



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use HEARING DATE: MARCH 25, 2010

Date: March 17, 2010
Case No.: 2010.0031C
Project Address: 1928 FILLMORE STREET
Zoning: Upper Fillmore Street Neighborhood Commercial District (NCD)
40-X Height and Bulk District
Block/Lot: 0660/021
Project Sponsors: Jace Levinson and Kim Ngo (agents)
Jace Architecture
18 De Boom Street
San Francisco, CA 94107
Caroline Krogn-Jensen and Soren Krogn-Jensen (applicants)
101 Townsend Street
San Francisco, CA 94107
Staff Contact: Sharon M. Young – (415) 558-6346
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Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

Conditional Use authorization is required to allow a formula retail use in the Upper Fillmore Street NCD pursuant to Sections 703.4, 303(c), and 303(i) of the Planning Code. The proposal is to convert a vacant 2,234 square foot retail space (previously occupied by "Aveda") to another retail sales establishment (dba BoConcept, a contemporary design furniture and accessories store). The proposed retail furniture and accessories store is considered a Formula Retail Use under Section 703.3 of the Planning Code. The proposal will involve interior and exterior tenant improvements to the existing commercial space.

'BoConcept' is an international furniture retailer founded in 1993 by Soren and Caroline Krogh-Jensen, who currently reside in San Francisco's South of Market area (SOMA). There are currently 246 stores worldwide in North America, Central America, Europe, South America, Africa, Middle East, Asia, and Oceania; there are 22 stores in the United States. In California, there are currently three stores in San Diego, Santa Monica, and San Francisco (SOMA) at 101 Townsend Street. The subject proposal is to allow the establishment of the second BoConcept store in San Francisco at the project site. The hours of operation of the proposed BoConcept store are 10 a.m. to 7 p.m. Monday through Saturday, and 11 a.m. to 6 p.m. on Sunday. Section 718.27 of the Planning Code allows the proposed retail store to operate between 6 a.m. until 2 a.m. as of right and requires Conditional Use authorization to operate between the hours of 2 a.m. and 6 a.m.

SITE DESCRIPTION AND PRESENT USE

The Project Site at 1928 Fillmore Street is located on the northeast corner of Fillmore and Wilmot Streets; Assessor’s Block 0660; Lot 021. It is located within the Upper Fillmore Street NCD and a 40-X Height and Bulk District. The subject lot is approximately 2,235 square-feet (27.50 feet wide by 81.25 feet deep) in size and is occupied by a one-story commercial building built in 1922. The existing building is not listed in the Planning Department’s 1976 Architectural Survey or the National and California Registers as having architectural significance.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The surrounding development consists of a variety of commercial and mixed-use buildings mostly featuring residential uses above ground-floor commercial establishments. The scale of development in the area consists of a mix of low-and mid-rise buildings (one- to three-story structures), some of which were built in the early 1900s. Generally, the commercial establishments characterizing this portion of Fillmore Street include a mixture of restaurants, apparel/accessory stores and specialty shops, and medical and personal service establishments. Some of the existing commercial establishments on the subject and opposite blocks include Johnny Rockets, Calvin Tran Boutique, a psychotherapy office, Fillmore Hardware, Woodhouse Fish Co, Fraiche Yogurt, Linco & Co, New Asian Style contemporary collection specialty store, Makuya Sushi restaurant, a nail salon, Bead & Shells, Sterling Bank & Trust, Crossroads Trading Co., Zinc Details Design store, DZ specialty store, Invision Optometry, Perfect Cleaners, SPQR restaurant, Design Within Reach, Florio Café restaurant, Ruby Living Design, Osaka restaurant, Paper Source, and Shu Yemura cosmetic store. The surrounding zoning is primarily Upper Fillmore Street NCD, RH-2 (Residential, House, Two-Family) District, NC-3 (Moderate-Scale Neighborhood Commercial) District, and RM-1 (Residential, Mixed, Low-Density) District zoning.

ENVIRONMENTAL REVIEW

The proposed project was determined by the San Francisco Planning Department to be categorically exempt from environmental review, under Class 1(a) of the State CEQA Guidelines, Section 15301, pursuant to Title 14 of the California Administrative Code.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	March 5, 2010	March 3, 2010	22 days
Posted Notice	20 days	March 5, 2010	March 5, 2010	20 days
Mailed Notice	20 days	March 5, 2010	March 4, 2010	21 days

PUBLIC COMMENT

- As of March 17, 2010, the Department has not received any letters or phone calls in opposition to the project. The project sponsors have contacted the Pacific Heights Residents Association (PHRA) and indicated that they have received positive feedback in regards to their proposed project and have submitted a letter of support from the PHRA. The project sponsors have also conducted

community outreach efforts by meeting with Thomas Reynolds of the Fillmore Street Merchants Association and some other merchants within Upper Fillmore Street NCD who, according to the project sponsors, are supportive of the proposed project.

ISSUES AND OTHER CONSIDERATIONS

- According to the project's agents, the blend of furnishings available at the proposed BoConcept store would be best described as mid-range contemporary design that serves a broad array of tastes and budgets. The furniture is stylish and attractive within a reasonable price point. It is not signature furniture designed and manufactured by star designers and available in limited production at the highest end pricing, nor is it IKEA-like mass-produced and extremely inexpensive in order to appeal to the broadest demographic and therefore attracting large crowds of people. In this sense, the products at this BoConcept store will appeal to the range of homes within the Pacific Heights/Lower Pacific Heights neighborhood, as well as the City at large, but will not attract a mass audience with the traffic and other congestion problems that often accompany such a retailer. The existing San Francisco BoConcept store has been in operation for the last two years and has prospered in the SOMA area, settling in nicely as part of a design community that includes these other furniture retailers: K&D Design, Ligne Roset, Jesse SF, and Limn. In a similar manner, the proposed San Francisco (Fillmore Street NCD) store will become an integral component of a retail mix that currently includes several design-oriented stores (Design Within Reach, Zinc Details, The Shade Store, Ruby, Jonathan Adler, and Duxiana) encompassing furniture, home accessories, lighting, and bedding.
- After conducting a site survey of the Upper Fillmore Street NCD (covering six blocks of Fillmore Street between Clay and Sutter Streets), the agents have indicated that the majority of the commercial establishments within the surrounding neighborhood appear to be independently owned rather than formula retail uses. Based upon this survey, 19 of the approximately 103 commercial establishments within the Upper Fillmore Street NCD appear to be formula retail uses: Noah's Bagels, L'Occitane, The Coffee Bean and Tea Leaf, Peet's Coffee, Benefit, Papyrus, Vitamin Express, MAC cosmetics, Walgreens, Starbucks, Eileen Fisher, Marc by Marc Jacobs, Jurilique, Jet Mail, Pure Beauty, Wells Fargo, Ralph Lauren, Johnny Rockets, and Sterling Bank. The Planning Department has reviewed the agents' survey, and approximately two dozen of commercial establishments (25%) within the Upper Fillmore Street NCD appear to be formula retail uses because Supercuts, Pure Beauty, Tully's Coffee, UPS store, La Salsa, Betsey Johnson, Design Within Reach, Crossroads Trading Co., and Jonathan Adler may qualify formula retail uses; Jet Mail and Vitamin Express do not appear to qualify as formula retail uses; and Wells Fargo Bank and Sterling Bank are considered financial service uses rather than retail uses which do not qualify as formula retail uses. ['Black Fleece', located at 2223 Fillmore Street, is also a formula retail use recently approved with Conditional Use authorization by the Planning Commission in December 2009 under Case No. 2009.1007C.]
- The agents indicated that the applicants are committed to being good neighbors and contributing to the general well-being of San Francisco. In the past, the applicants have directly supported the local art community by inviting artists to show their work for fixed periods of time at their (SOMA store) showroom. They also intend to hire their employees

locally, become members of the Fillmore Street Merchants Association, and make local charitable contributions on a regular basis to the Scandinavian School of San Francisco and the American Institute of Architects.

REQUIRED COMMISSION ACTION

This proposal requires **Conditional Use** authorization pursuant to Sections 703.4, 303(c), and 303(i) of the Planning Code to establish a Formula Retail Use dba BoConcept within the Upper Fillmore Street Neighborhood Commercial Zoning District and a 40-X Height and Bulk District.

BASIS FOR RECOMMENDATION

- The proposed project will allow for the establishment of the second BoConcept store located in San Francisco. The majority of the commercial establishments within the Upper Fillmore Street NCD are independently owned rather than formula retail uses.
- The proposed project will ensure the viability and continuation of a retail-driven commercial corridor by occupying a vacant commercial building on the subject block which is complimentary to the mix of existing neighborhood-serving uses within the neighborhood. It will also provide new job opportunities to the City.
- The proposed BoConcept store will help maintain and enhance existing neighborhood serving retail uses by encouraging more business activity within the immediate area that may draw clientele not only from the local neighborhoods but also from a wide trade area.
- The proposed project meets all applicable requirements of the Planning Code.
- The Department believes that this project is necessary and/or desirable for the following reasons:
 - a) The proposed project will enhance the economic diversity of the neighborhood by allowing the establishment of a new business in the area.
 - b) The proposed project is a neighborhood-serving use which local residents can access by walking or taking public transit.
 - c) The proposed project is consistent with the mixed commercial-residential character of the Upper Fillmore Street NCD.


