



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: APRIL 21, 2016

Date: April 14, 2016
Case No.: **2015-000678CUA**
Project Address: **2324 Market Street**
Zoning: NCT (Upper Market Neighborhood Commercial Transit) District
40-X Height and Bulk District
Block/Lot: 3562/004
Project Sponsor: John Oldfield
Berkshire Hathaway Home Services
1715 Polk Street
San Francisco, CA 94109
Staff Contact: Todd Kennedy – (415) 575-9125
todd.kennedy@sfgov.org
Recommendation: **Approval with Conditions**

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The applicant proposes to establish a new business use in the existing commercial storefront near the corner of Market Street and 16th Street. The subject use will be a Real Estate office use (d.b.a. Berkshire Hathaway Home Services) that is considered Business or Professional Service per Sections 733.53 and 790.108 of the Zoning Code, which requires a Conditional Use Authorization. The project proposes to occupy the first and second stories and will occupy a total of 587 square feet of the existing commercial storefront. The improvements will be internal tenant improvements and signage will be included.

The proposed office will be incorporated within the existing building. With the exception of minor exterior cosmetics, no interior or exterior modifications will be made to the building. The establishment will continue to compliment the surrounding neighborhood and community. This location has been vacant for several years and this new use will fill that vacancy.

SITE DESCRIPTION AND PRESENT USE

The project is located on the ground floor of an existing four-story building adjacent to a corner lot at the intersection of 16th Street and Market Street. The subject lot faces Market Street, Block 3562, Lot 004. The property is located within the NCT (Upper Market Neighborhood Commercial Transit) Zoning District and the 50-X Height and Bulk District. The subject building consists of 6 apartments, one private office and one ground floor retail space. There is also a garage space for six vehicles.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

This area is within the Castro/Upper Market Neighborhood along a commercial corridor of Market Street. The primary land use pattern in this area is two to four-story buildings featuring ground-floor neighborhood-serving retail and upper-floor residential uses. The subject site is located across the street from a fitness center and there are several restaurants, offices, and retail stores located nearby.

The subject site is located within the Upper Market Street Neighborhood Commercial Transit (NCT) Zoning District. This is a multi-purpose commercial area that combines shopping and retail with limited convenience goods to the adjacent neighborhoods. Office uses are a common use in this area and is well served by transit including the Market Street Subway and the F-Market historic streetcar line.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 3 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	04/1/16	04/01/16	30 days
Posted Notice	20 days	04/1/16	04/01/16	20 days
Mailed Notice	20 days	04/1/16	04/01/16	20 days

PUBLIC COMMENT

To date, the Department has received three written statements of support from two neighborhood groups.

ISSUES AND OTHER CONSIDERATIONS

Based on a survey of the immediately surrounding NCT Zoning District, there are three ground floor offices that are Real Estate or Financial uses in the surrounding area. These uses are similar to the proposed use. This survey covered a 300 foot radius of the subject site. After doing the calculations, 6% of the total street frontage is dedicated for those three offices.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization to allow the establishment of a new Business or Professional Service use within the NCT (Upper Market Neighborhood Commercial Transit) Zoning District, pursuant to Planning Code Sections 303, 733.53 and 790.108 of the Zoning Code

BASIS FOR RECOMMENDATION

- The project will improve the exterior appearance of the subject property by creating a more open and attractive street frontage activated by the proposed business.
- The project will fill a vacant space and will create a choice for prospective clients.
- The project would provide the kinds of home services necessary to serve the residents of the neighborhood.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for, and compatible with the surrounding neighborhood.

RECOMMENDATION: Approval with Conditions
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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 type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Community Meeting Notice |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Inclusionary Affordable Housing Program:
Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos | <input checked="" type="checkbox"/> Letters of Support |

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

TK
Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

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Planning Commission Motion No. XXXXX HEARING DATE: APRIL 21, 2016

Date: April 22, 2016
Case No.: 2015-000678CUA
Project Address: 2324 Market Street
Zoning: NCT (Upper Market Neighborhood Commercial Transit) District
 50-X Height and Bulk District
Block/Lot: 3562/004
Project Sponsor: John Oldfield
 Berkshire Hathaway Home Services
 1715 Polk Street
 San Francisco, CA 94109
Staff Contact: Todd Kennedy – (415) 575-9125
todd.kennedy@sfgov.org
Recommendation: **Approval with Conditions**

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303 AND 733.53 and 790.108 OF THE PLANNING CODE TO ESTABLISH A NEW HOME SERVICES/REAL ESTATE USE (D.B.A. BERKSHIRE HATHAWAY HOME SERVICES) WITHIN AN NCT (UPPER MARKET NEIGHBORHOOD COMMERCIAL TRANSIT) ZONING DISTRICT, AND 50-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On January 21, 2015, John Oldfield (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Section(s) 303 and 733.53 and 790.108 to allow the establishment of a Real Estate/Property Management (d.b.a. Berkshire Hathaway Home Services) within an NCT (Upper Market Neighborhood Commercial Transit) Zoning District and a 50-X Height and Bulk District.

On April 21, 2016, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing of a regularly scheduled meeting on Conditional Use Application No. 2015-000678CUA.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption.

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

MOVED, that the Commission hereby authorizes the Conditional Use Authorization requested in Application No. 2015-000678CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the ground floor of an existing four-story building adjacent to a corner lot at the intersection of 16th Street and Market Street. The subject lot faces Market Street, Block 3562, Lot 004. The property is located within the NCT (Upper Market Neighborhood Commercial Transit) Zoning District and the 50-X Height and Bulk District. The subject building consists of 6 apartments, one private office and one ground retail space. There is also a garage space for six vehicles.
3. **Surrounding Properties and Neighborhood.** The applicant proposes to establish a new business use in the existing commercial storefront near the corner of Market Street and 16th Street. The subject use will be a Real Estate/Property Management use (d.b.a. Berkshire Hathaway Home Services) that is considered Business or Professional Service per Sections 733.53 and 790.108 of the Zoning Code. The project proposes to occupy the first and second stories and will occupy a total of 587 square feet of the existing commercial storefront. The improvements will be internal tenant improvements and signage will be included.

