



EXECUTIVE SUMMARY CONDITIONAL USE AUTHORIZATION

HEARING DATE: DECEMBER 9, 2021

Record No.: 2021-009720CUA
Project Address: 556 Hayes Street
Zoning: Hayes-Gough Neighborhood Commercial Transit (NCT) Zoning District
40-X Height and Bulk District
Block/Lot: 0807/007
Project Sponsor: Amanda Baird
38 E. Crescent Drive
San Rafael, CA 94901
Property Owner: Hayes Valley Properties, LLC
San Francisco, CA 94102
Staff Contact: Linda Ajello Hoagland, AICP – (628)652-7320
linda.ajellohoagland@sfgov.org

Recommendation: Approval with Conditions

Project Description

The Project proposes to establish a liquor store (d.b.a. True Sake) in a 1,440 square-foot ground floor retail space. On December 19, 2002, True Sake obtained approval of Conditional Use Authorization 2002.1112C (Motion 16497) to operate at 560 Hayes Street, where it is has been operating for twenty years. The business has since outgrown its existing space and proposes to relocate to a larger, adjacent tenant space located at 556 Hayes Street. Since a Conditional Use Authorization approval remains with the property, a new Conditional Use Authorization is required for the a new location.

Required Commission Action

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 303 and 761 to allow a liquor store (d.b.a. True Sake) to operate in an existing 1,140 square foot ground floor retail space within the Hayes-Valley NCT Zoning District.

Issues and Other Considerations

- **Public Comment & Outreach.** The Department has received one letters in support from the Hayes Valley Neighborhood Association.
- **Operation.** The Conditional Use Authorization shall be limited to the approved liquor store use (d.b.a. True Sake) specializing in premium grade sake and premium grade Japanese beer, or other specialty wine or beer products, and only under a California Alcoholic Beverage Control Board License Type 20 (off-sale beer and wine). Under this authorization, the liquor store use shall not be operated as general wine and beer retail shop or sell liquor under a California Alcoholic Beverage Control Board License Type 21 (off-sale general), without a new Conditional Use authorization (COA #11).

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 allow a True Sake, an existing business in good standing, to relocate to an adjacent tenant space to accommodate its growth. 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 and Renderings
Exhibit C – Environmental Determination
Exhibit D – Maps and Context Photos



PLANNING COMMISSION DRAFT MOTION

HEARING DATE: DECEMBER 9, 2021

Record No.: 2021-009720CUA
Project Address: 556 HAYES STREET
Zoning: Hayes-Gough Neighborhood Commercial Transit (NCT) Zoning District
40-X Height and Bulk District
Block/Lot: 0807/007
Project Sponsor: Amanda Baird
38 E. Crescent Drive
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Property Owner: Hayes Valley Properties, LLC
San Francisco, CA 94102
Staff Contact: Linda Ajello Hoagland, AICP – (628) 652-7320
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ADOPTING FINDINGS TO APPROVE A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 761 AND 303 TO AUTHORIZE A LIQUOR STORE (DBA TRUE SAKE) TO OPERATE IN A 1,440 SQUARE-FOOT, GROUND FLOOR RETAIL SPACE AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. THE SUBJECT PROPERTY IS LOCATED AT 556 HAYES STREET, WITHIN THE HAYES-VALLEY NCT-3 (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT AND 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On September 23, 2021, Amanda Baird of Baird Holdings Consulting (hereinafter "Project Sponsor") filed Application No. 2021-009720CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to allow a liquor store (d.b.a. True Sake) to operate in an existing 1,140 square foot ground floor retail space (hereinafter "Project") at 556 Hayes Street, Block 0807 Lot 007 (hereinafter "Project Site").

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

On December 9, 2021, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2021-009720CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2021-009720CUA 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. 2021-009720CUA, 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 to establish a liquor store (dba True Sake) in a 1,440 square-foot ground floor retail space. On December 19, 2002, True Sake obtained approval of Conditional Use Authorization 2002.1112C (Motion 16497) to operate at 560 Hayes Street, where it is has been operating for twenty years. The business has since outgrown its existing space and proposes to relocate to a larger, adjacent tenant space located at 556 Hayes Street. Since a Conditional Use Authorization approval remains with the property, a new Conditional Use Authorization is required for the a new location.
3. **Site Description and Present Use.** The Project site is located on a 4,181 square foot, rectangular shaped lot with approximately 33.88 feet of frontage along Hayes Street. The site is developed with a three-story, mixed use building with ground floor commercial and residential units above, constructed in 1900. The ground floor commercial space is divided into two tenant spaces. True Sake proposes to occupy a vacant, 1,440 square foot space that was most recently occupied by a retail clothing store. The building is listed as a Class "A" Historic Resource, located in the Hayes Valley Commercial Historic District as a contributor to the District.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the Hayes Valley Neighborhood Commercial Transit (NCT) Zoning District in the Market and Octavia Area Plan. The immediate context of the neighborhood is predominantly mixed-use buildings with ground floor retail and residential units above. Other zoning districts in the vicinity of the project site include: P (Public) and Residential Transit Oriented (RTO) Zoning Districts.
5. **Public Outreach and Comments.** The Department has received one letter in support from the Hayes Valley Neighborhood Association.
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 761 states that a Conditional Use Authorization is required for a liquor store use within the Hayes-Gough Neighborhood Commercial Transit District (NCT).
 - B. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of

or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

The subject commercial space has approximately 14-feet 8½ inches of frontage on Hayes Street which is devoted to the entrance and window space. The windows are clear and unobstructed. There are no changes proposed to the commercial frontage

- C. **Ground Floor Commercial Uses.** Section 145.4 of the Planning Code requires ground floor commercial uses on Hayes Street for the entirety of the Hayes-Gough NCT.