RECOMMENDATION: Approval with Conditions
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- Attachments:**
Zoning District Map
Parcel Map
Sanborn Map
Aerial Photographs
Site and Context Photographs
Reduced Plans

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | <input checked="" type="checkbox"/> Project sponsor survey of commercial establishments in the neighborhood & summary of community outreach efforts |
| <input checked="" type="checkbox"/> Sanborn Map | <input checked="" type="checkbox"/> Neighborhood Response (Letter) |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Site Photos | <input type="checkbox"/> |

Exhibits above marked with an "X" are included in this packet


Planner's Initials

SMY: C:\1928 Fillmore St- summary-smy.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Inclusionary Housing (Sec. 315)
- Jobs Housing Linkage Program (Sec. 313)
- Downtown Park Fee (Sec. 139)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 314)
- Other

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 703.4, 303(c), AND 303(i) TO ALLOW THE ESTABLISHMENT OF A FORMULA RETAIL USE (DBA BoConcept, A CONTEMPORARY DESIGN FURNITURE AND ACCESSORIES STORE) AT 1928 FILLMORE STREET WITHIN THE UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On January 19, 2010, Jace Levinson acting agent on behalf of Caroline Krogn-Jensen and Soren Krogn-Jensen (hereinafter "Project Sponsor") made an application for Conditional Use authorization for the property at 1928 Fillmore Street, Lot 021 in Assessor's Block 0660 (hereinafter "Subject Property"), to establish a Formula Retail Use within the Upper Fillmore Street Neighborhood Commercial District and a 40-X Height and Bulk District, in general conformity with plans dated January 19, 2010 and labeled "Exhibit B" (hereinafter "Project").

The proposal is to convert a vacant retail sales establishment (previously occupied by "Aveda") to another retail sales establishment (dba BoConcept, a contemporary design furniture and accessories store). The proposed retail store, with approximately 2,300 square feet in floor area, is considered a Formula Retail Use under Section 703.3 of the Planning Code.

On **March 25, 2010**, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on **Conditional Use Application No. 2010.0031C**. Under Sections 703.4, 303(c), and 303(i) of the Planning Code, Conditional Use authorization is required to establish a Formula Retail Use in the Upper Fillmore Street NCD and a 40-X Height and Bulk District.

Pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act (hereinafter "CEQA"), the Planning Department of the City and County of San Francisco (hereinafter "Department") determined that the proposed Conditional Use Application was categorically exempt from the environmental review process under Class 1(a) of the State CEQA Guidelines, Section 15301, pursuant to Title 14 of the California Administrative Code. 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. 2010.0031C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the recitals 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.** The Project Site at 1928 Fillmore Street is located on the northeast corner of Fillmore and Wilmot Streets; Assessor's Block 0660; Lot 021. It is located within the Upper Fillmore Street NCD and a 40-X Height and Bulk District. The subject lot is approximately 2,235 square-feet (27.50 feet wide by 81.25 feet deep) in size and is occupied by a one-story commercial building built in 1922. The existing building is not listed in the Planning Department's 1976 Architectural Survey or the National and California Registers as having architectural significance.
3. **Surrounding Neighborhood.** The surrounding development consists of a variety of commercial and mixed-use buildings mostly featuring residential uses above ground-floor commercial establishments. The scale of development in the area consists of a mix of low-and mid-rise buildings (one- to three-story structures), some of which were built in the early 1900s. Generally, the commercial establishments characterizing this portion of Fillmore Street include a mixture of restaurants, apparel/accessory stores and specialty shops, and medical and personal service

establishments. Some of the existing commercial establishments on the subject and opposite blocks include Johnny Rockets, Calvin Tran Boutique, a psychotherapy office, Fillmore Hardware, Woodhouse Fish Co, Fraiche Yogurt, Linco & Co, New Asian Style contemporary collection specialty store, Makuya Sushi restaurant, a nail salon, Bead & Shells, Sterling Bank & Trust, Crossroads Trading Co., Zinc Details Design store, DZ specialty store, Invision Optometry, Perfect Cleaners, SPQR restaurant, Design Within Reach, Florio Café restaurant, Ruby Living Design, Osaka restaurant, Paper Source, and Shu Yemura cosmetic store. The surrounding zoning is primarily Upper Fillmore Street NCD, RH-2 (Residential, House, Two-Family) District, NC-3 (Moderate-Scale Neighborhood Commercial) District, and RM-1 (Residential, Mixed, Low-Density) District zoning.

4. **Project Description.** Conditional Use authorization is required to allow a formula retail use in the Upper Fillmore Street NCD pursuant to Sections 703.4, 303(c), and 303(i) of the Planning Code. The proposal is to convert a vacant 2,234 square foot retail space (previously occupied by "Aveda") to another retail sales establishment (dba BoConcept, a contemporary design furniture and accessories store). The proposed retail furniture and accessories store is considered a Formula Retail Use under Section 703.3 of the Planning Code. The proposal will involve interior and exterior tenant improvements to the existing commercial space.

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5. **Issues and Other Considerations.**

- According to the project's agents, the blend of furnishings available at the proposed BoConcept store would be best described as mid-range contemporary design that serves a broad array of tastes and budgets. The furniture is stylish and attractive within a reasonable price point. It is not signature furniture designed and manufactured by star designers and available in limited production at the highest end pricing, nor is it IKEA-like mass-produced and extremely inexpensive in order to appeal to the broadest demographic and therefore attracting large crowds of people. In this sense, the products at this BoConcept store will appeal to the range of homes within the Pacific Heights/Lower Pacific Heights neighborhood, as well as the City at large, but will not attract a mass audience with the traffic and other congestion problems that often accompany such a retailer. The existing San Francisco BoConcept store has been in

operation for the last two years and has prospered in the SOMA area, settling in nicely as part of a design community that includes these other furniture retailers: K&D Design, Ligne Roset, Jesse SF, and Limn. In a similar manner, the proposed San Francisco (Fillmore Street NCD) store will become an integral component of a retail mix that currently includes several design-oriented stores (Design Within Reach, Zinc Details, The Shade Store, Ruby, Jonathan Adler, and Duxiana) encompassing furniture, home accessories, lighting, and bedding.

- After conducting a site survey of the Upper Fillmore Street NCD (covering six blocks of Fillmore Street between Clay and Sutter Streets), the agents have indicated that the majority of the commercial establishments within the surrounding neighborhood appear to be independently owned rather than formula retail uses. Based upon this survey, 19 of the approximately 103 commercial establishments within the Upper Fillmore Street NCD appear to be formula retail uses: Noah's Bagels, L'Occitane, The Coffee Bean and Tea Leaf, Peet's Coffee, Benefit, Papyrus, Vitamin Express, MAC cosmetics, Walgreens, Starbucks, Eileen Fisher, Marc by Marc Jacobs, Jurilique, Jet Mail, Pure Beauty, Wells Fargo, Ralph Lauren, Johnny Rockets, and Sterling Bank. The Planning Department has reviewed the agents' survey, and approximately two dozen of commercial establishments (25%) within the Upper Fillmore Street NCD appear to be formula retail uses because Supercuts, Pure Beauty, Tully's Coffee, UPS store, La Salsa, Betsey Johnson, Design Within Reach, Crossroads Trading Co., and Jonathan Adler may qualify formula retail uses; Jet Mail and Vitamin Express do not appear to qualify as formula retail uses; and Wells Fargo Bank and Sterling Bank are considered financial service uses rather than retail uses which do not qualify as formula retail uses. ['Black Fleece', located at 2223 Fillmore Street, is also a formula retail use recently approved with Conditional Use authorization by the Planning Commission in December 2009 under Case No. 2009.1007C.]
 - The agents indicated that the applicants are committed to being good neighbors and contributing to the general well-being of San Francisco. In the past, the applicants have directly supported the local art community by inviting artists to show their work for fixed periods of time at their (SOMA store) showroom. They also intend to hire their employees locally, become members of the Fillmore Street Merchants Association, and make local charitable contributions on a regular basis to the Scandinavian School of San Francisco and the American Institute of Architects.
6. **Public Comment.** As of March 17, 2010, the Department has not received any letters or phone calls in opposition to the project. The project sponsors have contacted the Pacific Heights Residents Association (PHRA) and indicated that they have received positive feedback in regards to their proposed project and have submitted a letter of support from the PHRA. The project sponsors have also conducted community outreach efforts by meeting with Thomas Reynolds of the Fillmore Street Merchants Association and some other merchants within Upper Fillmore Street NCD who, according to the project sponsors, are supportive of the proposed project.

7. **Use District.** For the purposes of this action, the project site is within the Upper Fillmore Street Neighborhood Commercial District (NCD). The Upper Fillmore Street NCD is situated in the south-central portion of Pacific Heights. It runs north-south along Fillmore Street from Jackson to Bush and extends west one block along California and Pine Streets. This medium-scaled, multi-purpose commercial 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. Commercial businesses are active during both day and evening and include a number of bars, restaurants, specialty groceries, and specialty clothing stores.

8. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

A. **Section 101.1(b)** establishes eight priority planning policies and requires the review of permits that authorize changes of use for consistency with said policies:

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

The proposed Project will preserve and enhance the District's existing commercial uses by establishing a new retail store use (which will sell furniture and accessories) that is complimentary to the existing mix of commercial establishments within the immediate neighborhood. The proposed Project will provide job opportunities to the City by employing approximately 2-3 people.

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

The proposed Project will preserve and enhance the cultural and economic diversity of the neighborhood by allowing a new business in the area. Existing housing will not be affected by the proposed Project.

- (3) That the City's supply of affordable housing be preserved and enhanced.

No housing exists at the Site.

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

The proposed Project would not significantly increase the automobile traffic congestion and parking problems in the neighborhood. The proposal is a neighborhood-serving use which residents can access by walking or taking public transit.

- (5) 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.

There is no commercial office development associated with the proposed Project and there would be no displacement of any existing industrial or service businesses in the area.

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

The proposed Project will comply with all applicable earthquake safety standards and built to the current standards of the California Building Code.

- (7) That landmark and historic buildings be preserved.

