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Planning Commission Motion No. 18117

HEARING DATE: JUNE 24, 2010

Date: June 17, 2010
Case No.: **2010.0314C**
Project Address: **4127 18th STREET**
Zoning: Castro Street NCD (Neighborhood Commercial District)
 40-X Height and Bulk District
Block/Lot: 2695/036
Project Sponsor: Young Wong for Walgreens
 250 Sutter Street, Suite 500
 San Francisco, CA 94108
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ADOPTING FINDINGS RELATING TO CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 703.4, 715.21, 715.83, AND 790.80 OF THE PLANNING CODE TO ESTABLISH A NEW PUBLIC USE IN FORM OF A MUSEUM (DBA “GLBT HISTORICAL SOCIETY”) IN THE VACANT GROUND FLOOR COMMERCIAL SPACE (LAST OCCUPIED BY A LAUNDRYMAT); TO EXPAND THE EXISTING FORMULA RETAIL ESTABLISHMENT BY 471 SQUARE FEET (DBA “WALGREENS”) INTO THE ADJACENT VACANT COMMERCIAL SPACE; AND TO ALLOW A NON-RESIDENTIAL USE SIZE FOR WALGREENS EXCEEDING 1,999 SQUARE FEET, WITHIN THE CASTRO STREET NCD (NEIGHBORHOOD COMMERCIAL DISTRICT) AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 30, 2010, Young Wong (Project Sponsor) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 303, 703.4, 715.21, 715.83, and 790.80 of the Planning Code to establish a new public use in form of a museum (d.b.a. “GLBT Historical Society”) in the vacant ground floor commercial space (last occupied by a laundromat); to expand the existing formula retail establishment (d.b.a. “Walgreens”) partially into the adjacent vacant commercial space; and to propose a non-residential use size for Walgreens to be over 1,999 square feet, within the Castro Street NCD (Neighborhood Commercial District) and a 40-X height and bulk district.

On June 24, 2010, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.0314C.

The Project was determined by the Department to be Categorically Exempt from the California Environmental Quality Act ("CEQA") as a Class 1a exemption under CEQA Guidelines as described in the determination contained in the Planning Department files for this project. The Commission has reviewed and concurs with said determination.

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 requested in Application No. 2010.0314C, 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 is located on the south side of 18th Street between Castro and Collingwood Streets in the Castro Street Neighborhood Commercial District, the Upper Market Special Sign District, and a 40-X Height and Bulk District.

The Project Site is occupied by a two-story mixed-use building with two- ground floor commercial spaces and two- dwelling units on the upper floor. A Walgreens Pharmacy occupies the storefront at 4129 18th Street. The existing specialty pharmacy provides prescription medication and consultation services to the community with a focus on autoimmune disease state treatment. The pharmacy is staffed by two registered pharmacists, two pharmacy technicians and, a cashier. The current pharmacy hours of operation are from 9 am to 9 pm Monday through Friday; and 9 am to 5 pm on Saturday. The vacant storefront at 4127 18th Street is 2,140 square-feet and was formerly occupied by a Laundromat that vacated the space in November 2006.

3. **Surrounding Properties and Neighborhood.** The project site is located in the heart of the Castro Street neighborhood commercial corridor in the Castro neighborhood. The subject block contains a mix of one-, two-, three-, and four-story mixed use buildings with ground floor commercial spaces with a limited number of commercial spaces above the ground floor. The commercial frontage is dense along Castro Street but is interrupted by residential entrances at locations along 18th Street. There are currently a total of 13

formula retail establishments within this NCD. Walgreens operates another retail pharmacy in this NCD at 480-498 Castro Street, at the corner of Castro and 18th Streets, less than a block from the subject site. The Walgreens at 480-498 Castro Street received conditional use authorization to expand, which resulted in the consolidation of three storefronts. It is larger in size and includes a pharmacy as well as general retail goods. There are currently 7 Walgreens establishments within a 1 mile radius from the project site.

