



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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Planning Commission Motion No. 18848

HEARING DATE: APRIL 18, 2013

Date: April 22, 2013
Case No.: **2012.1316C**
Project Address: **1501 BAKER STREET (aka 2600 & 2606 Sutter Street)**
Zoning: RH-3 (Residential, House, Three-Family) Zoning District
 40-X Height and Bulk District
 Within ¼ mile of Sacramento Street Neighborhood Commercial District
 Within ¼ mile of Divisadero Street Alcohol Restricted Use District
 Within ¼ mile of Fringe Financial Services Restricted Use District

Block/Lot: 1054/008
Project Sponsor: David Engen (applicant)
 1612 Vallejo Street
 San Francisco, CA 94123
 Central Family Trust – PMB 235 (property owner)
 Contact: Gary W. Pasquinelli & Judith H. Pasquinelli
 P.O. Box 597004
 San Francisco, CA 94159

Staff Contact: Sharon M. Young – (415) 558-6346
 sharon.m.young@sfgov.org

Recommendation: **Approval with Conditions**

ADOPTING FINDINGS RELATED TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION UNDER PLANNING CODE SECTIONS 186(g) AND 303 TO REACTIVATE TWO VACANT GROUND FLOOR COMMERCIAL TENANT SPACES AT 2600 AND 2606 SUTTER STREET TO ESTABLISH AN APPROXIMATELY 1,850 SQUARE-FOOT PERSONAL SERVICE ESTABLISHMENT (D.B.A. ROOTS WELLNESS, SPECIALIZING IN HOLISTIC NUTRITION AND LIFESTYLE MOVEMENT COACHING) WITHIN THE RH-3 (RESIDENTIAL, HOUSE, THREE-FAMILY) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On October 16, 2012, David Engen (hereinafter “Project Sponsor”) made an application for Conditional Use authorization for the property at **1501 Baker Street, Lot 008 in Assessor’s Block 1054** (hereinafter “Subject Property”), to reactivate and combine two vacant ground floor commercial tenant spaces at 2600 and 2606 Sutter Street to establish an approximately 1,850 square-foot personal service establishment (d.b.a. Roots Wellness) within the RH-3 (Residential, House, Three-Family) Zoning District and a 40-X

Height and Bulk District, in general conformity with plans submitted March 12, 2013, and labeled "Exhibit B" (hereinafter "Project"). The proposal will involve interior tenant improvements to the ground floor commercial tenant spaces. There will be no expansion of the existing building envelope.

On **April 18, 2013**, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on **Conditional Use Application No. 2012.1316C**.

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

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2012.1316C, 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 and Present Use.** The project site at 1501 Baker Street is on the northwest corner of Baker and Sutter Streets; Assessor's Block 1054; Lot 008. It is located within the RH-3 (Residential, House, Three-Family) Zoning District and 40-X Height and Bulk District. It is also located within ¼ mile of the Sacramento Street Neighborhood Commercial District, Divisadero Street Alcohol Restricted Use District, and Fringe Financial Services Restricted Use District. The subject lot is approximately 3,697 square feet (42.25 feet wide by 87.50 feet) in size and is occupied by a two story mixed-use building. The existing building is not listed in the Planning Department's 1976 Architectural Survey (AS survey) or the National or California Registers as having architectural significance. The commercial tenant spaces located on the ground floor of the building are limited conforming uses, having been occupied over the years by a grocery store, laundromat, beauty salon, and restaurant. Both spaces have been vacant for approximately 10 years. There are currently two residential units on the second floor of the building.
3. **Surrounding Properties and Neighborhood.** The project site is located within the Western Addition Neighborhood. The surrounding development consists primarily of single and multi-family residential buildings. The scale of development in the area consists of a mix of low-and mid-rise buildings (one- to three-story structures), most of which were built in the early 1900s. There is a commercial establishment located on the opposite block occupied by a grocery store and deli d.b.a. G & R Market. The surrounding zoning is RH-3 (Residential, House, Three-Family) District zoning.

4. **Project Description.** The proposal is a request for Conditional Use authorization under Planning Code Sections 186(g) and 303 to reactivate and combine two vacant ground floor commercial tenant spaces at 2600 and 2606 Sutter Street to establish an approximately 1,850 square-foot personal service establishment (d.b.a. Roots Wellness) within the RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District.

