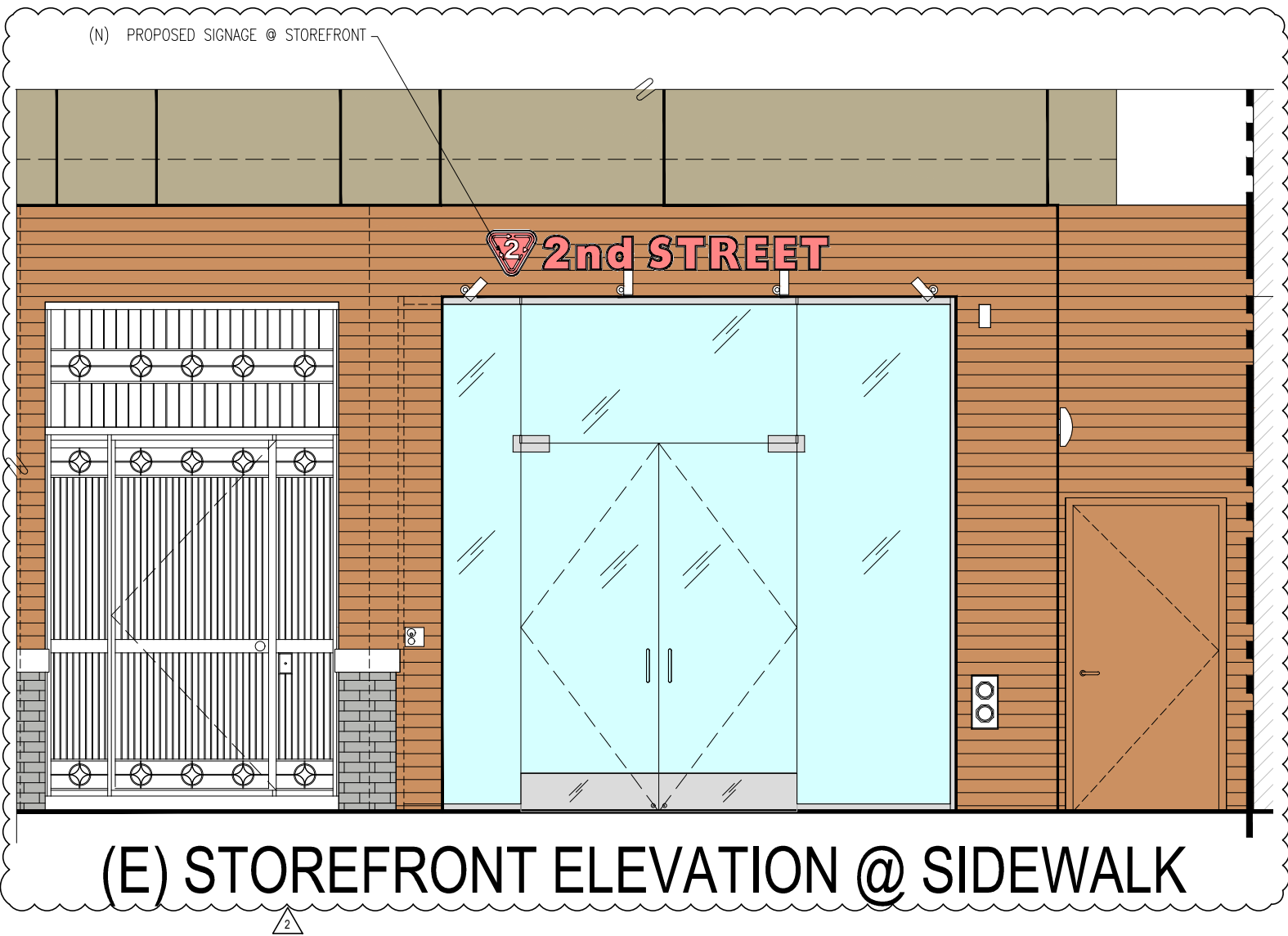
Vinyl Specifications

Date

May 11, 2020

Sheet Number

5 of 5



(E) GLASS STOREFRONT RECESSED ±6'-7"

| SIGN LOCATION | MATERIAL | SIZE (SF) | REMARKS |
|-------------------|------------|-----------|------------------------------------|
| FRONT FACADE | ALUMINUM | 7.5 SF | NON ILLUMINATED 1/2" THK. ALUMINUM |
| FRONT TRANSOM | WIN. VINYL | 3.71 SF | SURFACE APPLIED WHITE VINYL |
| ENTRY GLASS LEFT | WIN. VINYL | 5.25 SF | SURFACE APPLIED WHITE VINYL |
| ENTRY GLASS RIGHT | WIN. VINYL | 8.92 SF | SURFACE APPLIED WHITE VINYL |
| ENTRY DOOR LEFT | WIN. VINYL | 1.6 SF | SURFACE APPLIED WHITE VINYL |
| ENTRY DOOR RIGHT | WIN. VINYL | 1.6 SF | SURFACE APPLIED WHITE VINYL |
| TOTAL SIGN AREA | | 7.5 SF | |

Exhibit C – Environmental Determination



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

| | | |
|--|---|--|
| Project Address | | Block/Lot(s) |
| 1560 HAIGHT ST | | 1231016 |
| Case No. | | Permit No. |
| 2019-022108PRJ | | |
| <input checked="" type="checkbox"/> Addition/ Alteration | <input type="checkbox"/> Demolition (requires HRE for Category B Building) | <input type="checkbox"/> New Construction |
| Project description for Planning Department approval. The proposed project is to establish a formula retail use d.b.a. 2nd Street U.S.A. located in a vacant ground floor commercial space on the project site. Interior modifications and refinish existing wood storefront.(New business signage will be under separate permit.) | | |

STEP 1: EXEMPTION CLASS

| | |
|--|--|
| The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA). | |
| <input checked="" type="checkbox"/> | Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft. |
| <input type="checkbox"/> | Class 3 - New Construction. 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"/> | Class 32 - In-Fill Development. 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. FOR ENVIRONMENTAL PLANNING USE ONLY |
| <input type="checkbox"/> | Class ____ |

TO BE COMPLETED BY PROJECT PLANNER

Comments and Planner Signature (optional):

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

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

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

| | |
|--|--|
| Check all that apply to the project. | |
| <input type="checkbox"/> | 1. Change of use and new construction. Tenant improvements not included. |
| <input type="checkbox"/> | 2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building. |
| <input type="checkbox"/> | 3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations. |
| <input type="checkbox"/> | 4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines. |
| <input type="checkbox"/> | 5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way. |
| <input type="checkbox"/> | 6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way. |
| <input type="checkbox"/> | 7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> . |
| <input type="checkbox"/> | 8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features. |
| Note: Project Planner must check box below before proceeding. | |
| <input checked="" type="checkbox"/> | Project is not listed. GO TO STEP 5. |
| <input type="checkbox"/> | Project does not conform to the scopes of work. GO TO STEP 5. |
| <input type="checkbox"/> | Project involves four or more work descriptions. GO TO STEP 5. |
| <input type="checkbox"/> | Project involves less than four work descriptions. GO TO STEP 6. |

STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PROJECT PLANNER

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

| | |
|---|--|
| <input type="checkbox"/> | 7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> . |
| <input type="checkbox"/> | 8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments): |
| <input type="checkbox"/> | 9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator) |
| <input type="checkbox"/> | 10. Reclassification of property status. (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 or PTR dated b. Other (specify): </div> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category C (attach HRER or PTR) </div> </div> |
| Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below. | |
| <input checked="" type="checkbox"/> | Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6. |
| Comments (optional): Proposed sign meets requirements for signs on historic buildings per sign handout. No other changes to storefront. | |
| Preservation Planner Signature: Shannon Ferguson | |

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

| | | |
|-------------------------------------|---|---------------------------------------|
| <input checked="" type="checkbox"/> | 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. | |
| | Project Approval Action: Building Permit | Signature: Shannon Ferguson |
| | If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project. | 08/10/2020 |
| | 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 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.

