



# EXECUTIVE SUMMARY CONDITIONAL USE AUTHORIZATION

**HEARING DATE: August 26, 2021**

**Record No.:** 2021-003994CUA  
**Project Address:** 3995 Alemany Boulevard  
**Zoning:** Neighborhood Commercial, Shopping Center (NC-S) Zoning District  
40-X Height and Bulk District  
**Block/Lot:** 7126A/012  
**Project Sponsor:** Jared Taylor  
5847 Brace Rd.  
Loomis, CA 95650  
**Property Owner:** Ocean View 1, LLC, c/o Citivest Commercial  
Newport Beach, CA 92660  
**Staff Contact:** Ryan Balba – (628) 652-7331  
[Ryan.Balba@sfgov.org](mailto:Ryan.Balba@sfgov.org)

**Recommendation:** Approval with Conditions

## Project Description

The Project proposes the establishment of a Formula Retail Limited Restaurant Use (d.b.a. Paris Baguette) inside an existing Formula Retail use (d.b.a. H-Mart grocery store) within an existing bakery and food preparation area with approximately 1,000 square feet of floor area. The proposal will not involve signage or tenant improvements to the ground floor commercial tenant space. There will be no expansion of the existing building envelope.

## Required Commission Action

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 713, 303.1 and 303 to allow the establishment of a Formula Retail use in NC-S Zoning District.

## Issues and Other Considerations

- **Public Comment & Outreach.**

- **Support/Opposition:** The Department has received 1 letter in support and no letters in opposition to the Project, including 1 from the Merced Extension Triangle Neighborhood Association.
- **Outreach:** The Sponsor has hosted one Pre-Application meeting within the community, on April 23, 2021.

- **Tenant History:**

- The space is currently occupied by H-Mart. Paris Baguette will occupy the existing bakery and food preparation area within H-Mart.

- **Hours of Operation.**

- The proposed hours of operation for Paris Baguette are from 8 a.m. to 9 p.m., the same hours as H-Mart's store hours.

## Environmental Review

The Project is not subject to the California Environmental Quality Act ("CEQA").

## 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 occupy an area within an existing grocery store which will be complimentary to the mix of existing neighborhood-serving uses within the neighborhood. It will offer a specialized, daily need-serving use, and it will also provide new job opportunities to the City. Although the proposed use would increase the overall concentration of Formula Retail establishments, it would not increase the existing amount of street frontage devoted to formula retail uses within this portion of the NC-S Zoning District. The Department also finds the Project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

## Attachments:

Draft Motion – Conditional Use Authorization with Conditions of Approval

Exhibit B – Plans

Exhibit C – Maps and Context Photos



## PLANNING COMMISSION DRAFT MOTION

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 303, 303.1, and 713, TO ALLOW THE ESTABLISHMENT OF A FORMULA RETAIL USE (D.B.A. PARIS BAGUETTE) LOCATED INSIDE AN EXISTING FORMULA RETAIL GROCERY STORE (D.B.A H-MART) AT 3995 ALEMANY BOULEVARD, LOT 012 IN ASSESSOR'S BLOCK 7162A, WITHIN AN NC-S (NEIGHBORHOOD COMMERCIAL, SHOPPING CENTER) ZONING DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT.

## PREAMBLE

On March 5, 2021, Jared Taylor of Paris Baguette C/O Golden Property Development, LLC (hereinafter "Project Sponsor") filed Application No. 2021-003994CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") a Conditional Use Authorization to establish a new Formula Retail Use inside an existing H-Mart grocery store to occupy the existing bakery and food preparation area (hereinafter "Project") at 3995 Alemany Boulevard, Block 7162A Lot 012 (hereinafter "Project Site").

The Project is not subject to the California Environmental Quality Act ("CEQA").

On August 26, 2021, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2021-003994CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2021-003994CUA 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. 2021-003994CUA, 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 proposes the establishment of a Limited Restaurant Formula Retail Sales and Service Use (d.b.a Paris Baguette) to occupy the existing bakery and food preparation area, measuring approximately 1,000 square feet, inside an existing Formula Retail Use (d.b.a. H-Mart grocery store). No interior tenant improvements or signage are proposed.
3. **Site Description and Present Use.** The Project Site, north of Interstate-280, is located at the southwest corner of the Oceanview Village Neighborhood Commercial Shopping Center (a Planned Unit Development) between Saint Charles and Worcester Avenues in the Ocean View neighborhood east of the Lakeshore neighborhood, surrounded by RH-1 Zoning. The Project Site (Lot 012 in Assessor's Block 7126A) is one component of a larger mixed-use commercial and residential site, Oceanview Village, at 3995 Alemany Boulevard (Lot 009 in Assessor's Block 7126A). The total site is approximately 7.5 acres with 370 dwelling units on four upper levels and approximately 92,372 square feet of commercial space on the ground floor fronting Alemany Boulevard. The subject property at 3995 Alemany Boulevard is an existing formula retail grocery store (d.b.a. H-Mart) which was established in 2019 with Conditional Use Authorization under Case No. 2018-013462CUA (Motion No. 20380). The existing grocery store occupies the 47,108 square foot commercial tenant space. The proposed formula retail use (d.b.a. Paris Baguette) will occupy the existing bakery and food preparation area with approximately 1,000 square feet of floor area.
4. **Surrounding Properties and Neighborhood.** The Oceanview Village Neighborhood Shopping Center NC-S District, developed in 2002, spans the equivalent of approximately 2-3 east-west blocks immediately south of Alemany Boulevard and immediately north of Interstate-280, between Saint Charles Avenue on the western border of the NC-S District and Worcester Avenue to the east. Oceanview Village is a mixed-use residential and commercial development surrounded by single-family homes in the RH-1 Zoning District. The area is accessible via MUNI Line 54; other bus lines serve the area, such as MUNI Lines 14R, 28, and 57. Because of the 0.5 mile proximity to the Daly City BART station, and the M-line streetcar (along 19th Avenue, West Portal Avenue, and Market Street), the district has quick and easy transit access to downtown.
5. **Public Outreach and Comments.** The Department has received correspondence from 1 neighborhood group regarding the proposed project. This correspondence expressed support for the project. There have been no letters of opposition.
6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
  - A. **Use.** Planning Code Section 713 states that Formula Retail Uses require Conditional Use Authorization in an NC-S Zoning District.