The Castro Street District provides convenience goods to its immediate neighborhood as well as comparison shopping goods and services on a specialized basis to a wider trade area. The District controls are designed to maintain existing small-scale development and promote a balanced mix of uses. Building standards permit small-scale buildings and uses and protect rear yards above the ground story and at residential levels. In new buildings, most commercial uses are permitted at the ground and second stories. Special controls are necessary to preserve the existing equilibrium of neighborhood-serving convenience and specialty commercial uses. In order to maintain convenience stores and protect adjacent residential livability, controls prohibit additional eating and drinking establishments and permit with certain limitations new late-night uses, adult and other entertainment, and financial service uses. The continuous retail frontage is maintained by prohibiting most automobile and drive-up uses.

4. **Project Description.** The Sponsor proposes is to expand the existing retail pharmacy d.b.a. "Walgreens" at 4129 18th Street partially into the adjacent storefront at 4127 18th Street that was formerly occupied by a laundry-mat. Walgreens would expand from 1,560 square feet to 2,031 square feet as a result of the project. The remaining 1,669 square feet of vacant commercial space is proposed for the new GLBT Historical Society (Gay, Lesbian, Bisexual Transgender) museum. Interior and minimal exterior tenant improvements are associated with the proposal.

In February, 2009, the Planning Commission denied a conditional use authorization for Walgreens' (4129 18th Street) expansion into the entire adjacent commercial space (4127 18th Street). The current proposed Walgreens expansion of 471 square feet would be divided as such; 74 square feet for infusion room; 96 square feet for consultation room; 55 square feet for restrooms and the remainder for a connecting corridor and circulation space. The proposed expansion will add additional treatment and consultation services including consultation and infusion treatment for Hepatitis B & C, hemophilia, bacterial infection and other autoimmune treatments. An additional registered nurse will be on site during all infusion sessions. The hours of operation will remain the same.

The GLBT proposes to use the space to show exhibits on GLBT history and culture. This will be a continuation of the temporary exhibit that was located at 499 Castro Street in 2008 and 2009. The GLBT museum proposes to utilize the front of the commercial space as a reception and front desk area, the middle commercial space as a front gallery, and the back as a rear gallery the also functions as a lecture room and meeting area. The

exhibit hours are proposed from noon to 8 pm Monday through Saturday and noon to 6 pm on Sunday. The museum will be staffed by volunteers.

5. **Public Comment.**

- As of June 17, 2010, the Department has received 3 written comments from the neighborhood associations from the Castro/Eureka Valley Neighborhood Association; Castro/Upper Market Community Benefit District; and Merchants of Upper Market & Castro, in support of the GLBT Historical Society museum. No written comments have been received regarding the Walgreens proposal.
- Castro/Eureka Valley Neighborhood Association raised concerns regarding the long term use of the GLBT space and Walgreens' possible intension to further expand into GLBT space based on their history of repeated expansions in the neighborhood.

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. **Hours of Operation.** Planning Code Section 715.27 states that operation within 6 am to 2 am is permitted, as defined by Planning Code Section 790.48.

The current hours of operation for Walgreens are from 9 am to 9 pm Monday through Friday; 9 am to 5 pm on Saturday; and closed on Sunday. Walgreens proposes to maintain existing hours with the expansion. The exhibit hours for the GLBT museum are proposed to be noon to 8 pm Monday through Saturday and noon to 6 pm on Sunday.

- B. **Parking.** Planning Section 151 of the Planning Code requires off-street parking for every 200 square-feet of occupied floor area, where the occupied floor area exceeds 5,000 square-feet.

The proposed Walgreens expansion will result in an occupied floor area of 2,031 square feet. The proposed GLBT museum will have an occupied floor area of 1,669 square feet. Both propose establishments do not require any off-street parking.

- C. **Loading.** Planning Code section 152 requires off-street freight loading for uses above a certain size. Retail uses up to 10,000 square feet in gross floor area are not required to provide off-street freight loading.

With a gross floor area under 10,000 square feet, neither establishment is not required to provide off-street loading.