The Project is a Retail Sales and Service use on the ground floor of an existing building; thus it complies with Planning Code Section 145.4.

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The size of the proposed use is in keeping with other storefronts on the block face. The proposed liquor store (d.b.a. True Sake) is relocating from the adjacent tenant space where it has been operating for over 20 years and will not impact traffic or parking in the District. True Sake will continue to complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood by removing a vacant storefront.

- 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, yet the inclusion of outside seating will alter the use of the property.

- (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 1,440 square-foot non-residential use. The proposed use will relocate from the adjacent tenant space where it has been operating

for over 20 years and will continue to meet the needs of the immediate neighborhood and would not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. Additionally, the Project site is located within ¼ mile of the 21, 5, 5R and 7X Muni lines.

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

The Project would occupy a ground floor tenant space of an existing building and would not alter the existing relationship of the building to its surroundings. The proposed retail use will not generate noise, glare, dust, or odors.

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

The proposed retail sales and service use does not require any alterations of the Project Site. Given the relatively small size of the retail sales and service space, no new parking or loading areas are required or proposed.

- 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 Project is consistent with the stated purposes of Hayes-Gough NCT Districts in that the intended use is located at the ground floor of an existing building and will continue to provide a compatible convenience service for the immediately surrounding neighborhoods.

- 8. 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 1.2

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

OBJECTIVE 2

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

POLICY 2.1

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

OBJECTIVE 6

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

POLICY 6.1

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

POLICY 6.2

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

POLICY 6.3

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 allow an established small business to continue to provide a desirable service to individuals in the neighborhood. The Project will provide net benefits to the community by allowing an established business to relocate to a larger space to accommodate its growth over the last twenty years and allow it to continue to operate in the Hayes Valley Neighborhood Commercial Transit Zoning District.

MARKET AND OCTAVIA AREA PLAN

Objectives and Policies

OBJECTIVE 1: Land Use and Urban Form

Create a land use plans that embraces the Market and Octavia Neighborhood's potential as a sustainable mixed-use district.

POLICY 1.1.3

Encourage housing and retail infill to support the vitality of the Hayes-Gough, Upper Market, and Valencia Neighborhood Commercial Districts.

POLICY 1.1.8

Reinforce continuous retail activities on Market, Church, and Hayes Streets, as well as on Van Ness Avenue.

The Project will allow an established small business to continue to provide a desirable service to individuals in the neighborhood by relocating to an adjacent tenant space. The Project will provide net benefits to the community by allowing an established business to relocate to a larger space to accommodate its growth over the last twenty years and allow it to continue to operate in the Hayes Valley Neighborhood Commercial Transit Zoning District.

9. 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 would relocate an existing business to a vacant tenant space next door to its current location, thus preserving an existing neighborhood-serving retail uses.

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

No changes are proposed to the residential units in the building as part of this Project.

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

No changes are proposed to the residential units in the building as part of this Project.

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

The Project Site is served by nearby public transportation options. The Project is located within ¼ mile of the 21, 5, 5R and 7X Muni lines.

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

The Project does not include commercial office development.

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

No improvements to the building are proposed as part of the Project.

- G. That landmarks and historic buildings be preserved.

The existing building on the Project Site is designated as a Contributor in the Hayes Valley Commercial Historic District. The Project would not alter the exterior of the building and will continue to provide rental income to promote the ongoing economic viability and physical

maintenance of the building.

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

The Project would not alter the physical envelope of the building and will therefore have no effect on shadows cast on parks and open spaces.

- 10.** 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.
- 11.** 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. 2021-009720CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated September 13, 2021, 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 December 9, 2021.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: December 9, 2021

EXHIBIT A

Authorization

This authorization is for a conditional use to allow a liquor store (d.b.a. True Sake) located at 556 Hayes Street, Block 0807, and Lot 007] pursuant to Planning Code Section(s) 303 and 761 within the Hayes Valley NCT Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated September 13, 2021, and stamped “EXHIBIT B” included in the docket for Record No. 2021-009720CUA and subject to conditions of approval reviewed and approved by the Commission on December 9, 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 December 9, 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

- 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.

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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.

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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. **Operation.** The Conditional Use Authorization shall be limited to the approved liquor store use (d.b.a. True Sake) specializing in premium grade sake and premium grade Japanese beer, or other specialty wine or beer products, and only under a California Alcoholic Beverage Control Board License Type 20 (off-sale beer and

wine). Under this authorization, the liquor store use shall not be operated as general wine and beer retail shop or sell liquor under a California Alcoholic Beverage Control Board License Type 21 (off-sale general), without a new Conditional Use authorization.

Parking and Traffic

- 12. Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

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

Monitoring - After Entitlement

- 13. 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

- 14. 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

Operation

- 15. 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

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design & architecture

e chris@ctdarch.com
t 415 849 7660

www.ctdarch.com

TRUE SAKE - CONDITIONAL USE AUTHORIZATION

556 HAYES STREET
SAN FRANCISCO, CA 94102

PROJECT
DATE
ISSUANCE

21.002
9/13/2021
SF PLANNING CUA



AGENCY APPROVALS

Written dimensions on these drawings shall have precedence over scaled dimensions. Drawings shall not be scaled. Contractors shall verify, and be responsible for all dimensions and conditions shown by these drawings. Shop details must be submitted for approval before proceeding with fabrications. The drawings and their design content are the sole property of Chris Telles Design & Architecture and may not be reused or reproduced in any manner without our express written consent.