The proposed Project does not affect any landmarks or historic buildings.

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

The proposed Project does not affect any city-owned park or open space.

- B. **Section 121.2 and 718.21** requires Conditional Use authorization for non-residential use exceeding 2,500 square feet; as defined by Planning Code Section 790.130 in the Upper Fillmore Street NCD.

The proposed Project will occupy an existing vacant retail space less than 2,500 square feet. No additional square footage is proposed by the Project.

- C. **Section 145.1** requires that NC Districts containing specific uses, including retail stores, have at least ½ the total width of the new or altered structure at the commercial street frontage devoted to entrances to commercially used space, windows or display space at the pedestrian eye-level. Such windows shall use clear, un-tinted glass, except for decorative or architectural accent. Any decorative railings or decorated grille work, other than wire mesh, which is placed in front or behind such windows, shall be at least 75 percent open to perpendicular view and no more than six feet in height above grade.

The subject commercial space has approximately 27'6" of frontage on Fillmore Street with the majority of the glass frontage devoted to either the entrance or window space. The proposal will include modifications to enlarge the existing windows of the commercial frontage. The windows will be clear and unobstructed.

- D. **Section 151** requires off-street parking for every 200 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet. **Section 152** requires one off-street loading space for retail stores between 10,001 and 60,000 gross square feet.

The subject commercial space, with approximately 2,300 square feet in floor area, does not require any off-street or loading parking spaces.

- E. **Section 303(c)** 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:

- (1) 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 proposed Project will occupy a vacant retail space previously occupied by Aveda (a cosmetics and accessories store). The proposed Project will be compatible with the neighborhood, as it will sell retail goods (i.e. furniture and accessories) which will be complimentary to the existing mix of commercial establishments within the immediate neighborhood. The agents have indicated that there will be interior and exterior tenant improvements to the existing commercial space. The scope of the remodel will include new display cases, lighting, and floor finishes; minimal resizing of the existing windows in order to lower the sill height (no change in window width); the removal of three 1'-10" x 1'-4" clearstory windows currently located about 12 feet above the sidewalk level; and the removal of the existing exit door (north elevation) and demolition of a portion of the wall to create a new exit alcove. There will be no changes to the existing building envelope.

- (2) 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:

- (A) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The size and shape of the site and the size, and the arrangement of the structures on the site are adequate for the Project. There will be no physical expansion of the existing building or retail commercial space.

- (B) 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;

Existing traffic patterns will not be significantly affected by the proposed Project. Public transit that is in close proximity to the proposed BoConcept store includes Muni Lines 3 and 22 within walking distance of the Project Site. There is on-street parking in front of the subject property and in the surrounding neighborhood. The project sponsor has indicated that the only deliveries to the proposed BoConcept store would be via UPS/FedEx deliveries of small accessory-like items before 7 a.m., Monday through Friday.

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

No noxious or offensive emissions such as glare, dust, or odor are expected to be produced by the proposed Project.

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

The existing building occupies the entire site; no landscaping is provided on site. There will be no addition of parking spaces, loading facilities, open space or service areas. All Project signage and projections will be consistent with the controls of the Planning Code.

- (3) 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.

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

The proposed Project is consistent with the stated purpose of the Upper Fillmore Street NCD in that the intended use is a neighborhood-serving business.

- F. Sections 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):

- (1) The existing concentrations of formula retail uses within the Neighborhood Commercial District;

After conducting a site survey of the Upper Fillmore Street NCD (covering six blocks of Fillmore Street between Clay and Sutter Streets), the agents have indicated that the majority of the commercial establishments within the surrounding neighborhood appear to be independently owned rather than formula retail uses. Based upon this survey, 19 of the approximately 103 commercial establishments within the Upper Fillmore Street NCD appear to be formula retail uses: Noah's Bagels, L'Occitane, The Coffee Bean and Tea Leaf, Peet's Coffee, Benefit, Papyrus, Vitamin Express, MAC cosmetics, Walgreens, Starbucks, Eileen Fisher, Marc by Marc Jacobs, Jurilique, Jet Mail, Pure Beauty, Wells Fargo, Ralph Lauren, Johnny Rockets, and Sterling Bank. The Planning Department has reviewed the agents' survey, and approximately two dozen of commercial establishments (25%) within the Upper Fillmore Street NCD appear to be formula retail uses because

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- (2) The availability of other similar retail uses within the Neighborhood Commercial District;

The agents have indicated that there are five other existing retail stores within the Upper Fillmore Street NCD which will sell similar goods (i.e. furnishings such as sofas, chairs dining tables, beds, and dressers) as the proposed BoConcept store: Design Within Reach, Ruby, Zinc Details, Duxiana, and Jonathan Adler.

- (3) The compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the Neighborhood Commercial District;

The Project will not involve significant modifications to the building's existing architectural and aesthetic character. There will be no expansion of the existing building envelope.

- (4) The existing retail vacancy rates within the Neighborhood Commercial District;

According to the agents, there are currently five vacant commercial spaces with the Upper Fillmore Street NCD.

- (5) The existing mix of City-serving retail uses and neighborhood-serving retail uses within the Neighborhood Commercial District;

The agents have indicated that the proposed BoConcept furniture and accessories store will compliment the mix of goods and services currently available within the Upper Fillmore Street NCD. It will also contribute to the economic vitality of the neighborhood, as well as the City at large since Fillmore Street serves as a major shopping destination in San Francisco. Based on their survey of commercial establishments within the Upper Fillmore Street NCD, the agents have indicated that approximately 30 of these commercial establishments are either restaurants, or focus on the sale of specific gourmet items such as olive oil, coffee, and pastry. There were a few other commercial establishments which include dry cleaning stores, laundry, shoe repair, and tailors.

- G. Section 718.1 sets forth provisions applicable in the Upper Fillmore Street Neighborhood Commercial Zoning District. The Upper Fillmore Street District controls are designed to protect the existing building scale and promote new mixed-use development which is in character with adjacent buildings. Building standards regulate large lot and use development

and protect rear yards above the ground story and at residential levels. Most commercial uses are permitted at the first two stories of new buildings. Special controls are designed to preserve the existing equilibrium of neighborhood-serving convenience and specialty commercial uses. In order to maintain convenience stores and protect adjacent livability, additional eating and drinking establishments are prohibited and ground-story entertainment and financial service uses are limited. In order to promote continuous retail frontage, drive-up and most automobile uses are prohibited. Housing development in new buildings is encouraged above the second story. Existing residential units are protected by limitations on demolitions and upper-story conversions.

- H. **Section 718.40** permits "other retail sales and services" establishments, such as BoConcept, on the first and second stories.
- I. **Section 703.3** defines a Formula Retail Use as a type of retail sales activity or retail sales establishment which has eleven or more retail establishments located in the United States and maintains two or more of the following features: a standardized array of merchandise, a standardized facade, a standardized décor and color scheme, a uniform apparel, standardized signage, and a trademark or service mark. The proposal is to allow for the establishment of a second BoConcept store in San Francisco. There is an existing San Francisco store location at 101 Townsend Street. According to the project sponsor, there are 246 stores worldwide (including 22 stores in the United States with two of these stores in California).
- J. **Section 703.4** states that a Conditional Use authorization is required for a formula retail use, as defined by Planning Code Section 703.3, in any of the City's Neighborhood Commercial Districts.

The proposed Project (dba BoConcept) is a formula retail use, and intends to occupy existing vacant retail space, formerly occupied by Aveda.

- K. **Section 718.27** allows hours of operation from 6 a.m. until 2 a.m. as of right and requires Conditional Use authorization to operate between the hours of 2 a.m. and 6 a.m.

The hours of operation of the proposed BoConcept store are 10 a.m. to 7 p.m. Monday through Saturday, and 11 a.m. to 6 p.m. on Sunday.

- L. **Section 718.40** allows a furniture and accessories store under "Other Retail Sales and Services" as defined by Planning Code Section 790.102 in the Upper Fillmore Street NCD.

The proposed Project (dba BoConcept) will occupy an existing vacant retail space.

- M. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department and must comply with Article 6 of the Planning Code.

9. **General Plan Compliance.** The Project is consistent with the Objectives and Policies of the General Plan in that:

COMMERCE AND INDUSTRY ELEMENT

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 6:

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

Policy 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 Project would renovate and upgrade an existing vacant retail space for another retail use. The proposed BoConcept store would be compatible with the type of uses characterizing this portion of the Upper Fillmore Street NCD which include a mixture of restaurants, apparel/accessory stores and specialty shops, and medical and personal service establishments.

Policy 3:

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of affordable housing and the needed expansion of commercial activity.

Approval of the proposed Project would be consistent with the mixed commercial-residential character of the Upper Fillmore Street NCD. The proposed Project would not adversely impact any affordable housing resources in the neighborhood.

Policy 4:

Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

The proposed Project will provide retail goods and services (i.e. selling furniture and accessory items) and is accessible to all residents with this portion of the Upper Fillmore Street NCD.

Policy 9:

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

The Project does not adversely impact public transit or place a burden on the existing supply of parking in the neighborhood. Many patrons are able to walk from their residences or places of employment, and the project is well served by public transportation. There is on-street parking on the subject block and in the surrounding neighborhood.

URBAN DESIGN ELEMENT

CITY PATTERN

Objectives and Policies

OBJECTIVE 1:

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE AND A MEANS OF ORIENTATION.

Policy 3:

Recognize that buildings, when seen together, produce a total effect that characterizes the City and its districts.

The Project's design preserves the neighborhood since the exterior tenant improvements will not involve modifications to the building's original detailing or materiality.

NEIGHBORHOOD ENVIRONMENT

Objectives and Policies

OBJECTIVE 4:

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

Policy 15:

Protect the livability and character of residential properties from the intrusion of incompatible new buildings.

