

File No. 220753

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Public Safety and Neighborhood Services

Date: September 22, 2022

Board of Supervisors Meeting:

Date: _____

Cmte Board

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- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract / DRAFT Mills Act Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER

- PCN Request 061322
- PCN Referral 062722
- PLN Determination 072622
- SFPD Determination 091522
- _____
- _____
- _____
- _____
- _____
- _____

Prepared by: Stephanie Cabrera

Date: September 16, 2022

Prepared by: _____

Date: _____

Prepared by: _____

Date: _____

To: Office of the Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2022 JUN 13 AM 11:05

From: True Sake, LLC
556 Hayes St
San Francisco, CA 94102

BY JA

To Whom It May Concern:

My name is Beau Timken and I am the owner of **True Sake, LLC** doing business under the name **True Sake** at 560 Hayes Street here in San Francisco. We recently made application with the ABC to transfer our existing Type 20 Off-Sale Beer and Wine License, with the addition of an 86 instructional tasting license, from our current store located at 560 Hayes Street, to the adjacent property located at 556 Hayes St. Our application to transfer the license was submitted with the San Francisco ABC office on 4/4/2022. We also notified the neighbors by sending out the mandated ABC mailers on 4/20/2022 and we posted the required signage on 4/12/22 which will remain posted for 30 consecutive days. Our proposed business hours are Monday-Thursday: 12PM-7PM, Fri-Sat: 11AM-7PM, and Sunday 11AM-6PM.

We are proud and excited to request your help to allow a SF success story known as **True Sake** to expand into the adjacent larger retail space to provide a more comprehensive and educational retail experience for our clients. "We," **True Sake** and the City of San Francisco, opened the first dedicated sake retail store outside of Japan 20 years ago and it has become one of the top sake-related tourist destinations in the world. Due to this success and our desire to continue to provide award winning sake retail we need to move into the adjacent larger space to accommodate the increased demand and provide an even deeper retail experience. The larger space at 556 Hayes St, which is directly next door will allow **True Sake** to continue its current formula of excellent neighborhood service.

Business Purpose: To continue to sell Japanese and American Sake in the same retail manner that has made us the global leader in the education, promotion, and sale of sake for the past two decades in the heart of Hayes Valley, which is also the personal home of proprietor Beau Timken.

Products and Services: With increased competition in the sake market the larger adjacent space will allow us to pursue our mission of remaining both the global and local leader in the retail sales of Japanese and American Sake using our hand-seller techniques that have educated a generation of sake drinkers.

Revenue and Management: The transition of **True Sake's** operations from 560 Hayes to 556 Hayes will be seamless and the relocated store will continue to operate with 100% of our revenue from the sale of closed bottles of Sake. The LLC will stay the same, and the management team will not change.

Responsibility and Civic Awareness: True Sake has a spotless record in nearly 20 years of selling retail Sake. We do it right, and we have a proven and trustworthy track record. We are loved, supported, and very much a part of our Hayes Valley community and neighborhood. We take great pride in both promoting Hayes Valley and San Francisco to the international world of sake sales responsibly and by the book.

Uniqueness: This was and continues to be the strength of **True Sake**. Although we were once a one of a kind retail operation that now has competition from other purveyors we will continue to be the best outpost for the sale of Sake outside of Japan.

Positive Impact: 20 years ago we spoke to the Board of Supervisors, including Gavin Newsome, and said that we wanted to be the Plump Jack of Sake. They agreed and entrusted us with our mission to be the first, the best, and most important sake destination outside of Japan. We put Hayes Valley and San Francisco on the international map, and to this day we have countless numbers of tourists visiting the store annually. We have created a destination retail small business in San Francisco for the past 20 years providing jobs, tax revenue for SF and creating a unique retail destination that put San Francisco on the map for sake aficionados worldwide. We look forward to continuing this mission and increasing our revenue and providing additional job opportunities with the larger space for decades to come.

Thank you for your consideration and further efforts to support this success story.