*The Project is seeking a Conditional Use Authorization to establish a Formula Retail Limited Restaurant Use within an NC-S Zoning District.*

- B. **Hours of Operation.** Planning Code Section 713 states that the principally permitted hours of operation in an NC-S Zoning District are from 6 a.m. to 2 a.m.
- C. *The subject establishment will operate within the principally permitted hours of operation within an NC-S Zoning District. The tentative hours of operation are from 8 a.m. to 9 p.m., the same hours as H-Mart's store hours.*
- D. **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 is located in an existing shopping center that has commercial uses on the entirety of the ground floor. There are no changes proposed to the commercial frontage.*

- 7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:
  - A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

*The approximately 1,000 square foot Formula Retail limited restaurant use will not impact traffic or parking in the District as it is proposed within the existing H-Mart grocery store. The Project will complement the mix of goods and services currently available in the district and is compatible with the surrounding commercial and residential uses.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working 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. The proposed work will not affect the building envelope.*

- (2) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

*The Planning Code does not require parking or loading for a 1,000 square-foot Formula Retail Limited Restaurant. 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. Additionally, the shopping center is well served with off-street parking accommodating 320 retail parking spaces.*

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

*There are no features that produce noxious or offensive emissions in this project.*

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

*There are no proposed changes to existing conditions as they relate to landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.*

- 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 use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

*The proposed project is consistent with the stated purposes of NC-S Districts in that the intended use is located at the ground floor, will provide a compatible convenience service for the immediately surrounding neighborhoods, and operates with hours of operation that are permitted by right within the district.*

**8. Formula Retail Findings.** In addition to the criteria of Section 303(c) of this Code, the Commission shall consider the extent to which the following criteria are met:

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

*Within the one-quarter mile radius of 3995 Alemany Boulevard, there are approximately 13 commercial business storefronts on the ground floor. 5 businesses are Formula Retail, all of which are located within the Oceanview Village Shopping Center and NC-S Zoning District, which is a concentration of 38%. Of approximately 716 linear feet of commercial storefront within the one-quarter mile radius, 483 linear feet is Formula Retail which is a concentration of 67%. With the proposed approval, the concentration of Formula Retail storefronts within the one-quarter mile radius would not increase, as the Project is proposed to occupy the existing bakery and food preparation area entirely within an existing Formula Retail grocery use (d.b.a. H-Mart).*

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

*Within the one-quarter mile radius of 3995 Alemany Boulevard there is one other limited restaurant. This translates to 8% of all business locations in the vicinity. The one other limited restaurant in the vicinity is a Formula Retail limited restaurant which is 8% of available business locations.*

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

*The Project will not involve interior renovations, modifications to the exterior, or new signage and exterior lighting. Therefore, the Project will not affect the existing architectural character of the District in any way. The store will provide a ground floor amenity consistent with the aesthetic character of the building.*

- D. The existing vacancy rates within the District.

*There are currently six vacancies within the district and within a quarter mile of the Project site, resulting in a vacancy rate of 46%. All of the vacancies are within the Oceanview Village Shopping Center.*

- E. The existing mix of Citywide-serving retail uses, and daily needs-serving retail uses within the District.

*Of the occupied Retail uses in the NC-S District, seven (54%) are considered "Daily-Needs," or neighborhood-serving; of these, five (38%) are Formula Retail uses. The remaining four locations (31%) are vacant. The proposed Formula Retail use is a "Daily-Needs" use.*

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

**COMMERCE AND INDUSTRY**

**Objectives and Policies**

**OBJECTIVE 1**

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



Policy 1.1

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

Policy 1.2

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

Policy 1.3

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

**OBJECTIVE 2**

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

Policy 2.1

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

**OBJECTIVE 6**

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

Policy 6.1

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

**EATING AND DRINKING ESTABLISHMENTS INCLUDE BARS, SIT-DOWN RESTAURANTS, FAST FOOD RESTAURANTS, SELF-SERVICE RESTAURANTS, AND TAKE-OUT FOOD. ASSOCIATED USES WHICH CAN SERVE SIMILAR FUNCTIONS AND CREATE SIMILAR LAND USE IMPACTS INCLUDE ICE CREAM STORES, BAKERIES AND COOKIE STORES. GUIDELINES FOR EATING AND DRINKING ESTABLISHMENTS ARE NEEDED TO ACHIEVE THE FOLLOWING PURPOSES:**

- Regulate the distribution and proliferation of eating and drinking establishments, especially in districts experiencing increased commercial activity;
- Control nuisances associated with their proliferation;
- Preserve storefronts for other types of local-serving businesses; and
- Maintain a balanced mix of commercial goods and services.

THE REGULATION OF EATING AND DRINKING ESTABLISHMENTS SHOULD CONSIDER THE FOLLOWING:

- Balance of retail sales and services;
- Current inventory and composition of eating and drinking establishments;
- Total occupied commercial linear frontage, relative to the total district frontage;
- Uses on surrounding properties;
- Available parking facilities, both existing and proposed;
- Existing traffic and parking congestion; and
- Potential impacts on the surrounding community.