MODIFIED PROJECT DESCRIPTION

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. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.

Planner Name:

Date:

Exhibit D - Land Use Data



SAN FRANCISCO PLANNING DEPARTMENT

Land Use Information

PROJECT ADDRESS: 1560 HAIGHT STREET
RECORD NO.: 2019-0022108CUA

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

Reception:
415.558.6378

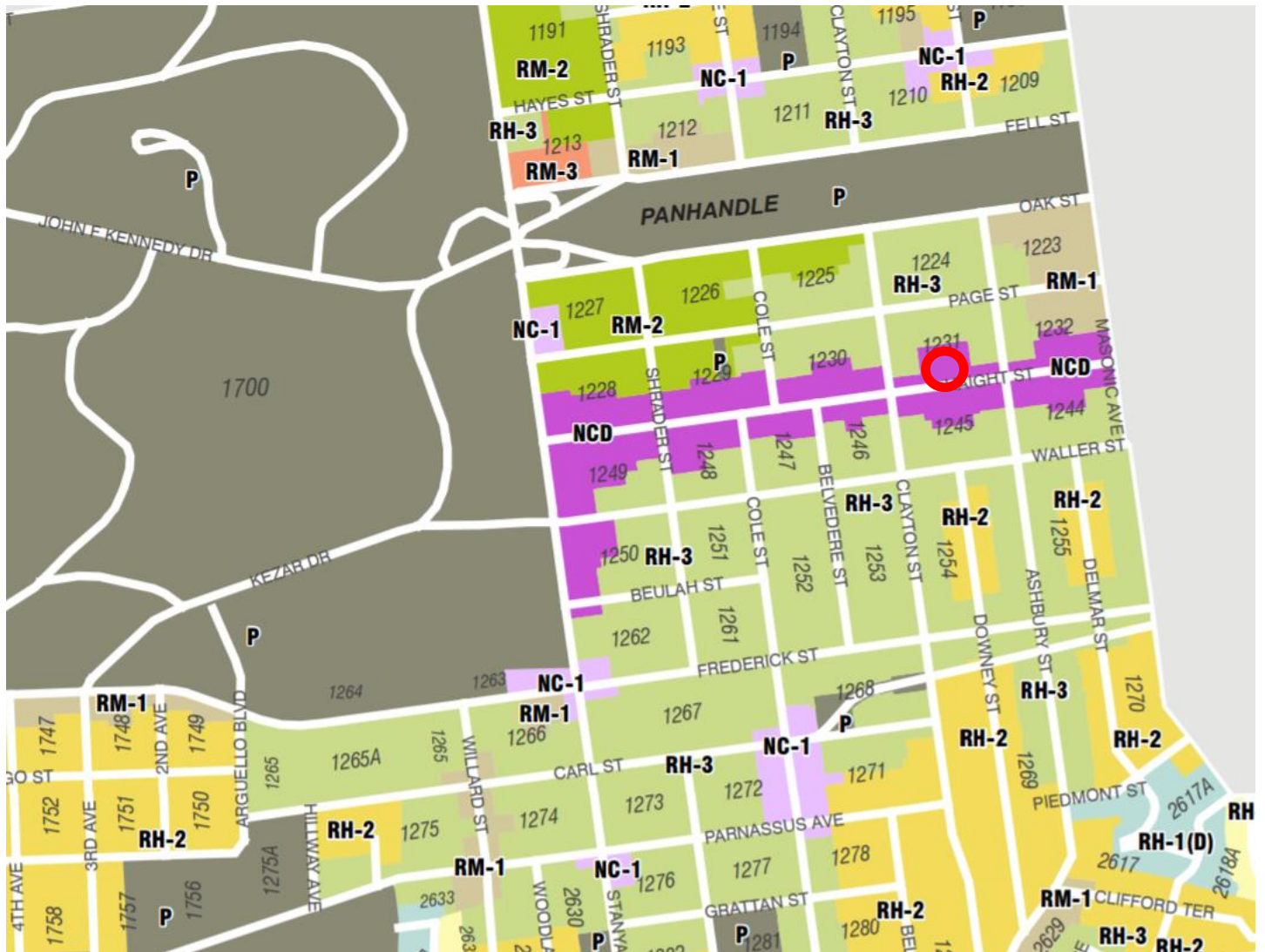
Fax:
415.558.6409

Planning
Information:
415.558.6377

| | EXISTING | PROPOSED | NET NEW |
|---|-------------------|-------------------|-----------|
| GROSS SQUARE FOOTAGE (GSF) | | | |
| Lot Area | ±3,781.25 | ±3,781.25 | No Change |
| Residential | Approx. ±4,156 | Approx. ±4,156 | No Change |
| Commercial/Retail (subject commercial space) | Approx. ±2,190 | Approx. ±2,190 | No Change |
| Office | -- | -- | -- |
| Industrial/PDR <i>Production, Distribution, & Repair</i> | -- | -- | -- |
| Parking | -- | -- | -- |
| Usable Open Space | -- | -- | -- |
| Public Open Space | -- | -- | -- |
| Other () | | | |
| TOTAL GSF | ±2,190 | ±2,190 | No Change |
| | EXISTING | NET NEW | TOTALS |
| PROJECT FEATURES (Units or Amounts) | | | |
| Dwelling Units - Market Rate | 4 | 4 | No Change |
| Dwelling Units - Affordable | -- | -- | -- |
| Hotel Rooms | -- | -- | -- |
| Parking Spaces | -- | -- | -- |
| Loading Spaces | -- | -- | -- |
| Car Share Spaces | -- | -- | -- |
| Bicycle Spaces | -- | -- | -- |
| Number of Buildings | 1 | 1 | No Change |
| Number of Stories | 3 | 3 | No Change |
| Height of Building(s) | Approx. 38.5 feet | Approx. 38.5 feet | No Change |
| Other () | | | |