The Project will improve the neighborhood environment by increasing safety during both the daytime and nighttime through the occupancy of the space, which has been designed to provide a transparent storefront.

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 Application No. 2010.0031C** subject to the following conditions attached hereto as "EXHIBIT A" 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.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on March 25, 2010.

Linda Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:

Exhibit A

Conditions of Approval

APPROVED USE CONDITIONS

1. Pursuant to Sections 703.4, 303(c), and 303(i) of the Planning Code, this Conditional Use approval is to allow the establishment of a Formula Retail Use in the Upper Fillmore Street NCD and a 40-X Height and Bulk District, in general conformity with Plans on file with the Department in the docket for Case No. 2010.0031C (labeled EXHIBIT B), reviewed and approved by the Commission on March 25, 2010 under Motion No. _____.
2. The proposal is to convert a vacant retail sales establishment (previously occupied by "Aveda") to another retail sales establishment (dba BoConcept, a contemporary design furniture and accessories store). The proposed retail store, with approximately 2,300 square feet in floor area, is considered a Formula Retail Use under Section 703.3 of the Planning Code. The proposal will involve interior and exterior tenant improvements to the existing commercial space. There will be no expansion of the existing building envelope.
3. Building area and massing authorized herein is limited to that described on the plans labeled EXHIBIT B. The Applicant shall advise the Planning Department staff of any changes or modifications to the Project, which would result in any deviation from the plans (labeled EXHIBIT B), as approved in this Motion.
4. The proposed hours of operation are 10 a.m. to 7 p.m. Monday through Saturday, and 11 a.m. to 6 p.m. on Sunday. Section 718.27 of the Planning Code allows the proposed retail store to operate between 6 a.m. until 2 a.m. as of right and requires Conditional Use authorization to operate between the hours of 2 a.m. and 6 a.m.
5. Signs and exterior lighting for the business shall be reviewed and approved by the Planning Department before they are installed. All Project lighting shall be directed onto the Project Site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to surrounding residents and businesses. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.
6. The Applicant shall maintain the entrance to the Project Site and all sidewalks abutting the subject property in a clean and attractive manner.
7. Street-facing windows shall not be blocked by displays or other obstacles in order to allow for visual connection between the street and the store interior.

STANDARD CONDITIONS

8. VALIDITY, EXPIRATION, AND EXTENSION

This Conditional Use approval is valid for three years from the effective date of the Motion No. _____ authorizing the proposed formula retail use and shall automatically expire on _____. This authorization is just an approval of the proposed use and is NOT a permit to implement the

approved use. This authorization and right vested by virtue of this action shall be deemed void and cancelled if a Building Permit from the Department of Building Inspection to implement the approved use has not been obtained prior to the expiration of this Conditional Use approval. The validity of this Conditional Use approval may be extended at the discretion of the Zoning Administrator only if the failure to issue a Building Permit by the Department of Building Inspection is delayed by the city, state, or federal agency or by appeal of the issuance of such Building Permit. However, the extension must be requested prior to the expiration of this Conditional Use approval.

9. MAJOR AND MINOR CHANGES AND MODIFICATIONS OF CONDITIONS

Minor changes to the approved plans may be approved administratively by the Zoning Administrator. Major changes and modifications of conditions shall be subject to review and approval by the Planning Commission requiring a new Conditional Use approval or amendment to this Conditional Use approval as determined by the Zoning Administrator. Such changes must be requested prior to the expiration of this Conditional Use approval.

10. RECORDING OF CONDITIONS OF APPROVAL

Prior to the issuance of a Building Permit Application for the proposed formula retail use, the project sponsor or the responsible party shall record a Notice of Special Restrictions as approved by the Zoning Administrator in the Official Records of the Recorder of City and County of San Francisco for the premises (Assessor's 0660, Lot 021), which notice shall state that the proposed use has been authorized by Motion No. _____ and is subject to the conditions of approval of this Motion.

11. BUILDING PERMIT TO IMPLEMENT THE APPROVED PROJECT

A Building Permit from the Department of Building Inspection must be obtained to implement the approved use within three years from the effective date of Motion No. _____ approving the proposed formula retail use. The Building Permit Application shall include plans in conformance with the plans on file with the Department in the docket for 2010.0031C (labeled EXHIBIT B), reviewed and approved by the Planning Commission on March 25, 2010 under the Motion No. _____. The plans are required to record the approved use of the premises even if there is no new construction or minor interior changes. The conditions of approval shall be reproduced on the Index Sheet of the plans submitted with the Building Permit Application. The Index Sheet of the plans shall reference to this Conditional Use Authorization and any subsequent amendments or modifications.

The project shall also comply with all other applicable city codes as required by other city departments. Additionally, no change in the character of occupancy or change to a different group of occupancy as described under the Building Code shall be made without first obtaining a Certificate of Occupancy from the Department of Building Inspection and approval from Planning and other city departments as necessary.

12. COMPLETION OF BUILDING PERMIT

The completion of Building Permit with a final inspection and/or issuance of a Certificate of Final Completion and Certificate of Occupancy from the Department of Building Inspection for the approved use under this project shall be deemed acceptance and agreement to fully comply with all of the conditions of approval of this Conditional Use approval. The project sponsor or the responsible party must ensure that the Building Permit Application has attained a 'complete' stage within the time frame required by the Department of Building Inspection. If the Building Permit is allowed to expire for more than one year, the renewal of such Building Permit thereafter will be subject to review by the Planning Department. Prior to filing of a renewal of the expired permit, the project sponsor or the responsible party shall notify the Planning Department.

13. REPORTING

The Project Sponsor or the subsequent responsible party for the project shall submit to the Zoning Administrator two copies of a written report describing the status of compliance with the conditions of approval contained within the Motion No. _____ within six months from the date of implementation of the proposed use. Thereafter, the submittal of the report shall be on an annual basis. This requirement shall lapse when the Zoning Administrator determines that all the conditions of approval have been satisfied or that the report is no longer required for other reasons.

14. REVOCATION

During the Building Permit Application process phase of the project, the Zoning Administrator may place an order to stop work, suspend, or revoke a Building Permit if the proposal carried out on the site is not in conformance with the plans approved under this Conditional Use approval and subsequent Building Permit. The Zoning Administrator may also recommend the Planning Commission to consider revocation of this Conditional Use approval in a public hearing for non-compliance with any of the conditions of approval.

15. ENFORCEMENT

After commencement of the approved use, violation of any of the planning conditions of approval contained in the Motion No. _____ 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, whichever applicable for each day a violation continues or is allowed to continue. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

16. MONITORING

If the project requires monitoring of the conditions of approval contained in Exhibit A of Motion No. _____, the project sponsor or the subsequent responsible parties for the project shall pay fees as established under Planning Code Section 351(e)(1) and work with the Planning Department to ensure compliance.

17. NEIGHBORHOOD CONCERNS

The Project Sponsor 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 Project Sponsor shall keep the above parties apprised should a different staff liaison be designated.

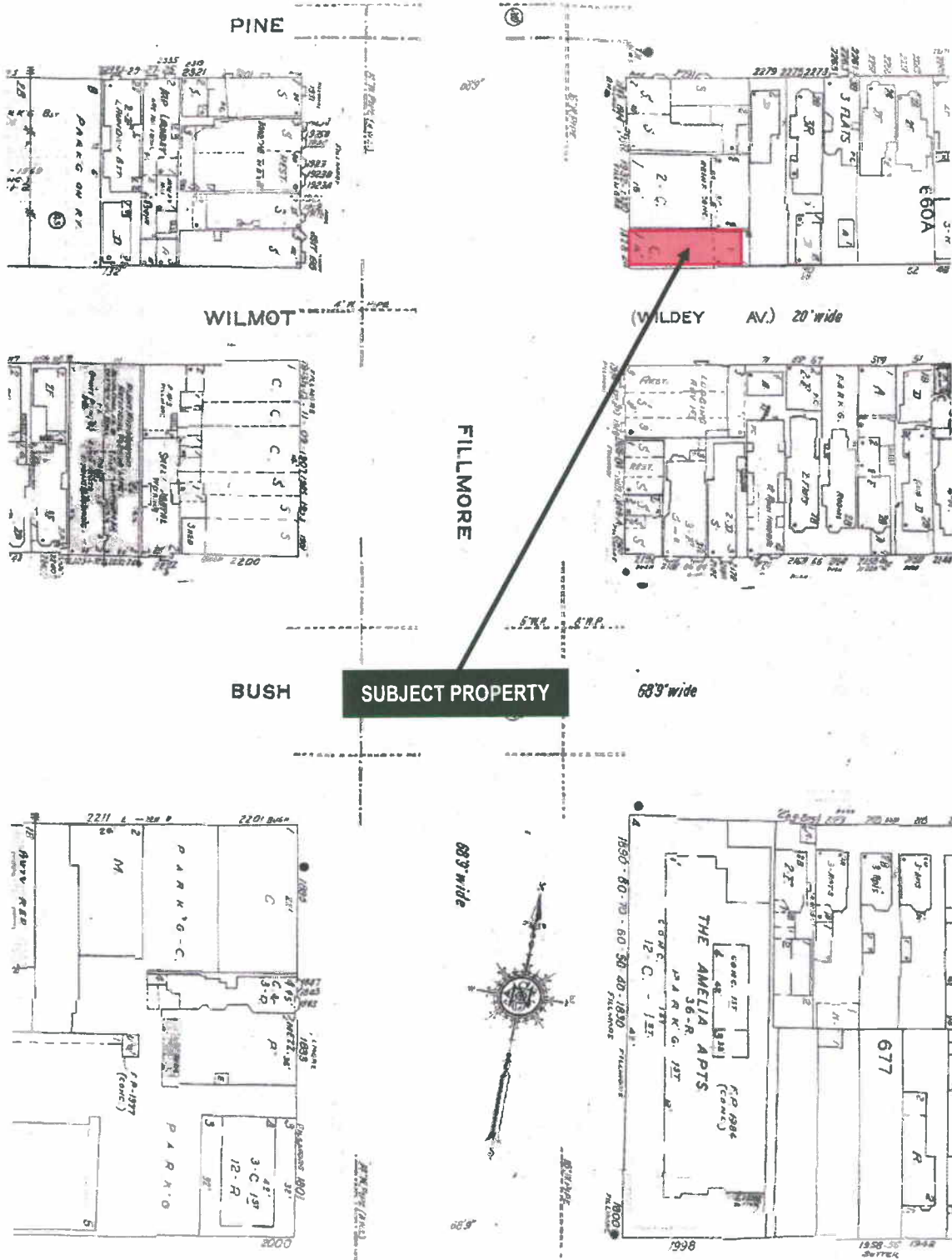
18. SEVERABILITY

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 of the remaining provisions, clauses, sentences, or sections of these conditions. It is hereby declared to be the intent of the Planning Commission that these conditions of approval would have been adopted had such invalid sentence, clause, or section or part thereof not been included herein.

