



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Conditional Use

HEARING DATE: JUNE 30, 2016

*Date:* June 20, 2016  
*Case No.:* **2016-001075CUA**  
*Project Address:* **3378 Sacramento Street**  
*Zoning:* Sacramento Street Neighborhood Commercial District  
40-X Height and Bulk District  
*Block/Lot:* 1008/049  
*Project Sponsor:* Heston Chau, Architect  
1832 Buchanan Street, #206  
San Francisco, CA 94115  
*Staff Contact:* Laura Ajello – (415) 575-9142  
[laura.ajello@sfgov.org](mailto:laura.ajello@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 project sponsor seeks Conditional Use Authorization pursuant to Planning Code Sections 303, 724.53, and 790.108 to establish a Business or Professional Service use that provides wealth management services (d.b.a. Walnut Associates) at the basement level of a mixed-use building. The existing tenant space measures approximately 2,072 square feet and was last occupied by an art gallery and framing business. The project includes interior tenant improvements with no exterior changes proposed.

The Planning Code defines various office uses in Sections 790.106 through 790.116. Business or Professional Service, as defined in Section 790.108, is defined as “a retail use which provides to the general public, general business or professional services, including but not limited to, architectural, management, clerical, accounting, legal, consulting, insurance, real estate brokerage, and travel services.” Wealth management services would fall within the definition of Business or Professional Service.

Walnut Associates, the proposed wealth management business, has no other existing offices. Proposed hours of operation are Monday through Thursday from 7 AM to 4 PM, Friday 7:30 AM to 3:00 PM, and weekends and evenings by appointment only.

### SITE DESCRIPTION AND PRESENT USE

The project site is located at 3378 Sacramento Street, on the northeast corner of Sacramento and Walnut Streets on Assessor’s Block 1008, Lot 049. The project site is centrally located within the Sacramento Street Neighborhood Commercial District (NCD), 40-X Height and Bulk District. The parcel measures approximately 2,422 square feet in total area (approximately 87.5 feet wide by 27.7 feet deep). The existing three-story over basement mixed-use building has one other commercial tenant fronting on Sacramento Street (d.b.a. Marilyn Jaeger Skincare) and four dwellings that are entered from Walnut

Street. The basement-level tenant space is currently vacant; it was most recently occupied by a retail framing store and art gallery (d.b.a. Paul Mahder Gallery).

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The project site is located in the Presidio Heights neighborhood. The surrounding development consists of a variety of residential, commercial, and mixed-use buildings mostly featuring residential uses above ground floor commercial establishments. The scale of development in the area consists of an eclectic mix of two- to four-story buildings built between the Victorian era and the 1990s. Generally, the commercial establishments characterizing this portion of Sacramento Street include a mix of specialty shops featuring home furnishings, clothing, dry cleaners, restaurants and personal service establishments. The surrounding zoning is primarily RM-1 (Residential, Mixed, Low-Density) and RH-2 (Residential, House, Two-Family).

## **ENVIRONMENTAL REVIEW**

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

## **HEARING NOTIFICATION**

<b>TYPE</b>	<b>REQUIRED PERIOD</b>	<b>REQUIRED NOTICE DATE</b>	<b>ACTUAL NOTICE DATE</b>	<b>ACTUAL PERIOD</b>
Classified News Ad	20 days	June 10, 2016	June 8, 2016	22 days
Posted Notice	20 days	June 10, 2016	June 10, 2016	20 days
Mailed Notice	20 days	June 10, 2016	June 10, 2016	20 days

## **PUBLIC COMMENT/COMMUNITY OUTREACH**

- To date, the Department has received one joint communication from the Presidio Heights Association of Neighbors (PHAN) board and the Sacramento Merchants board. These neighborhood groups support the proposed use as a business service that is open to the public upon the condition that future uses be restricted to business service or retail use (see Exhibits). Such a condition on future uses cannot be imposed and is not included on the Draft Motion. The Department is not aware of any opposition to the project.

## **ISSUES AND OTHER CONSIDERATIONS**

- The project is to allow a Business or Professional Service use at the subject property.
- The Sacramento Street NCD extends five blocks from Spruce to Lyon Streets. A web search did not turn up any similar wealth management businesses within the district.

## **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant conditional use authorization to allow the establishment of a Business or Professional Service use within the Sacramento Street NCD, pursuant to Planning Code Sections 303, 724.53 and 790.108.

## **BASIS FOR RECOMMENDATION**

- The project is to allow a Business or Professional Service use at the subject property, which by definition is a retail use that provides general business or professional services to the general public.
- The project site is currently vacant and the project would not displace an existing tenant.
- The project meets all applicable requirements of the Planning Code.
- The project is consistent with the objectives and policies of the General Plan.
- The project is desirable for, and compatible with the surrounding neighborhood.
- The business is not a Formula Retail use and would serve the immediate neighborhood.

<b>RECOMMENDATION:</b>	<b>Approval with Conditions</b>
------------------------	---------------------------------

### **Attachments:**

Block Book Map

Sanborn Map

Aerial Photographs

Zoning Map

Site Photographs

Project Sponsor Submittal, including:

- Letter to the Commissioners
- Correspondence in Support
- Reduced Plans

Attachment Checklist

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary   | <input checked="" type="checkbox"/> Project sponsor submittal                              |
| <input checked="" type="checkbox"/> Draft Motion        | Drawings: <u>Existing Conditions</u>   |
| <input type="checkbox"/> Environmental Determination    | <input checked="" type="checkbox"/> Check for legibility                                   |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u>  |
| <input checked="" type="checkbox"/> Height & Bulk Map   | <input checked="" type="checkbox"/> Check for legibility                                   |
| <input checked="" type="checkbox"/> Parcel Map          | 3-D Renderings (new construction or significant addition)                                  |
| <input checked="" type="checkbox"/> Sanborn Map         | <input type="checkbox"/> Check for legibility  |
| <input checked="" type="checkbox"/> Aerial Photo        | <input type="checkbox"/> Wireless Telecommunications Materials                             |
| <input type="checkbox"/> Context Photos                 | <input type="checkbox"/> Health Dept. review of RF levels                                  |
| <input checked="" type="checkbox"/> Site Photos         | <input type="checkbox"/> RF Report   |
|   | <input type="checkbox"/> Community Meeting Notice  |
|   | <input type="checkbox"/> Housing Documents   |
|   | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |

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

LMA\_\_\_\_\_

Planner's Initials

KG: G:\Cases\2016-001075CUA - 3378 Sacramento\PC packet\ExecutiveSummarydoc



# 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

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

## Planning Commission Draft Motion

HEARING DATE: JUNE 30, 2016

*Date:* June 20, 2016  
*Case No.:* **2016-001075CUA**  
*Project Address:* **3378 Sacramento Street**  
*Zoning:* Sacramento Street Neighborhood Commercial District  
 40-X Height and Bulk District  
*Block/Lot:* 1008/049  
*Project Sponsor:* Heston Chau, Architect  
 1832 Buchanan Street, #206  
 San Francisco, CA 94115  
*Staff Contact:* Laura Ajello – (415) 575-9142  
[laura.ajello@sfgov.org](mailto:laura.ajello@sfgov.org)

**ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 724.53 and 790.108 OF THE PLANNING CODE TO ALLOW A BUSINESS OR PROFESSIONAL SERVICE USE (D.B.A. WALNUT ASSOCIATES) WITHIN THE SACRAMENTO STREET NEIGHBORHOOD COMMERCIAL DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On January 20, 2016 Heston Chau (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections, 724.53 and 790.108 to establish a Business or Professional Service use (d.b.a. Walnut Associates) within the Sacramento Street Neighborhood Commercial District and a 40-X Height and Bulk District.

On June 30, 2016, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2016-001075CUA.

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. 2016-001075CUA, 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 site is located at 3378 Sacramento Street, on the northeast corner of Sacramento and Walnut Streets on Assessor's Block 1008, Lot 049. The project site is centrally located within the Sacramento Street Neighborhood Commercial District (NCD), 40-X Height and Bulk District. The parcel measures approximately 2,422 square feet in total area (approximately 87.5 feet wide by 27.7 feet deep). The existing three-story over basement mixed-use building has one other commercial tenant fronting on Sacramento Street (d.b.a. Marilyn Jaeger Skincare) and four dwellings that are entered from Walnut Street. The basement-level tenant space is currently vacant; it was most recently occupied by a retail framing store and art gallery (d.b.a. Paul Mahder Gallery).
3. **Surrounding Properties and Neighborhood.** The project site is located in the Presidio Heights neighborhood. The surrounding development consists of a variety of residential, commercial, and mixed-use buildings mostly featuring residential uses above ground floor commercial establishments. The scale of development in the area consists of an eclectic mix of two- to four-story buildings built between the Victorian era and the 1990s. Generally, the commercial establishments characterizing this portion of Sacramento Street include a mix of specialty shops featuring home furnishings, clothing, dry cleaners, restaurants and personal service establishments. The surrounding zoning is primarily RM-1 (Residential, Mixed, Low-Density) and RH-2 (Residential, House, Two-Family).
4. **Project Description.** The project sponsor seeks Conditional Use Authorization pursuant to Planning Code Sections 303, 724.53, and 790.108 to establish a Business or Professional Service use that provides wealth management services (d.b.a. Walnut Associates) at the basement level of a mixed-use building. The existing tenant space measures approximately 2,072 square feet and was last occupied by an art gallery and framing business. The project includes interior tenant improvements with no exterior changes proposed.

The Planning Code defines various office uses in Sections 790.106 through 790.116. Business or Professional Service, as defined in Section 790.108, is defined as "a retail use which provides to

the general public, general business or professional services, including but not limited to, architectural, management, clerical, accounting, legal, consulting, insurance, real estate brokerage, and travel services.” Wealth management services would fall within the definition of Business or Professional Service.

Walnut Associates, the proposed wealth management business, has no other existing offices. Proposed hours of operation are Monday through Thursday from 7 AM to 4 PM, Friday 7:30 AM to 3:00 PM, and weekends and evenings by appointment only.

5. **Public Comment.** To date, the Department has received one joint communication from the Presidio Heights Association of Neighbors (PHAN) board and the Sacramento Merchants board. These neighborhood groups support the proposed use as a business service that is open to the public upon the condition that future uses be restricted to business service or retail use (see Exhibits). Such a condition on future uses cannot be imposed and is not included on the Draft Motion. The Department is not aware of any opposition to the project.
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. **Planning Code Section 724.53** states that a Conditional Use Authorization is required for Business or Professional Service use, as defined by Planning Code Section 790.108.

*The Business or Professional Service use at the basement level of the building would consist of an office for a wealth management business. The office use would be restricted to Business or Professional Service uses only, which by definition would provide services to the general public.*

- B. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code 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 would occupy an existing basement-level commercial space where existing fenestration consists of unobstructed glazing that is located below eye-level. The basement-level space is not considered an active storefront; because it is below grade. Additionally, the storefront window visibility zone for active uses is located between four feet to eight feet above grade. The subject commercial space has approximately 87 feet of frontage on Sacramento Street with approximately 41*

*linear feet devoted to either the entrance or window space. There are no changes proposed to the commercial frontage.*

- C. **Parking.** Planning Section 151 of the Planning Code requires off-street parking for every 500 square-feet of occupied floor area, where the occupied floor area exceeds 5,000 square-feet.

*The Subject Property contains approximately 2,072 square-feet of occupied floor area and thus does not require any off-street parking.*

- D. **Use Size.** Planning Code Section 724.21 allows a non-residential use size up to 2,499 sq. ft. as-of-right, and any use size 2,500 sq. ft. and above requires Conditional Use Authorization.

*The Project will occupy a vacant tenant space that was previously occupied by a retail use of equal size. The existing space includes approximately 2,072 gross square feet at the basement level of a multi-story, mixed-use building.*

- E. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department.

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.

*Although located below grade, the size of the proposed use is in keeping with other storefronts on the block face. The proposed wealth management business provides services to the general public but will not affect traffic or parking in the District because it is specialized service that will likely rely on scheduled appointments rather than walk-in customers. This will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood by occupying a vacant storefront.*

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

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

*The height and bulk of the existing building will remain the same and will not alter the existing appearance or character of the project vicinity.*

- 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 Planning Code does not require parking or loading for a 2,072 square-foot Business or Professional Service use. The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide.*

- iii. 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.*

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

*The proposed Business or Professional Service use does not propose any exterior alterations to the building. There will be no addition of parking spaces, loading facilities, open space or service areas. All Project signage and projections will be consistent with the controls of the Planning Code.*

- 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 consistent with the stated purposed of the Sacramento NCD in that the intended use is not located above the first story, will provide a compatible business office service that provides a retail use to the public in the immediately surrounding neighborhoods during daytime hours.*

- 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.