Policy 6.2

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

Policy 6.9

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

*The Project proposes the establishment of a Formula Retail Limited Restaurant Use (d.b.a Paris Baguette). The proposed use is Formula Retail but will provide desirable services to the neighborhood and will provide resident employment opportunities to those in the community. Additionally, the Project will bring additional pedestrian traffic into the area. There are no exterior front façade changes, and the overall proposal is compliant with the Planning Code and the Commission Guide for Formula Retail. On balance, the Project is consistent with the Objectives and Policies of the General Plan.*

**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 not affect the broad balance of businesses in the neighborhood. The Project would additionally add to the mix of neighborhood-serving retail uses and provide future opportunities for resident employment.*

- 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 would not impact the character or diversity of the neighborhood.*

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

*The Project will not impact the City's supply of affordable housing.*

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

*The Project would not adversely affect public transit or place a burden on the existing supply of parking in the neighborhood. The Project Site is well-served by off-street parking. Many of the customers may also live in the on-site residential units above the ground floor commercial spaces and the surrounding neighborhood, and access the grocery store by walking. The Project is not intended to be a destination use, but one that is meant to serve the needs of local residents who reside in or visit.*

- 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. The Project will not displace or adversely affect any service sector or industrial business, or any related employment opportunities.*

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

*The Project does not involve structural and seismic improvements and will thus not impact the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*Currently, the Project Site does not contain any City Landmarks or historic buildings. No changes to the exterior of the building, including the installation of signs, are proposed. The integrity and character of the building will be preserved*

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

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

- 11.** The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 12.** The Commission hereby finds that approval of the Conditional Use 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. 2021-003994CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated October 19, 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 August 26, 2021.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: August 26, 2021

## EXHIBIT A

### Authorization

This authorization is for a conditional use to allow a Formula Retail Use (d.b.a. **Paris Baguette**) located at 3995 Alemany Boulevard, Lot 012 of Block 7162A, and pursuant to Planning Code Section(s) 303, 303.1, and 711 within the **NC-S (Neighborhood Commercial, Shopping Center)** District and a **40-X** Height and Bulk District; in general conformance with plans, dated **October 19, 2020**, and stamped “EXHIBIT B” included in the docket for Record No. **2021-003994CUA** and subject to conditions of approval reviewed and approved by the Commission on **August 26, 2021** 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 **August 26, 2021** 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 628.652.7463, [www.sfplanning.org](http://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](http://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](http://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](http://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](http://www.sfplanning.org)

6. **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](http://www.sfplanning.org)*

7. **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](http://www.sfplanning.org)*

8. **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](http://www.sfplanning.org)*

## Monitoring - After Entitlement

9. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of 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](http://www.sfplanning.org)*

10. **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](http://www.sfplanning.org)*

## Operation

**11. 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 628.271.2000, [www.sfpublicworks.org](http://www.sfpublicworks.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 628.652.3200, [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 628.652.7600, [www.sfplanning.org](http://www.sfplanning.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 628.271.2000, [www.sfpublicworks.org](http://www.sfpublicworks.org)*



**12. 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](http://www.sfplanning.org)*

# Exhibit B

**CORBel**  
architects

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Project:

## H MART @ SAN FRANCISCO

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Project Owner:



H MART SAN FRANCISCO, LLC  
3995 Alemany Blvd, Suite 3001  
San Francisco, California 94132  
T: 1 562 698 5500

Engineer:

Architect / Engineer Seal:



THE DRAWINGS AND SPECIFICATIONS, SERIAL REVISONS AND AMENDMENTS HERE-TO SHALL REMAIN THE PROPERTY OF THE ARCHITECT. NO PART THEREOF SHALL BE COPIED OR USED IN CONNECTION WITH ANY PROJECT OTHER THAN THE SPECIFIC PROJECT FOR WHICH THEY HAVE BEEN PREPARED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.

NO	ISSUED	DATE
01	1ST BLDG PIC	2/14/2019
02	2ND BLDG PIC	5/21/2019
03	1ST CONSTRUCTION	10/28/2019
△	1ST REVISION	01/23/2020
△	CONSTRUCTION SET	08/26/2020
△	REV1	10/19/2020

Project No:

17023

Drawn By:

Checked By:

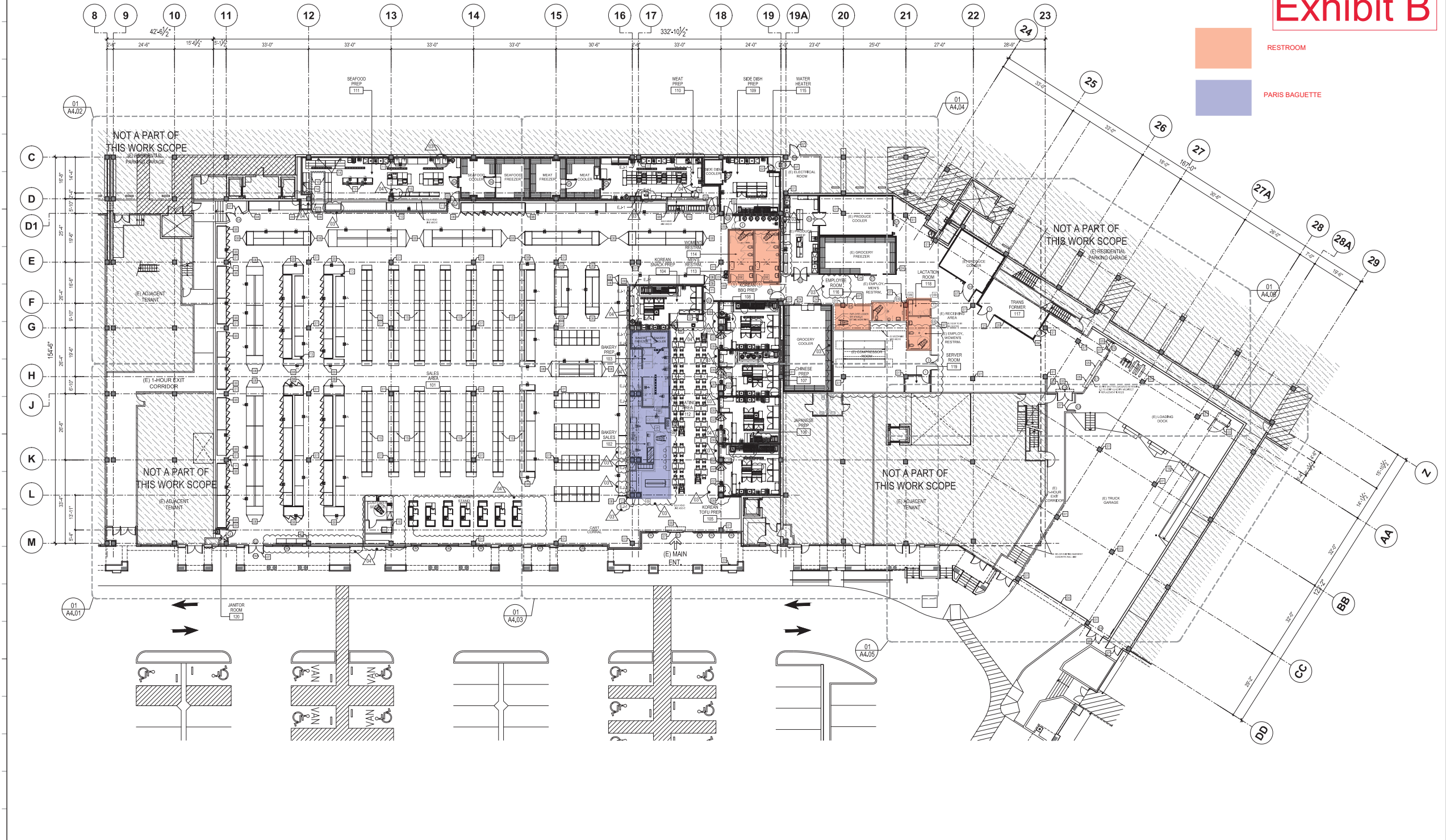
Sheet Name:

## OVERALL GROUND FLOOR CONSTRUCTION PLAN

Sheet No:

**A2.01**

1ST REVISION PLAN CHECK



### OVERALL GROUND FLOOR CONSTRUCTION PLAN 01

Scale: 1/16" = 1'-0"

#### GENERAL NOTE

- CONTRACTOR TO REVIEW PLANS WITH ANY NEW OR EXISTING CONSTRUCTION AND IDENTIFY POSSIBLE CONFLICTS PRIOR TO CONSTRUCTION.
- CONTRACTOR TO COORDINATE ALL PERMITS.
- THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS AT JOB SITE AND REQUEST CLARIFICATION FROM THE ARCHITECT OF ANY POSSIBLE CONFLICTS BETWEEN DRAWINGS AND FIELD CONDITIONS BEFORE COMMENCING ANY WORK.
- REFER TO THE GENERAL NOTES SHEET A.01 FOR ADDITIONAL REQUIREMENTS.
- REFER TO RELATED MECHANICAL, PLUMBING, ELECTRICAL, FIRE SPRINKLER AND FIRE SAFETY DRAWINGS FOR ADDITIONAL REQUIREMENTS.
- THE GENERAL CONTRACTOR, SUBCONTRACTORS AND TENANT VENDORS MUST CERTIFY THAT ALL MATERIALS, EQUIPMENT AND PROCESSES THAT ARE TO BE USED OR INSTALLED ON THE PROJECT ARE FREE OF ASBESTOS CONTAINING MATERIALS (ACMS), AND POLYCHLORINATED BIPHENYLS (PCBS).
- FOR INFORMATION CONCERNING EXISTING COLUMNS, EXTERIOR WALLS, CORE AREAS, ETC., SEE BASE BUILDING ARCHITECTURAL DRAWINGS, OR VERIFY IN FIELD PRIOR TO BEDDING AND CONSTRUCTION.
- DO NOT SCALE DRAWINGS. DIMENSIONS GOVERN. NOTIFY ARCHITECT OF ANY POSSIBLE CONFLICTS BEFORE PROCEEDING.
- PARTITIONS SHALL BE DIMENSIONED FROM FINISHED FACE OF WALL, U.O.N. "CL" INDICATES CENTER LINE OF WALL ASSEMBLY, U.O.N.
- ALL "HOLD" DIMENSIONS MUST BE MAINTAINED. ALL "CLEAR" OR "MINIMUM" DIMENSIONS MAY INCREASE IF ALL OTHER DIMENSIONS ARE ACHIEVED. NOTIFY ARCHITECT OF ANY CONFLICTS.
- FINISH FACE OF ALL PARTITIONS SHOWN "ADJ" SHALL BE SMOOTH AND FLUSH WITH FINISH FACE OF EXISTING OR NEW CONSTRUCTION AS INDICATED.
- ALL LOW WALL PARTITION HEIGHTS SHALL BE LASER LEVELED.
- CONTRACTOR TO CHALK-OUT ALL WALLS FOR REVIEW BY ARCHITECT PRIOR TO CONSTRUCTION BEGINNING.
- ALL SLAB-TO-SLAB ACOUSTICAL PARTITIONS TO BE SEALED AT EACH SIDE OF WALL AT FLOOR, HEAD AND ANY INTERSECTIONS WITH OTHER WALLS, CEILING AND CONSTRUCTION.
- SEAL ANY PENETRATIONS THROUGH ACOUSTICAL PARTITIONS WITH SOLID MATERIAL TO INHIBIT SOUND PENETRATION.
- CONTRACTOR SHALL TAPE, APPLY JOINT TREATMENT AND SAND FLUSH CONTINUOUS METAL CORNER BEADS AT ALL EXPOSED OUTSIDE CORNERS INCLUDING SOFFITS, WALLS, END AND TOPS OF FREE-STANDING PARTITIONS ETC.