The proposed office will be incorporated within the existing building. With the exception for cosmetics, no interior or exterior modifications will be made to the building. The establishment will continue to compliment the surrounding neighborhood and community. This location has been vacant for several years and this new use will fill that vacancy.

4. **Project Description.** The applicant proposes to establish a new business use in the existing commercial storefront near the corner of Market Street and 16th Street. The subject use will be a Real Estate office use (d.b.a. Berkshire Hathaway Home Services) that is considered Business or Professional Service per Sections 733.53 and 790.108 of the Zoning Code. The project proposes to occupy the first and second stories and will occupy a total of 587 square feet of the existing commercial storefront. The improvements will be internal tenant improvements and signage will be included.

The proposed office will be incorporated within the existing building. With the exception for cosmetics, no interior or exterior modifications will be made to the building. The establishment will continue to compliment the surrounding neighborhood and community. This location has been vacant for several years and this new use will fill that vacancy.

5. **Public Comment.** To date, the Department has received four notices of support for this proposal from several associations in this area. Please see attached.
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. **Signage.** Currently, there is not a proposed sign program on file with the Planning Department. Any proposed signage shall be subject to the review and approval of the Planning Department.

The project sponsor has proposed new signage on the existing overhang. The covering of the overhang will be replaced to the company color. Two other signs will be put on the front entrance next to the entrance. These signs will be company logo.

- B. **Planning Review.** Currently, there are no active building permit applications on file with the Planning Department. Any alterations/improvements shall be subject to applicable planning requirements.

The project sponsor has proposed internal improvements.

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.

Our proposed Berkshire Hathaway Home Services Office will be incorporated within the existing building located at 2324 Market Street. Except for cosmetics, no interior or exterior modifications will be made to the building, so the establishment of this office will continue to compliment the desirability and compatibility of the neighborhood and community. The space to be occupied has been vacant for several years.

- 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 proposed use of two existing office spaces as a real estate office, where no structural alterations are being conducted, will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity.

- 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;

There will be no change to the accessibility of the units and it is expected to have negligible impact on traffic patterns and parking since many employees and customers are expected to arrive on foot or via public transit. Most of the clientele are generated by existing walk-by traffic. Additionally, only one or two real estate agents are likely to be in the office at any one time.

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

General office use does not create offensive emissions, noise, glare, 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;

There will be no change to the existing streetscape, parking or lighting. The existing canopy over the front door will be modified to identify the name of the company.

- 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 proposed Berkshire Hathaway Home Services real estate office will comply with the applicable provisions of Planning Code Section 303(c) and will not adversely affect the Master Plan.

8. **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 a desirable service to the neighborhood and will provide employment opportunities to community residents. The proposed commercial activity will add a real estate office to an area that is underserved by financial services. No undesirable consequences that cannot be mitigated are anticipated by the proposed financial services use.

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 a vacant storefront with a commercial activity that is consistent with the character and uses of the surrounding NCT Zoning District.

OBJECTIVE 3:

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.1:

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

The Project will provide additional employment opportunities for local residents.

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.

No commercial tenant would be displaced and the project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.

9. **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.

BHHS office will provide local opportunities for employment of independent real estate agents, many of whom already live in the neighborhood. This will be serving the real estate needs of the residents and will offer rental services.

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

The Project will not change the existing housing supply or neighborhood character. This company supports the area and the economic diversity of the surrounding neighborhood.

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

The project will have no effect on affordable housing.

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

The Project is small and will not impede traffic or MUNI services. Many of the staff will live in a near the district.

- 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.

This location will have no negative impact on industrial or service sectors. The space is vacant and has been for a long time.

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

The establishment of this office does not conflict with the City's efforts to protect against injury or loss of life in an earthquake. Clients will be educated on how to protect themselves in an earthquake.

- G. That landmarks and historic buildings be preserved.

The existing building was built in 1972. The project is being located inside a vacant space and will not impact any landmarks or historic buildings.

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

The Project does not involve any expansion of the existing building and will therefore have no effect on parks or open space, or their access to sunlight and views.

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. 2014-000678CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file and stamped as "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. 19143. 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 April 21, 2016.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 21, 2016

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the establishment of a new formula retail use (d.b.a. Umpqua Bank) located at 4598 Mission Street, Lot 006 in Assessor's Block 3148 pursuant to Planning Code Section(s) 303.1 and 703.2 within the Excelsior Outer Mission Neighborhood Commercial (NCD) Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated October 24, 2014, and stamped "EXHIBIT B" included in the docket for Case No. 2014-000768CUA and subject to conditions of approval reviewed and approved by the Commission on April 30, 2015 under Motion No XXXXX. 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 April 30, 2015 under Motion No XXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXX 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

MONITORING - AFTER ENTITLEMENT

6. **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

7. **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

8. **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>

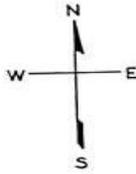
9. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