*The proposed Business or Professional Service use would be compatible with and complimentary to the type of uses characterizing the Sacramento NCD, a small-scale linear shopping area, which includes a mixture of daytime-oriented uses such as elegant retail stores and personal services that attract customers from a wider trade area.*

**Policy 1.3:**

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

*The proposed development will provide desirable services to the neighborhood and will provide resident employment opportunities to those in the community. The proposed use will not result in undesirable consequences. Further, the Project Site is located within a Neighborhood Commercial District and is thus consistent with activities in the commercial land use plan.*

**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 provide a new commercial activity to the Neighborhood Commercial District and will enhance the diverse economic base of the City.*

**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. The Project is not a Formula Retail use.*

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.

*The proposal would enhance the district by providing a new retail Business or Professional Service use to the Neighborhood Commercial District and bring employment opportunities to the area.*

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

*Existing residential units at the subject site and in the surrounding neighborhood would not be adversely affected by the Project. The proposal does not affect housing or change the character of the historic building.*

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

*The Project would have no effect on housing; no housing is removed for this Project.*

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

*The site is on Sacramento Street and is well served by transit. It is presumable that the employees would commute by transit thereby mitigating possible effects on street parking. The subject site has four MUNI bus lines located within one block (1-California, 2-Clement, 3-Jackson and 43-Masonic).*

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

*The Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.*

- F. That the City 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 impact the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

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

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

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

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. 2016-001075CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated April 20, 2016, 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. XXXXX. 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 June 30, 2016.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: June 30, 2016

## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use to allow a Business or Professional Service (d.b.a. Walnut Associates) located at 3378 Sacramento Street, Block 1008, and Lot 049 pursuant to Planning Code Sections 303, 724.53 and 790.108 within the Sacramento Street Neighborhood Commercial District and a 40-X Height and Bulk District; in general conformance with plans, dated April 20, 2016, and stamped "EXHIBIT B" included in the docket for Case No. 2016-001075CUA and subject to conditions of approval reviewed and approved by the Commission on June 30, 2016 under Motion No XXXXXX. 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 June 30, 2016 under Motion No XXXXXX.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX 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](http://www.sf-planning.org).*

2. **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](http://www.sf-planning.org).*

3. **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](http://www.sf-planning.org).*

### DESIGN

4. **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](http://www.sf-planning.org).*

### PARKING AND TRAFFIC

5. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco

Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://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](http://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](http://www.sf-planning.org)*

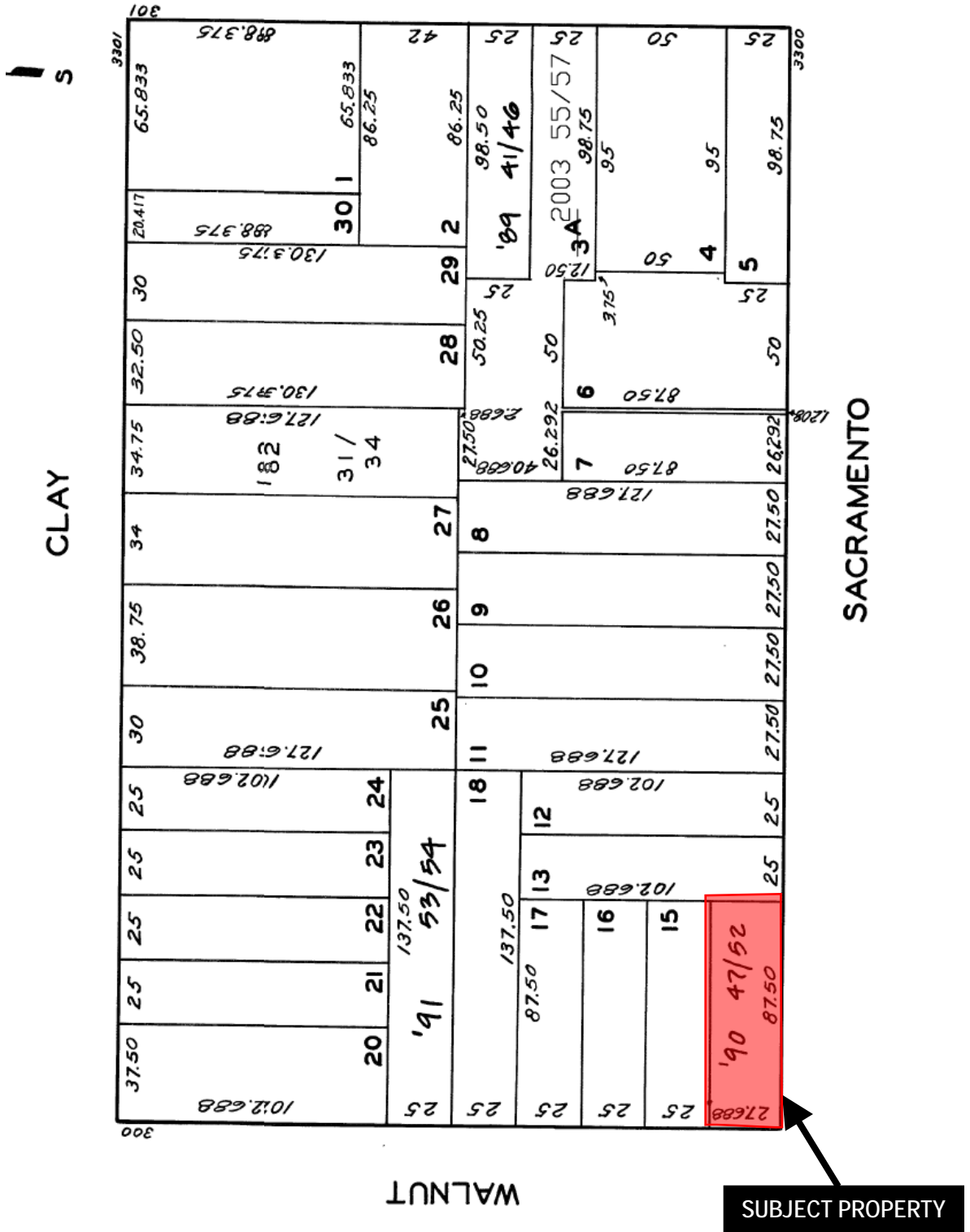
## OPERATION

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](http://www.sf-planning.org)*