- ALL EXISTING CONSTRUCTION, INCLUDING CORE WALLS, EXTERIOR WALLS AND COLUMNS ARE TO BE CHECKED FOR CRACKS, WAVES, SCARS, IMPERFECTIONS, IRREGULARITIES IN FINISHES, ETC. PREPARE AS NECESSARY FOR NEW SCHEDULED FINISH.
- PATCH, TAPE AND APPLY JOINT TREATMENT (MIN. LEVEL 4) ALL WALLS TO REMAIN WHERE EXISTING CONSTRUCTION, FINISHES, ATTACHMENTS, DEVICES, ETC. HAVE BEEN REMOVED.
- CONTRACTOR SHALL TAPE AND APPLY JOINT TREATMENT (MIN. LEVEL 4) AT ALL NEW GYPSUM BOARD WALLS AND PREPARE FOR PAINT AS INDICATED ON FINISH PLAN.
- PROVIDE SKIM COAT (LEVEL 5, JOINT TREATMENT) ON ALL WALLS TO RECEIVE LOW SHEEN / EGGSHELL / SEMI-GLOSS PAINT.
- ALL WOOD BLOCKING SHALL BE FIRE RETARDANT TREATED IN ACCORDANCE WITH ALL LOCAL BUILDING CODE REQUIREMENTS.
- PROVIDE 3/4" THICK 4' X 8' SHEETS OF RATED, FIRE TREATED PLYWOOD BACKBOARD OVER GYPSUM BOARD PARTITION IN TENANT PHONE ROOM, BIF. ROOM, MDP ROOM, ETC., SEE KEYNOTES FOR EXTENT. MOUNT BOARD SUCH THAT THE LONGER EDGE RUNS VERTICALLY & THE TOP EDGE IS 1" BELOW FINISH CLNG. LINE. PROVIDE CUT-OUTS FOR OUTLETS AS REQUIRED.
- PROVIDE 16 GA. 6" WIDE CONTINUOUS METAL FLAT STRAP BLOCKING AT CASEWORK/MILLWORK BLOCKING. VERIFY NUMBER AND PLACEMENT WITH MILLWORKER PRIOR TO INSTALLATION.
- CONTRACTOR TO LEVEL AND SMOOTH FLOOR TO ACCEPTABLE TOLERANCES OF 1/4" PER 12 FEET TO SURFACE.
- CONTRACTOR TO LEVEL AND SMOOTH FLOOR TO ACCEPTABLE TOLERANCES OF 1/4" PER 12 FEET TO SURFACE.
- ALL APPLIANCES INDICATED ON APPLIANCE SCHEDULE TO BE PURCHASED AND INSTALLED BY CONTRACTOR. IF APPLIANCES NOTED AS "N/C," CONTRACTOR TO RECEIVE AND INSTALL.
- EACH INDIVIDUAL APPLIANCE TO HAVE OWN IN-LINE WATER FILTER, MEETING MANUFACTURER AND CODE REQUIREMENTS.
- FLOOR DRAINS TO BE PROVIDED WHERE INSTALLING NEW WATER HEATER, PANTRY SINK AND PRE-ACTION SPRINKLER SYSTEM. SEE PLUMBING DRAWINGS FOR ADDITIONAL INFORMATION.
- CONTRACTOR TO SPECIFY PRE-MOLDED INSULATED SAFETY COVER FOR EXPOSED PLUMBING AT ACCESSIBLE SINKS.

- PROVIDE AND INSTALL NEW BUILDING STANDARD BLINDS AT ALL EXTERIOR WINDOWS, BAG BLINDS AND PROTECT FOR THE DURATION OF CONSTRUCTION.
- ALL DIMENSIONS OF GLASS PARTITIONS ARE GIVEN FROM FINISHED OPENING U.O.N. ALL GLAZING TO BE VERIFIED IN FIELD BY CONTRACTOR.
- ALL GLASS TO BE 1/4" THICK U.O.N., TEMPERED - SEE ELEVATIONS - FINISH CLEAR AS PER ELEVATIONS. ALL ENDS TO BE POLISHED U.O.N. SEE DETAILS.
- ALL ALUMINUM ENTRANCE AND STOREFRONT SYSTEMS TO COMPLY WITH STRUCTURAL PERFORMANCE AND AIR INFILTRATION REQUIREMENTS. SHOP DRAWINGS FOR EACH LOCATION ARE REQUIRED. OBTAIN FROM ONE SOURCE AND FROM A SINGLE MANUFACTURER.
- G.C. SHALL VERIFY (1) HR. RATING OF EXISTING WALLS & DOORS AND PROVIDE REQUIRED FIRE RATED DAMPER.