- D. **Formula Retail.** Planning Code Section 703.4 is known as the Small Business Protection Act. The Project is considered to be a formula retail use as defined by Section 703.3 of the Planning Code

Conditional Use authorization must be granted for the existing Walgreens formula retail use to expand into the subject vacant space.

- E. **Use Size.** Sections 178(e)6 and 715.21 establishes size limits on nonresidential uses in the Castro Street NCD. In the Castro Street NCD, conditional use authorization is required for any nonresidential use that exceeds 1,999 square feet.

Walgreens proposes to increase its size from 1,560 square feet to 2,031 square feet. The Project requires a Conditional Use authorization for the non-residential use size.

- F. **Public Use.** Section 715.83 of the Planning Code requires that a conditional use authorization for new public uses.

The proposed GLBT museum is categorized as a public use as defined by Planning Code section 790.80.

- G. **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. **Planning Code Section 303 – Conditional Use Findings** 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.

Staff conducted a survey of the neighborhood and found that there are currently 13 formula retail uses within the Castro Street NCD. The survey also revealed that there are 6 vacant storefronts within this NCD. The proposed new GLBT museum and Walgreens' expansion will compliment 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.

The size of the proposed GLBT Historical Society museum use is in keeping with other storefronts on the block face. The proposed museum will not impact traffic or parking in the District because the area is well served by transit. The GLBT museum is a compatible use with the community and will provide cultural and historical information about the Castro neighborhood.

Although there are currently 2 existing Walgreens locations within the Castro Street NCD, the proposed Walgreens expansion is desirable, in that it will provide unique medical services to the neighborhood. The Department recommends the expansion to be located at the rear of the commercial space, rather than the middle of the commercial space. This would allow the most visible and accessible portion of the commercial space to be in a more functional

configuration. As proposed, the expansion and new enclosed consultation rooms would be within 5 feet, 6 inches of the subject site's storefront windows.

Although the proposed Walgreens expansion would further consolidate interior commercial space within the Castro Street NCD, the proposed pharmacy expansion will not take over additional storefronts. The expansion as modified preserves the diversity of the neighborhood by not further detracting from the unique character of the NCD that features primarily local, non-formula retail.

Although formula retail businesses tend to have a competitive advantage over non-formula retail business because the formula retail businesses are often better capitalized, and therefore, can commit to longer and more expensive lease, the expansion is modest in size. A 471 square foot expansion would not significantly impact the economic composition of the neighborhood. Walgreens proposes to provide specialized medical services that are currently not offered in the NCD, and therefore would not be displacing any existing industries.

- 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;

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.

- 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 Project will not adversely impact public transit or overburden the existing supply of parking in the neighborhood. The Project is intended to be a walk-in facility for pedestrian traffic. Furthermore, the Project site is well-served by public transportation. Off-street parking and loading is not required for the Project.

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

The Project will not produce noxious or offensive emissions related to noise, glare and dust.

- 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 commercial ground level, therefore, no landscaping will need to be provided. All lighting and signage would be required to comply with the requirements of the Planning Code, the approved signage program, and the Urban Design Element of the General Plan.

- 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 GLBT museum proposal 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.

The proposed Walgreens expansion complies with most of the applicable requirements of the Planning Code. Walgreens currently occupies two separate commercial spaces (4 storefronts) within the neighborhood and has a total of 7 locations within a 1 mile radius from the subject site. The expansion would provide additional neighborhood serving services to the neighborhood that is not currently available.

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed GLBT museum project is consistent with the stated purpose of Castro Street NCD in that the intended use is located at the ground floor, will provide a compatible service for the immediately surrounding neighborhoods during daytime hours.

The Castro Street NCD controls are designed to maintain existing small-scale development and promote a balanced mix of uses. Building standards permit small-scale buildings and uses and protect rear yards above the ground story and at residential levels. The proposed pharmacy will not occupy additional store frontage and therefore will maintain the existing block façade of small-scale development.