# Parcel Map

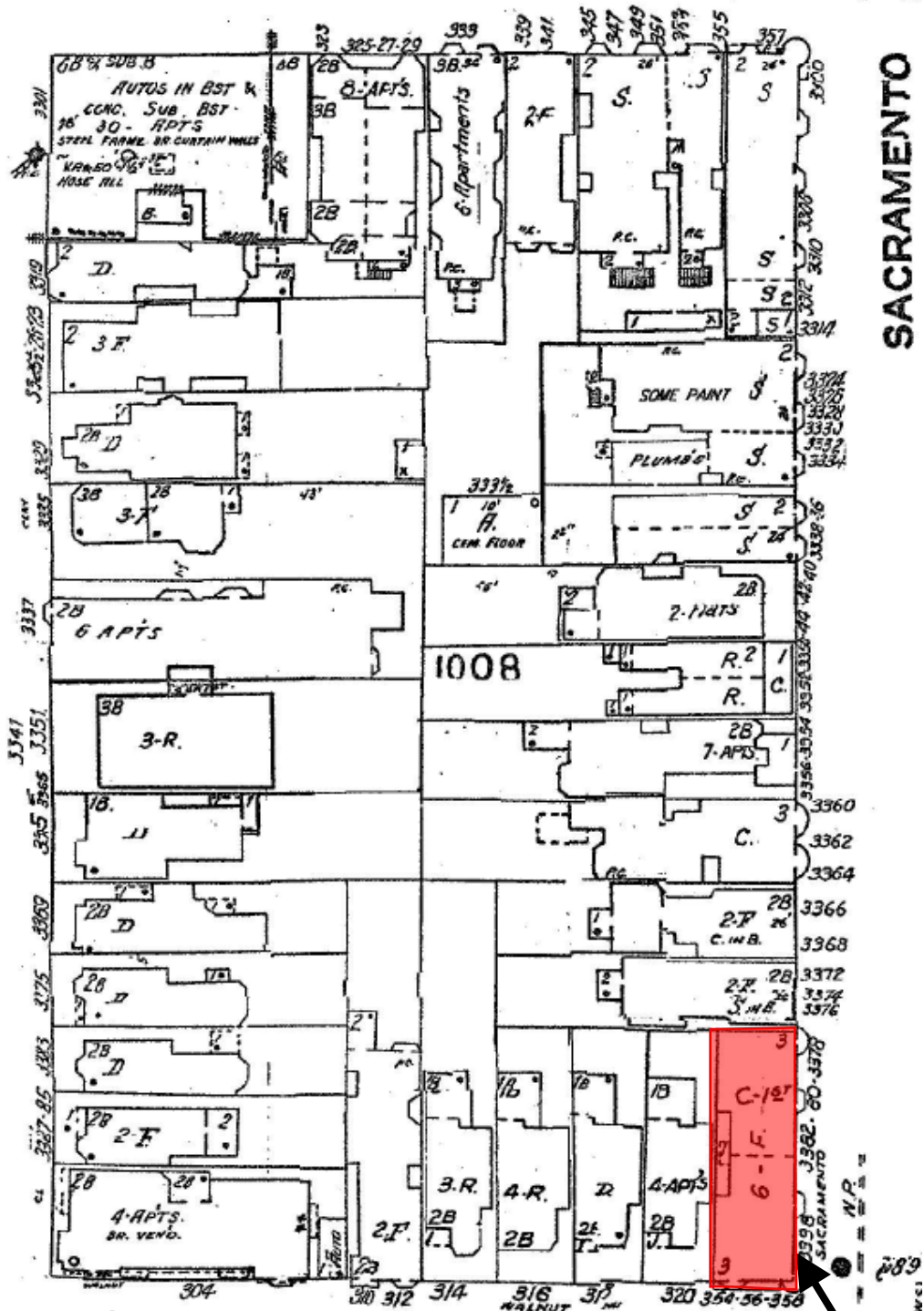


Conditional Use Hearing  
 Case Number 2016-001075CUA  
 3378 Sacramento Street





# Sanborn Map\*



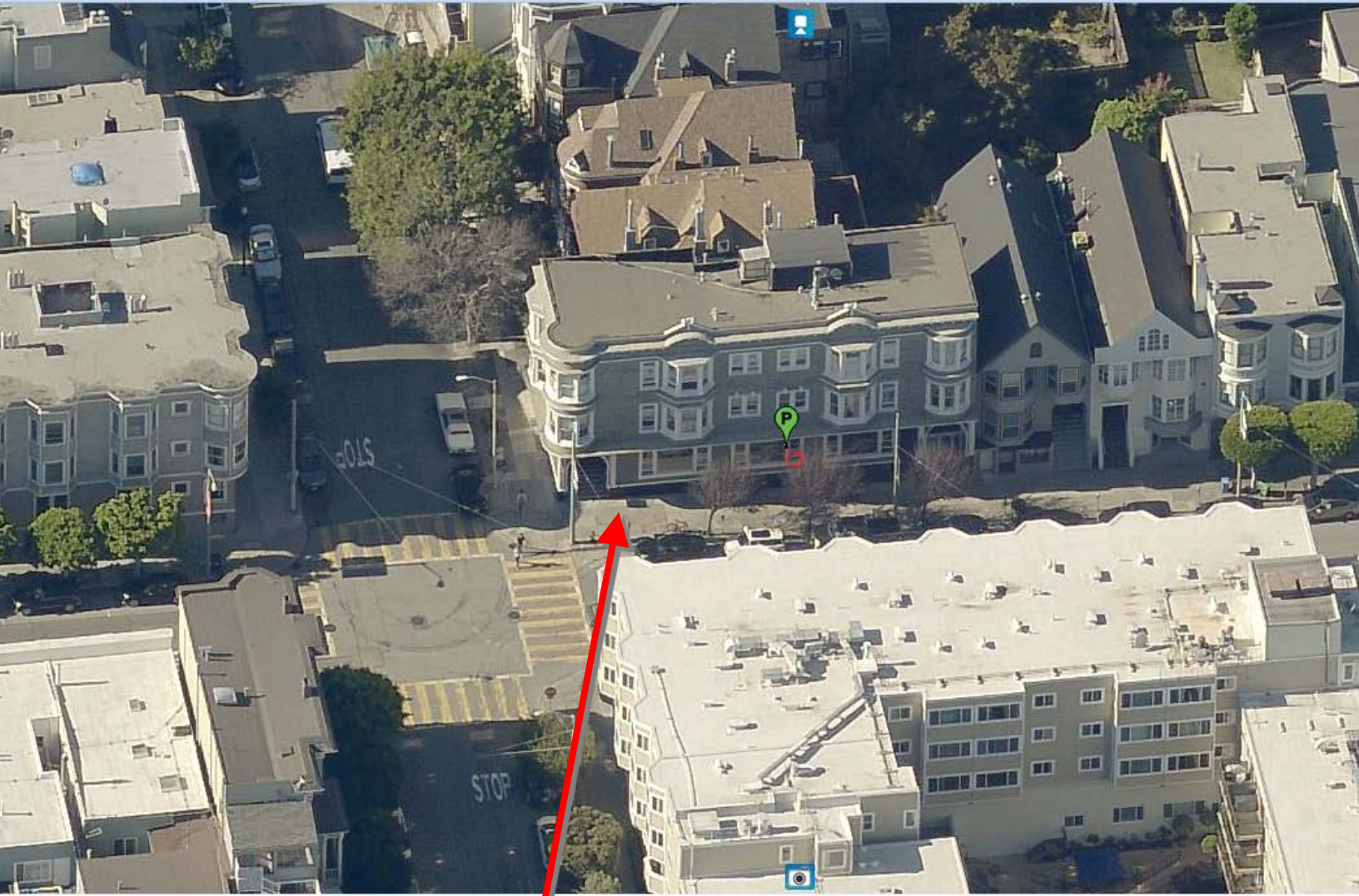
**SUBJECT PROPERTY**

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



Conditional Use Hearing  
 Case Number 2016-001075CUA  
 3378 Sacramento Street

# Aerial Photo

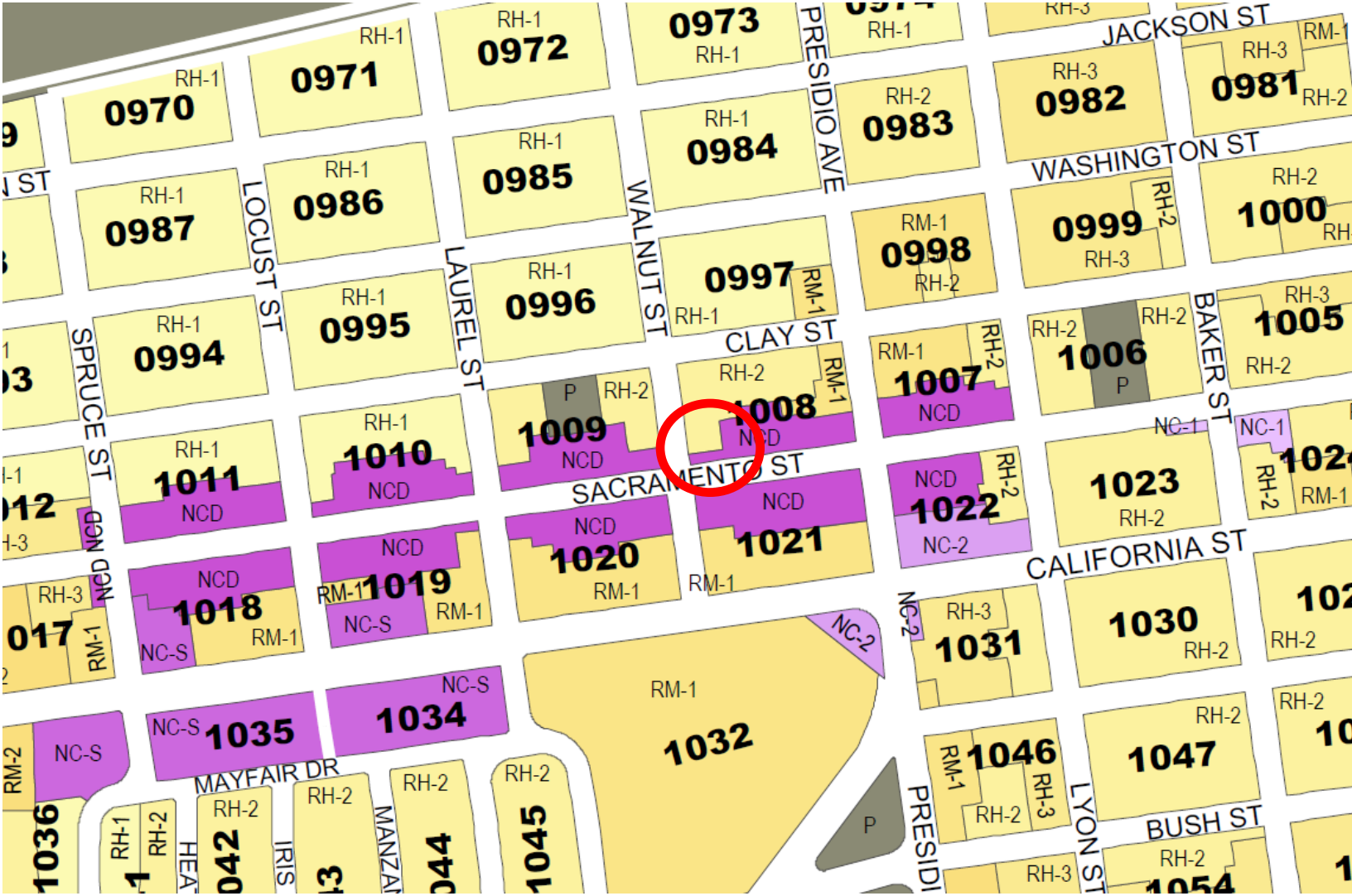


SUBJECT PROPERTY



Conditional Use Hearing  
Case Number 2016-001075CUA  
3378 Sacramento Street

# Zoning Map



Conditional Use Hearing  
Case Number 2016-001075CUA  
3378 Sacramento Street

# Site Photo 1



Sacramento Street Frontage

Conditional Use Hearing  
Case Number 2016-001075CUA  
3378 Sacramento Street

# Site Photo 2



Walnut Street Frontage

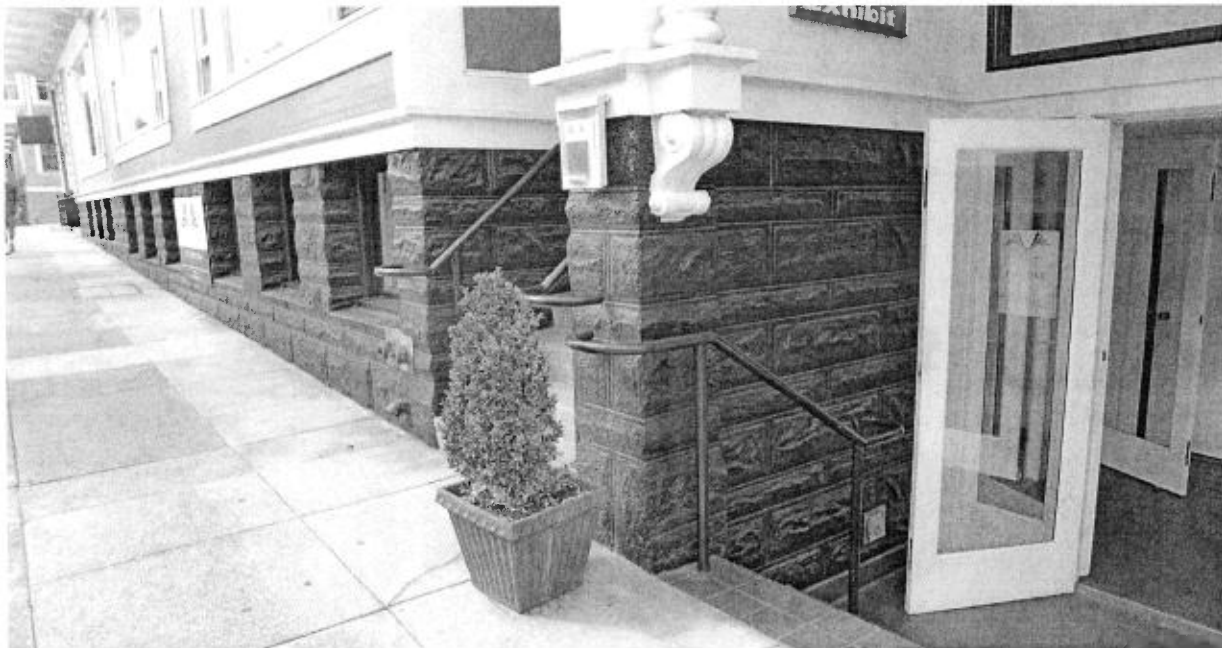
Conditional Use Hearing  
Case Number 2016-001075CUA  
3378 Sacramento Street

01 March 2016

Members of the  
S.F. Planning Commission

Ladies and Gentlemen:

This case for 3378 Sacramento Street is for the change of use from a vacant retail space to business service or professional service offices. Subject space has a floor about 4' below the sidewalk and was leased as an art gallery before. It has been vacant for more than a year now.



The Owner has acquired a tenant, Walnut Associates, who would like to move into this space to offer wealth management services to their clients. They have already talked to the neighborhood merchants' groups and obtained their support, which is evident by the attached email communication (Exhibit A). Their profile and hours of operation are also outlined in the Tenant Profile (Exhibit B).

If there are questions or any more information you need before approving this conditional use application, please advise. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Heston Chau". The signature is stylized and includes a circular flourish at the end.

Heston Chau, Architect  
1832 Buchanan Street Suite #206  
San Francisco, CA 94115-3252