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

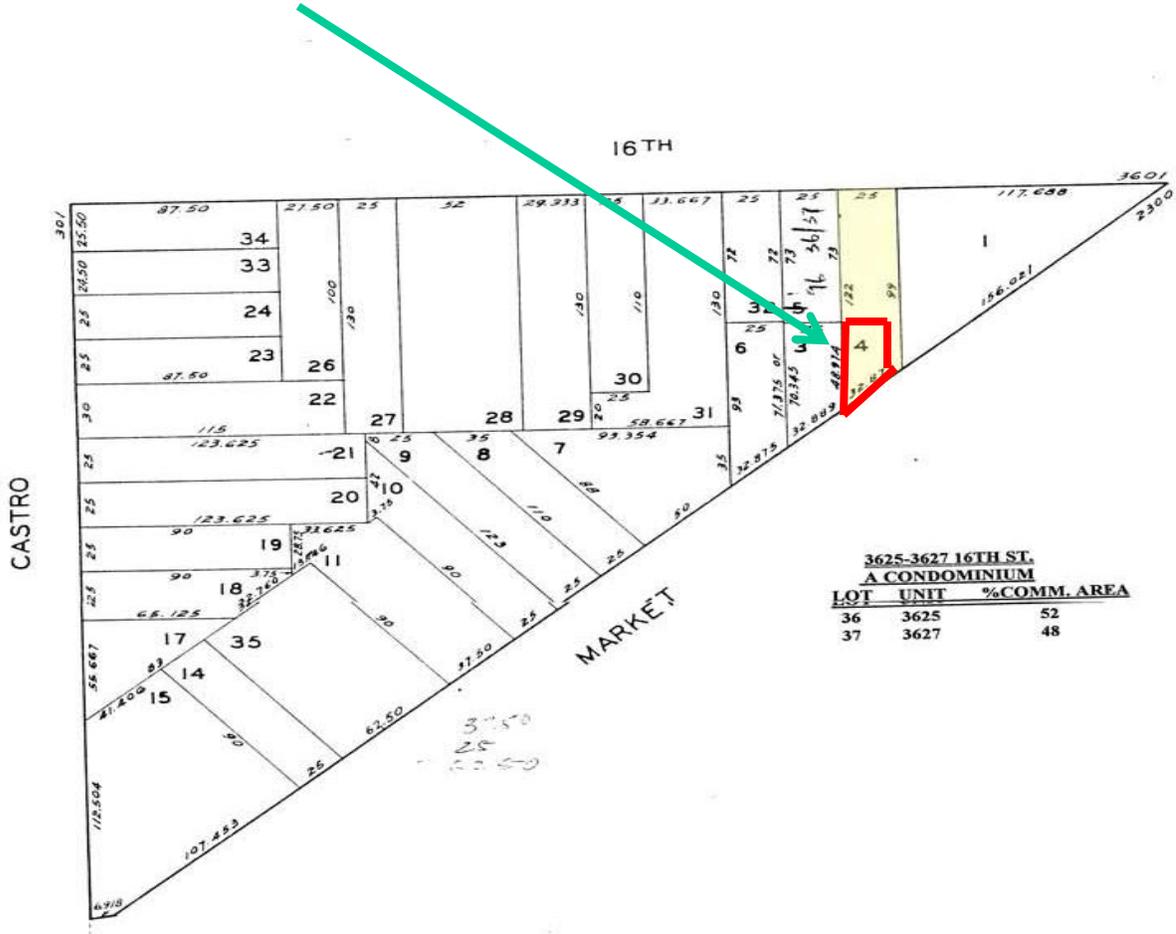
10. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the 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