#### KEY NOTES

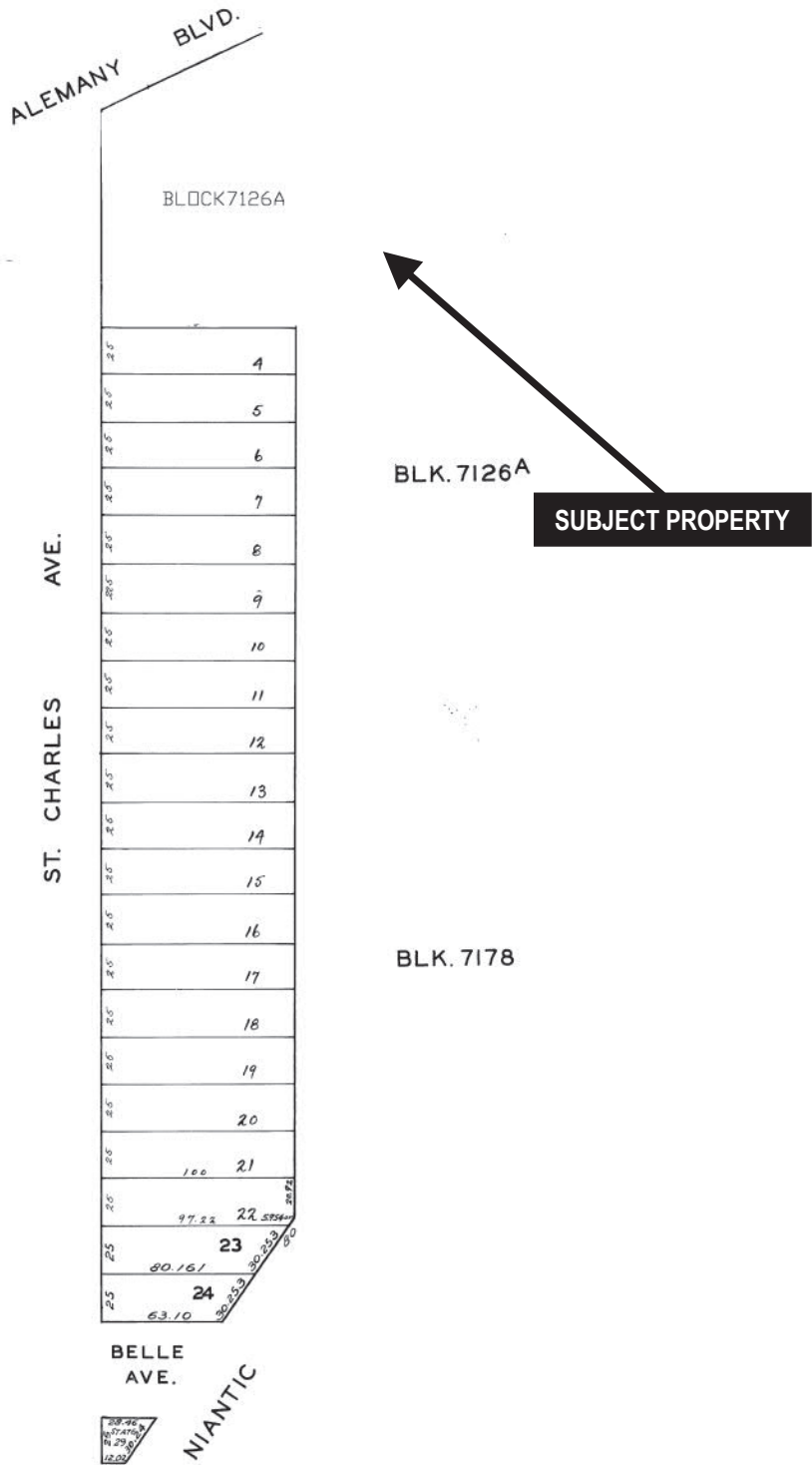
NO	DESCRIPTION
01	(E) COLUMN TO REMAIN
02	(N) STAINLESS STEEL REDUCER TILE FLOOR EDGE TRIM
03	(N) BALER
04	(E) ROLL UP DOOR TO REMAIN. G.C. TO VERIFY AND TEST, REPLACE IF REQUIRED (SEE A6.01 DWG.)
05	(E) AIR CURTAIN (SEE MECHANICAL DWG.)
06	(N) AIR CURTAIN (SEE MECHANICAL DWG.)
07	(E) DOOR TO BE REMAIN
08	(N) 16 GA. STAINLESS STEEL CORNER GUARD ADD 10' / MC CUE CORNER GUARD MATERIAL PROVIDED BY H MART
09	(N) H 60" STAINLESS STEEL VERTICAL CORNER PROTECTION
10	CONCRETE CURB (H: 4", W: 6" / SEE A5.02 FOR DETAIL)
11	HOT & COLD WATER HOSE BIB AT WALL MOUNT (SEE PLUMBING DWG.)
12	COLD WATER HOSE BIB & REEL AT CEILING MOUNT (SEE PLUMBING DWG.)
13	HOT & COLD WATER HOSE BIB AT FLOOR MOUNT (SEE PLUMBING DWG.)
14	COLD WATER HOSE BIB AT CEILING MOUNT (SEE PLUMBING DWG.)

NO	DESCRIPTION
15	(N) GONDOLA ANCHOR DETAIL, (SEE 14 / A5.04 DWG.)
16	(N) 72" HEIGHT WALL (SEE STRUCTURAL DWG. FOR DETAIL)
17	(N) 48" HEIGHT WALL W/ 24" GLASS SNEEZE GUARD (SEE STRUCTURAL DWG. FOR DETAIL)
18	(N) 60" HEIGHT WALL W/ GLASS (SEE STRUCTURAL DWG. FOR DETAIL)
19	(E) TRASH COMPACTOR
20	NEW 1-HOUR FIRE RATED WALL
21	NEW 20 MIN. FIRE RATED DOOR / SEE DOOR SCHEDULE FOR MORE INFO.
22	(N) DRINKING FOUNTAIN
23	(E) PAY PHONE
24	(N) H 60" PLYWOOD FOR W.I.B. PROTECTION