**From:** [Heston Chau](#)  
**To:** [Ajello, Laura \(CPC\)](#)  
**Subject:** Fwd: Neighborhood confirmations  
**Date:** Thursday, March 03, 2016 10:55:28 AM

---

Hello, Laura:

Thanks for meeting with me the other day on 3378 Sacramento Street CU hearing.

This is the support email from the neighborhood merchants' group. Please confirm your receipt of this and I shall email you the site plan, revised pages of our application forms later today or tomorrow. Thank you for your help.

Heston

**HESTON CHAU ARCHITECT**  
1832 Buchanan Street Suite 206  
San Francisco, CA 94115-3252  
415-567-8800(O)415-567-8900(C)

-----Original Message-----

**From:** Charlie Benziger <charlesbenziger@hotmail.com>  
**To:** hestonchau <hestonchau@aol.com>; drkalika <drkalika@imageorthodontics.com>  
**Cc:** ckawaja <ckawaja@gmail.com>; brad.rohal <brad.rohal@yahoo.com>  
**Sent:** Mon, Feb 29, 2016 10:38 am  
**Subject:** Neighborhood confirmations

Heston:

Per your request, attached here is the approval from the PHAN board and the Sacramento Merchants board.

Charlie

----- Forwarded message -----

**From:** **Traci Teraoka**  
<[traciteraoka@mac.com](mailto:traciteraoka@mac.com)>  
**Date:** Tue, Oct 13, 2015 at 6:00 PM  
**Subject:** Re: Confirmed?  
**To:** Chris Kawaja <[ckawaja@gmail.com](mailto:ckawaja@gmail.com)>

Hi Chris,

I'm happy to report that both the Presidio Heights Assoc. of Neighbors board (P.H.A.N.) and the Sacramento St. Merchants approve your use of the 3378 rental space as your

'business service' offering 'wealth management services' to your clients and the general public. As we discussed last Friday in order to help meet the NCD requirements and help stabilize your block you will need to post your hours, participate in the merchants assoc. and help foster community by helping your fellow businesses with annual events, block parties and other special occasions as we calendar them. We are actively and successfully building a business watch, branding our street for locals and tourists while maintaining the charm and sophistication of the Sacramento St. shopping corridor.