DATE: 9/13/2021
ISSUANCE: SF PLANNING CUA

No. _____ Date _____

PROJECT NO. 21.002

**TRUE SAKE -
CONDITIONAL USE
AUTHORIZATION**

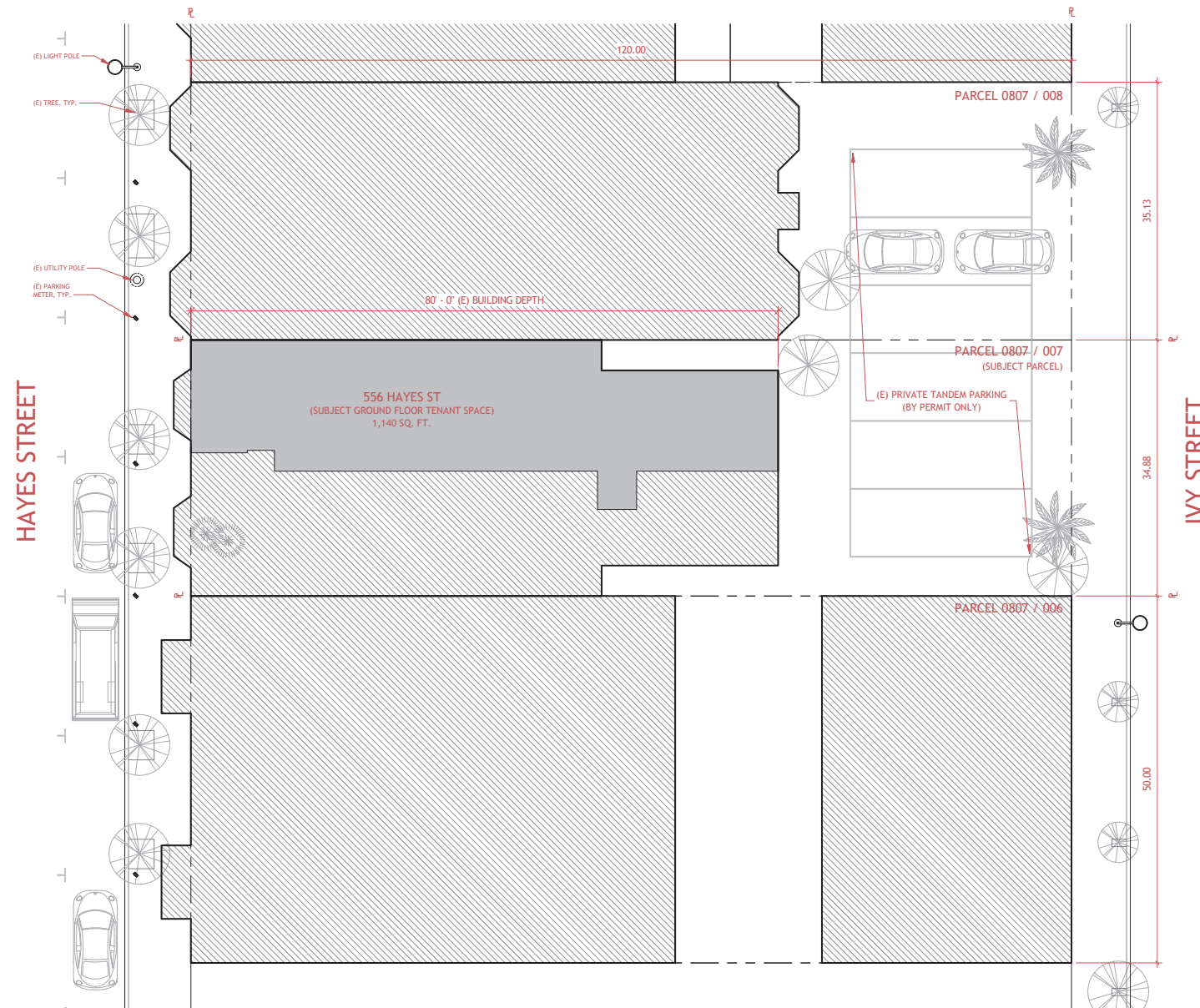
556 HAYES STREET
SAN FRANCISCO, CA 94102

SCALE: 1" = 10'-0"



SITE PLAN

A1.00





SUBJECT TENANT SPACE
556 HAYES STREET

SUBJECT PROPERTY

HAYES STREET (NORTH)



HAYES STREET (SOUTH)



AGENCY APPROVALS

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DATE: 9/13/2021
ISSUANCE: SF PLANNING CUA

No. _____ Date _____

PROJECT NO. 21.002

**TRUE SAKE -
CONDITIONAL USE
AUTHORIZATION**

556 HAYES STREET
SAN FRANCISCO, CA 94102

SCALE:

SITE PHOTOS



SUBJECT TENANT SPACE
556 HAYES STREET

SUBJECT TENANT SPACE
556 HAYES STREET



EXISTING SITE PHOTOS

12" = 1'-0"

