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| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
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Planning Commission Motion No. 19087

HEARING DATE: FEBRUARY 20, 2014

Date: February 21, 2014
Case No.: **2013.1432C**
Project Address: **2060 FILLMORE STREET (A.K.A. 2385 CALIFORNIA STREET)**
Zoning: Upper Fillmore Street Neighborhood Commercial District
40-X Height and Bulk District
Block/Lot: 0653/023
Project Sponsor: Janet Crane
Freebairn-Smith and Crane
442 Post Street, 6th Floor
San Francisco, CA 94102
Staff Contact: Sharon Lai – (415) 575-9087
sharon.w.lai@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 703.3 and 703.4 OF THE PLANNING CODE TO ESTABLISH A NEW FORMULA RETAIL USE (D.B.A. RAG AND BONE) WITHIN THE UPPER FILLMORE STREET NEIGHBORHOOD COMMERCIAL DISTRICT, AND 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On October 8, 2013, Janet Crane (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303, 703.3 and 703.4 to allow the establishment of a new formula retail use (d.b.a. Rag and Bone) within the Upper Fillmore Street NCD (Neighborhood Commercial District) and a 40-X Height and Bulk District.

On February 20, 2014, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.1432C.

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. 2013.1432C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located at the ground floor of a three-story mixed-use building with 17 dwelling units on a corner lot. The lot is situated at the southeast corner of Fillmore Street and California Street, Block 0653, Lot 023. The subject parcel slopes upwards from Fillmore Street to Orben Place, along California Street. The property is located within the Upper Fillmore Street NCD (Neighborhood Commercial District) and the 40-X Height and Bulk District. The subject building contains four ground floor commercial storefronts, two of which are currently vacant but last occupied by a formula retailer, Royal Grounds (2060 Fillmore Street) and Wash n' Royal (2058 Fillmore Street). Royal Grounds and Wash n' Royal were under the same ownership and both ended its operation in 2013. The other two ground floor storefronts in the subject building are occupied by NARS, a cosmetics retailer, at 2050 Fillmore Street (not considered formula retail), and Elizabeth Charles, an apparel retailer at 2056 Fillmore Street. The existing building was constructed circa 1924 and is a potential historic resource.
3. **Surrounding Properties and 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), most 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, along with a bar, coffee house, bakery, and laundromat. The surrounding zoning is primarily Upper Fillmore Street NCD and RH-2 (Residential, House, Two-Family) District zoning. There are approximately 22 existing commercial establishments located along the subject block-face and the opposite block-face along Fillmore Street, four of which appear to be formula retail. The existing commercial establishments which would appear to qualify as formula retail uses include Ralph Lauren (apparel store at 2040 Fillmore Street), James Perse (apparel store at 2028 Fillmore Street), La Boulange (restaurant use at 2043 Fillmore Street) and MAC (cosmetics store at 2011 Fillmore Street).

4. **Project Description.** The applicant proposes to establish a new formula retail use in the two adjoining vacant commercial spaces that total approximately 2,334 square foot, including the small mezzanine level along California Street. The subject use will be an apparel store (d.b.a. Rag and Bone). The project proposes to remove the existing partition wall and door separating the two spaces, reduce the entries from two to one and relocate it to the center of the space along the Fillmore Street frontage. No façade alterations are proposed along the California Street frontage. New awnings are proposed above all storefront windows and entrances.

The proposed hours of operation are Monday through Saturday from 10 AM to 7 PM, and Sunday from 11 AM to 7 PM. The operation intends to employ nine full-time employees. The subject formula retailer has 12 existing locations and four pending/leased locations nationwide. There are currently no existing locations in San Francisco. No parking is proposed for the project.

5. **Public Comment.** The Department has received 15 letters of support and 41 signatures in support. No comments in opposition have been to date.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