The proposed expansion in the middle of the subject vacant, rectangular commercial space will result in an irregularly shaped commercial space, which may prevent future uses from finding the proposed GLBT museum space to be useful. The Department recommends the modification of the proposal to locate the expansion at the rear of the subject space, so as to preserve the usability of the commercial space for future tenants after the termination of GLBT museum's 5-year lease agreement with Walgreens.

8. **Planning Code Section 303(i)** and 703.4 require Conditional Use authorization for the establishment of a formula retail use in Neighborhood Commercial Districts. The Planning Commission shall consider the following criteria set forth in Section 303(i) in addition to the criteria set forth in Section 303(c):

- A. The existing concentrations of formula retail uses within the Neighborhood Commercial District.

The nearest formula retail use within the same neighborhood commercial district is the Walgreens store located across the street. There are a total of 13 formula retail establishments within the Castro Street NCD, 12 of which are within 1 block of the subject site, and 3 of which are located on the subject block. This count excludes banking institutions since financial services are not accounted as part of the formula retail definition in Section 703.3. The majority of the formula retail establishments are along Castro Street. In general, the District has a balanced mix of formula retail and independent uses.

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

Walgreens operates two pharmacies within the District (480-498 Castro and 4129 18th street, subject site) and CVS operates a pharmacy at 445 Castro Street.

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

No physical expansions of the subject building would be necessary to accommodate the proposed use. Interior tenant improvements would be necessary for the instillation of additional consultation and examination rooms and restroom. No new signage for Walgreens is proposed. All lighting and signage would be required to comply with the requirements of the Planning Code and the Urban Design Element of the General Plan.

- D. The existing retail vacancy rates within the Neighborhood Commercial District.

Retail vacancy rates in the subject neighborhood commercial district are limited. As stated earlier, the 148 storefronts within the District have an approximate 6% vacancy rate. Though there are a few high visibility storefronts that create a sense of blight, overall the vacancy rate is reasonable. The former Laundromat vacated the space in November 2006.

- E. The existing mix of citywide-serving retail uses and neighborhood-serving retail uses within the Neighborhood Commercial District.

The district has a healthy mix of citywide-serving and neighborhood-serving uses which is a primary objective of the District controls. The proposed use is intended to be primarily neighborhood-serving.

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

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 6:

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

Policy 1:

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

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.

The proposed GLBT museum is a highly compatible neighborhood serving use that caters to the demography of the community. The location is a continuation of the temporary GLBT museum location at 499 Castro Street, which ended in 2009. The museum is a non-profit organization that will encourage community and cultural development by involving volunteers from the neighborhood and providing exhibits and talks for the community.

The proposed Walgreens expansion is intended to be neighborhood-serving. The proposed Walgreens expansion seeks to consolidate commercial space which reduces the availability of commercial space that are more suitable for independent retail uses to locate within the District.

The project as modified would retain a more usable configuration at the front of the commercial space. The immediate neighborhood is defined by locally-owned uses which add unique character and diversity. The project as modified would maintain the existing character by locating the expansion to the rear, and minimize the visibility of additional formula retail space.

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.

The proposed GLBT museum will be a neighborhood-serving use. The Castro Street NCD has an integral historic role in the development of the GLBT and Castro community. Therefore, the location of the museum within the Castro Street NCD will help solidify the neighborhood identity.

Walgreens would provide new specialized medical services including: consultation and infusion treatment for Hepatitis B & C; hemophilia; bacterial infection; and other autoimmune treatments, that are neighborhood-serving, where this type of services currently do not exist in the NCD.

Policy 6.2:

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

The proposed GLBT museum is a non-profit organization.

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 GLBT museum proposal would enhance the district by providing a non-profit that provides services where one currently does not exist.

Although the Walgreens formula retail use would occupy tenant space that was formerly occupied by a locally-owned, it would create one additional job opportunity.

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

The existing units in the surrounding neighborhood would not be adversely affected and no exterior modifications are proposed at this time.

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

The Project would not have any impacts on the City's supply of affordable housing.