Warmest Regards,

Beau Timken
415-355-9555
timken@truesake.com



INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

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- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
 - Part 2 is to be completed by the applicant, and returned to ABC.
 - Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME TRUE SAKE LLC		3. LICENSE TYPE 20 / 86-636593	
2. PREMISES ADDRESS (Street number and name, city, zip code) 556 HAYES ST SAN FRANCISCO, CA 94102-4214			
4. TYPE OF BUSINESS			
<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Hofbrau/Cafeteria	<input type="checkbox"/> Cocktail Lounge	<input type="checkbox"/> Private Club
<input type="checkbox"/> Deli or Specially Restaurant	<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Night Club	<input type="checkbox"/> Veterans Club
<input type="checkbox"/> Cafe/Coffee Shop	<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Tavern: Beer	<input type="checkbox"/> Fraternal Club
<input type="checkbox"/> Bed & Breakfast:	<input type="checkbox"/> Theater	<input type="checkbox"/> Tavern: Beer & Wine	<input type="checkbox"/> Wine Tasting Room
<input type="checkbox"/> Wine only <input type="checkbox"/> All			
<input type="checkbox"/> Supermarket	<input type="checkbox"/> Membership Store	<input type="checkbox"/> Service Station	<input type="checkbox"/> Swap Meet/Flea Market
<input checked="" type="checkbox"/> Liquor Store	<input type="checkbox"/> Department Store	<input type="checkbox"/> Convenience Market	<input type="checkbox"/> Drive-in Dairy
<input type="checkbox"/> Drug/Variety Store	<input type="checkbox"/> Florist/Gift Shop	<input type="checkbox"/> Convenience Market w/Gasoline	
<input type="checkbox"/> Other - describe:			
5. COUNTY POPULATION 3,672/875,010	6. TOTAL NUMBER OF LICENSES IN COUNTY <input type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale	7. RATIO OF LICENSES TO POPULATION IN COUNTY 1,136 <input type="checkbox"/> On-Sale <input checked="" type="checkbox"/> Off-Sale	
8. CENSUS TRACT NUMBER 162	9. NO. OF LICENSES ALLOWED IN CENSUS TRACT <input type="checkbox"/> On-Sale <input checked="" type="checkbox"/> Off-Sale	10. NO. OF LICENSES EXISTING IN CENSUS TRACT 7 <input type="checkbox"/> On-Sale <input checked="" type="checkbox"/> Off-Sale	
11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?) <input type="checkbox"/> Yes, the number of existing licenses exceeds the number allowed <input checked="" type="checkbox"/> No, the number of existing licenses is lower than the number allowed			
12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS? <input checked="" type="checkbox"/> Yes (Go to Item #13) <input type="checkbox"/> No (Go to Item #20)			
13. CRIME REPORTING DISTRICT NUMBER 558	14. TOTAL NUMBER OF REPORTING DISTRICTS 654	15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS 55,022	
16. AVERAGE NO. OF OFFENSES PER DISTRICT 84.13	17. 120% OF AVERAGE NUMBER OF OFFENSES 100.8	18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT 226	
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20. CHECK THE BOX THAT APPLIES (check only one box)			
<input type="checkbox"/> a. If "No" is checked in both item #11 and item #19, <u>Section 23958.4 B&P does not apply</u> to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.			
<input type="checkbox"/> b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the <u>applicant to complete Section 2</u> and bring the completed form to ABC when filing the application or as soon as possible thereafter.			
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Governing Body/Designated Subordinate Name: Board of Supervisors

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PREPARED BY (Name of Department Employee)

jm

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Department
Attn: _____
Phone No. _____

DATE: June 27, 2022

AP Block/Lot Nos.: 0807 / 007
Zoning: NCT – Hayes NCT

TO: Police Department
Joel Salmonson
Phone No. (415) 553-1115

Quad: _____
Record No.: _____

Please submit your response within three weeks. The Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for the regular meeting of September 8, 2022.

PLEASE EMAIL YOUR RESPONSE by August 31, 2022, to:

Alisa Somera, Public Safety and Neighborhood Services Committee Clerk.

alisa.somera@sfgov.org ~ (415) 554-7711

Applicant name: True Sake, LLC

Business name: True Sake, LLC

Application address: 556 Hayes Street
San Francisco, CA 94102

Applicant contact info: Beau Timken
timken@truesake.com ~ (415) 355-9555

PLANNING REVIEW: Approval Denial

Planning Staff Contact: _____
(Please add comments on a trailing page.)

POLICE REVIEW: Approval Denial

(Please add comments in a trailing report.)

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Governing Body/Designated Subordinate Name: Board of Supervisors

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

jm

BOARD of SUPERVISORS



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Fax No. (415) 554-5163
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LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Department
Attn: Wesley Wong
Phone No. (626) 652-7466

DATE: June 27, 2022

AP Block/Lot Nos.: 0807 / 007
Zoning: NCT – Hayes NCT

TO: Police Department
Joel Salmonson
Phone No. (415) 553-1115

Quad: _____
Record No.: _____

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Alisa Somera, Public Safety and Neighborhood Services Committee Clerk.

alisa.somera@sfgov.org ~ (415) 554-7711

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Business name: True Sake, LLC
Application address: 556 Hayes Street
San Francisco, CA 94102

Applicant contact info: Beau Timken
timken@truesake.com ~ (415) 355-9555

PLANNING REVIEW: **Approval** **Denial**

Planning Staff Contact: Wesley Wong
(Please add comments on a trailing page.)