#### LEGEND

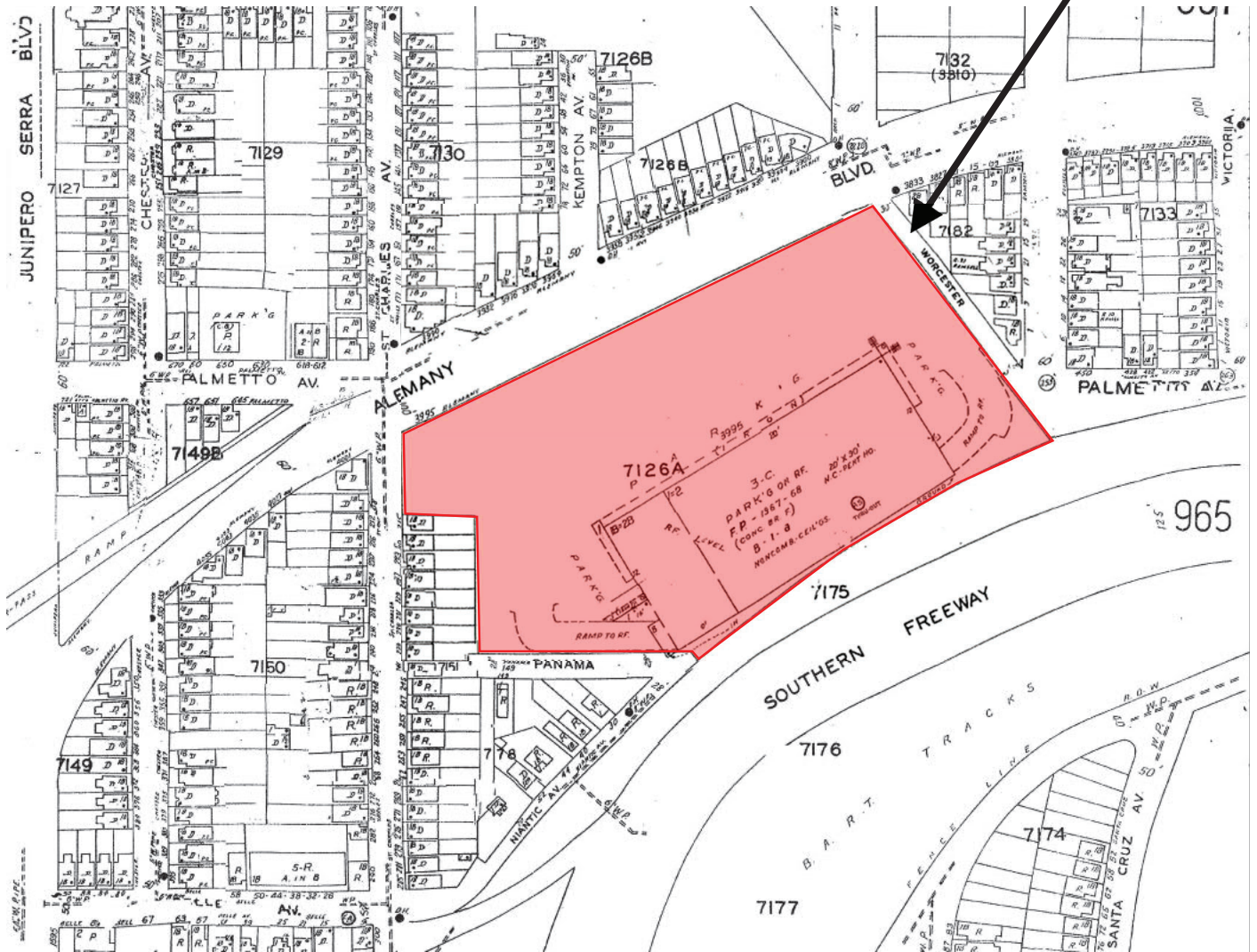
SYMBOL	DESCRIPTION
[Symbol]	(E) EXTERIOR WALL & (E) PARTITION WALL (EXISTING TO REMAIN)
[Symbol]	(E) COLUMN & PARTITION WALL (EXISTING TO REMAIN)
[Symbol]	(N) NON-BEARING PARTITION (FULL HEIGHT) / SEE STRUCTURAL DWG.
[Symbol]	(N) NON-BEARING PARTITION (CEILING HEIGHT) / SEE STRUCTURAL DWG.
[Symbol]	(E) PREFABRICATED WALK-IN COOLER & FREEZER MAKE A DECISION TO REPLACE IT AFTER VERIFY THE SITE
[Symbol]	(N) PREFABRICATED WALK-IN COOLER & FREEZER UNDER SEPARATE SUBMITTAL AND APPROVAL BY REFRIGERATION CONSULTANT
[Symbol]	NOT A PART OF THIS TENANT IMPROVEMENT
[Symbol]	REFERENCE TO KEY NOTES.
[Symbol]	REFERENCE TO DOOR NUMBERS. SEE A6.01-A6.02 FOR DOOR SCHEDULE (E. EXISTING DOOR TO REMAIN)
[Symbol]	REFERENCE TO WINDOW NUMBERS. REFER TO WINDOW SCHEDULE (E. EXISTING WINDOW TO REMAIN)
[Symbol]	HOT & COLD WATER HOSE REEL (SEE PLUMBING DWG.)
[Symbol]	HOT & COLD WATER HOSE BIB (SEE PLUMBING DWG.)