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

The site is on 18th Street and is well served by transit. It is presumable that the employees would commute by transit thereby mitigating possible impacts on street parking. The Castro Street NCD is serviced by 4 MUNI rail lines (F, L, S, and K/T); and 6 MUNI bus lines (L-Owl, K-Owl, 24, 33, 35, and 37). The Project would not adversely impact public transit or place a burden on the existing supply of parking in the neighborhood. The Project Site is well-served by public transportation.

- 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 achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Although there would be some interior tenant improvements to the subject commercial space, the Project does not involve any construction activities that would compromise the structural integrity of the existing building or trigger any Building Code requirements for a seismic upgrade. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site.

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

The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.

11. The project as modified 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 for the GLBT Historical Society, 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. 2010.0314C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans filed with the Application as received on April 30, 2010 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. 18117. 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 June 24, 2010.

Linda D. Avery
Commission Secretary

AYES: Commissioners Moore, Sugaya, Lee, Antonini, Miguel, Olague, and Borden.

NAYS: None

ABSENT: None

ADOPTED: June 24, 2010

Exhibit A

Conditions of Approval

1. This authorization is for a Conditional Use Authorization under Planning Code Sections 303, 703.4, 715.21, 715.83, and 790.80 of the Planning Code to establish a new public use in form of a museum (d.b.a. "GLBT Historical Society") in the vacant ground floor commercial space (last occupied by a laundromat); to allow the expansion of the existing formula retail establishment (d.b.a. "Walgreens") by 471 square feet into the adjacent vacant commercial space at 4127 18th Street; and to allow a non-residential use size for Walgreens exceeding 1,999 square feet, within the Castro Street NCD (Neighborhood Commercial District) and a 40-X height and bulk district, in general conformance with plans filed with the Application as received on April 30, 2010 and stamped "EXHIBIT B" included in the docket for **Case No. 2010.0314C**, reviewed and approved by the Commission on June 24, 2010.
2. The Walgreens expansion shall be no more than 471 square feet.
3. Prior to the issuance of the Building Permit 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 premises (Assessor's 2695, Lot 361), which notice shall state that construction has been authorized by and is subject to the conditions of this Motion. From time to time after the recordation of such notice, at the request of the Project Sponsor, the Zoning Administrator shall affirm in writing the extent to which the conditions of this Motion have been satisfied.
4. Violation of the conditions contained in this Motion or of any other provisions of the Planning Code may be subject to abatement procedures and fines up to \$250 a day in accordance with Planning Code Section 176.
5. Should monitoring of the Conditions of Approval contained in Exhibit A of this Motion be required, the Project Sponsor or successors shall pay fees as established in Planning Code Section 351(e)(1).
6. The property owner shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean condition. Such maintenance shall include, at a minimum, daily litter pickup and disposal, and washing or steam cleaning of the main entrance and abutting sidewalks at least once each week.
7. Signs and exterior lighting for the business shall be reviewed and approved by the Planning Department before they are installed.

8. The Project Sponsor shall maintain an attractive storefront providing visibility of the interior through the storefront windows.
9. The Project shall appoint a Community Liaison Officer to address issues of concern to neighbors related to the operation of this Project. The Project Sponsor shall report the name and telephone number of this Officer to the Zoning Administrator and the neighborhood for reference. The Applicant will keep the above parties apprised should a different staff liaison be designated.
10. An enclosed garbage area shall be provided within the establishment. All garbage containers shall be kept within the building until pick-up by the disposal company.
11. The hours of operation for the GLBT museum shall be limited from noon to 8 pm on Monday through Saturday, and noon to 6 pm on Sunday. The hours of operation for Walgreens shall be limited from 9 am to 9 pm on Monday through Friday; 9 am to 5 pm on Saturday; and closed on Sunday.
12. The authorization and right vested by virtue of this action shall be deemed void and canceled if, within 3 years of the date of this Motion, a site permit or building permit for the Project has not been secured by Project Sponsor. This authorization may be extended at the discretion of the Zoning Administrator only if the failure to issue a permit by the Department of Building Inspection is delayed by a city, state, or federal agency or by appeal of the issuance of such permit.