In order to help make this request of usage meet the City zoning controls for the Sac. St NCD we have requested assistance from our District 2 Supervisor, Mark Farrell in the form of a conditional use permit that states what is being allowed for the space. There will be some conditions around the CUP (conditional use permit) namely that you may use the rental under your intended use as a business service and then afterwards it would return to a 'general retail or business service space' for a future tenant. We reached out today and haven't heard back from one of Supervisor Farrell's legislative aides, Catherine Stefani just yet. As soon as I hear back from Catherine I'll provide more information. I should know more tomorrow or by Thursday.

The shop will be closed this weekend. Friday - Sunday as I am attending my nephew's wedding out of state. I can still be reached by email -unless of course wedding festivities are going on.

Thanks for reaching out and a pleasure to meet you!

Traci Teraoka  
Sac. St. Merchants Assoc.  
Poetica Art & Antiques  
415-637-5837



## Walnut Associates – Tenant Profile

Walnut Associates (“WA” – this is a registered LLC in the state of California) provides a unique wealth management model for individuals and small businesses.

The problem with most wealth management models is the anonymity of the entities that invest one’s money, which leads to lack of trust, increased turnover and volatility, and decreased transparency.

WA aims to bridge this gap, creating trust between the client, wealth management advisor, and ultimate investing entities. WAA brings together a unique collection of businesses under one roof, including:

Parkside Advisors, a registered wealth manager  
Paladin Investment Management, a registered wealth manager  
Valley Investment Management, a money management firm  
Snowcreek Capital, a money management firm  
Catarina Ranch Investments, a real estate investment entity  
Seal Rock Investments, a real estate investment entity  
and Stovell Research, an investment research firm

Clients are not obligated to invest in any particular entity.