POLICE REVIEW: **Approval** **Denial**
(Please add comments in a trailing report.)



PLANNING COMMISSION MOTION NO. 21044

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.ajellohogland@sfgov.org

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 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 1/4 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

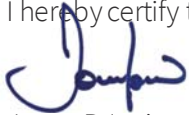
That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization 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 Digitally signed by Jonas P Ionin
Date: 2022.01.03 08:35:20 -0800

Jonas P. Ionin
Commission Secretary

AYES: Tanner, Chan, Diamond, Fung, Imperial, Moore, Koppel
NAYS: None
ABSENT: None
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. 21044. 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. 21044.

Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 21044 shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

Severability

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

Changes and Modifications

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

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

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

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

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

3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

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

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

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

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

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

- 6. Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) become effective. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

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

- 7. Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

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

- 8. Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) became effective.

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

- 9. Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

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

- 10. Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

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

- 11. 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**

chris telles
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

When documents are submitted for review, the applicant shall have the responsibility for providing all information and documents required for the project. The applicant shall be responsible for providing all information and documents required for the project. The applicant shall be responsible for providing all information and documents required for the project.

DATE: 9/13/2021
ISSUANCE: SF PLANNING CUA
No. _____
Date _____

PROJECT NO. 21-002
**TRUE SAKE -
CONDITIONAL USE
AUTHORIZATION**
554 HAYES STREET
SAN FRANCISCO, CA 94102

SCALE:

SITE PHOTOS

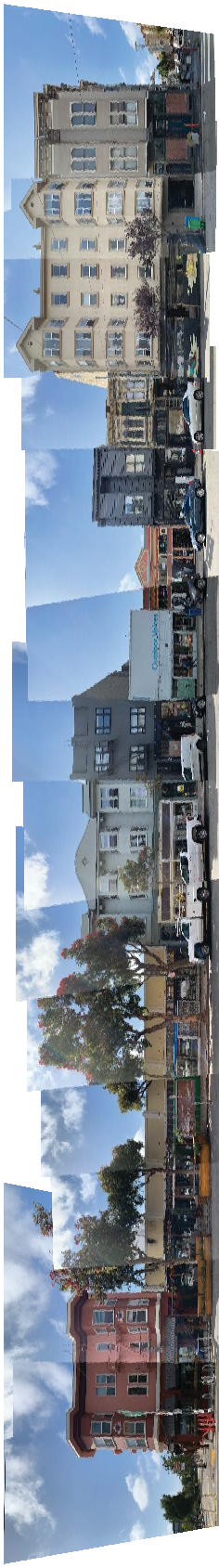
A1.20
NO.



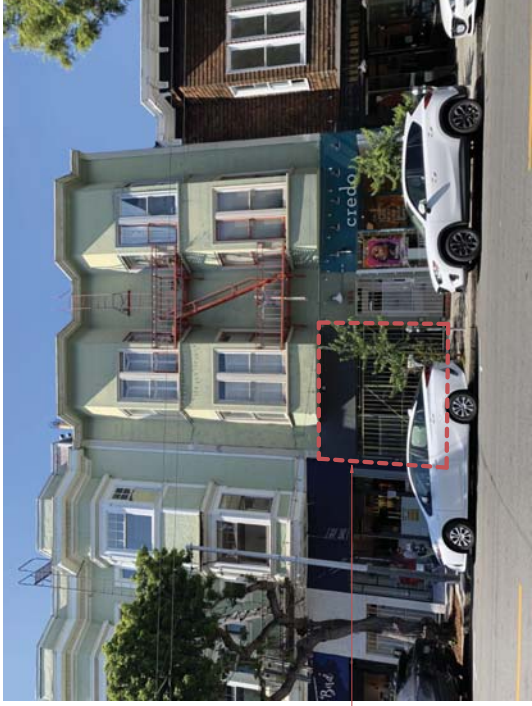
HAYES STREET (NORTH)

SUBJECT PROPERTY
554 HAYES STREET

SUBJECT TENANT SPACE
554 HAYES STREET



HAYES STREET (SOUTH)



SUBJECT TENANT SPACE
554 HAYES STREET

SUBJECT TENANT SPACE
554 HAYES STREET



EXISTING SITE PHOTOS
12" = 1'-0"



AGENCY APPROVALS

When dimensions on these drawings shall have precedence over verbal instructions, the dimensions shall govern. The contractor shall verify all dimensions and conditions shown on these drawings before construction. The contractor shall verify all dimensions and conditions shown on these drawings before construction. The contractor shall verify all dimensions and conditions shown on these drawings before construction.