The proposed personal service establishment will occupy both commercial tenant spaces (2600 Sutter Street with approximately 950 square feet and 2606 Sutter Street with approximately 900 square feet) with an interior connection between the two spaces. The proposal will involve interior tenant improvements to the ground floor commercial tenant spaces. There will be no expansion of the existing building envelope. According to the project sponsor, the proposed personal service establishment will specialize in nutrition and movement coaching and may provide nutrition and holistic lifestyle talks, workshops, presentations, and possibly a drop-off point for fruit and vegetable or meat and egg CSA delivery services.

5. **Issues and Other Considerations.**

- The proposed personal service establishment (d.b.a. Roots Wellness) will be independently owned and is not considered a formula retail use under Section 703.3 of the Planning Code.
- The subject ground floor tenant spaces were in commercial use prior to January 1, 1960 as a grocery store. The last known legal authorized use of the tenant commercial spaces was a restaurant (with accessory catering) in 1998. According to the project sponsor, the tenant commercial spaces may have been used for professional office services without a permit sometime after 1998. The project, if approved, will reactivate and improve these long-vacant commercial spaces.

6. **Public Comment.** As of April 18, 2013, the Department has received several phone calls, emails, and was contacted by Supervisor Farrell's office for information about the proposed project because of rumors that a medical cannabis dispensary was being proposed on the project site. The public notification posters were defaced by graffiti which inaccurately speculated that a medical cannabis dispensary was being proposed on the project site. In response, the Planning Department provided the project sponsor with new posters and the project sponsor prepared explanatory notices posted on-site of his business plan to address misconceptions of what is being proposed on the subject property. The Department also received two emails in support and an email from an adjacent neighbor concerned about noise from the proposed project.

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

- A. **Reactivation of a Limited Commercial Use within the RH-3 Zoning District.** Planning Code Section 186(g) states that limited commercial uses in RH, RM, RTO, and RED Districts that have been discontinued or abandoned, as defined in Section [183](#), may be reactivated with Conditional Use authorization.

The current proposal is a request for Conditional Use authorization under Sections 186(g) and 303 of the Planning Code to reactivate and combine two vacant ground floor commercial tenant spaces at 2600 and 2606 Sutter Street to establish an approximately 1,850 square-foot personal service establishment. The proposed personal service establishment will occupy both commercial tenant spaces (2600 Sutter Street with approximately 950 square feet and 2606 Sutter Street with approximately 900 square feet) with an interior connection between the two spaces. The tenant spaces were last legally occupied in the late 1990s, and have been vacant for many years.

B. Conditions on Limited Conforming Uses. Planning Code Section 186(b) states that limited nonconforming uses shall meet the following conditions:

- (1) The building shall be maintained in a sound and attractive condition, consistent with the general appearance of the neighborhood;

The proposed project involves interior tenant improvements to the ground floor commercial tenant spaces. There will be no expansion of the existing building envelope.

- (2) Any signs on the property shall be made to comply with the requirements of Article 6 of this Code applying to nonconforming uses;

All proposed project signage and projections will comply with Article 6 of the Planning Code.

- (3) The hours during which the use is open to the public shall be limited to the period between 6:00 a.m. and 10:00 p.m.;

The project sponsor intends to operate the proposed personal service establishment within the permitted hours of operation.

- (4) Public sidewalk space may be occupied in connection with the use provided that it is only occupied with tables and chairs as permitted by this Municipal Code;

The proposed project will not occupy the public sidewalk space with tables and chairs.

- (5) Truck loading shall be limited in such a way as to avoid undue interference with sidewalks, or with crosswalks, bus stops, hydrants and other public features;

The proposed project does not involve truck loading which would interfere with sidewalks, crosswalks, bus stops, hydrants and other public features.

- (6) Noise, odors and other nuisance factors shall be adequately controlled; and

Noise, odors, and other nuisance factors shall be adequately controlled under the Conditions of Approval for the proposed project under Exhibit A.

- (7) All other applicable provisions of this Code shall be complied with.

- C. **Formula Retail Use.** All uses meeting the definition of "formula retail" use per Section [703.3\(b\)](#) shall not be permitted except by conditional use authorization under the procedures of Section [303](#) of this Code.

The proposed personal service establishment (d.b.a. Roots Wellness) will be independently owned and is not considered a Formula Retail use under Section 703.3 of the Planning Code.

- D. **Street Frontage in Neighborhood Commercial Districts.** Planning Code Section 145.1 requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

The project sponsor intends to remove the existing grillwork obstructing the view inside the building from the ground level. With the removal of the existing grillwork covering the storefront windows, approximately 75% of the street frontage at the ground level on Sutter Street (approximately 31 feet) will be fenestrated with transparent windows and doorways allowing for visibility to the inside of the building.

