



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other |

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Planning Commission Motion No. 19074

HEARING DATE: FEBRUARY 6, 2014

Date: January 16, 2014
Case No.: **2013.1331C**
Project Address: **435 JACKSON STREET**
Zoning: C-2 (Community Business)
65-A Height and Bulk District
Jackson Square Special Use District and Jackson Square Historic District
Block/Lot: 0196/027
Project Sponsor: Seth Hanley
Design Blitz
188 King Street #405
San Francisco, CA 94107
Staff Contact: Kanishka Burns – (415) 575-9112
kanishka.burns@sfgov.org
Recommendation: **Approval with Conditions**

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 249.24, 219 and 303 OF THE PLANNING CODE TO ALLOW A CHANGE OF USE FROM RETAIL TO OFFICE AT THE GROUND FLOOR WITHIN A COMMUNITY BUSINESS DISTRICT, THE JACKSON SQUARE SPECIAL USE DISTRICT AND A 65-A HEIGHT AND BULK DISTRICT

PREAMBLE

On September 18, 2013, Seth Hanley (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Section(s) 249.25 and 219 to allow an office use within the Jackson Square Special Use District, C-2 (Community Business) District and 65-A Height and Bulk District.

On February 6, 2014, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing of a regularly scheduled meeting on Conditional Use Application No. 2013.1331C.

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

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 requested in Application No. 2013.1331C, 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. **Site Description and Present Use.** The Project Site is located on the south side of Jackson Street between Sansome Street and Hotaling Place, Assessor's Block 0196, Lot 027. It is located within the C-2 (Community Business) District, Jackson Square Special Use District and within a 65-A height and bulk district. Historically known as the Hotaling Annex-East Tremont Stables, the subject building is on the California Register of Historic Resources and is a landmark building in the Jackson Square Historic District.

The Project Site is occupied by a two-story commercial building, with five ground floor commercial spaces (including the subject space) and offices above. First story uses consist of art, furniture and décor sales and the subject tenant space, a 1,676 square foot former retail space. The subject tenant space was previously occupied by a fine arts dealer (d.b.a. Arader Galleries) which is in the process of moving from 435 Jackson to a storefront across the street at 432 Jackson Street.

3. **Surrounding Properties and Neighborhood.** The project site is located in the heart of the Jackson Square Special Use District and Historic District, on a block lined with quintessential storefronts occupied by a variety of commercial and office uses. Retail uses consist mainly of furnishing, design and antique retailers and showrooms. Offices consist of law, financial and architectural and design firms. Personal services and restaurants round out the neighborhood, located adjacent to the TransAmerica Tower. Buildings in the neighborhood range from one story to three stories and vary in type.
4. **Project Description.** The project sponsor proposes to establish an Office (d.b.a. Design Blitz) in an approximately 1,676 square foot, commercial space. The commercial space was previously occupied by Arader Galleries, a retail use specializing in antiques. Arader Galleries has expanded its business and is moving across the street to a new space and will occupy the storefront at 432 Jackson Street. The subject commercial space has been on the market for over 8

months. Design Blitz is an architecture and design firm that collaborates with many of the businesses already located in the SUD and relocating to 435 Jackson Street will allow the firm to better collaborate with local vendors. Design Blitz proposes to install a minor design showroom in the storefront windows featuring a rotating display of furniture from local vendors. No exterior alterations are proposed.

5. **Public Comment.** To date, the Department has received a letter of support from the Jackson Square Historic District Association and a petition of support signed by 11 business owners and merchants in the Jackson Square Special Use District.
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 249.25 states that a Conditional Use Authorization is required for an Office at the ground floor, as defined by Planning Code Section 219 and 890.70.