Zoning Map



Sanborn Map*

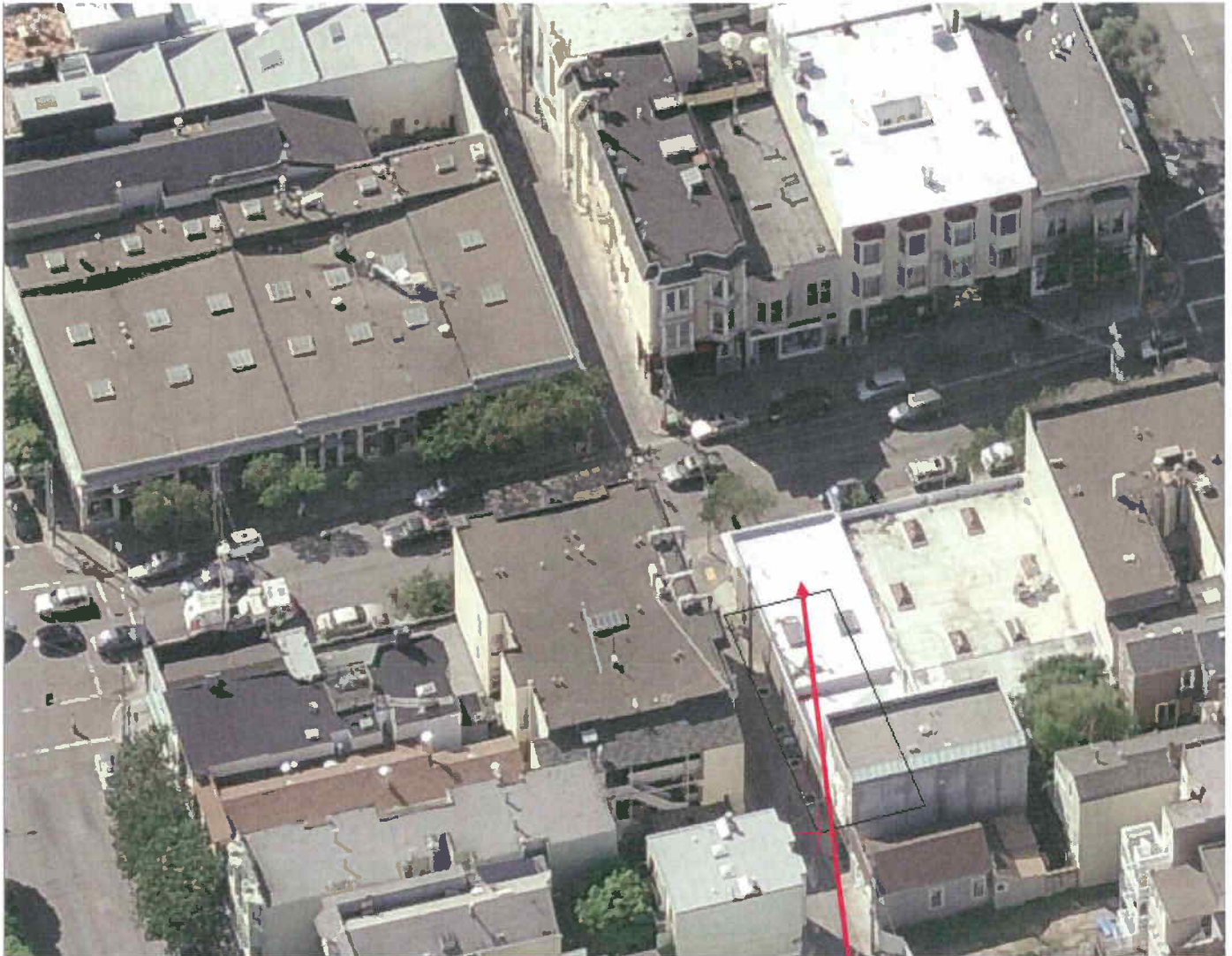


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Hearing
 Case Number 2010.0031C
 1928 Fillmore Street
 DBA BoConcept

Aerial Photo*



SUBJECT PROPERTY

**The Aerial Maps reflect existing conditions in March 2009.*



Aerial Photo*



SUBJECT PROPERTY

**The Aerial Maps reflect existing conditions in March 2009.*



Site Photo

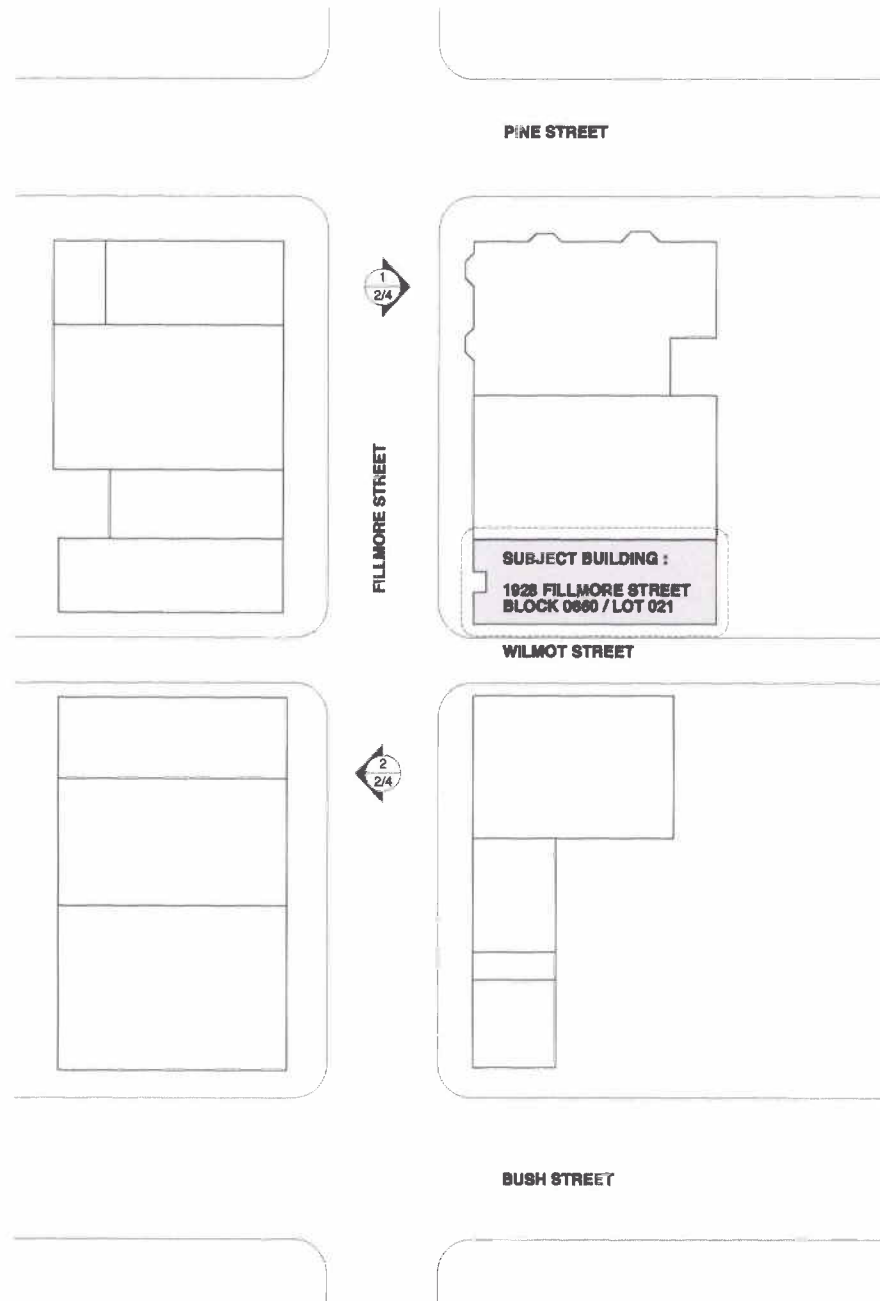
SUBJECT PROPERTY ON FILLMORE STREET



SUBJECT PROPERTY

Conditional Use Hearing
Case Number 2010.0031C
1928 Fillmore Street
DBA BoConcept