Exhibit E - Maps and Context Photos

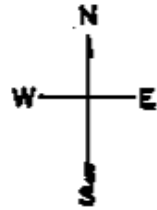
Zoning Map



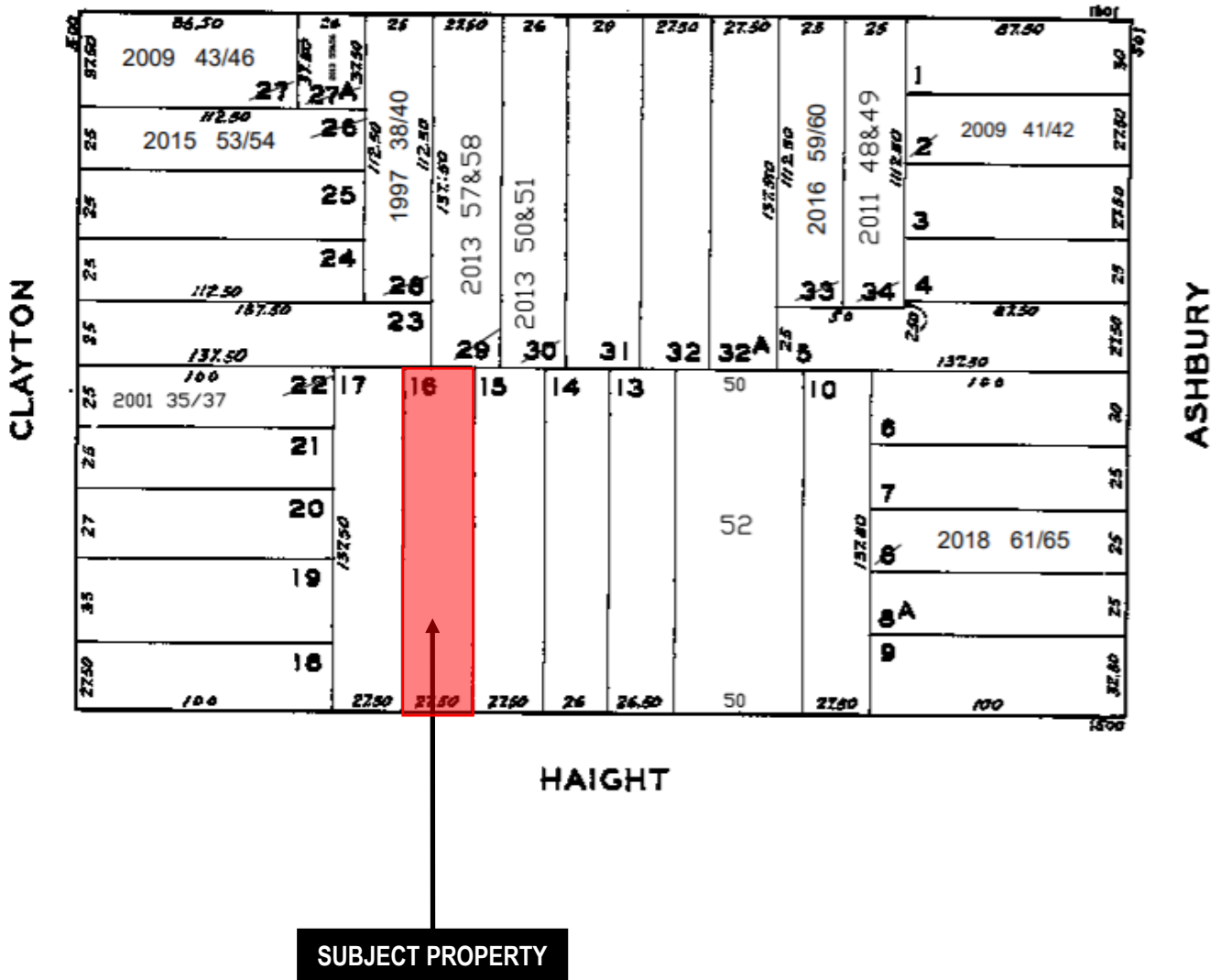
Conditional Use Hearing
Case Number 2019-022108CUA
1560 Haight Street