The Subject Property is located within the Jackson Square SUD and pursuant to Planning Code Section 249.25, Offices are permitted at the ground floor with a Conditional Use authorization. The Project Sponsor is requesting Conditional Use authorization in order to allow an Office at the ground floor of a commercial building, which is currently authorized as a Retail use. Section 219(a) of the Planning Code defines an office as a professional and business office, not more than 5,000 gross square feet in size and offering on-site services to the general public. Planning Code Section 890.70 further defines an Office use as space suitable for occupancy by persons which perform or provide services including but not limited to the following: professional, banking, insurance, management, consulting, technical, sales, design, multimedia, software development, web design, electronic, commerce and information technology. Office uses shall exclude the following uses: retail, repair, wholesale shipping, receiving and storage and design showrooms or any other space intended and primarily suitable for display of goods.

The proposed Office is an architecture and design firm that works with many of the showrooms and home décor and furnishing retailers already located in the Jackson Square neighborhood. The proposed storefront window showroom area will be an accessory use to the primary office use and feature a rotating display of furniture and products available from local retailers. The office space includes bench style workstations with no dividers or cubicle walls and meeting space at the rear. The office space is designed to reduce the visual impact of an office in the SUD.

- B. **Floor Area Ratio.** Section 124 establishes the basic floor area (FAR) for all zoning districts. FAR is the ratio of the gross floor area of all buildings on a lot to the total area of the lot. Under Section 124(a), the FAR for the subject site (C-2) is 3.6 to 1. Under Section 124(c), in a C-2 District that is nearer to a C-3 District than an R District, the floor area ratio is increased to 10.0 to 1.

With a lot area of 19,361 square feet and an existing building area of 57,772 square feet, the floor area ratio of the subject building is 3.0 to 1. The subject building is a contributor to the Jackson Square

Historic District and any exterior alteration and expansion is subject to the review and approval of the Historic Preservation Commission for compliance and conformity with the Secretary of the Interior's Standards. Since the project will not include the physical expansion of the space, there will be no increase in nonresidential gross floor area.

- C. **Parking.** Section 151 of the Planning Code requires Offices or Studios of Architects to provide one parking space for every 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.

With a gross floor area of 1,676 square feet, the Project is not required to provide parking.

- D. **Loading.** Section 152 requires off-street freight loading for uses above a certain size. Offices less than 100,000 square feet in gross floor area are not required to provide off-street freight loading. Section 231(h)(3) requires that all truck loading associated with this business shall be limited in such a way as to avoid undue interference with sidewalks, or with crosswalks, bus stops, hydrants and other public features.

With a gross floor area under 100,000 square feet, the Project is not required to provide any off-street loading. All loading for this business is required to be conducted in such a way as to avoid undue interference with sidewalks, crosswalks, bus stops, hydrants and other public features.

- E. **Street Frontage in Commercial Districts: Active Uses.** Section 145.19(c)(3) of the Planning Code requires that within Commercial Districts, space for "Active uses" shall be provided within the first 25 feet of building depth on the ground floor.

The first 25 feet of the ground floor space along Jackson Street will be developed with an "active use", consistent with this code section. An "active use" is defined as any principal, conditional or accessory use which by its nature does not require non-transparent walls facing a public street or involves the storage of goods or vehicles. The proposed office will locate its accessory use of a design showroom in the storefront windows with an open workspace layout behind it.

- F. **Street Frontage in Commercial Districts: Street-Facing Ground-Level Spaces.** Section 145.1(c)(5) of the Planning Code requires that within Commercial Districts, 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. Such required street-facing entrances shall remain open to the public during business hours.

The Project will provide an active use on Jackson Street, level with the adjacent sidewalk and will be open to the public during business hours.

- G. **Street Frontage in Commercial Districts: Ground Floor Transparency.** Section 145.1(c)(6) of the Planning Code requires that within Commercial Districts, frontages with active uses that are not residential or PDR 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 subject commercial tenant space has approximately 24 linear feet of frontage along Jackson Street at the ground floor, with a frontage area of 343 square feet. Approximately 20 feet of the 24 foot Jackson Street frontage is dedicated to transparent glazed windows and transparent glazed entry doors. The windows and doors constitute approximately 85 percent transparency. The project sponsor proposes to remove the existing wing walls as permitted by the Department of Building Inspection to create greater transparency. The storefront conditions are existing and there are no changes proposed to the commercial frontage.