A. **Street Frontage in Residential-Commercial Districts.** Section 145.1 of the Planning Code requires the following:

1. Off-street parking at street grade on a development lot must be set back at least 25 feet on the ground floor and at least 15 feet on floors above, from any facade facing a street at least 30 feet in width. Parking above the ground level shall be entirely screened from all public rights-of-way in a manner that accentuates ground floor uses, minimizes mechanical features and is in keeping with the overall massing and architectural vocabulary of the building.
2. No more than one-third of the width or 20 feet, whichever is less, of any given street frontage of a new or altered structure parallel to and facing a street shall be devoted to parking and loading ingress or egress. Street-facing garage structures and garage doors may not extend closer to the street than a primary building facade unless the garage structure and garage door are consistent with the features listed in Section [136](#) of this Code. The total street frontage dedicated to parking and loading access should be minimized, and combining entrances for off-street parking with those for off-street loading is encouraged. The placement of parking and loading entrances should minimize interference with street-fronting active uses and with the movement of pedestrians, cyclists, public transit, and autos. Entrances to off-street parking shall be located at least six feet from a lot corner located at the intersection of two public rights-of-way. Off-street parking and loading entrances should minimize the loss of on-street parking and loading spaces. Off-street parking and loading are also subject to the provisions of Section [155](#) of this Code.
3. With the exception of space allowed for parking and loading access, building egress, and access to mechanical systems, space for active uses as defined in Subsection (b) (2) and permitted by the specific district in which it is located 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.

4. Ground floor non-residential uses in all NC districts, shall have a minimum floor-to-floor height of 10 feet for lots in a 40 foot height district.
5. 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. Street-facing ground-level spaces housing non-residential active uses in hotels, office buildings, shopping centers, and other large buildings shall open directly onto the street, rather than solely into lobbies and interior spaces of the buildings. Such required street-facing entrances shall remain open to the public during business hours.
6. Frontages with active uses that are not residential or PDR must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Buildings located inside of, or within an unobstructed line of less than 300 feet of an Urban Bird Refuge, as defined in Section [139\(c\)\(1\)](#), shall follow glazing requirements within Section [139\(c\)](#) of this Code.
7. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

The subject commercial space has approximately 52 feet of frontage on Fillmore Street and 42 feet of ground floor frontage on California Street. Approximately 61 feet of total frontage, or approximately 65 percent, is devoted to either the store entrances or windows. The windows are at least 75 percent clear and unobstructed, and meet the active use requirement.

- A. **Parking.** 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.

The proposed use is approximately 2,334 square feet and is therefore not required to provide off-street parking.

- B. **Hours of Operation.** 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 project sponsor has indicated that the proposed hours of operation will be 10 a.m. to 7 p.m. Monday through Saturday and 11 a.m. to 7 p.m. on Sunday.

- C. **Use Size.** Planning Code Sections 121.2 and 718.21, requires Conditional Use (CU) authorization for non-residential use exceeding 2,400 square feet in the subject zoning district.

The project proposes to combine two vacant commercial spaces, totaling approximately 2,334 square feet. Therefore, no Conditional Use authorization is required.

- D. **Formula Retail.** Planning Code Section 703.3 defines Formula Retail as a type of retail sales activity or retail sales establishment which, along with eleven or more other retail sales establishments located in the United States, maintains two or more of the following features: a standardized array of merchandise, a standardized façade, a standardized décor and color scheme, a uniform apparel, standardized signage, a trademark or a servicemark. Planning Code Section 209.8(d) requires Conditional Use authorization for Formula Retail Use, as defined in Section [703.3](#)(b) of this Code.

The proposed Formula Retail establishment features a standardized array of merchandise and trademark or service mark with 16 facilities in the United States.

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

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The proposed use will occupy two existing vacant retail spaces that have been operated by the same owner. Although the project involves merging two commercial spaces, the proposed use size conforms to the principally permitted use size for the district and is in keeping with the scale of other commercial establishments within the block and in the district. The proposed formula retail use complements the mix of goods and services currently available in the district. Furthermore, the Sponsor has stated a commitment to supporting community benefits for the neighborhood including a partnership with Kiva Zip to offer no-interest loans to Fillmore Street businesses, a partnership with edMatch to raise funds for public schools, and a partnership with other Fillmore Street businesses to support Pets Unlimited.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

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

The height and bulk of the existing building will remain the same and the project will not alter the existing exterior appearance or character of the project's vicinity. No external expansion is proposed. The proposed total use size of 2,334 square feet is consistent with the other existing commercial establishments within the Upper Fillmore NCD.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The existing traffic pattern will not be significantly affected by the proposed project. There is an abundance of public transit available within ¼ mile from the Subject Site including nine bus routes (92,38L, 1BX, 1, 2, 3, 10, 22, and 38) There are parking lots in the vicinity on-street parking along frontages of the subject site and in the surrounding neighborhood.

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

The project is not anticipated to emit noxious or offensive noise, flare, dust or odor.

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

The proposed project will involve interior alterations and the Department will review all lighting and signs proposed for the project in accordance with the Planning Code.