Parcel Map



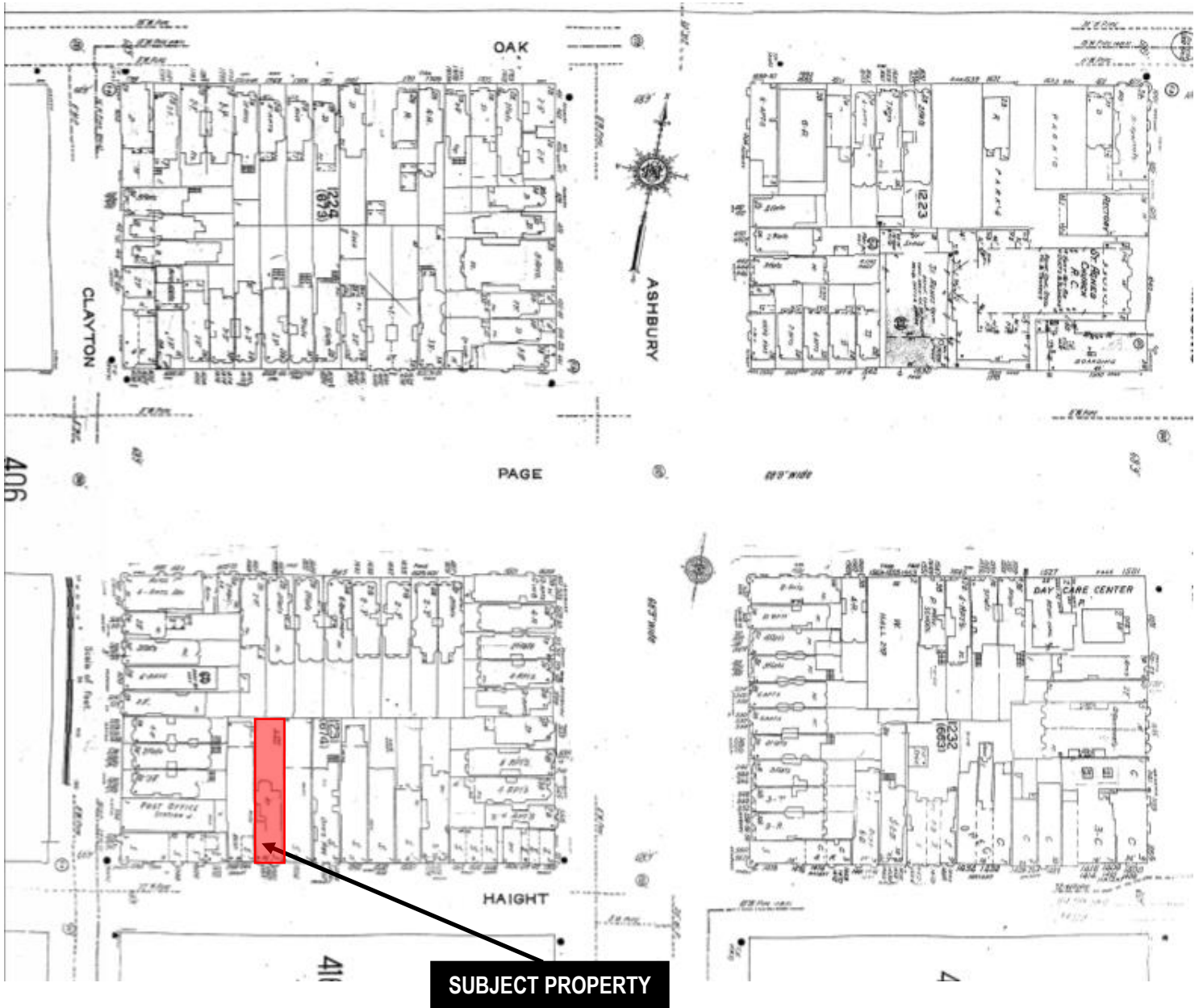
PAGE



Conditional Use Hearing
Case Number 2019-022108CUA
1560 Haight Street



Sanborn Map*

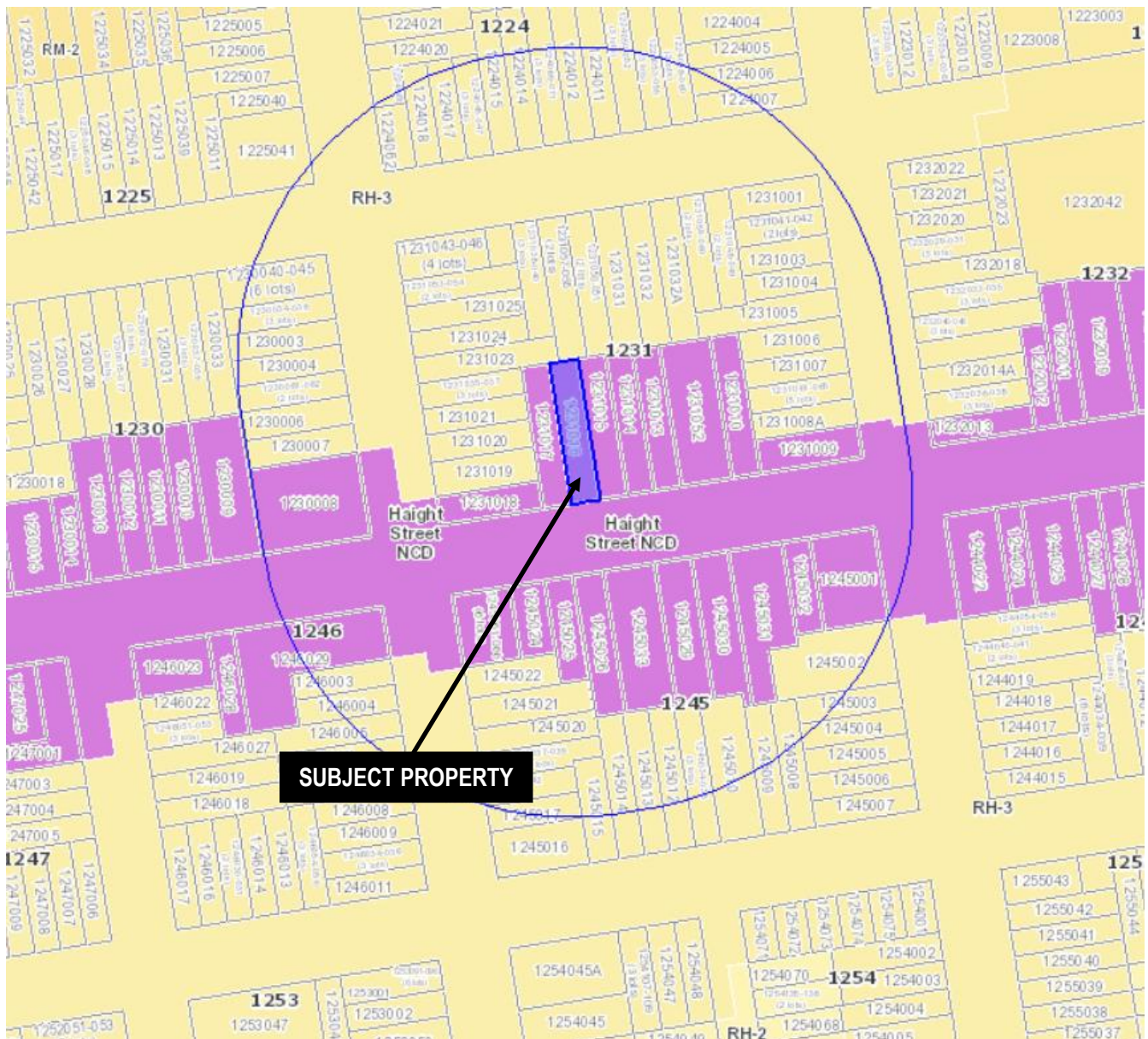


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Conditional Use Hearing
Case Number 2019-022108CUA
1560 Haight Street