Parcel Map



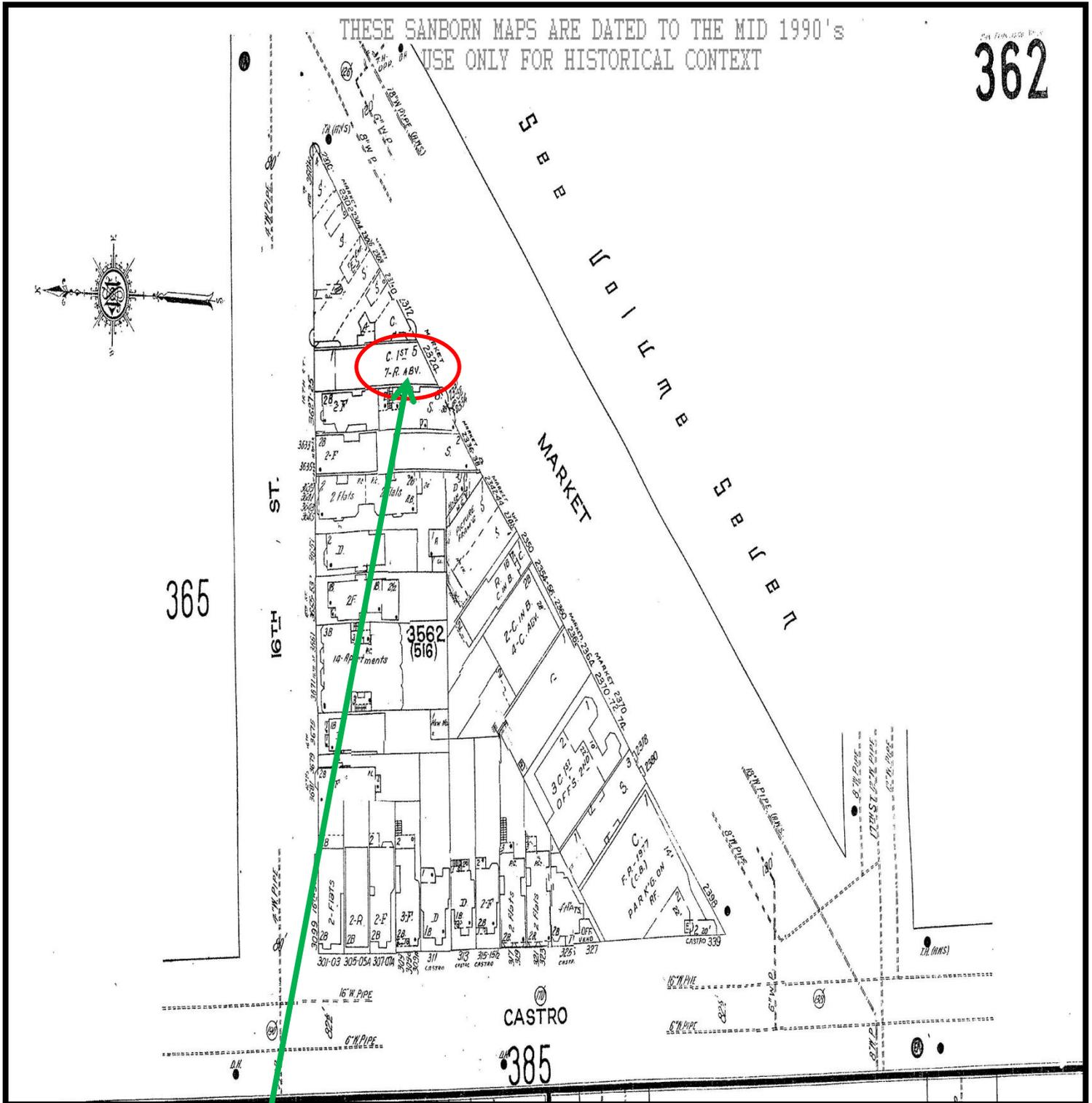
Subject Site



Sanborn Map*

THESE SANBORN MAPS ARE DATED TO THE MID 1990'S
USE ONLY FOR HISTORICAL CONTEXT

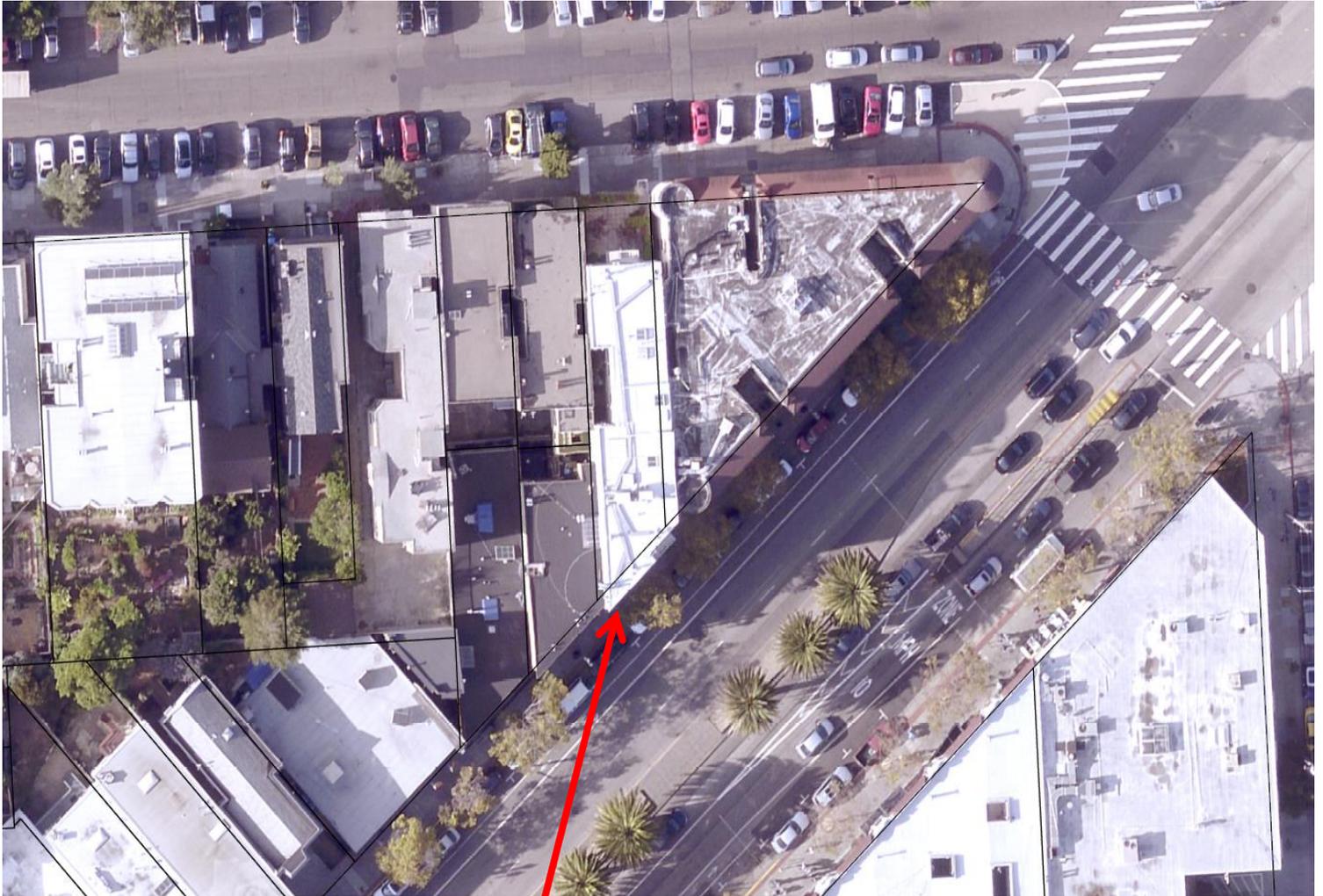
362



SUBJECT PROPERTY

Conditional Use Authorization
Case Number 2015-000678CUA
NCT – Upper Market
Neighborhood Commercial Transit
2324 Market Street

Aerial Photo



Subject Site

Conditional Use Authorization
Case Number 2015-000678CUA
NCT – Upper Market
Neighborhood Commercial Transit
2324 Market Street