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

7. **Jackson Square Special Use District.** The Project requires Conditional Use authorization per Section 249.25 for the change of use from retail to office at the ground floor within the Jackson Square Special Use District. Section 249.25 of the Planning Code establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

A. The use shall be necessary to preserve the historic resource and no other use can be demonstrated to preserve the historic resource.

According to the Project Sponsor, the subject space has been on the commercial rental market for over 8 months. Jackson Square is a successful commercial district with only 1 vacant storefront. The success of the district can be attributed to the balance of office and retail, as well as other minor land uses. As the existing retailer no longer wishes to operate at this location and the property owner has not been able to secure a principally permitted retail use, it is clear that a compatible office use can preserve the historic resource. Allowing the establishment of a compatible design related office will ensure the continued vitality of the Jackson Square Historic District.

B. The use shall be compatible with, and shall enhance, the unique retail character of the District.

Staff conducted a survey of the SUD and found that 42% of the storefronts are occupied by office uses and 26% are occupied by retailers. Most of the office uses feature active storefronts with transparent windows and doors and open floor plans with visible and active workstations. Older offices that preceded the SUD legislation appear to be the only ones that are noncompliant with the street frontage requirements of the Planning Code. However, as they are located in a Historic District, significant alterations to the facades to meet the code requirements would not be compatible with the historic nature of the buildings. Office uses in the SUD consist of legal, financial, design, architecture, web design and web retail. Retail uses in the SUD include mostly design and furnishing specialty retailers as well as a few clothing stores and book stores. Specialty retailers in the SUD are

not generally open to the public, rather they are by appointment only and tend to work with designers. Based on the conditions of the SUD, the proposed office use is compatible with and will enhance the unique retail character of the District.

8. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply 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.

This architectural and design office will compliment and support the mix of goods and services currently available in the district. The Project will contribute to the economic vitality of the neighborhood by keeping the block active. The subject commercial space has been on the market for over eight months. Design Blitz will be a positive addition to the District that already contains a diverse mix of art and design related offices and retailers.

- 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:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

There are no exterior alterations or expansions associated with this project. The character of the Project vicinity will be maintained by keeping the space active and transparent.

- ii. 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 1,676 square-foot office. The proposed Office employs 15 individuals, only two of which will drive and park in neighborhood lots. The project site is well served by public transit. There are 11 MUNI lines with stops within 0.25 miles of the Project Site. The Montgomery Street and Embarcadero Street BART/MUNI Stations are a 0.6 mile walk from the Project Site.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The project is not anticipated to produce noxious or offensive emissions related to noise, glare, dust or odor because it is an office use.

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

The Project Site is completely built-out at the ground level, therefore, no landscaping will need to be provided. There are no proposed exterior light fixtures or signage as part of the project.

- 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. The project, as a whole, is consistent with the objectives and policies of the General Plan as detailed below.

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

NEIGHBORHOOD COMMERCE – 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 1.1:

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

Policy 1.2:

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

Policy 1.3:

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

The Project will affirmatively support these policies by locating a professional and business office in a diverse commercial district. No retail tenant will be displaced and the existing mix of specialty retailers in the District will be supported by the compatible office use. The Jackson Square Special Use District continues to be a thriving art and design destination drawing creative office uses to the neighborhood. The proposed addition of office space at the Property will therefore be consistent with the existing and emerging character of the surrounding area, minimizing any potential undesirable consequences. The Project is also located in an area well-served by public transportation and therefore little additional traffic or parking demand is expected to be generated as a result of the Project.

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.