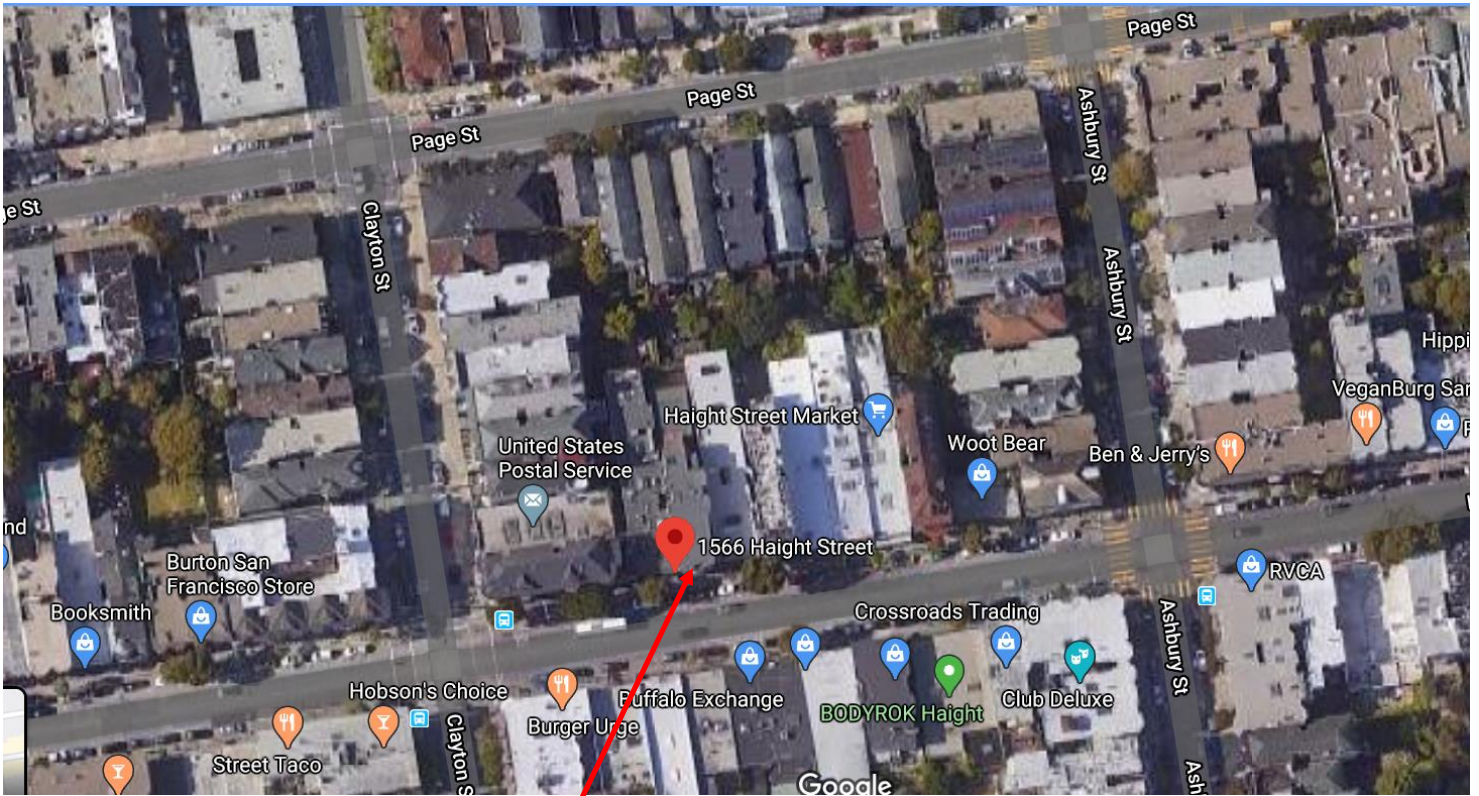
300- FOOT MILE RADIUS



Conditional Use Hearing
Case Number 2019-022108CUA
1560 Haight Street



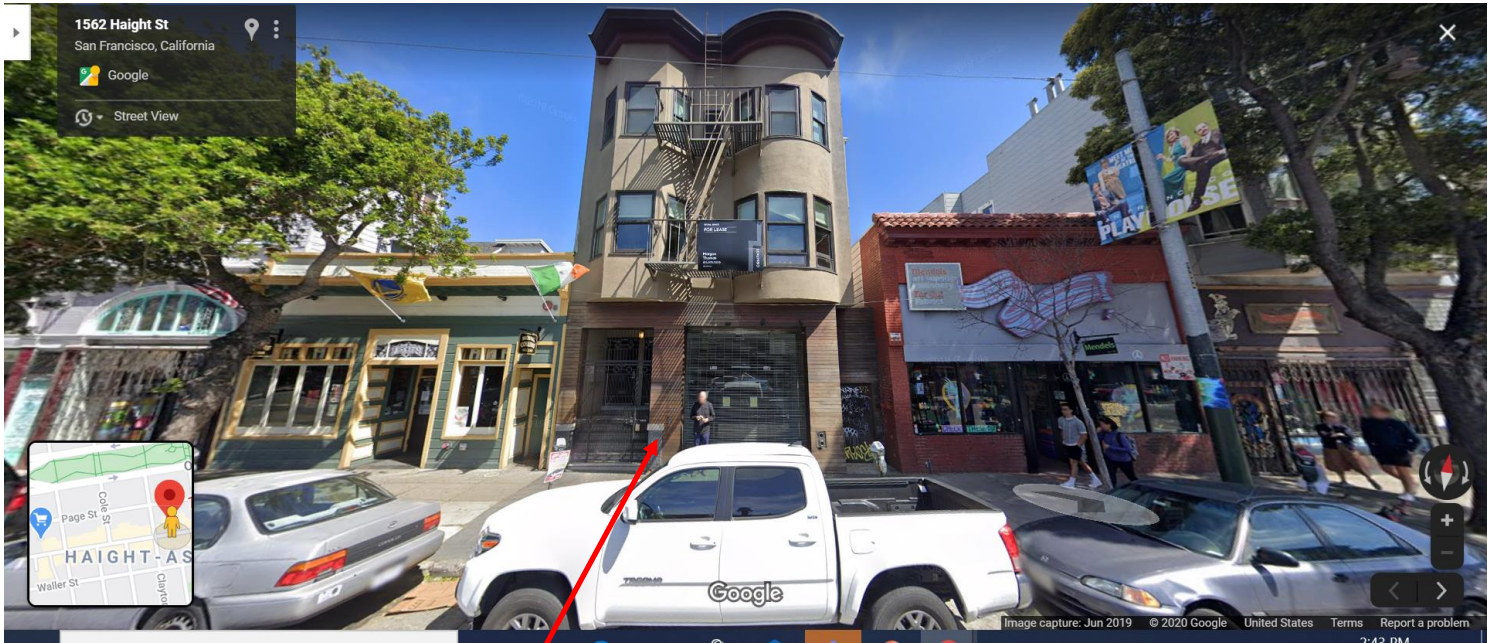
Aerial Photo



SUBJECT PROPERTY



Site Photo

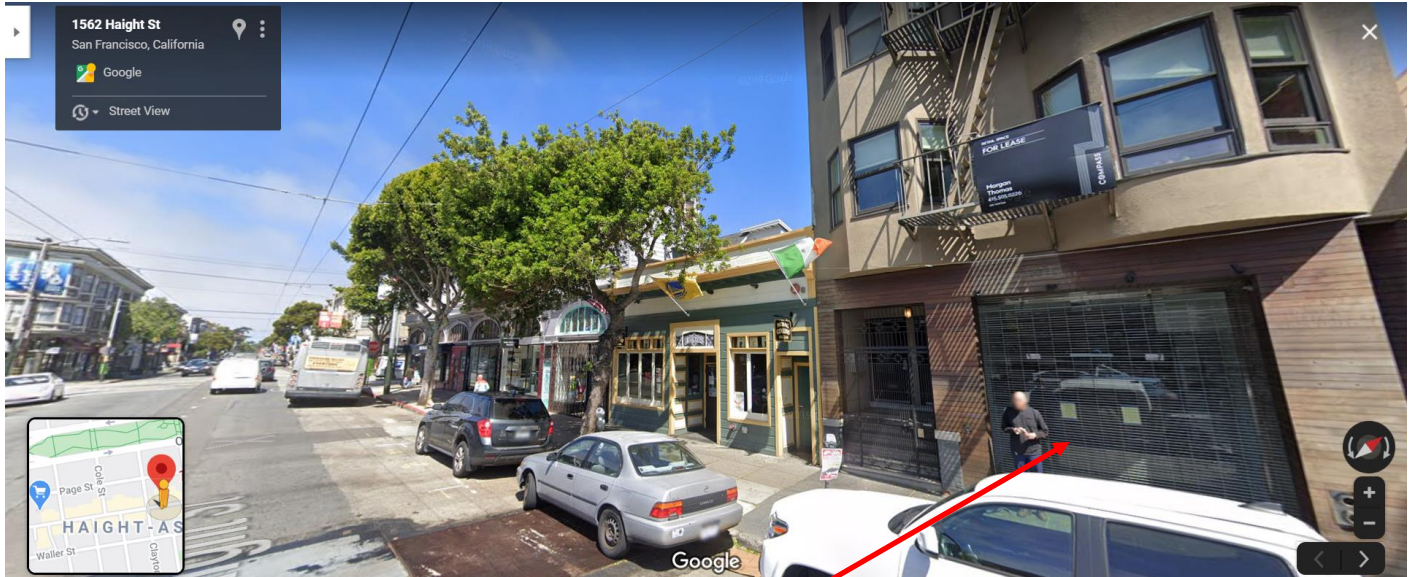


SUBJECT PROPERTY

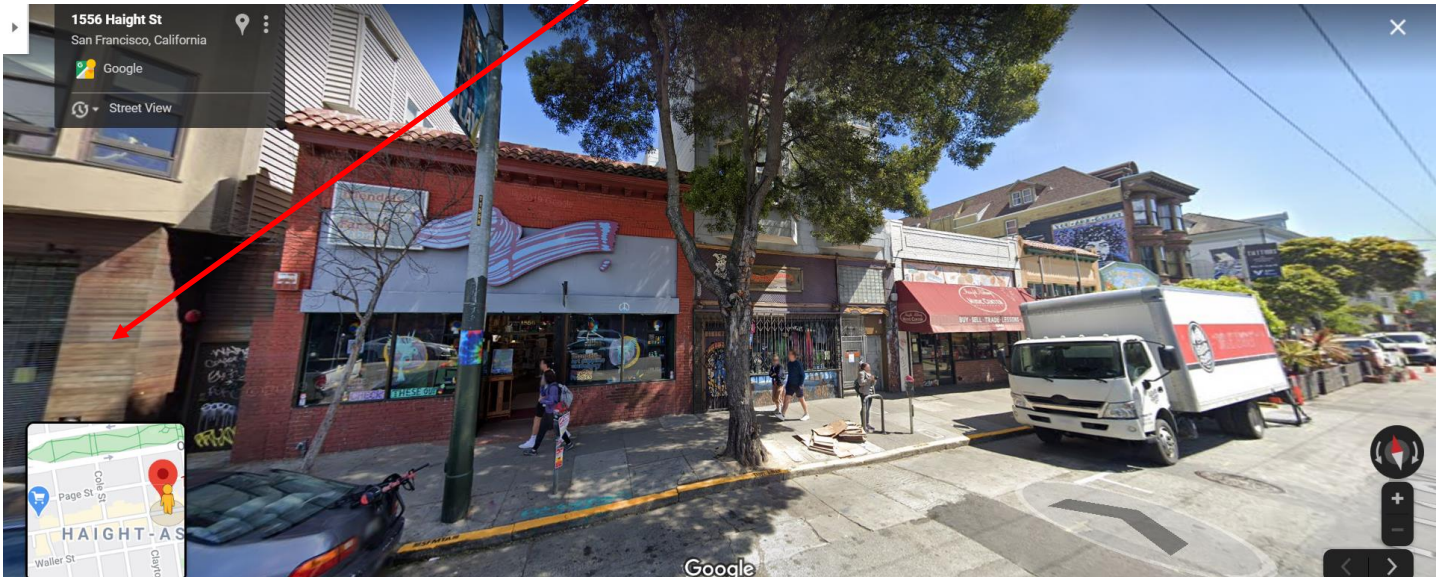
Conditional Use Hearing
Case Number 2019-022108CUA
1560 Haight Street