2324 Market St (Google street view April, 2011)

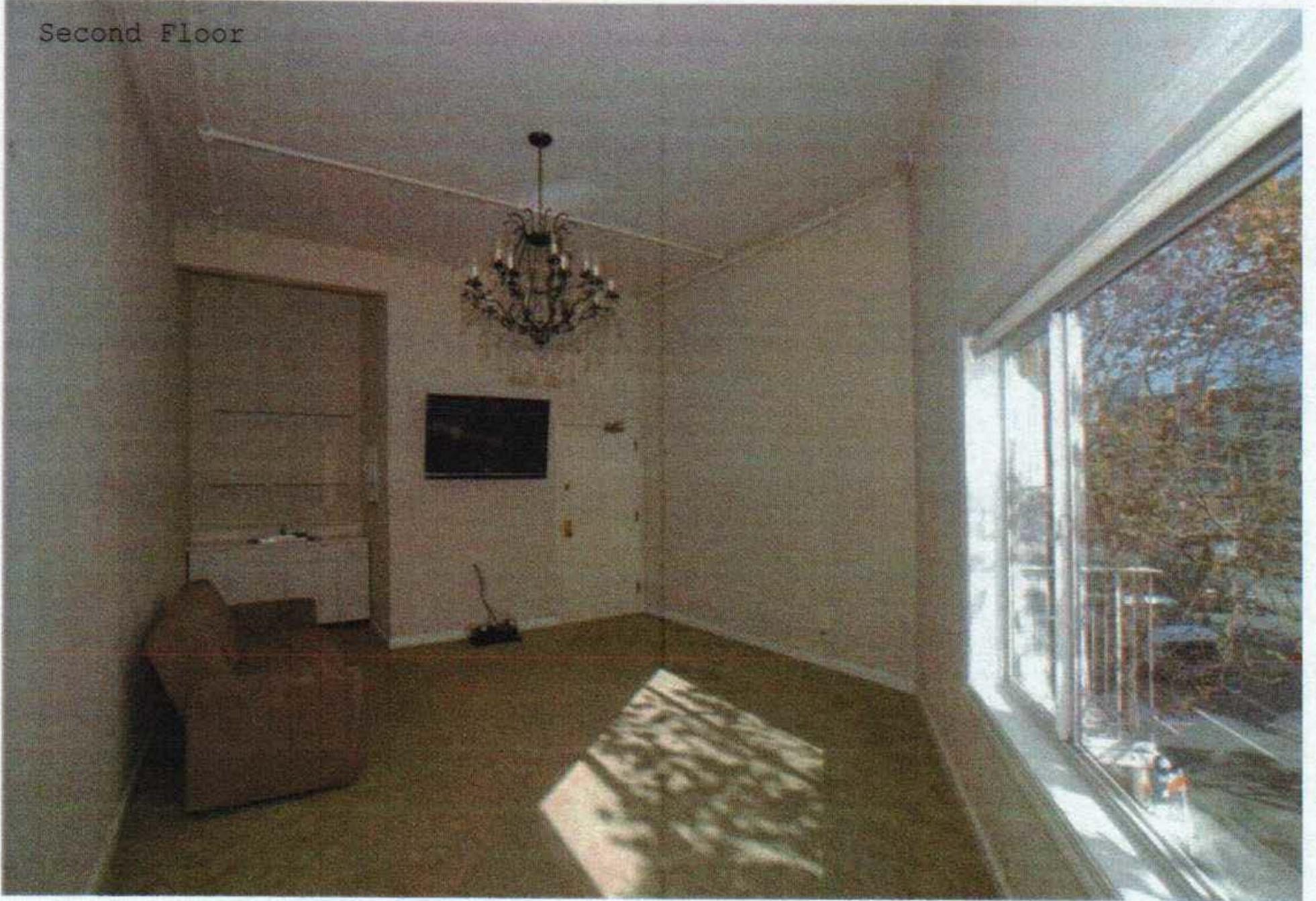
Building Exterior, Fall 2014

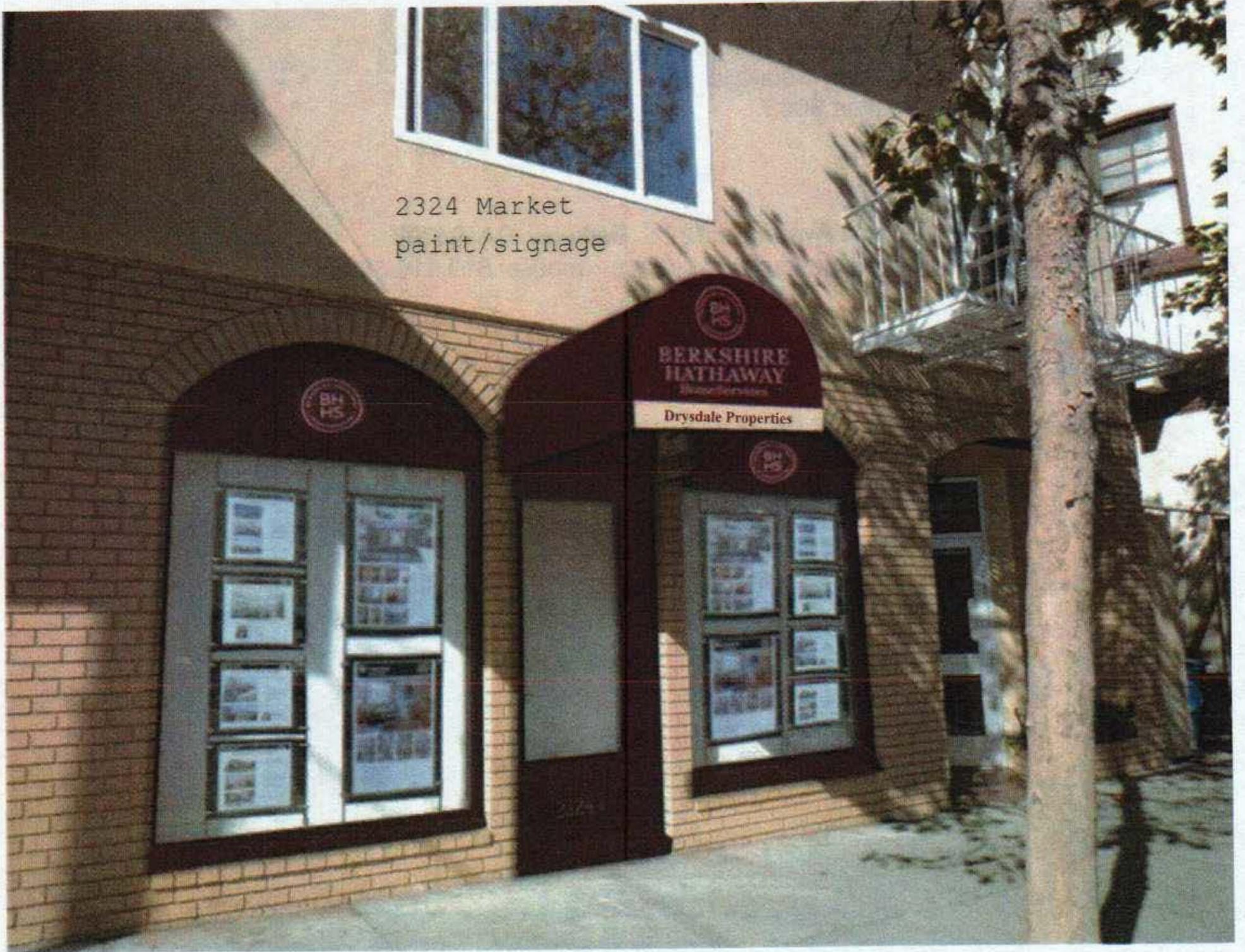


First Floor (Street Level)