- E. **Off-Street Parking and Loading.** 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 tenant space, with approximately 1,850 square feet of floor area, will not require any off-street parking or loading spaces.

- F. **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.

8. **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 is to allow the establishment of a personal service use on the ground floor of the building. There will be tenant improvements made to the existing commercial tenant space with no expansion of 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 arrangement of the structures on the site are adequate for the proposed project. There will be no physical expansion of the existing building envelope.

- (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 personal service establishment includes Muni Line 2. There is on-street parking in front of the subject property and in the surrounding neighborhood.

- (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;

There will be no addition of off-street parking spaces, loading facilities, open space or service areas. All project signage and projections will be consistent with the controls of the Planning Code.

- i. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The proposed 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.

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

Although the proposed project is located within the RH-3 Zoning District, it is located ¼ mile from the Sacramento Street Neighborhood Commercial District and the intended use will be a neighborhood-serving use.

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

COMMERCE AND INDUSTRY ELEMENT

GENERAL/CITYWIDE

OBJECTIVE 1:

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1:

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

The proposed project would be compatible with and complimentary to the other nearby limited commercial use (grocery store and deli) located within this portion of the RH-3 Zoning District.

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.

No existing commercial tenant will be displaced. The proposed project will reactivate two commercial tenant spaces which have been vacant for a number of years.

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 be accessible to all residents in this portion of the RH-3 Zoning District.

Policy 9:

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

The proposed project would not adversely affect public transit or place a burden on the existing supply of parking in the neighborhood. Many patrons would be able to walk from their residences or places of employment, and the proposed project is well served by public transportation. There is on-street parking in front of the subject property and in the surrounding neighborhood.

10. **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 be complimentary to the existing commercial establishments within the immediate neighborhood. The proposed project will provide new job opportunities to the City. According to the project sponsor, several practitioners will be hired who will be independent contractors with their own certifications, licensing and insurance.

- (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 establishing 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.

The proposed project will not displace any affordable housing.

- (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 achieves 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 will not significantly 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 will not affect any city-owned park or open space.

11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

12. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2012.1316C** 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 No. 18848. 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 April 18, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES: Commissioners Antonini, Borden, Fong, Hillis, Moore, Sugaya, Wu

NAYS: None

ABSENT: None

ADOPTED: April 18, 2013

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to establish an approximately 1,850 square-foot personal service establishment located on the ground floor of a two-story mixed-use building at 1501 Baker Street in Assessor's Block 1054, Lot 008, pursuant to Planning Code Sections 186(g) within the RH-3 (Residential, House, Three-Family) Zoning District and a 40-X Height and Bulk District; in general conformance with plans and stamped "EXHIBIT B" included in the docket for Case No. 2012.1316C and subject to conditions of approval reviewed and approved by the Commission on April 18, 2013, under Motion No. 18848. It is also located within ¼ mile of the Sacramento Street Neighborhood Commercial District, Divisadero Street Alcohol Restricted Use District, and Fringe Financial Services Restricted Use District. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

The proposed personal service establishment will occupy both commercial tenant spaces (2600 Sutter Street with approximately 950 square feet and 2606 Sutter Street with approximately 900 square feet) with an interior connection between the two spaces. The proposal will involve interior tenant improvements to the ground floor commercial tenant spaces. There will be no expansion of the existing building envelope.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on April 18, 2013 under Motion No. 18848.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18848 shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. Once a site or building permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

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

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

MONITORING - AFTER ENTITLEMENT

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

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

4. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning

Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

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

OPERATION

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

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

- 6. Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

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

- 7. Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, www.sfdph.org

For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, www.sfdbi.org

For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-0123, www.sf-police.org

- 8. Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

- 9. Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what

issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

10. **Lighting.** 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 adjacent residents. 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.

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

11. **Conditions on Limited Nonconforming Uses.** The proposed personal service establishment, a limited nonconforming use, shall meet the following conditions:

- a. The building shall be maintained in a sound and attractive condition, consistent with the general appearance of the neighborhood;
- b. Any signs on the property shall be made to comply with the requirements of Article 6 of this Code applying to nonconforming uses;
- c. The hours during which the use is open to the public shall be limited to the period between 6:00 a.m. and 10:00 p.m.;
- d. Public sidewalk space may be occupied in connection with the use provided that it is only occupied with tables and chairs as permitted by this Municipal Code;
- e. Truck loading shall be limited in such a way as to avoid undue interference with sidewalks, or with crosswalks, bus stops, hydrants and other public features;
- f. Noise, odors and other nuisance factors shall be adequately controlled; and
- g. All other applicable provisions of this Code shall be complied with.

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