Site Photo

PORTION OF SUBJECT BLOCK ON HAIGHT STREET



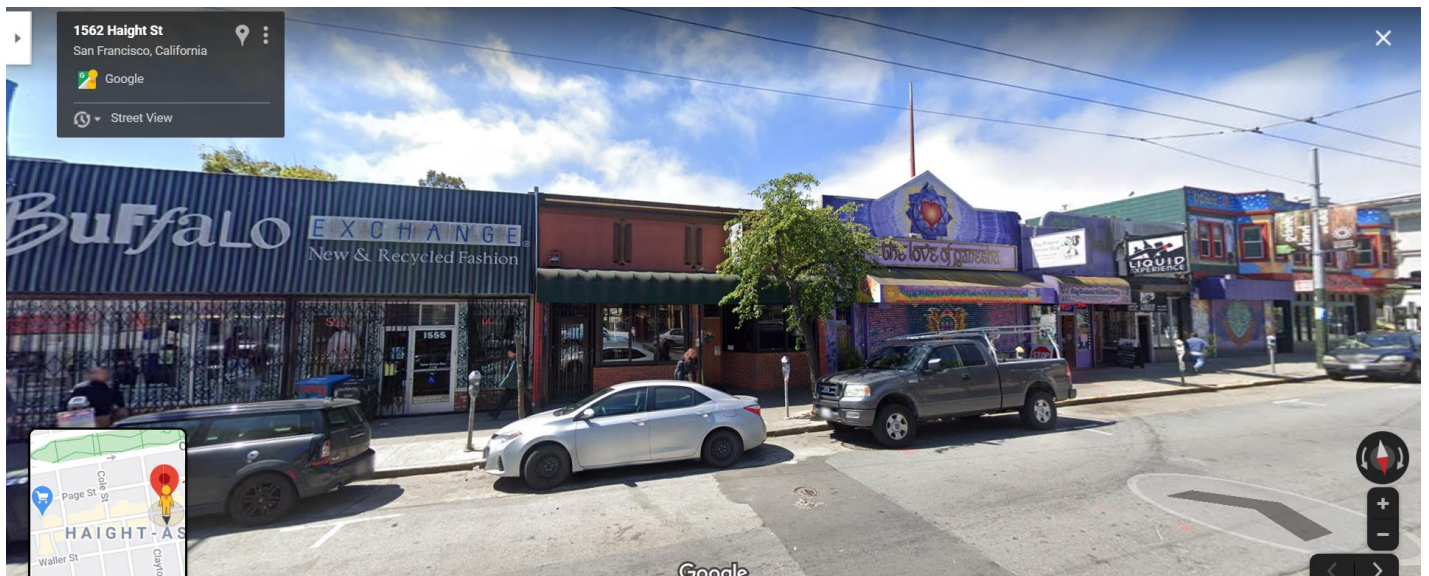
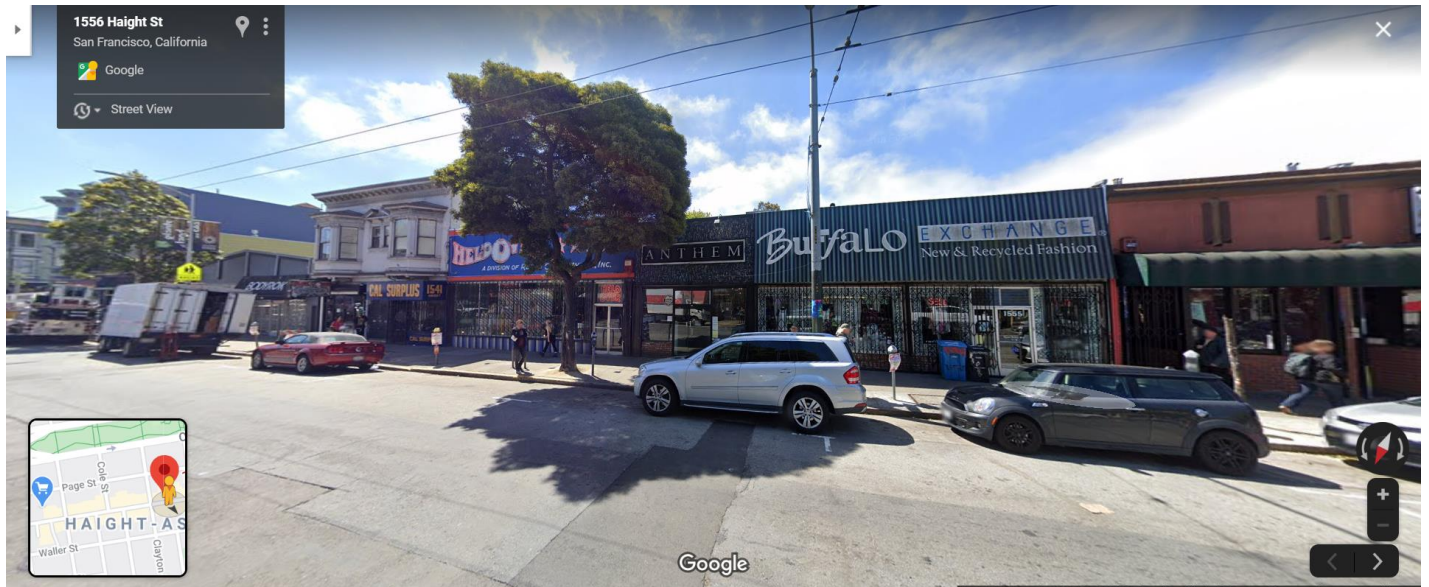
SUBJECT COMMERCIAL SPACE



Conditional Use Hearing
Case Number 2019-022108CUA
1560 Haight Street

Site Photo

PORTION OF OPPOSITE BLOCK ON HAIGHT STREET



Conditional Use Hearing
Case Number 2019-022108CUA
1560 Haight Street

Exhibit F - Project Sponsor Submittal

(Formula Retail Survey & HAMA letter)



1221 HARRISON STREET #18
SAN FRANCISCO, CA 94103

P: 415-391-4775
F: 415-391-4777
radiusservices@sfradius.com

AFFIDAVIT OF PREPARATION
OF RADIUS NOTIFICATION MAP, MAILING LIST, & DELIVERY MATERIALS
FOR PUBLIC NOTIFICATION

RADIUS SERVICES hereby declares as follows:

1. We have prepared the NOTIFICATION MAP, MAILING LIST, and DELIVERY MATERIALS for the purpose of public notification in accordance with the requirements and instructions stipulated by San Francisco City Planning Department Planning Code / San Francisco Department of Building Inspection / San Francisco Public Works Code:

- ☐ Section 311 (Residential)
- ☐ Section 312 (Commercial)
- ☐ Variance
- ☐ Environmental Evaluation
- ☐ Conditional Use Permit
- ☐ Conditional Use Permit for Wireless Antenna Installation
- ☒ Other 300' Formula Retail
- ☐ Mobile Food Facility (MFF)
Truck: 75' minimum radius measured from the outer boundaries of the assumed curbside and all properties across the street that directly fronts, in whole or in part.
- ☐ Mobile Food Facility (MFF)
Push Cart: 300' minimum radius of the street address(s) in front of which the Pushcart will be located.
- ☐ Minor Sidewalk Encroachment (MSE)
150' radius fronting the subject property.
- ☐ Major Sidewalk Encroachment (ME)
300' complete radius.
- ☐ Section 106.3.2.3 (Demolition)

2. We understand that we are responsible for the accuracy of this information, and that erroneous information may require remailing or lead to suspension or revocation of the permit.

3. We have prepared these materials in good faith and to the best of our ability.

We declare under penalty of perjury under the laws of the State of California and the City and County of San Francisco that the foregoing is true and correct.

EXECUTED IN SAN FRANCISCO, ON THIS DAY, 10/8/19.

RADIUS SERVICES

Professional Service Provider

1231016W

Radius Services Job Number

1560 Haight St

Project Address

Kevin Chuck
Radius Services

1231/16

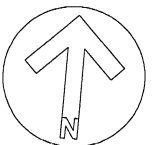
Block / Lot



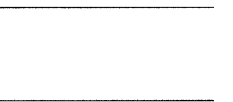
1221 Harrison Street Suite 18
San Francisco CA 94103-4449
(415) 391-4775

BLOCK 1231
LOT 16

San Francisco, CA

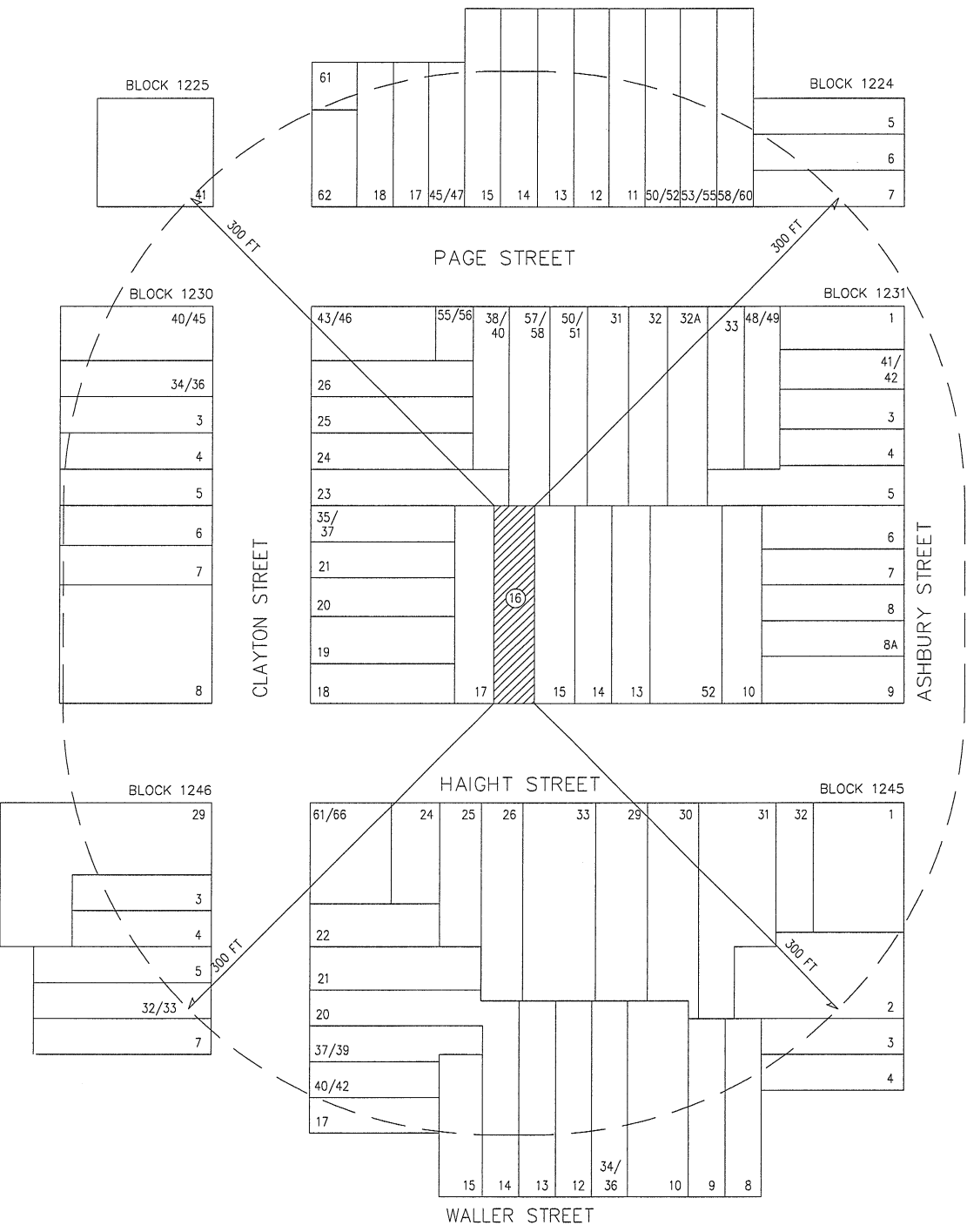


SCALE: 1"=50'-0"



| | |
|----------|--------------|
| JOB NO: | DATE: 190926 |
| 1231016W | DRAWN: DC |
| | CHECKED: DC |

300 FOOT
RADIUS MAP



The information contained herein has been obtained from sources that we deemed reliable and current at the time of preparation. We have no reason to doubt its accuracy but we do not guarantee it.