A1.20



AGENCY APPROVALS

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No. _____ Date _____

PROJECT NO. 21.002

**TRUE SAKE -
CONDITIONAL USE
AUTHORIZATION**

556 HAYES STREET
SAN FRANCISCO, CA 94102

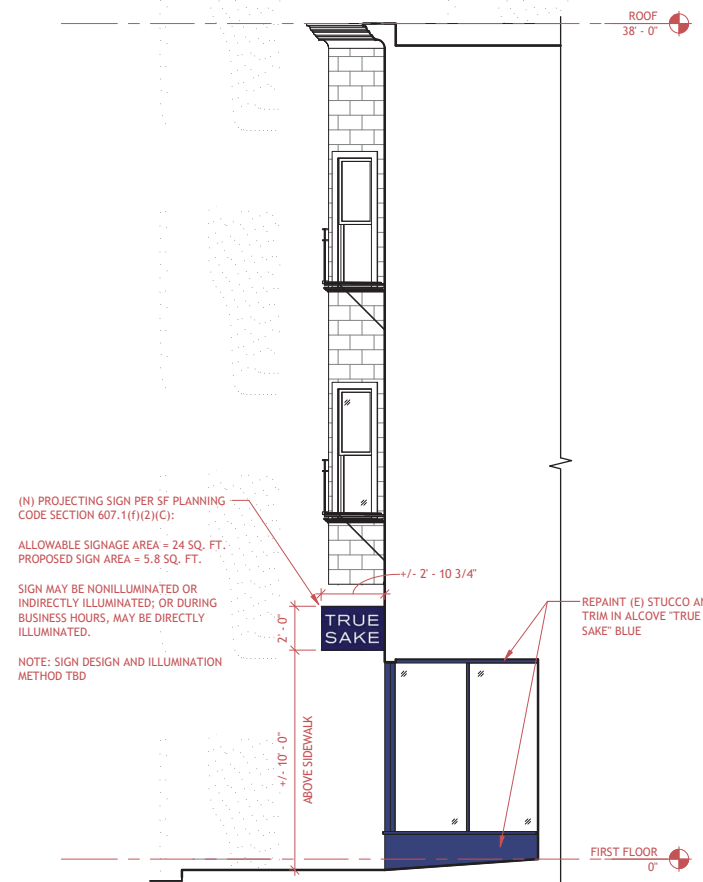
SCALE: 1/4" = 1'-0"



EXTERIOR ELEVATIONS

A3.00

NO. _____ ©2021



(N) PROJECTING SIGN PER SF PLANNING CODE SECTION 607.1(f)(2)(C):
ALLOWABLE SIGNAGE AREA = 24 SQ. FT. PROPOSED SIGN AREA = 5.8 SQ. FT.
SIGN MAY BE NONILLUMINATED OR INDIRECTLY ILLUMINATED; OR DURING BUSINESS HOURS, MAY BE DIRECTLY ILLUMINATED.
NOTE: SIGN DESIGN AND ILLUMINATION METHOD TBD

REPAINT (E) STUCCO AND TRIM IN ALCOVE 'TRUE SAKE' BLUE

PROPOSED SCHEMATIC PROJECTING SIGN ③
1/4" = 1'-0"



SCOPE OF WORK

(N) PROJECTING SIGN, SEE ELEVATION

REPAINT (E) STUCCO AND TRIM 'TRUE SAKE' BLUE

REPAINT (E) STUCCO AND TRIM 'TRUE SAKE' GREY

PROPOSED HAYES STREET ELEVATION ②
1/4" = 1'-0"



SCOPE OF WORK

(E) STUCCO AND TRIM TO BE REPAINTED

(E) TENANT STOREFRONT

ADJACENT TENANT STOREFRONTS (NOT IN PROJECT SCOPE)

EXISTING HAYES STREET ELEVATION ①
1/4" = 1'-0"



CEQA Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
556 Hayes Street		0807007
Case No.		Permit No.
2021-009720PRJ		
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
<p>Project description for Planning Department approval. True Saki is seeking a Conditional Use Authorization to move their operations from 560 Hayes Street to a larger retail space located at 556 Hayes Street.</p>		

STEP 1: EXEMPTION TYPE

The project has been determined to be 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"/>	<p>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:</p> <p>(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.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p>
<input type="checkbox"/>	Other _____
<input type="checkbox"/>	Common Sense Exemption (CEQA Guidelines section 15061(b)(3)). It can be seen with certainty that there is no possibility of a significant effect on the environment.

STEP 2: ENVIRONMENTAL SCREENING ASSESSMENT

TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<p>Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g. use of diesel construction equipment, backup diesel generators, heavy industry, diesel trucks, etc.)? <i>(refer to the Environmental</i></p>
<input type="checkbox"/>	<p>Hazardous Materials: <input type="checkbox"/> Maher or <input type="checkbox"/> Cortese Is the project site located within the Maher area or on a site containing potential subsurface soil or groundwater contamination and would it involve ground disturbance of at least 50 cubic yards or a change of use from an industrial use to a residential or institutional use? Is the project site located on a Cortese site or would the project involve work on a site with an existing or former gas station, parking lot, auto repair, dry cleaners, or heavy manufacturing use, or a site with current or former underground storage tanks? <i>if Maher box is checked, note below whether the applicant has enrolled in or received a waiver from the San Francisco Department of Public Health (DPH) Maher program, or if Environmental Planning staff has determined that hazardous material effects would be less than significant.</i> Note that a categorical exemption shall not be issued for a project located on the Cortese List</p>
<input type="checkbox"/>	<p>Transportation: Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities? Would the project involve the intensification of or a substantial increase in vehicle trips at the project site or elsewhere in the region due to autonomous vehicle or for-hire vehicle fleet maintenance, operations or</p>
<input type="checkbox"/>	<p>Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? If yes, archeology review is required.</p>
<input type="checkbox"/>	<p>Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to the Environmental Information tab on https://sfplanninggis.org/PIM/)</i> If box is checked, Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Average Slope of Parcel = or > 25%, or site is in Edgehill Slope Protection Area or Northwest Mt. Sutro Slope Protection Area: Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, or (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area? <i>(refer to the Environmental Information tab on https://sfplanninggis.org/PIM/)</i> If box is checked, a geotechnical report is likely required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic Hazard: <input type="checkbox"/> Landslide or <input type="checkbox"/> Liquefaction Hazard Zone: Does the project involve any of the following: (1) New building construction, except one-story storage or utility occupancy, (2) horizontal additions, if the footprint area increases more than 50%, (3) horizontal and vertical additions increase more than 500 square feet of new projected roof area, or (4) grading performed at a site in the landslide hazard zone? <i>(refer to the Environmental Information tab on https://sfplanninggis.org/PIM/)</i> If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<p>Comments and Planner Signature (optional): Linda Ajello Hoagland</p>	

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

PROPERTY IS ONE OF THE FOLLOWING: <i>(refer to Property Information Map)</i>	
<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: ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Reclassification of property status. <i>(Attach HRER Part I)</i> <input type="checkbox"/> Reclassify to Category A a. Per HRER b. Other <i>(specify):</i> <input type="checkbox"/> Reclassify to Category C <i>(No further historic review)</i>
<input type="checkbox"/>	2. 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 checked="" type="checkbox"/>	3. Interior alterations to publicly accessible spaces that do not remove, alter, or obscure character defining features.
<input type="checkbox"/>	4. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	5. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.