Bo Concept - Fillmore
01.19.2010
Street View Elevations

1928 Fillmore Street
Subject Property



1. East Side of Fillmore w/ subject property



2. West Side of Fillmore - across street from subject property

Bo Concept - Fillmore

01.19.2010



Exterior Views Subject Property

Bo Concept - Fillmore

01.19.2010



Interior Views Subject Property

FILLMORE STREET			
			CLAY STREET
	BLU	LONG BAR	
	CLAY THEATER	SECONDS TO GO	
	CLARY SAGE CREAMS	VIA VENETO	
	DI PIETRO TODD SALON	JUMAKUA (VACANT)	
	LIMU	JUNIOR LEAGUE	
	TEN ICHI		
	CIELO		
	BLACK FLEECE (NOT OPEN YET)	STARBUCKS	
	NOAH'S BAGELS	EILEEN FISHER	
	PACIFIC HEIGHTS TRAVEL	LA MED CAFE	
	L'OCCITANE	OLIVE OIL & CO.	
	THE COFFEE BEAN AND TEA LEAF	D&M WINES	SACRAMENTO STREET
	PEET'S	MARC BY MARC JACOBS	
	BROWSER BOOKS	JURILIQUE	
	SHABBY CHIC	FLOWERS W/ ATTITUDE	
	JONATHAN ADLER	JET MAIL	
	VIVANDE (CLOSED)	PURE BEAUTY	
	BITTERSWEET	CROSSWALK	
	JIG SAW	METRO 200	
	WINTER BRANCH GALLERY	FRESCA	
	BENEFIT		
	GALLERY OF JEWELS		
	PAPYRUS		
	HEIDI SAYS		
	DINO'S	WELLS FARGO	CALIFORNIA STREET
	VACANT	ROYAL GROUND COFFE	
	HER	WASH	
	THE ELITE CAFE	ELIZABETH CHARLES	
	VITAMIN EXPRESS	MRS. DEWSON'S HATS	
	LA BOULANGE	DREYER TAX / YOGA	
	MIO	RALPH LAUREN	
	ALASKA	VACANT	
	BETSY JOHNSON	HARRY'S BAR	
	VACANT		
	WALTER ADAMS FRAMING		
	TANGO GELATO		
	MAC	THE GROVE	
	2001 THAI STICK	PAOLO SHOES	PINE STREET
	SHU VEMURA	JOHNNY ROCKETS	
	PAPER SOURCE	CALVIN TRAN CLOTHES	
	OSAKA	THE SHADE STORE	
	RUBY	FILLMORE HARDWARE	
	FLORIO	BOCONCEPT	WILMOT STREET
	DESIGN WITHIN REACH	WOODHOUSE FISH COMPANY	
	SPQR	FRAICHE YOGURT	
	DRY CLEANING	LINCO AND CO. JEWELRY	
	INVISION OPTOMETRY	NEW ASIAN STYLE	
		MARIYA SUSHI	
	ZINC DETAILS	BEADS	
	CROSSROADS TRADING	STERLING BANK	BUSH STREET
	WALGREENS	PATISSERIE DELANGHE	
		FILLMORE FLORIST	
		WINE JAR	
		LOTTE BEAUTY SALON	
	SITE FOR SORE EYES	NEJA SALON	
	JAPANESE ACUPUNCTURE	BARRY FOR PETS	
	SUNHEE MOON	MUSE TEN	
	DUXIANA	PIZZA INFERNO	SUTTER STREET

 denotes formula retail

FILLMORE BUSINESS KEY PLAN





Monday, February 1, 2010

Sharon M. Young
SF Planning Department
1650 Mission Street, Ste 400
San Francisco, CA 94103

Re: 1929 Fillmore Street – Conditional Use Application

Hi Sharon,

Please see below the BoConcept owners' notes from their meetings with the Fillmore Street neighbors:

January 26th – We met with Thomas Reynolds of the Fillmore Street Merchants Association. We introduced him to BoConcept and us. He was very supportive of having a retailer like us in the neighborhood as he felt it would add to the shopping mix and attract more people to stroll Fillmore street. He mentioned that the Merchant Association generally does not take sides in these matters but distinctively stated that the Association does not and will not object to our application. He also offered us as much assistance we needed in order to get through the Planning Department process and invited us to the next Merchant Association meeting to meet the other Fillmore merchants.

January 29th – We did a tour on Fillmore Street and met the Merchants below. I also described below our conversations with these merchants:

1. Linco & Co – We spoke with the owner, Linco Kwuan. He told us that he has had his shop of Fillmore Street for over 13 years. He also said he had heard that we were coming to the neighborhood and he was excited to have a new neighbor like us. He offered to sign a petition in support of the opening of BoConcept if required.
2. Patisserie Delanghe – We met the owners, Dominique & Marie-Jeanne Delanghe. In speaking to Marie, she mentioned that Dominique had had the bakery shop on Fillmore for over 26 years and they very much enjoyed the area and the patronage from their neighbors. We introduced them to BoConcept and Marie was very excited about our venture. She offered her assistance for anything we may need as well as offered to sign any type of letter of support if required.
3. Fillmore Glass & Hardware Co, Inc. – We spoke to one of the owners, Teri Alanzo. Her hardware store is like no other. It has been on Fillmore for almost a century! We talked to her about BoConcept and she was thrilled that we were going to be her new neighbor. She felt we would be a great addition to Fillmore Street. She offered her support of us joining the neighborhood.

4. Fillmore Florist – We spoke to Fred Tabar, the owner of the shop. He was happy to hear that a merchant like us was taking over the 1928 Fillmore location. He said he was in support of our concept and quite excited for us to open.
5. Ruby Living Design – We spoke to Matt Littrell, the son of the owner as well as Mr. Littrell, the owner. They were very excited to hear that we were moving in across the street. They liked that Fillmore was attracting other furniture retailers so as to provide the public with more choices. Our designs do not directly compete with that of Ruby Living as their designs are more traditional than BoConcept. We all agreed that BoConcept would only compliment what we can collectively offer the public. They also offered their support and were very excited for us to open. We even discussed the possibility of putting together a furniture showcase with other furniture retailers on Fillmore.
6. Design Within Reach – We spoke with Caitlin Gaffney, the manager of DWR. She had heard of BoConcept and was very enthusiastic about our future shop across the street. We also discussed the possibility of a furniture showcase and brainstormed all types of ideas that we could explore together to benefit the community. She also offered her support.
7. Duxiana – We spoke to the manager, Robert Lionel Du Pont. He was very excited to hear that Fillmore was attracting more furniture. He felt there was definitely room for a concept like ours on Fillmore and was very much looking forward to our opening.
8. The Shade Store – We spoke to three sales associates at this store – Paige Walters, Gail Stockwell and Grace Diaz. They were very enthusiastic about us opening a few doors down. They saw that our businesses were very complimentary and spoke very positively about the brand. They said we could definitely count on them for support.
9. Sunhee Moon – We spoke to Trish, the longtime manager of the boutique and she thought our unique concept would fit right into the flare of Fillmore street. She was very optimistic about us joining the neighborhood and looked forward to seeing us open on Fillmore.

Please contact us with any questions.

Thanks,



Kim Ngo

PACIFIC HEIGHTS RESIDENTS ASSOCIATION

2585 PACIFIC AVENUE
SAN FRANCISCO, CA 94115
TELEPHONE: (415) 922-3572

November 10, 2009

Caroline Krogh-Jensen
BoConcept San Francisco
101 Townsend Street
San Francisco, CA 94115

Dear Ms. Krogh-Jensen

PHRA Position on
BoConcept San Francisco and Formula Retail

Thank you for taking the time to meet with the PHRA board of directors and telling us about your plans.

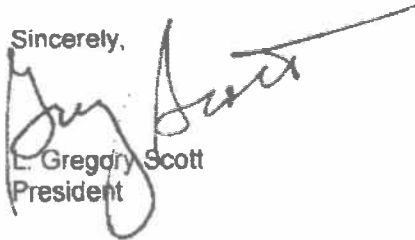
As we understand from you, BoConcept San Francisco plans to open what will be only its second store on Fillmore Street. BoConcept however is a franchise and there are over 20 stores in the United States. Therefore you are subject to the formula retail conditional use process.

You have told us deliveries would be minimal as your main San Francisco warehouse is at 2nd and Townsend. You have also told us you will hire locally and that as with your other San Francisco store, you will be supporting local non-profits. Your other store has also been used for neighborhood events.

Based on your representations above, PHRA has no objection to the opening of the Fillmore Street store.

Should you have any questions, or require additional information, please call (415/498-6270).

Sincerely,



L. Gregory Scott
President

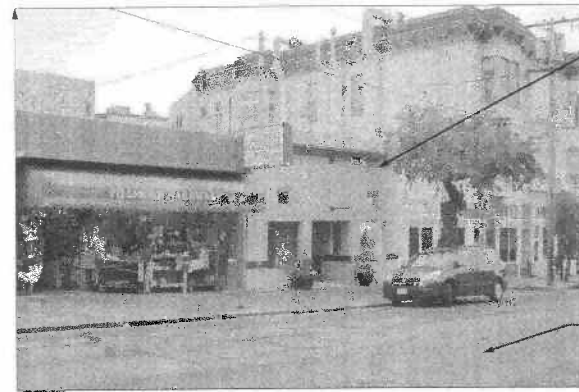
cc: Soren Krogh-Jensen

10.0031 C

RETAIL TENANT IMPROVEMENT

CONDITIONAL-USE APPLICATION

1928 FILLMORE STREET, SAN FRANCISCO, CA 94115
BLOCK 0660 / LOT 021



SUBJECT PROPERTY
1928 FILLMORE STREET

FILLMORE STREET

CLIENT

Soren & Caroline Krogh-Jensen
Bo Concept
Contempo LLC
101 Townsend Street
San Francisco, CA 94107
tel: 415.371.0100

ARCHITECT

Jace Architecture
18 De Boom Street
San Francisco, CA 94107
T: 415.440.0920 / F: 415.344.0916
www.jacearchitecture.com

PROJECT DATA

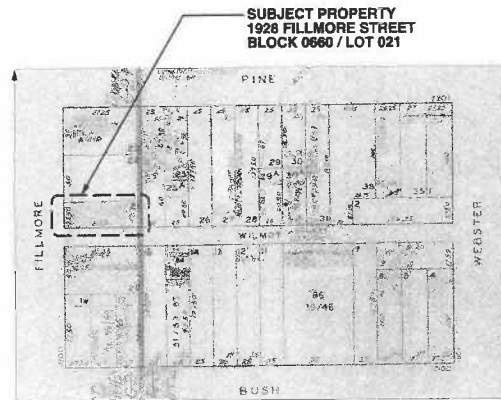
Building Type:	C
Stories:	1 (with basement)
Square Feet:	2,234 sf
Fire Protection:	no sprinklers
Construction Type:	V
Zoning:	Fillmore Street Neighborhood Commercial

SCOPE OF WORK:

The tenant improvement includes new display units, new lighting, new wall finishes and floor finishes. There will be alterations to the windows at the front and side facades.