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

No.	Date

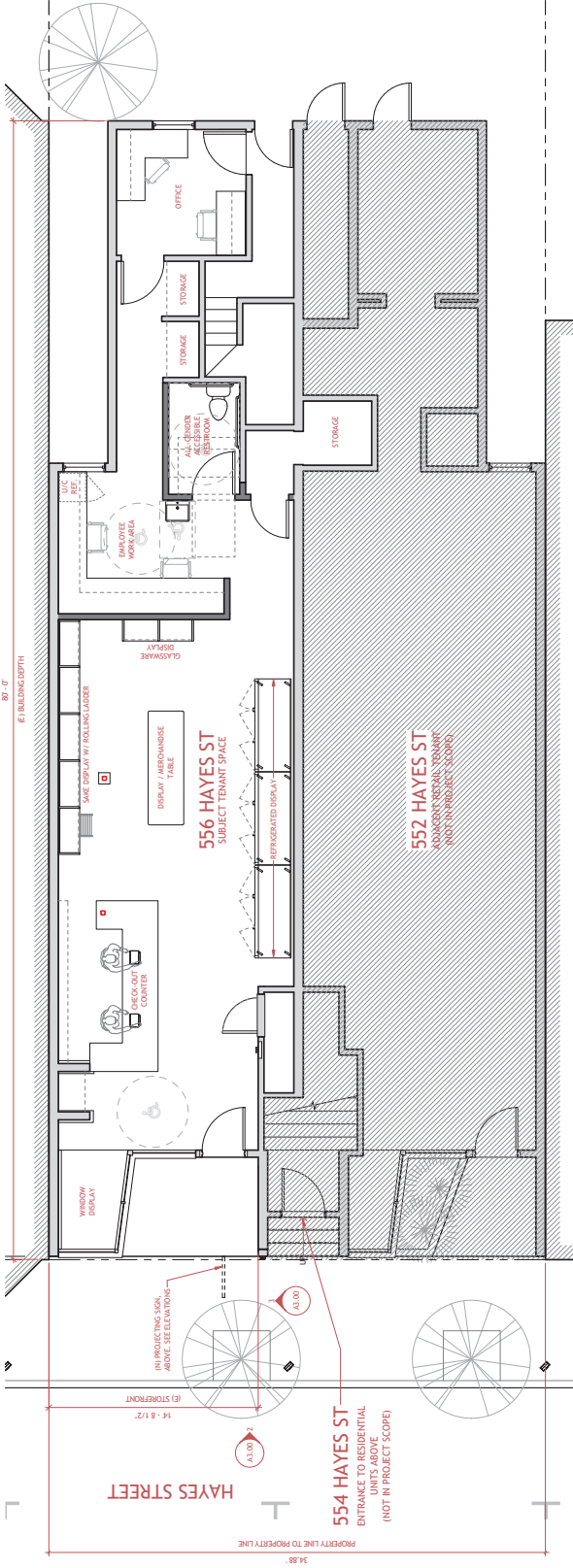
PROJECT NO. 21-002
**TRUE SAKE -
CONDITIONAL USE
AUTHORIZATION**
554 HAYES STREET
SAN FRANCISCO, CA 94102