<input type="checkbox"/>	6. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	7. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	8. Work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties (Analysis required)</i> :
<input type="checkbox"/>	9. Work compatible with a historic district (Analysis required):
<input type="checkbox"/>	10. Work that would not materially impair a historic resource (Attach HRER Part II).
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.	
<input type="checkbox"/>	Project can proceed with exemption review. The project has been reviewed by the Preservation Planner and can proceed with exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature: Rebecca Salgado	

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

<input checked="" type="checkbox"/>	No further environmental review is required. The project is exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Planning Commission Hearing	Signature: Linda Ajello Hoagland 11/29/2021
	<p>Supporting documents are available for review on the San Francisco Property Information Map, which can be accessed at https://sfplanninggis.org/PIM/. Individual files can be viewed by clicking on the Planning Applications link, clicking the "More Details" link under the project's environmental record number (ENV) and then clicking on the "Related Documents" link. Once signed or stamped and dated, this document constitutes an exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination to the Board of Supervisors can only be filed within 30 days of the project receiving the approval action.</p>	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

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

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 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

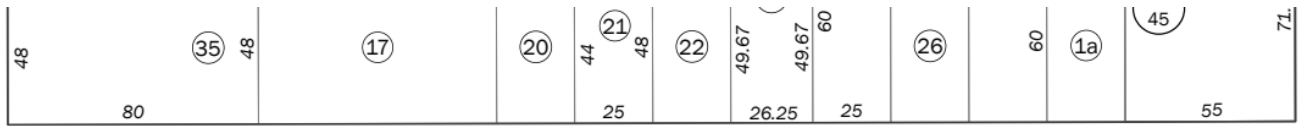
Planner Name:

Date:

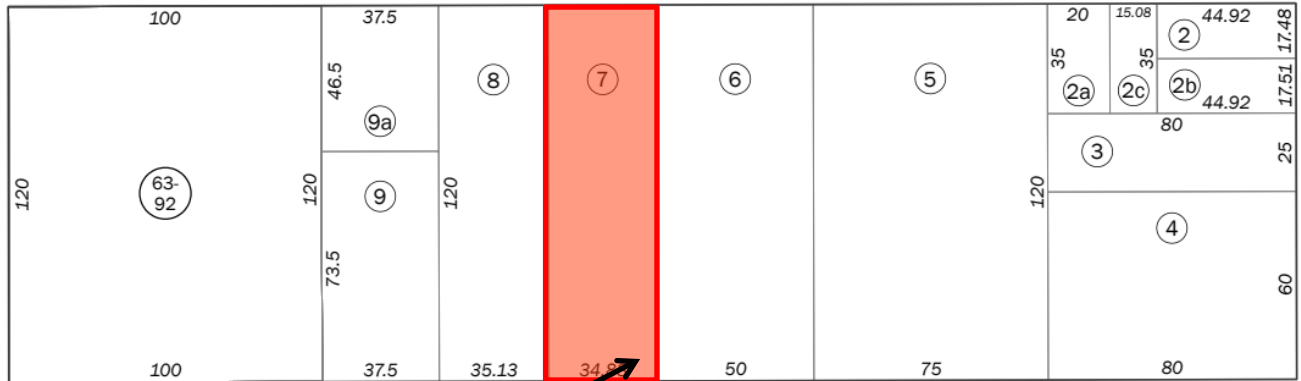
Block Book Map

EXHIBIT
D

LAGUNA ST



IVY ST



OCTAVIA ST

HAYES ST

Subject Property



Conditional Use Authorization
Case Number 2021-009720CUA
556 Hayes Street

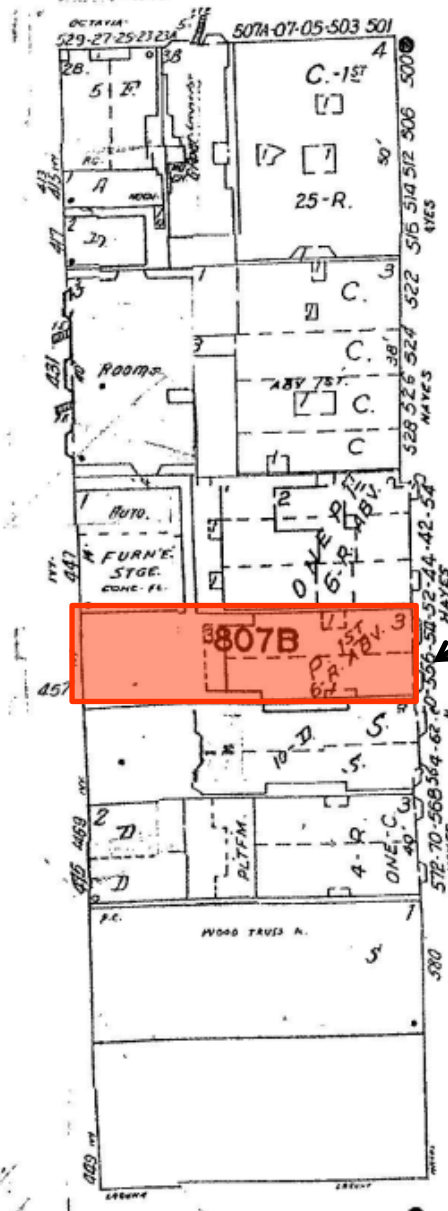
Sanborn Map*

OCTAVIA



IVY

HAYES



SUBJECT PROPERTY

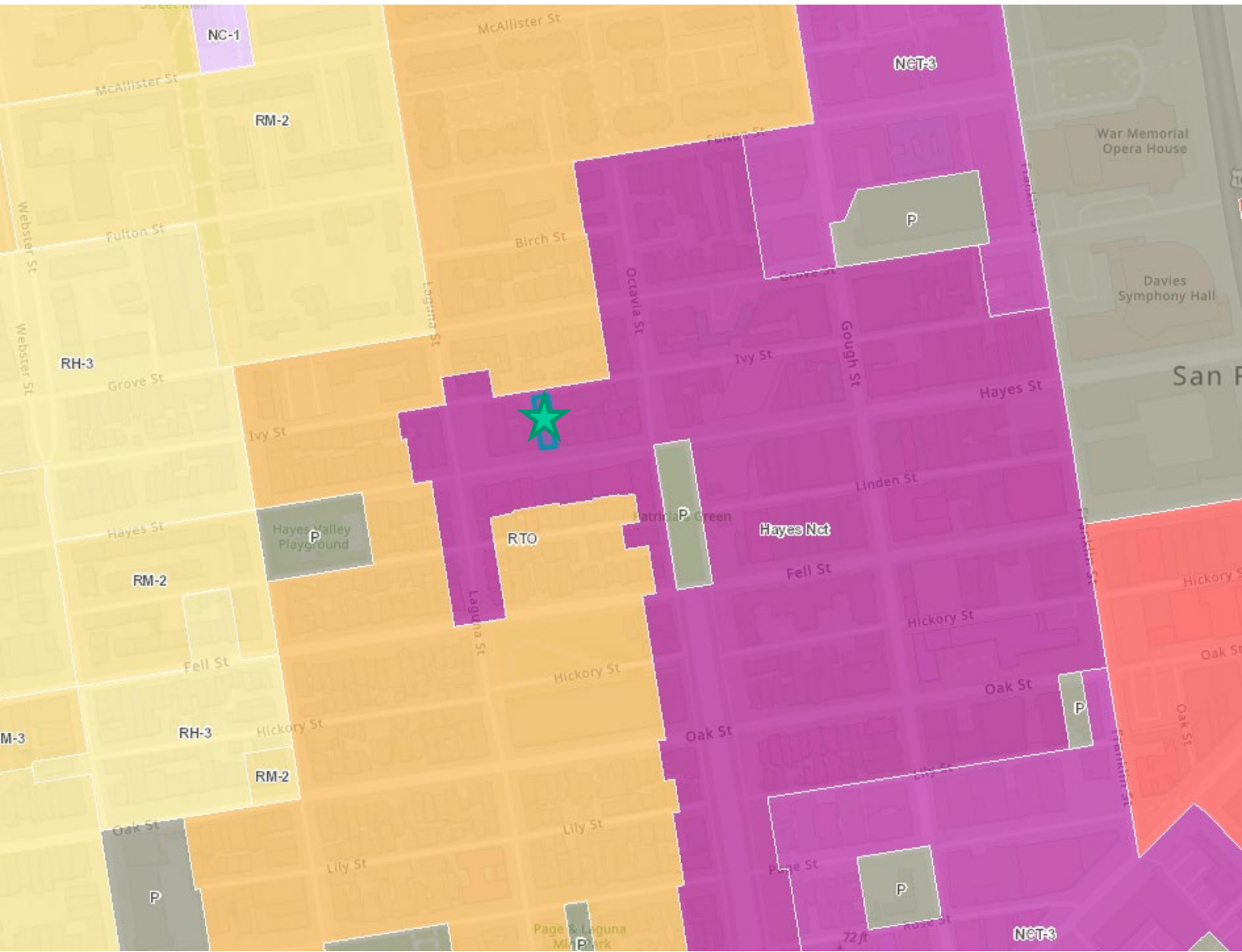
LAGUNA

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