SHEET INDEX:

A-0.0	Site Plan, Block Map, Sanborn Map
A-1.0	Existing Plan & Proposed Plan
A-2.0	Existing Elevations & Proposed Elevations
A-3.0	Section



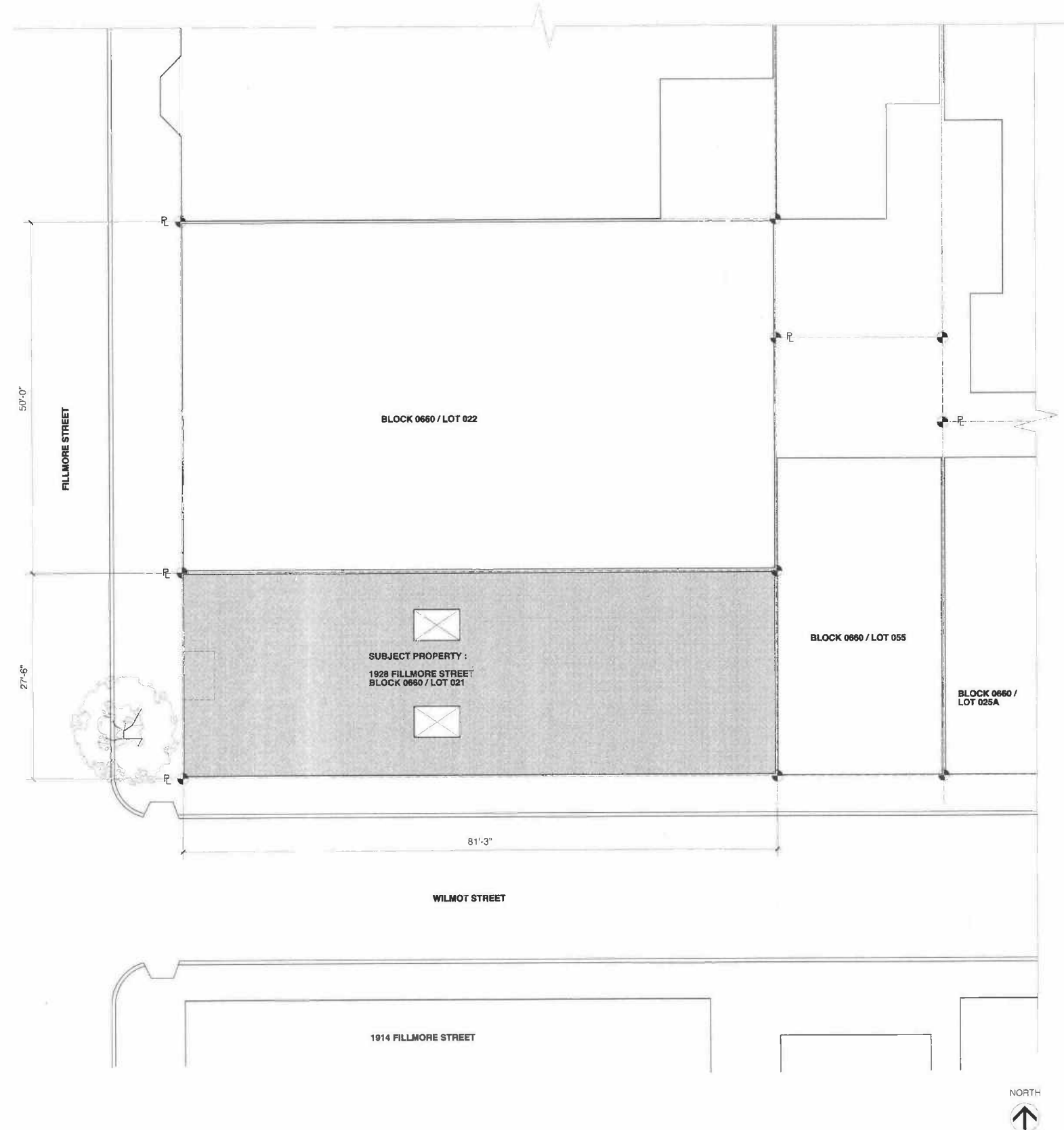
SUBJECT PROPERTY
1928 FILLMORE STREET
BLOCK 0660 / LOT 021