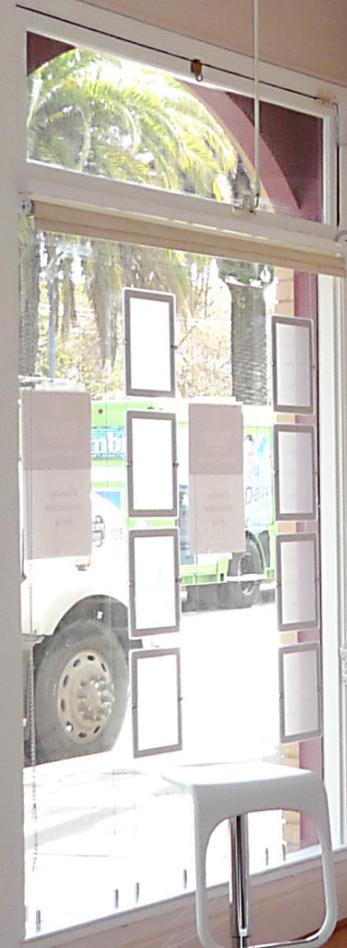


Second Floor



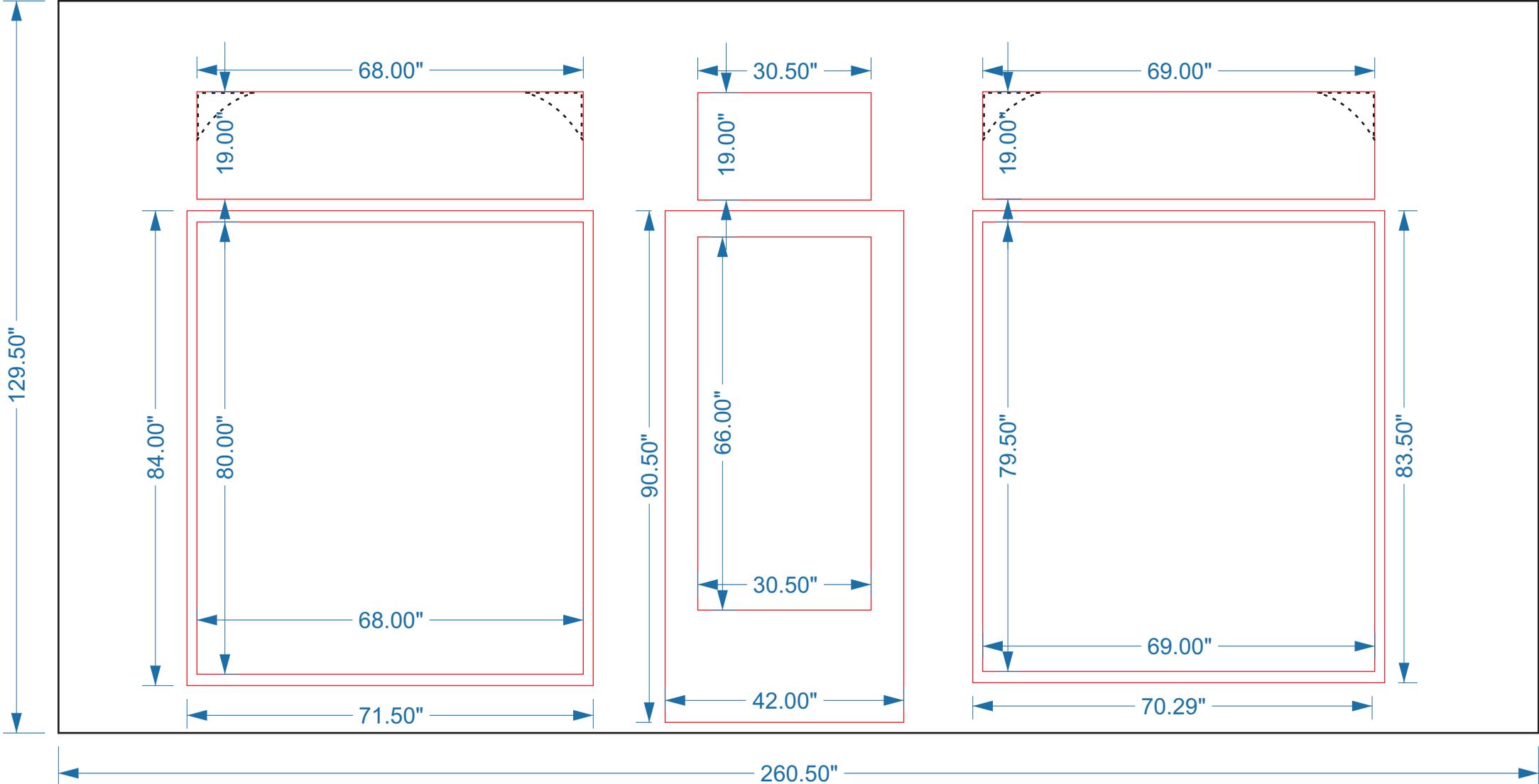


2324 Market
paint/signage



2324A Market St.

Street front Elevation



Transparency calculation:
 Total width of glass: $68'' + 30.5'' + 69'' = 167.5''$
 divided by
 Width of street frontage of the premises = $260.5''$
 equals 64.3%