| Count | Block/Lot | Business Name | Business Address | Use | Lot Frontage Ft | Business Frontage Ft | FR Y/N | Vacant | Additional Store | Previous Listed Lot? |
|-------|-----------|-----------------------------|------------------|--------------------------|-----------------|----------------------|--------|--------|------------------|----------------------|
| 1 | 1230/008 | Stuf | 1612 Haight St | Retail | 188 | 12 | N | N | | N |
| 2 | 1230/008 | Clobba | 1604 Haight St | Retail | 188 | 13 | N | N | | Y |
| 3 | 1230/008 | Ideelee | 1600 Haight St | Retail | 188 | 50 | N | N | | Y |
| 4 | 1230/008 | Vacant | 1606 Haight St | Vacant | 188 | 40 | N | Y | | Y |
| 5 | 1230/008 | Vacant | 1614 Haight St | Vacant | 188 | 13 | N | Y | | Y |
| 6 | 1231/001 | Things Lucky | 501 Ashbury St | Retail | 117 | 55 | N | N | | N |
| 7 | 1231/009 | Aquamarine | 1510 Haight St | Retail | 132 | 15 | N | N | | N |
| 8 | 1231/009 | Woot Bear | 1512 Haight St | Retail | 132 | 15 | N | N | | Y |
| 9 | 1231/009 | Nice Cuts | 1508 Haight St | Personal Service, Hair | 132 | 15 | N | N | | Y |
| 10 | 1231/009 | Love Street Vintage | 1506 Haight St | Retail | 132 | 16 | N | N | | Y |
| 11 | 1231/009 | Haight Jewelry | 1504 Haight St | Retail | 132 | 8 | N | N | | Y |
| 12 | 1231/009 | Haight Ashbury Tshirts | 1500 Haight St | Retail | 132 | 32 | N | N | | Y |
| 13 | 1231/010 | Ashbury Tobacco Center | 1524 Haight St | Retail, Tobacco | 28 | 18 | N | N | | N |
| 14 | 1231/013 | Haight Ashbury Music Center | 1540 Haight St | Retail | 26 | 26 | N | N | | N |
| 15 | 1231/014 | Distractions | 1552 Haight St | Retail | 26 | 17 | N | N | | N |
| 16 | 1231/015 | Mendels | 1556 Haight St | Retail | 29 | 29 | N | N | | N |
| 17 | 1231/016 | Vacant | 1560 Haight St | Vacant | 25 | 10 | N | Y | | N |
| 18 | 1231/017 | Michael Collins | 1568 Haight St | Bar | 27 | 27 | N | N | | N |
| 19 | 1231/018 | Haight Ashbury Free Clinic | 558 Clayton St | Office | 127 | 10 | N | N | | N |
| 20 | 1231/018 | Tibetan Gift Corner | 1584 Haight St | Retail | 127 | 55 | N | N | | Y |
| 21 | 1231/018 | Sunglass Hut | 1580 Haight St | Retail | 127 | 15 | Y | N | | Y |
| 22 | 1231/018 | The One Up | 1576 Haight St | Personal Service, Hair | 127 | 15 | N | N | | Y |
| 23 | 1231/018 | Homeless Youth Alliance | 1574 Haight St | Office | 127 | 15 | N | N | | Y |
| 24 | 1231/019 | Post Office | 554 Clayton St | Post Office | 33 | 33 | N | N | | N |
| 25 | 1231/052 | Haight St Market | 1530 Haight St | Retail, Grocery | 50 | 50 | N | N | | N |
| 26 | 1245/001 | Club Deluxe | 1511 Haight St | Music Venue | 153 | 30 | N | N | | N |
| 27 | 1245/001 | Aviator Nation | 1501 Haight St | Retail | 153 | 30 | N | N | | Y |
| 28 | 1245/024 | Liquid Experience | 1589 Haight St | Retail, Liquor | 34 | 20 | N | N | | N |
| 29 | 1245/024 | Day Dreams | 1589A Haight St | Retail, Tobacco | 34 | 13 | N | N | | Y |
| 30 | 1245/025 | The Love of Ganesha | 1573 Haight St | Retail | 29 | 29 | N | N | | N |
| 31 | 1245/026 | The Gold Cane | 1569 Haight St | Bar | 28 | 28 | N | N | | N |
| 32 | 1245/029 | Held Over | 1543 Haight St | Retail | 36 | 36 | N | N | | N |
| 33 | 1245/030 | Slice House | 1535 Haight St | Food, Counter Order | 36 | 15 | N | N | | N |
| 34 | 1245/030 | Cal Surplus | 1541 Haight St | Retail | 36 | 15 | N | N | | Y |
| 35 | 1245/031 | Bodyrok | 1529 Haight St | Gym | 53 | 25 | Y | N | | N |
| 36 | 1245/031 | Haight Ashbury Tattoo | 1525 Haight St | Personal Service, Tattoo | 53 | 24 | N | N | | Y |
| 37 | 1245/032 | Crossroads Trading | 1519 Haight St | Retail | 27 | 20 | Y | N | | N |
| 38 | 1245/033 | Buffalo Exchange | 1555 Haight St | Retail | 50 | 32 | Y | N | | N |
| 39 | 1245/033 | Vacant | 1553 Haight St | Vacant | 50 | 16 | N | Y | | Y |
| 40 | 1245/061 | Burger Urge | 1599 Haight St | Food, Counter Order | 126 | 60 | N | N | | N |
| 41 | 1246/029 | Street Taco | 1607 Haight St | Food, Counter Order | 196 | 20 | N | N | | N |
| 42 | 1246/029 | Cary Lane | 1615 Haight St | Retail | 196 | 25 | N | N | | Y |

| | | | | | | | | | |
|----|----------|-----------------|----------------|--------|-----|----|---|---|---|
| 43 | 1246/029 | Dr Martens | 1621 Haight St | Retail | 196 | 25 | Y | N | Y |
| 44 | 1246/029 | Relic Vintage | 1605 Haight St | Retail | 196 | 18 | N | N | Y |
| 45 | 1246/029 | Uniq | 1603 Haight St | Retail | 196 | 17 | N | N | Y |
| 46 | 1246/029 | Hobson's Choice | 1601 Haight St | Bar | 196 | 45 | N | N | Y |

| | |
|---|--------|
| Total Lot Frontage (Buildings w/ Commercial Frontage) | 1576 |
| Total Formula Retail Buisness Frontage | 117 |
| % Formula Retail Business Frontage | 7.42% |
| Total Non-Formula Retail Business Frontage | 1030 |
| % Non-Formula Retail Business Frontage | 65.36% |
| Total Retail Business Frontage | 1147 |
| % Retail Business Frontage | 72.78% |
| Total Vacant Lot Frontage | 79 |
| % Vacant to Total Lot Frontage | 5.01% |



Haight Ashbury Merchants Association (HAMA)

1388 Haight St., #151, San Francisco, 94117-2909

Email: hama94117@gmail.com

September 9, 2019

**Memorandum of Understanding between the
Haight Ashbury Merchants Association (HAMA)
and 2nd STREET, USA. (2nd STREET)**

The Haight Ashbury Merchants Association upon the vote of its 7 member board of directors (to be scheduled once drafted agreement is finalized) agrees as follows:

- To Support 2nd STREET USA's application for conditional use as a formula retail chain and tenancy at 1560 Haight St.
- To include 2nd STREET USA's Haight Street store management in our merchant communications (conducted currently via a shared email listserv) and our quarterly merchant member meetings.
- To advocate on behalf of Haight street merchants as per its mission: to build merchant cooperation, promote, improve, market, advertise, and beautify the Haight-Ashbury shopping district and visitor experience. Example of HAMA activities have include annual holiday lights, construction mitigation, working closely with neighborhood groups, sidewalk improvements including streetscaping, planters & decorative tree guards (scheduled for installation in 2020), improved lighting (scheduled for installation in 2021).

2nd STREET upon receiving the support of HAMA for its application for a conditional use agreement agrees to:

- To Support HAMA community benefitting activities through an annual financial contribution through the length of 2nd STREET USA's lease and any options exercised at 1560 Haight street. As a registered 501(c)6 organization, HAMA receives donations from its members which are not tax deductible but can be considered a cost of maintaining Community Relations and therefore a business expense. Annual member contributions range for \$3000 annually.
- To commit to 2nd STREET USA's management participation in HAMA's quarterly merchant meetings and inter-merchant communications in keeping with HAMA's stated mission.

Signed,

Christin N. Evans
President of HAMA

2nd STREET USA of