2 BLOCK MAP
NTS



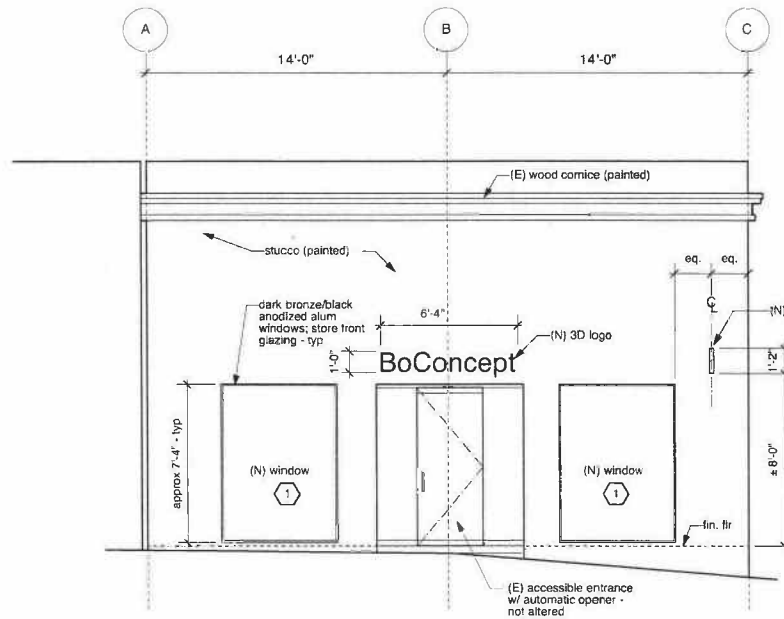
SUBJECT PROPERTY
1928 FILLMORE STREET

3 SANBORN MAP
NTS

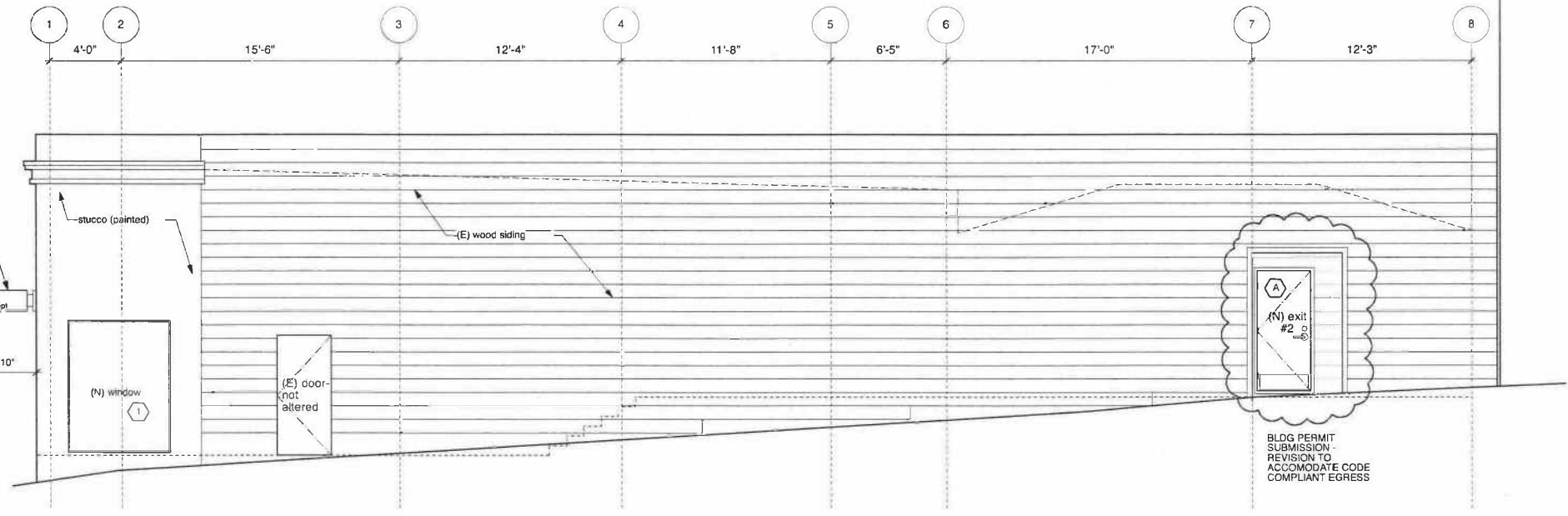


1 SITE PLAN
Scale: 1/8" = 1'-0"

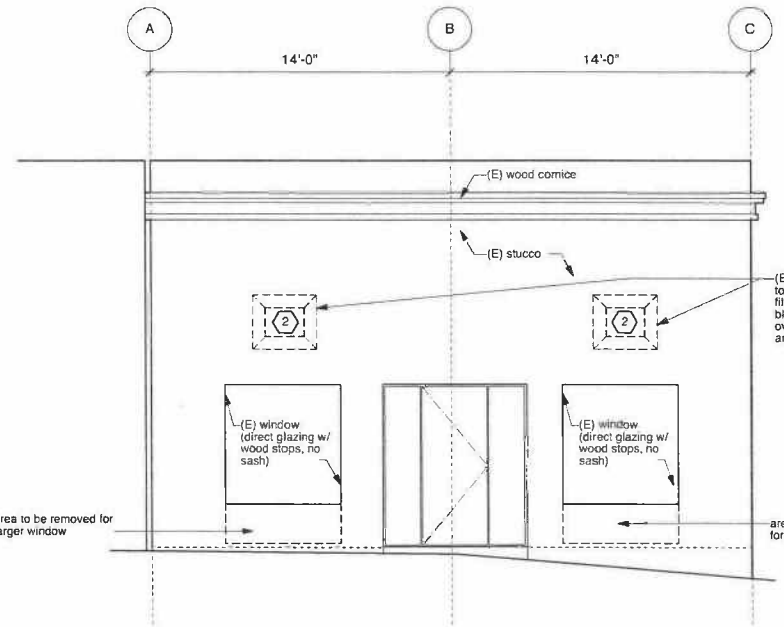
The set of information contained on this set of drawings is intended only for use and/or review of the individual or entity to whom it is addressed and may be for a limited purpose and/or confidential and/or privileged communication protected by law. Any unauthorized use, dissemination, distribution, disclosure or copying is strictly prohibited.



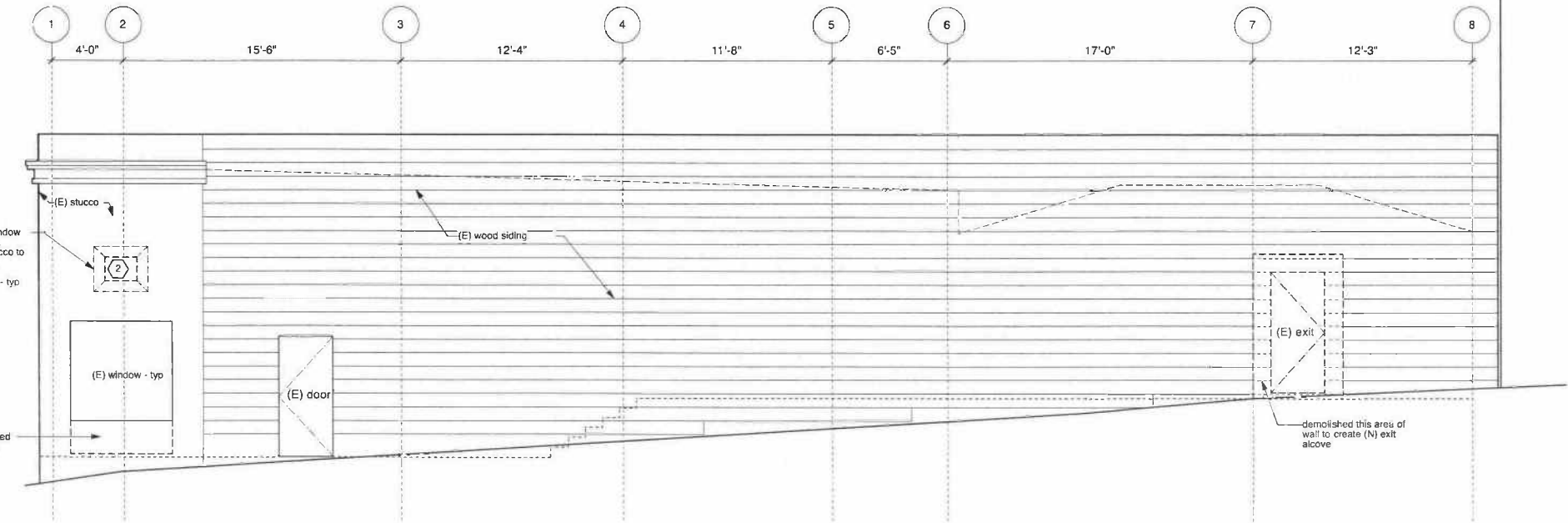
1 PROPOSED ELEVATION - east
Scale: 1/4" = 1'-0"



2 PROPOSED ELEVATION - north
Scale: 1/4" = 1'-0"



3 EXISTING ELEVATION - east
Scale: 1/4" = 1'-0"



4 EXISTING ELEVATION - north
Scale: 1/4" = 1'-0"

The set of information contained on this set of drawings is intended only for use and/or review of the individual or entity to whom it is addressed and may be for a limited purpose and/or confidential and/or privileged communication protected by law. Any unauthorized use, dissemination, distribution, disclosure or copying is strictly prohibited.

02/05/2010	FOR PERMIT PERMIT

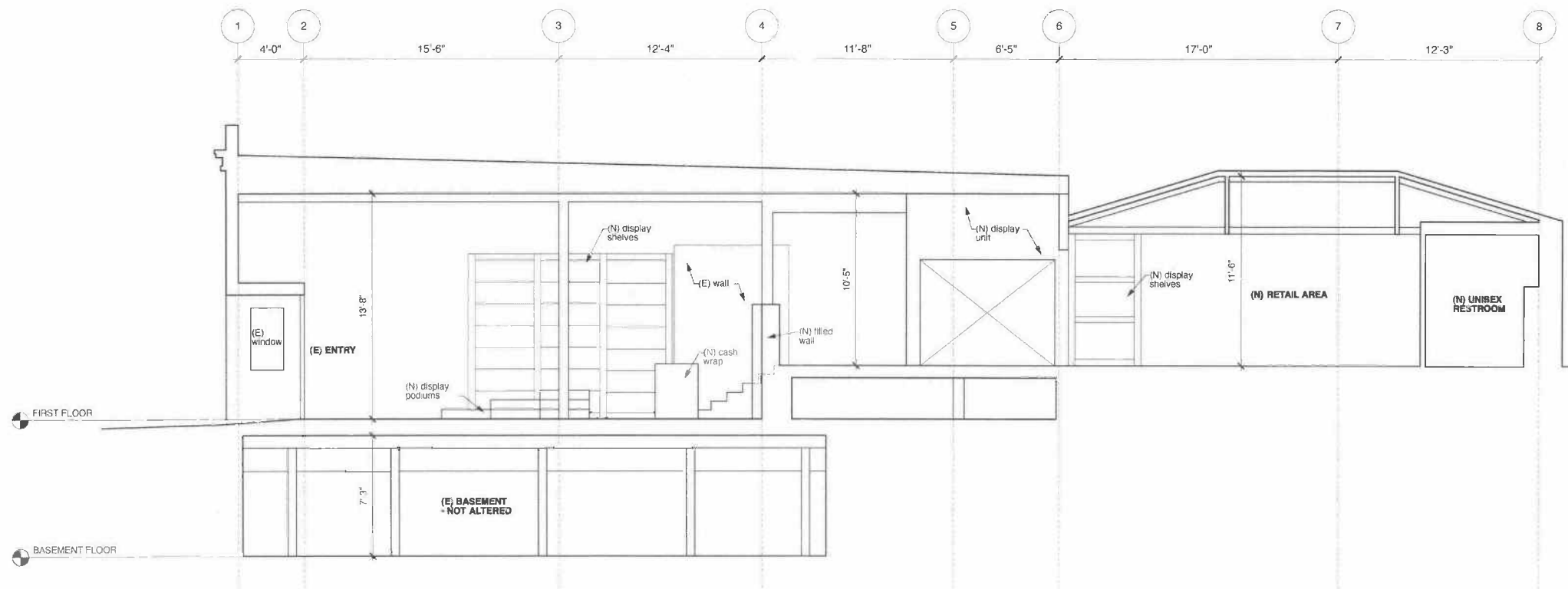
ARCHITECT:
JACE Architecture
18 De Boom Street
San Francisco, CA 94107
415 440 0820 fax: 415 344 0916
jace@jacearch.com
architecture interior landscape analysis permit expediting public presentation

SHEET TITLE:
ELEVATIONS

CLIENT INFORMATION AND PROJECT TITLE:
RETAIL TENANT IMPROVEMENT
BO CONCEPT
1928 FILLMORE STREET
SAN FRANCISCO, CA 94115
BLOCK 0660 LOT 021

PROJECT
200993
DATE
FEBRUARY 5, 2010

SHEET
A - 2.0



1 PROPOSED SECTION
Scale: 1/4" = 1'-0"

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01/19/2010	FOR PERMIT
	CONTRACTUAL
	USE PERMIT
ARCHITECT	JACE Architecture 18 De Boom Street San Francisco, CA 94107 415.440.0920 Fax: 415.344.0516 www.jacearchitecture.com architects @ jacearch.com interior analysis permit exceeding public presentation
SHEET TITLE	SECTION
CLIENT INFORMATION AND PROJECT TITLE	RETAIL TENANT IMPROVEMENT BO CONCEPT 1928 FILLMORE STREET SAN FRANCISCO, CA 94115 BLOCK 0860 LOT 021
PROJECT	200993
DATE	JANUARY 19, 2010
SHEET	A - 3.0
	4 OF 4