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

The project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

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

The proposed project is a retail use on the ground floor. Retail uses on the ground and second floors are principally permitted in the subject Neighborhood Commercial District.

8. **Planning Code Sections 303(i), 703.3(h) and 703.4** require Conditional Use authorization for the establishment of a Formula Retail Use in Neighborhood Commercial Districts. The Planning Commission shall consider the following criteria set forth in Section 303(i) in addition to the criteria set forth in Section 303(c):

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

Based on project sponsor's survey, there are approximately 168 ground floor retail establishments along the Upper Fillmore NCD and approximately 35 (21%) of these businesses appear to qualify as formula retail uses. These formula retail uses are retail stores, eating and drinking establishments, financial institutions, and personal and business services.

Planning Department staff found 12 existing formula retail uses (d.b.a. Ralph Lauren, James Perse, MAC, La Boulange, Mollie Stones, Peet's Coffee, Jonathan Adler, Benefit, Papyrus, Marc by Marc Jacobs, and Wells Fargo, and Chase) within the immediate two block radius. The existing tenant spaces were previously occupied by a formula retailer (d.b.a. Royal Grounds and Wash n' Royal), hence the establishment of a new formula retail use in this space will not affect the concentration of formula retail uses within the NCD.

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

There are approximately 36 other apparel retailers within the subject district, of which nine are formula retail. The nearest apparel retailer is located in the adjacent storefront to the south, (d.b.a. Elizabeth Charles) which is not a formula retailer.

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

The proposed 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. The proposed storefront and awning designs are compatible with the boutique aesthetic of the subject neighborhood.

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

There are approximately eight retail vacancies, including the subject spaces, out of approximately 168 retail spaces within the subject NCD, which is approximately 5%. There are three vacancies within the immediate two block radius, including the subject tenant space. The proposed project would reduce the vacancy rate of the neighborhood to 3.5%.

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

The proposed project will be the first Rag and Bone retail store in San Francisco. There is currently one existing location in Los Angeles, California. The proposed location will serve as a complementary use to the existing mix of boutique goods and services along the Fillmore Street NCD. The proposed establishment will replace a previous formula retailer and will not significantly affect the character of the district.

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

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

Policy 1.2:

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

Policy 1.3:

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

The proposed development will provide desirable goods and services to the neighborhood and will provide resident employment opportunities to those in the community.

OBJECTIVE 2:

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

The project will replace two vacant storefronts with a commercial activity that is consistent with the character and uses of the subject NCD.

NEIGHBORHOOD COMMERCE

OBJECTIVE 6:

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

Policy 6.1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

The proposed use will encourage the retention of neighborhood-serving goods in that it will contribute to the boutique apparel industry in the area. The project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.

Policy 6.4:

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 Formula Retail use will sell goods as its principal use, which will enhance the variety of complementary uses for this diverse area.

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

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

The proposal would preserve and enhance the district by replacing two vacant storefronts. The proposed alterations are within the existing building footprint.

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

The existing residential units in the surrounding neighborhood would not be adversely affected.

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

No housing is removed for this project.

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

The project site is located along Fillmore Street and is well served by nine lines of bus transit, and both on- and off-street parking is available in the vicinity.

E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project. The project proposes to replace two storefronts that have been vacant since 2013.

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

The project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not affect the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The project will not alter any character defining features for this building.

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

The project will have no negative affect on existing parks and open spaces.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2013.1432C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated October 8, 2013, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 19087. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on February 20, 2014.

Jonas P. Ionin
Commission Secretary

AYES: Commissioners Hillis, Fong, Antonini, and Borden

NAYS: Commissioners Moore, Sugaya and Wu

ABSENT: N/A

ADOPTED: February 20, 2014

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the establishment of a new formula retail use (d.b.a. Rag and Bone) at 2060 Fillmore Street (a.k.a. 2385 California Street), Block 0653, and Lot 023 pursuant to Planning Code Sections 303, 703.3 and 703.4 within the Upper Fillmore Street NCD (Neighborhood Commercial District), and a 40-X Height and Bulk District; in general conformance with plans, dated **October 8, 2013**, and stamped "EXHIBIT B" included in the docket for Case No. **2013.1432C** and subject to conditions of approval reviewed and approved by the Commission on **February 20, 2014**, under Motion No. **19087**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **February 20, 2014** under Motion No. **19087**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **19087** shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

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

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

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

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

DESIGN

6. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

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

MONITORING

7. **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

OPERATION

8. **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/>*
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