 Areas shaded by curved brick facade

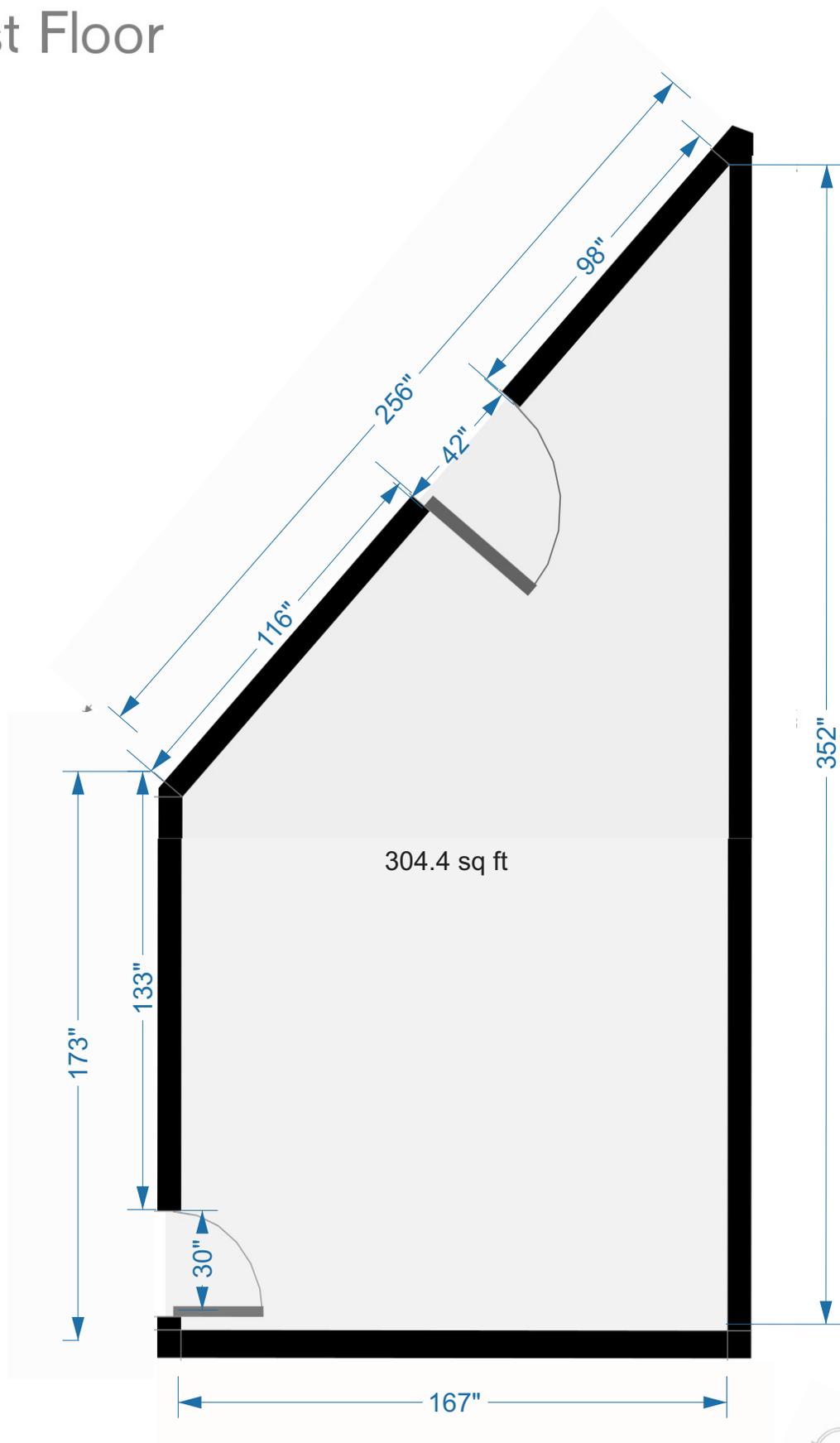
Scale: $1/2'' = 1'$

Prepared by:
 John Oldfield
 Berkshire Hathaway HomeServices - Drysdale Properties

2324A Market St.

Floor Plan

1st Floor



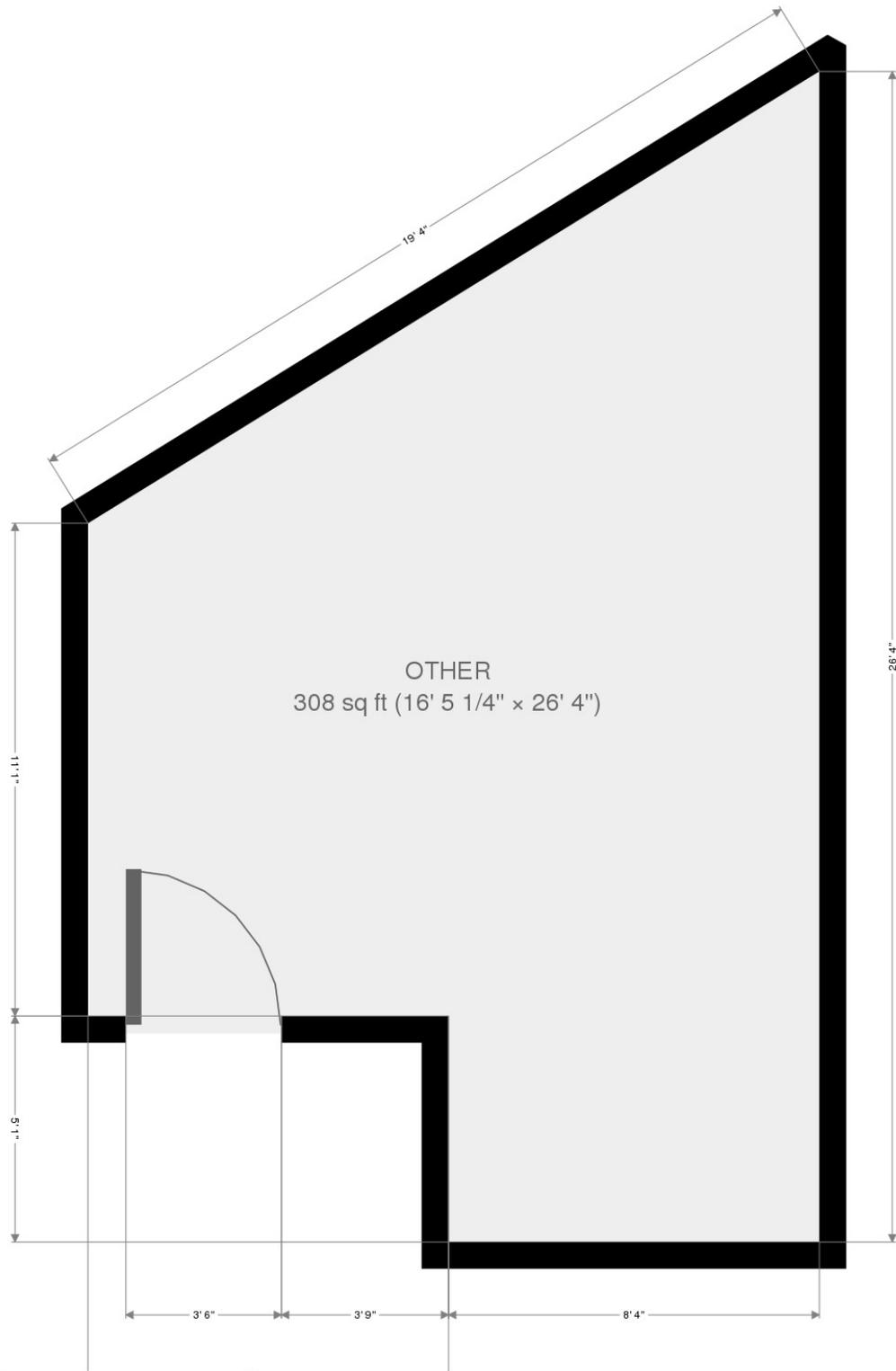
THIS FLOORPLAN IS PROVIDED WITHOUT WARRANTY OF ANY KIND. SENSOPIA DISCLAIMS ANY WARRANTY INCLUDING, WITHOUT LIMITATION, SATISFACTORY QUALITY OR ACCURACY OF DIMENSIONS.