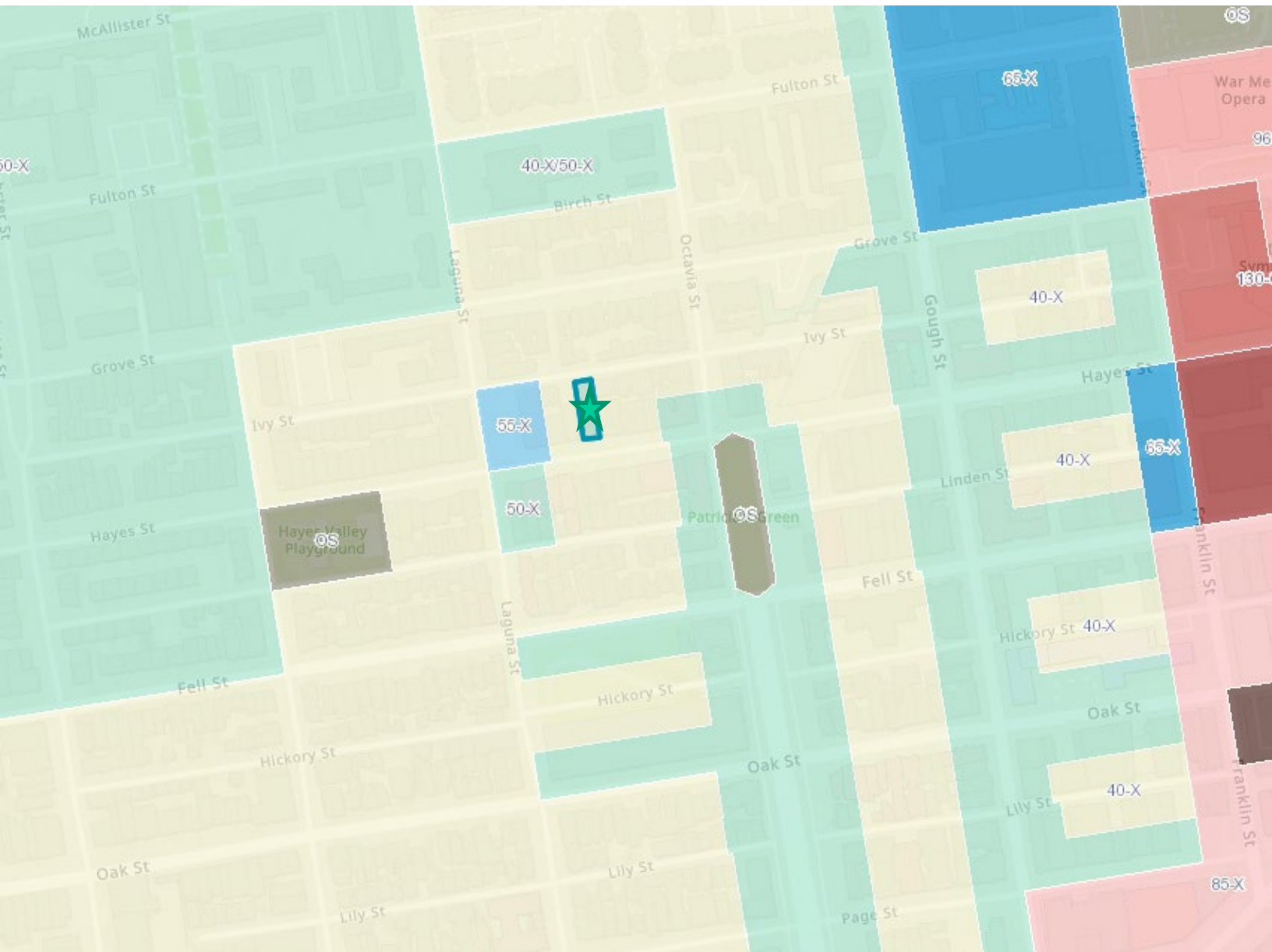


Conditional Use Authorization
Case Number 2021-009720CUA
556 Hayes Street

Zoning Map

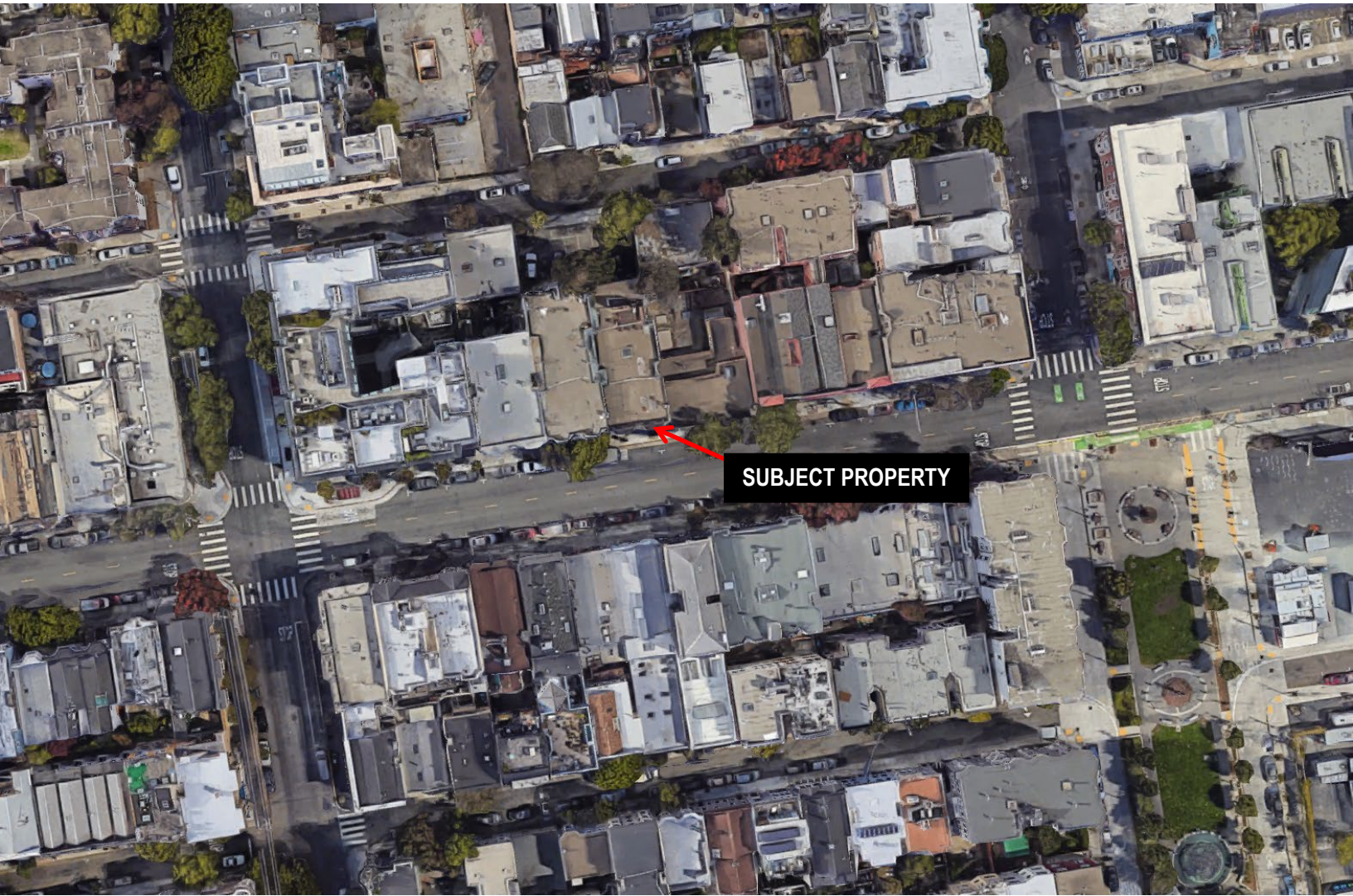


Height and Bulk Map



Conditional Use Authorization
Case Number 2021-009720CUA
556 Hayes Street

Aerial Photo



SUBJECT PROPERTY



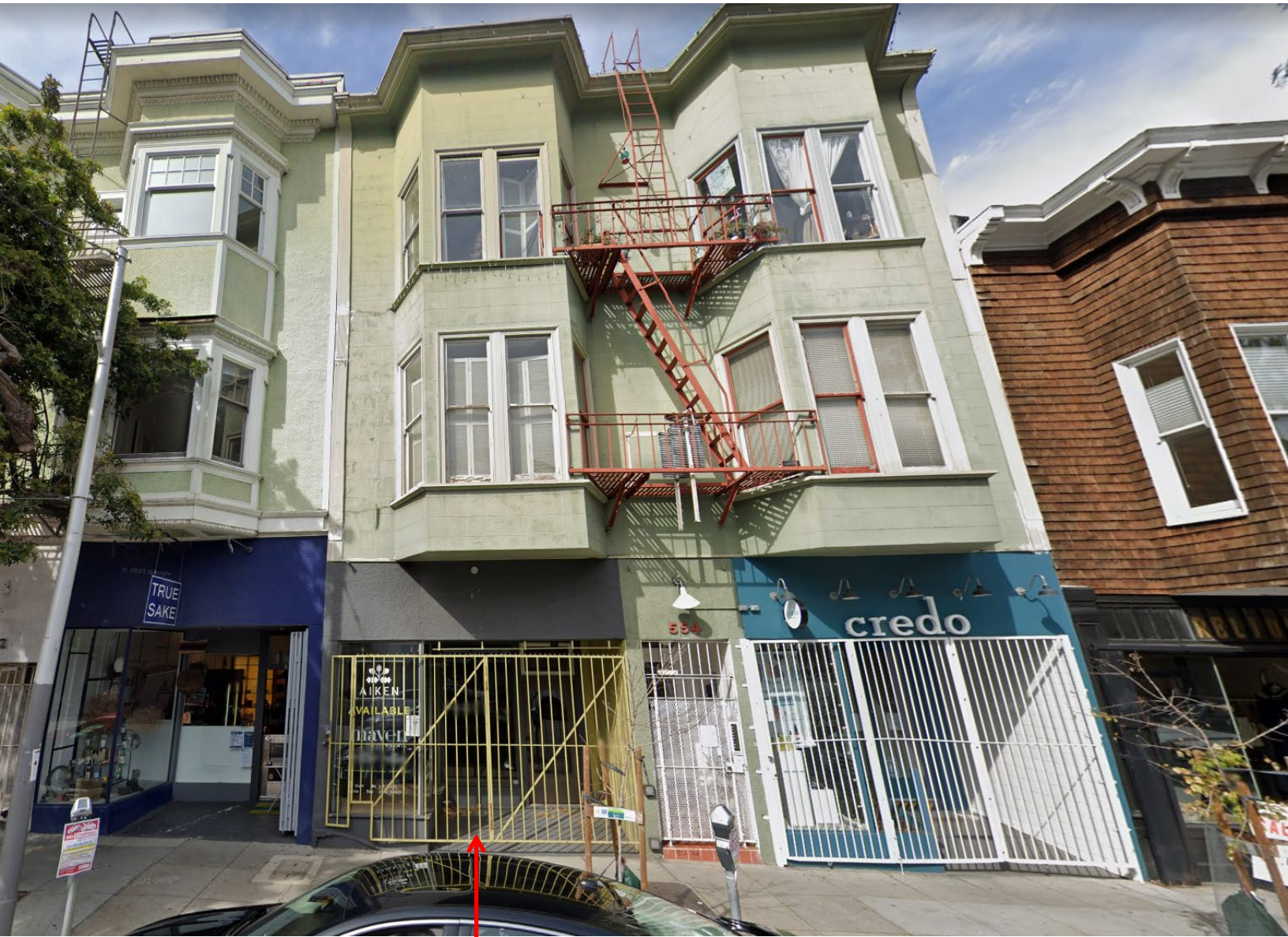
Conditional Use Authorization
Case Number 2021-009720CUA
556 Hayes Street

Aerial Photo



Site Photos

SUBJECT PROPERTY ON HYDE STREET



SUBJECT PROPERTY

Conditional Use Authorization
Case Number 2021-009720CUA
556 Hayes Street

Site Photos

SUBJECT BLOCK FROM HAYES STREET



Conditional Use Authorization
Case Number 2021-009720CUA
556 Hayes Street

Context Photo

OPPOSITE SIDE OF SUBJECT BLOCK ON HAYES STREET



Conditional Use Authorization
Case Number 2021-009720CUA
556 Hayes Street