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

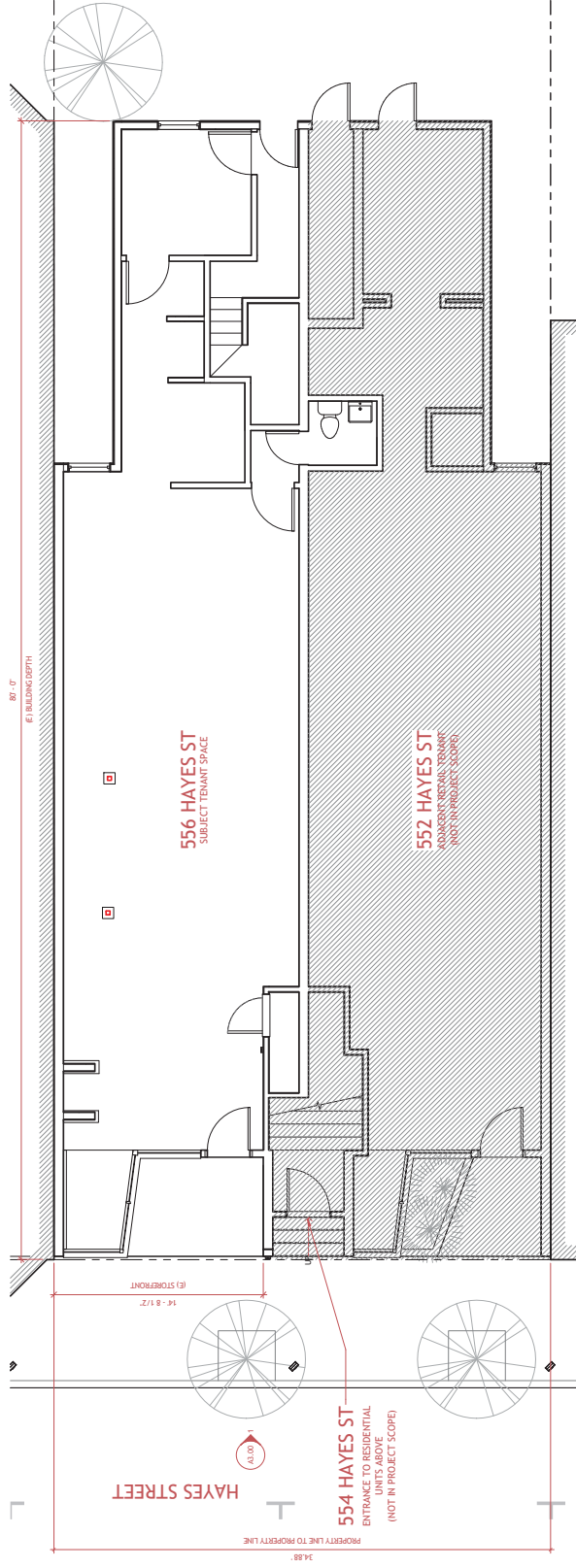
EXISTING & PROPOSED
FLOOR PLAN

A2.10
NO.

©2021



PROPOSED PLAN 1
1/4" = 1'-0"



EXISTING PLAN 2
1/4" = 1'-0"




San Francisco Police Department
ABC Liaison Unit



Alcoholic Beverage License -
*Public Convenience or
Necessity Recommendation*

To: The San Francisco Board of Supervisors' Committee on Public Safety
and Neighborhood Services

Supervisor Gordon Mar
Supervisor Catherine Stefani
Supervisor Myrna Melgar

From: Lt. Steve Jonas #79 
Officer in Charge
ALU/Permits Unit 415-553-9550

Date: September 15, 2022

Subject: P.C.N. Investigation Regarding: True Sake, LLC
DBA: True Sake
556 Hayes St.
San Francisco, CA. 94102

True Sake, LLC. has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 20 (Off-Sale Beer and Wine) license to be located at 556 Hayes St.. (located between Laguna St. and Octavia St.)

Hours of Operation:

12:00 p.m. to 7:00 p.m. Monday through Friday, 11:00 a.m. to 7:00 p.m. on Saturday and Sunday.

Digest:

True Sake, LLC. would like to operate a specialty liquor store at 556 Hayes St. If approved, this license will allow them to sell Beer and Wine.

Letters of Protest

0

Letters of Support

0

Police Calls for Service:

From April 2021 to April 2022

0 calls for service

Police Reports:

From April 2021 to April 2022

0 police reports

San Francisco Plot Information:

This premise is located in Plot: **558**

A High Crime area is defined as **96** or more police reports in a plot for the year of **2021**.

This plot had 182 police reports for **2021**, which is **86 higher** than the **Citywide "High Crime"** average

State Census Tract Information:

This premise is located in Census Tract: **162.00**

Population for this tract is: **3,672**

On-sale license authorized by census tract: **12**

Active on-sale licenses: 56 with 0 pending

Off-sale licenses authorized by census tract: **3**

Active off-sale licenses: 7 with 0 pending

Departmental Recommendation:

Points of consideration: **0**

No opposition from **Northern Station**.

Applicant premise **is** located in a “**High Crime**” area.

Applicant premise **is** located in a “**High Concentration**” area.

0 - Protest.

0 - Support

ALU Recommendation: **Approval with the following condition:**

1. Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on the ABC-253.