Policy 2.3:

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

The Project will allow a desirable office use to operate in the Jackson Square Special Use District, retaining a San Francisco based design office in a highly transit accessible, art and design focused area of 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 6.9:

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

No commercial tenant would be displaced and the project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood, as the proposed use would only incrementally change the balance of retail and office uses from 26 percent retail and 42 percent office to 25 percent retail and 43 percent office. The neighborhood is well served by public transit including MUNI and BART and includes a large surface parking lot as well as a parking garage.

Guidelines for All Uses

- New uses should be consistent with the purpose of the district in which they are located as stated in the Planning Code.
- In small-scale districts with limited amounts of commercial space, priority should be given to retail stores and services which primarily serve the needs of nearby residents. Larger-scale districts may include some larger or more specialized uses which serve a broader citywide or regional clientele in addition to convenience oriented businesses.

However, no district should include so many specialty stores that space is not available for business which serve the needs of nearby residents. The appropriate size or an individual use may vary depending on the type of merchandise or service offered and the volume or intensity of customer activity it generates.

The Project is compliant with the Planning Code as stated above. A recent staff conducted survey identified 71 ground floor commercial spaces in the District. While Jackson Square is a small-scale district with limited amounts of commercial space, it is not necessarily designed or intended to serve the needs of nearby residents. Rather, it is a high end art and design destination. The over concentration of specialty retail may reduce the vitality of the district as many of the existing retailers in the district are not open to the public during regular business hours. A small scale office, as proposed, provides variation in the volume and intensity of commercial activity and will generate pedestrian traffic to other uses in the neighborhood.

10. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

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

The Project will not displace any existing retail uses within the neighborhood and will maintain an active storefront as required by the Planning Code. The business is locally owned and employs 15 people, most of whom are local residents.

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

The Project will not result in the removal of any dwelling units from the City's housing stock. Neighborhood character shall be enhanced by a compatible office use in a location that may otherwise be vacant.

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

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

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

The Project would not adversely impact public transit or place a burden on the existing supply of parking in the neighborhood. The Project expects less than 10 visitors per week and is well served by transit. There are 11 MUNI lines with stops within 0.25 miles of the Project Site. The Montgomery Street and Embarcadero Street BART/MUNI Stations are a 0.6 mile walk from the Project Site.

- 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 will not displace any service or industry establishment. The Project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.

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

The Project does not involve any construction activities that would compromise the structural integrity of the existing building. The proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The Project does not involve any exterior alterations to this landmark structure and district, nor does the project adversely impact any significant character-defining features of the landmark building.

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

The Project will have no negative effect on existing parks and open spaces. The Project does not have an effect on open spaces as there are no exterior expansions.

11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
12. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2013.1331C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 27, 2013, 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 No. 19074. 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.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on February 6, 2014.

Jonas P. Ionin
Commission Secretary

AYES: Fong, Borden, Hillis, Wu

NAYS: Moore, Sugaya

ABSENT: Antonini

ADOPTED: February 6, 2014

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow an office use (d.b.a. Design Blitz) located at 435 Jackson Street, Lot 027 in Assessor's Block 0196 pursuant to Planning Code Section(s) 303, 249.24 and 219 within a Community Business District, the Jackson Square Special Use District and a 65-A Height and Bulk District; in general conformance with plans, dated August 27, 2013, and stamped "EXHIBIT B" included in the docket for Case No. 2013.1331C and subject to conditions of approval reviewed and approved by the Commission on February 6, 2014 under Motion No 19074. 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 February 6, 2014 under Motion No 19074.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19074 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

4. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

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

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

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

DESIGN – COMPLIANCE AT PLAN STAGE

6. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to

Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

7. **Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff before submitting any building permits for construction of the Project. All subsequent sign permits shall conform to the approved signage program. Once approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to complement, not compete with, the existing architectural character and architectural features of the building.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING – AFTER ENTITLEMENT

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

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

9. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

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

OPERATION

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

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

11. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the

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

12. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

13. **Active Storefront.** As per Planning Code Section 145.1, all storefront windows shall maintain a minimum of 60 percent open to perpendicular view. Such windows shall use clear, untinted glass, except for decorative or architectural accent.

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