Prepared by:
John Oldfield
Berkshire Hathaway HomeServices - Drysdale Properties

Scale: 1/4" = 1'

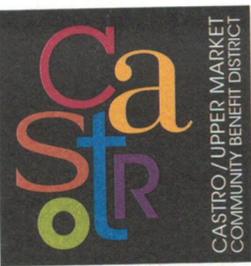


2nd Floor



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2324A Market St.



Rodney Fong, President
S.F. Planning Commission
1650 Mission St., Suite 400
San Francisco, CA 94103

October 16, 2015

RE: Case 2015-000678CUA

Dear Commission President Fong,

The Castro/Upper Market Community Benefit District is writing to express our support for Berkshire Hathaway's Conditional Use Authorization request for 2324 Market St., case # 2015-000678CUA

The Castro/Upper Market CBD studied this project carefully, because real estate is generally not considered a business that brings a lot of foot traffic or enhances the pedestrian experience. However, the board made the decision to support this request for the following reasons:

- At 279 square feet, this is an unusually tiny space,
- There are no restroom facilities, they will be using a restroom down a common hallway,
- This space has been vacant for 4 - 5 years,
- Within the next 6 months there will be 2 additional large vacancies on this block,
- Company has a history of commitment to the community and they have made a written commitment to support local neighborhood non-profits and other community efforts.

If you have any questions about this project and the Castro/Upper Market CBD's position, please do not hesitate to contact me at 415-500-1181 or via email at andrea@castrocbd.org

Thank you.

Sincerely,

Andrea Aiello
Executive Director

cc: Scott Wiener, District 8 Supervisor
Andres Power, Legislative Aide Supervisor Wiener
Todd Kennedy, Planner, S.F. Planning Department
John Oldfield, Berkshire Hathaway
Castro/Upper Market CBD Board of Directors



Duboce Triangle Neighborhood Association
PMB # 301, 2261 Market Street, San Francisco, CA 94114
(415) 295-1530 / www.dtna.org

November 4, 2015

Todd Kennedy
San Francisco Planning Department
1650 Mission St, Suite 400
San Francisco, CA 94103-2479

RE: Application # 2015-000678CUA
2324 Market St

Dear Mr. Kennedy:

The Land Use Committee and Board of Directors of the Duboce Triangle Neighborhood Association have considered the merits of the proposed Berkshire Hathaway Real Estate office at 2324 Market St., and have voted to support the proposed use.

Although we do not typically find ground floor office space to be a desirable use in our NCD, the space in question is quite small and has been vacant for many years. The project sponsor has promised to get involved with the neighborhood and make positive contributions in a number of areas. On the whole, we believe the proposed use has more positives than negatives, and we hope that it will be approved.

Thank you for considering our views. Please contact me with any questions.

Very truly yours,
Duboce Triangle Neighborhood Association

David Troup,
President

cc: John Oldfield, Berkshire Hathaway



**584 Castro Street #333
San Francisco CA 94114-2512**

formerly "Merchants of Upper Market & Castro – MUMC"

415/431-2359

Info@CastroMerchants.com

www.CastroMerchants.com

December 8, 2015

By Email and USPS hardcopy

Todd Kennedy, Staff Planner
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco CA 94103-2479

Re: Planning Application No. 2015-000678PRJ and CU Request No.2015-000678CUA
Conditional Use Authorization & etc. Request including Formula Retail, Change of Use, etc. by
Berkshire Hathaway Home Services/Drysdale Properties

Dear Mr. Kennedy,

This confirms that the Members of **CASTRO MERCHANTS** (formerly "Merchants of Upper Market & Castro – MUMC") have voted to **SUPPORT** the Request for Conditional Use Authorization, Case No. 2015-000678PRJ & CUA and related requests to your Department by Berkshire Hathaway Home Services/Drysdale Properties (herein, "BH-D) for its proposed real estate (financial services) office at 2324 Market Street in San Francisco. The Conditional Use request includes approvals for Formula Retail, Change of Use, etc.

Our approval is based on information provided by the Project Sponsor (BH-D) during its presentations at our Members Meetings on June 4 and November 5, 2015. We have asked the Project Sponsor to notify us if there are any subsequent, substantive changes to their proposal prior to approval, so we can evaluate whether such changes would affect the previous approval. We have received no such notification, to date.

CASTRO MERCHANTS is the merchants' organization serving San Francisco's Castro-Upper Market area, generally along Upper Market Street from Octavia Blvd. to Castro Street; Castro from Market to 19th Street; and cross streets throughout that area. **CASTRO MERCHANTS** has about 300 paid Members for 2015-2016. The property covered by this matter is within our organization's primary service area.

..... continued

CASTRO MERCHANTS

San Francisco Planning Department

December 8, 2015

RE: Planning Application No. 2015-000678PRJ and CU Request No.2015-000678CUA
Berkshire Hathaway/Drysdale Properties, 2324 Market Street

In addition to today's email to you and to the individuals cc'd below, a hardcopy of this letter is being mailed to you.

Please let us know if you have any questions regarding **CASTRO MERCHANTS's** SUPPORT for this Request. Please include this letter in the matter's permanent file, and assure that it is provided to all Planning Staff and Commissioners and to any other hearing panels at the time that this matter is considered by them. Thank you for considering our comments.

Respectfully,



Daniel Bergerac, President

Email and hardcopy cc: John Oldfield, BH-D
email cc: Supervisor Scott Wiener and staff
Capt. Daniel Perea, SFPD Mission Station
Capt. John Sanford, Jr., SFPD Park Station