# Parcel Map



# Sanborn Map\*

SUBJECT PROPERTY

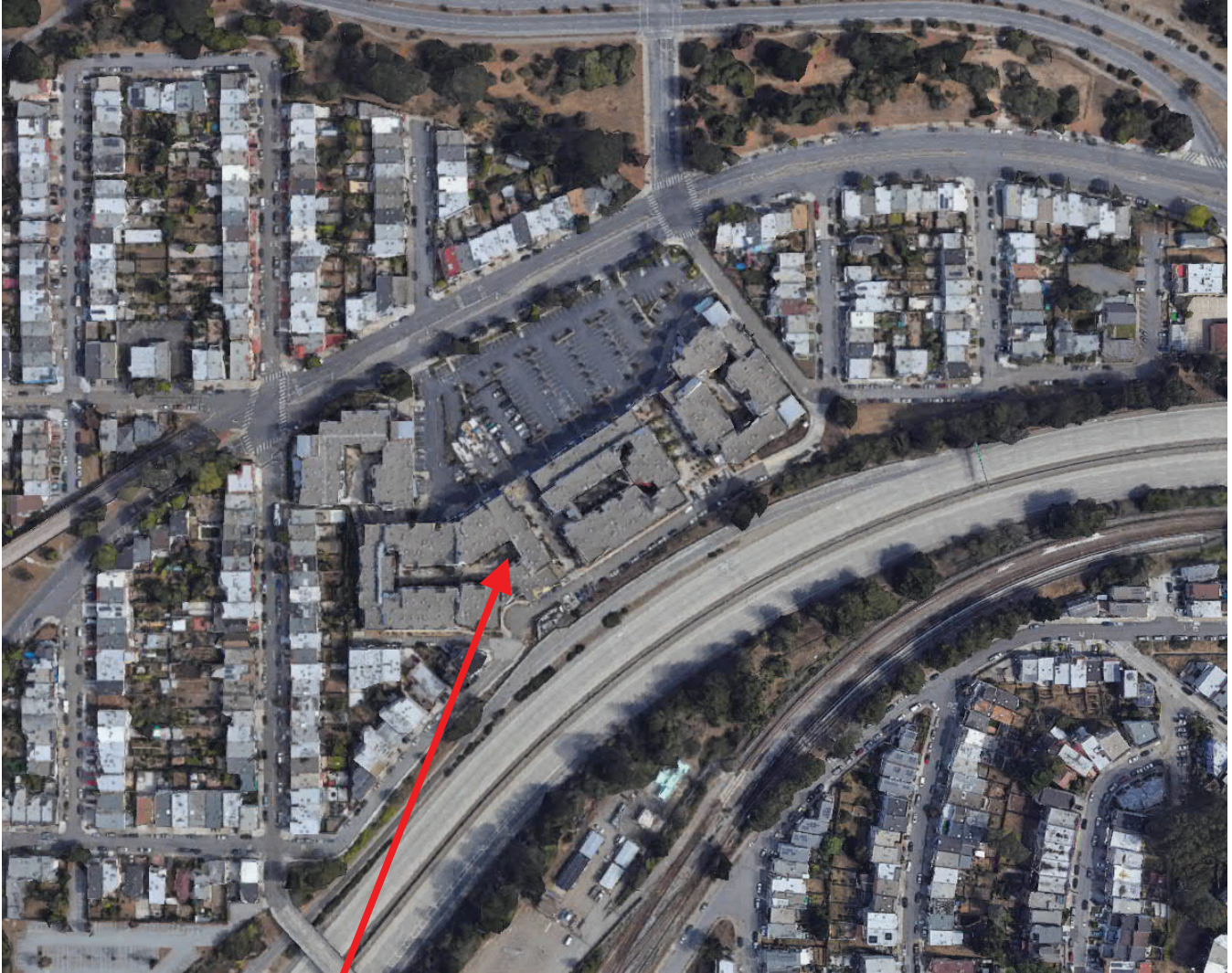


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Hearing  
Case Number 2021-003994CUA  
3995 Alemany Boulevard  
7126 / 012A

# Aerial Photo – View 1



**SUBJECT PROPERTY**



# Aerial Photo – View 2

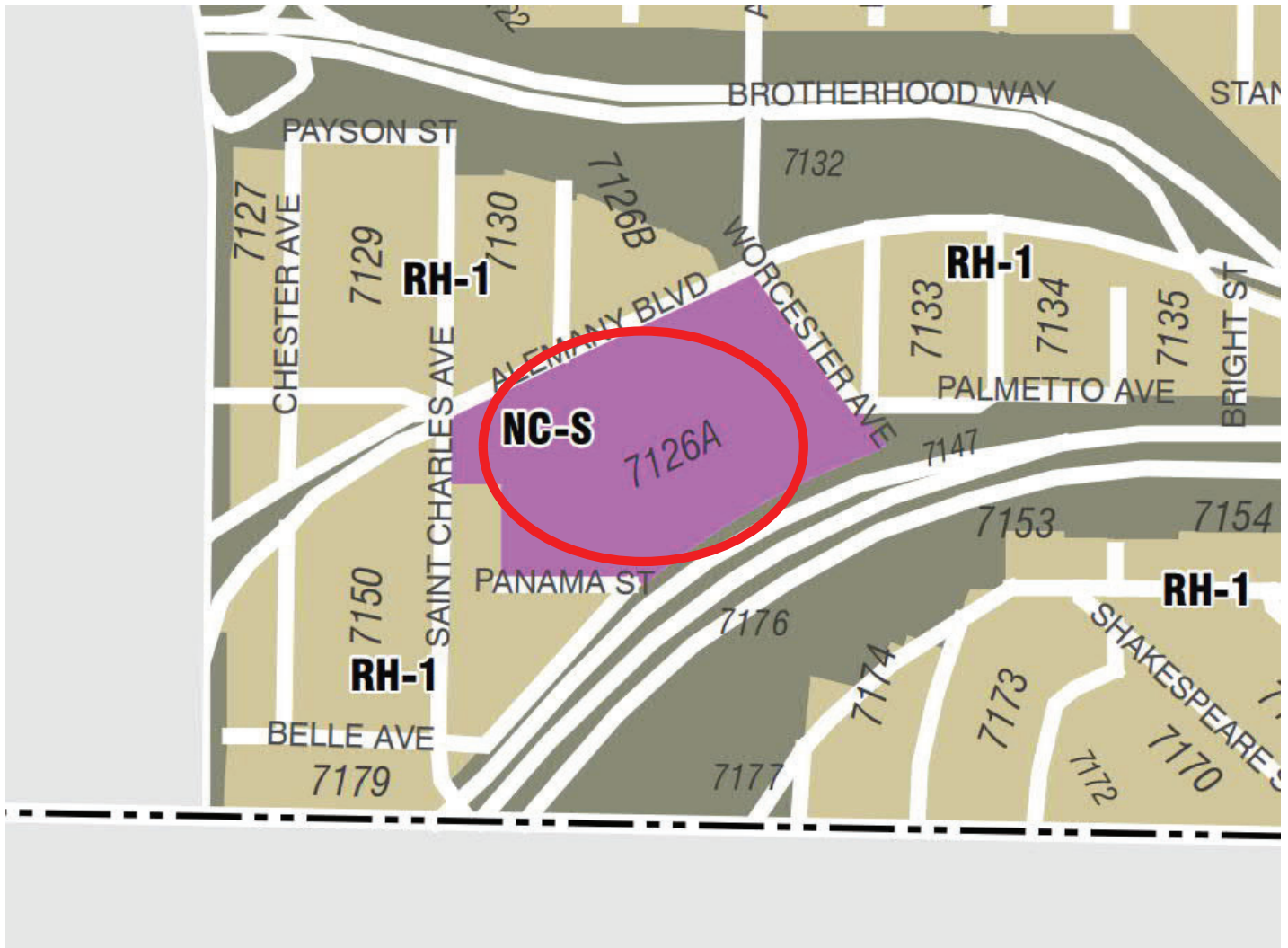


**SUBJECT PROPERTY**



Conditional Use Hearing  
Case Number 2021-003994CUA  
3995 Alemany Boulevard  
7126 / 012A

# Zoning Map



Conditional Use Hearing  
Case Number 2021-003994CUA  
3995 Alemany Boulevard  
7126 / 012A

# Site Photo

Subject Property on Alemany Boulevard and  
Alemany Blvd. at Worcester Ave.



Conditional Use Hearing  
Case Number 2021-003994CUA  
3995 Alemany Boulevard  
7126 / 012A