All members of WA have worked in the same office for a minimum of 3-7 years. We look forward to bringing WA to Sacramento Street, which will increase our ability to access the targeted investment base vs. our current secured access site.

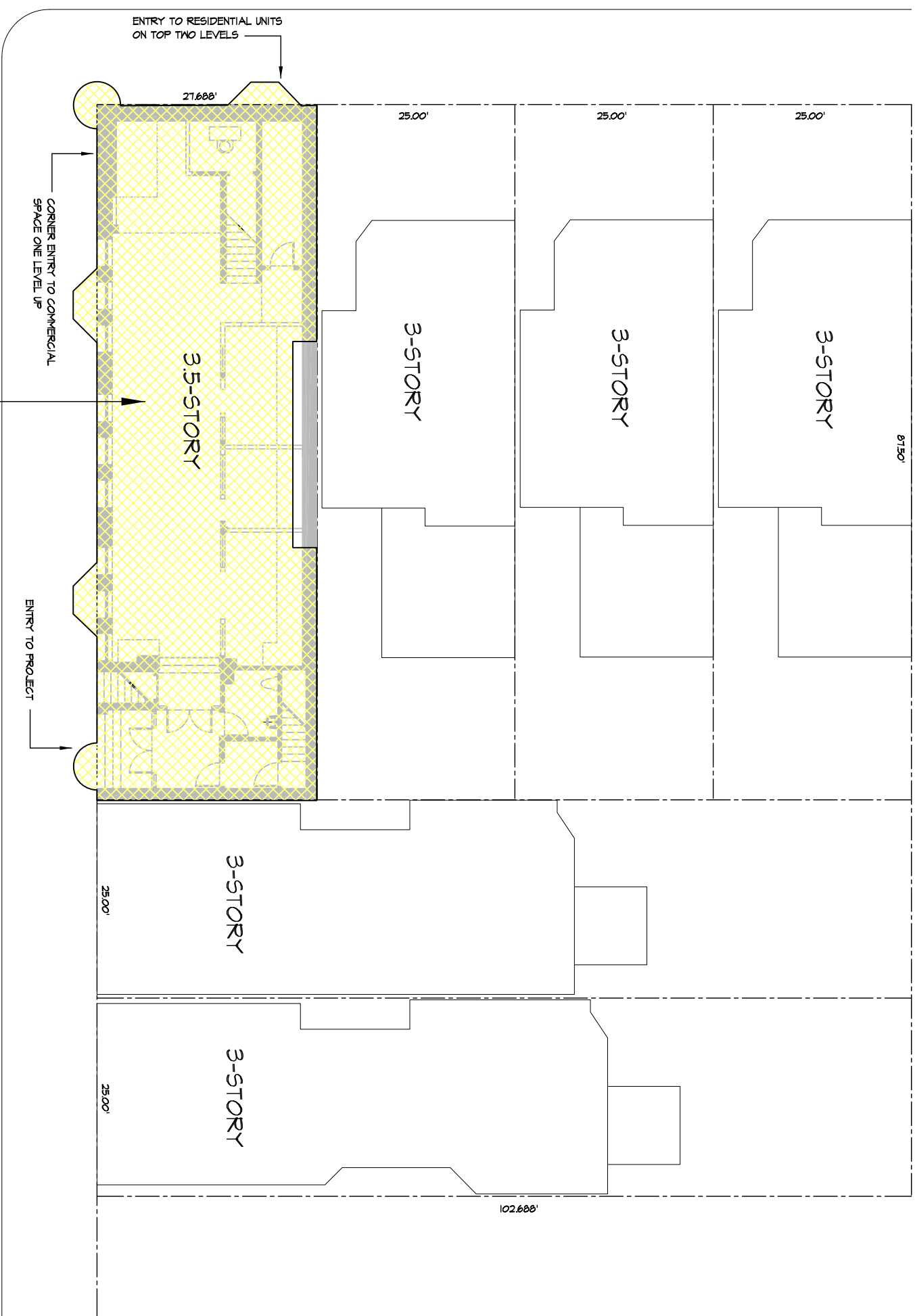
Hours: 7:00AM – 4:00PM, M-Th; 7:30AM – 3:00PM, Fri. Saturdays, Sundays, and evenings by appointment only.



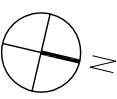
PICTURE A

LOCATION OF PROJECT:  
HALL-SINK W/ EXTERIOR  
PAINTED BLACK IN PICTURE

WALNUT STREET



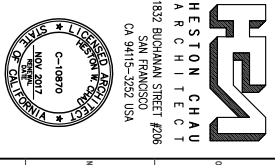
SACRAMENTO STREET



NO EXTERIOR CHANGE IS PROPOSED IN THIS PROJECT AND TENANT IMPROVEMENT WORK WILL NOT BLOCK ANY OF THE EXISTING WINDOWS.

PICTURE A

FILENAME: UPDATE: SCALE:



TEL: (415) 597-8800  
CELL: (415) 597-8800  
EMAIL: HESTON@HONKMAN.COM

NO.	DATE	BY

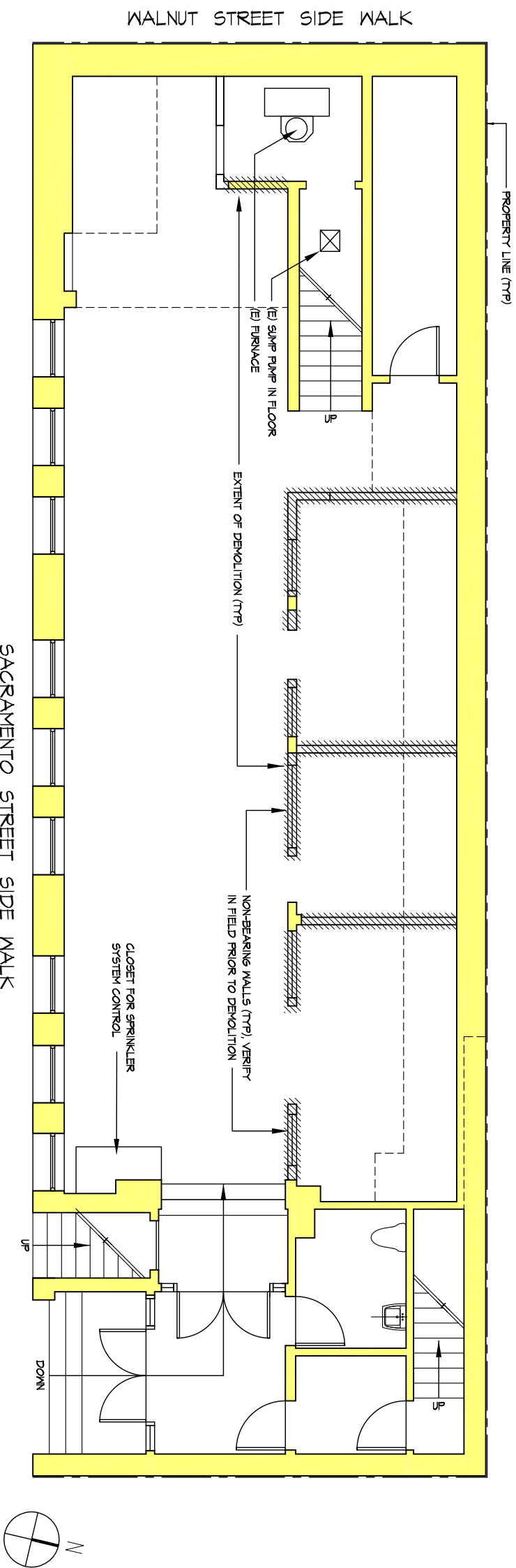
WALNUT ASSOCIATES  
3378 SACRAMENTO STREET  
SAN FRANCISCO CALIFORNIA

SITE / PLOT PLAN  
W/ PICTURE OF SUBJECT PROPERTY

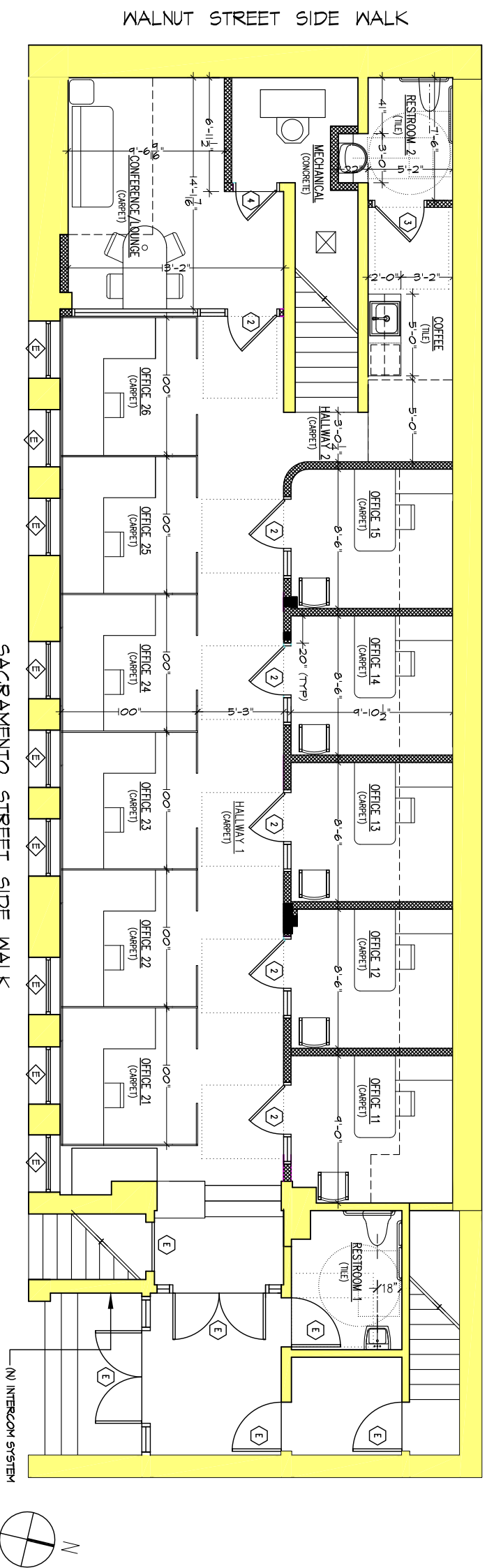
DATE: 20160316  
JOB NO.: 1601-WCS  
SCALE: 1/8"=1'-0"  
DRAWN: HCA  
CHECKED BY: HCA

SHEET  
A-11  
OF 3 TOTAL

1 EXISTING FLOOR PLAN



2 PROPOSED FLOOR PLAN



SACRAMENTO STREET SIDE WALK  
NO EXTERIOR CHANGE IS PROPOSED IN THIS PROJECT AND TENANT IMPROVEMENT WORK WILL NOT BLOCK ANY OF THE EXISTING WINDOWS.

FILENAME: UPDATE: SCALE:

HESTON CHAU  
ARCHITECTS  
1832 BISHOPMAN STREET #208  
SAN FRANCISCO  
CA 94115-1232 USA

TEL: (415) 597-8800  
CELL: (415) 597-8800  
EMAIL: HESTON@HCHAU.COM

NO. DATE BY  
REVISION

WALNUT ASSOCIATES  
3378 SACRAMENTO STREET  
SAN FRANCISCO CALIFORNIA

EXISTING FLOOR PLAN  
PROPOSED FLOOR PLAN

DATE: 20160316  
JOB NO.: 1601-WCS  
SCALE: 1/4"=1'-0"  
DRAWN: HCA  
CHECKED BY: HCA

SHEET  
A-12  
OF 3 TOTAL

I EXISTING SACRAMENTO STREET ELEVATION

**HCH**  
**HESTON CHAU**  
**ARCHITECT**  
 1832 BISHOPMAN STREET #208  
 SAN FRANCISCO  
 CA 94115-0282 USA



TEL: (415) 567-8800  
 CELL: (415) 567-8800  
 EMAIL: HESTONCHAU@GMAIL.COM

NO.	DATE	BY

WALNUT ASSOCIATES  
 3378 SACRAMENTO STREET  
 SAN FRANCISCO CALIFORNIA

EXISTING SACRAMENTO STREET ELEVATION

DATE: 20160316  
 JOB NO.: 1607-1NS  
 SCALE: 1/4"=1'-0"  
 DRAWN: HCA  
 CHECKED BY: HCA

SHEET  
**A-13**  
 OF 3 TOTAL

FILENAME: UPDATE: SCALE:



NO EXTERIOR CHANGE IS PROPOSED IN THIS PROJECT AND TENANT IMPROVEMENT WORK WILL NOT BLOCK ANY OF THE EXISTING WINDOWS.

STREET  
 ENTRY

SUBJECT PROPERTY

