

## SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Conditional Use

HEARING DATE: NOVEMBER 30, 2017 CONSENT

Date:	November 22, 2017	4
Case No.:	2017-009773CUA	F
Project Address:	2573-2575 3rd STREET	l
Zoning:	PDR-1-G (Production, Distribution & Repair, General) Zoning District	4
	68-X Height and Bulk District	
	Innovative Industries Special Use District	
Block/Lot:	4173/001	
Project Sponsor:	Mark Melvin, Touchstone Climbing, Inc.	
	32 Heather Way	
	Larkspur, CA 94939	
	mmelvin@touchstoneclimbing.com or (415) 509-6692	
Staff Contact:	Linda Ajello Hoagland – (415) 575-6823	
	<u>linda.ajellohaoagland@sfgov.org</u>	
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 involves an expansion of 5,700 square feet to an existing indoor rock climbing facility/gymnasium (d.b.a. Dogpatch Builders), at 2573-2575 3<sup>rd</sup> Street, from 22,500 square feet to 28,200 square feet, on the ground floor of an approximately 480,000 square foot building known as the American Industrial Center. No exterior modifications to the building are proposed as part of the project.

Touchstone Climbing, the parent company of Dogpatch Boulders, was founded as a San Francisco business, in its current location at 19th and Harrison Streets in 1995 under the business name of Mission Cliffs. Mission Cliffs is a multi-activity fitness club and is an icon of indoor climbing throughout the world. Touchstone Climbing is dedicated to creating innovative and exciting indoor rock climbing centers. The gymnasiums offer the opportunity for climbers of all abilities to challenge and enjoy themselves in a fun and safe environment. Mission Cliffs and Dogpatch Boulders are independently owned and operated, which has been encouraged throughout San Francisco. The proposed use is not a Formula Retail use.

#### SITE DESCRIPTION AND PRESENT USE

The project is located on the east side of 3rd Street, between 22nd and 23rd Streets. The property is a through-lot that also fronts Illinois Street. The property is located within the PDR-1-G (General) District and 68-X Height and Bulk District, and the Innovative Industries Special Use District. The property is developed with a three-story, industrial use building (American Industrial Center) of approximately

480,000 square feet of space. The subject space, to be converted, is on the ground floor of a former storage and shipping facility, with approximately 50 foot frontage along Illinois Street.

#### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The blocks surrounding the project site include a wide range of building types, heights, and uses typically found in a PDR zoning district. The 3rd Street median contains the T-3rd Street MUNI light rail line. The subject building covers nearly 2/3 of entire block with the remaining space a surface parking lot. Buildings across the street range from one to five stories, most with residential over ground floor retail and a newly constructed six-story residential building to the west. The area east of Illinois Street and approximately three blocks away from the project site consists of a Port of San Francisco shipyard where 19th and Illinois Streets intersect. A mixture of commercial, mixed residential/commercial, live/work, and industrial buildings on the adjacent block faces range from one to five stories, and approximately 15 to 65 feet in height.

The topography in the area slopes downwards from Potrero Hill on the west to the San Francisco Bay to the east. 3rd Street is at the bottom of Potrero Hill, although the topography continues to drop approximately 12 feet in elevation across the project site from 3rd Street to Illinois Street.

#### ENVIRONMENTAL REVIEW

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

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	November 10, 2017	November 10, 2017	20 days
Posted Notice	20 days	November 10, 2017	November 10, 2017	20 days
Mailed Notice	20 days	November 10, 2017	November 9, 2017	21 days

#### **HEARING NOTIFICATION**

The proposal requires neighborhood notification per Planning Code Section 312, which was conducted in conjunction with hearing notification for the Conditional Use Authorization.

#### PUBLIC COMMENT

• The Department has received no formal comments regarding the proposal.

#### **ISSUES AND OTHER CONSIDERATIONS**

- The Innovative Industries Special Use District allows retail uses to be governed by the use size limits applicable to the UMU Zoning District. Within the UMU Zoning District, retail uses (gym) larger than 4,000 sq ft require Conditional Use Authorization from the Planning Commission.
- Although the PDR-1-G Zoning District does not permit gyms any longer, the existing gym is considered to be a non-conforming use. Per Planning Code Section 181(i), a nonconforming non-

residential in the PDR-1-G Zoning District can be expanded by no more than 25 percent with Conditional Use Authorization from the Planning Commission.

- The project is compatible with the immediate neighborhood, an area that acts as a buffer between the PDR districts to the north and east and the residential districts to the south and west. The area contains mostly mixed-use buildings with uses including office, retail, housing, and various light industrial uses.
- The proposed indoor rock climbing/gymnasium with a total of 28,200 square feet would be required to provide four Class I and eleven Class II bicycle parking spaces. However, the facility is already providing significantly more bicycle parking spaces than required. The facility accommodates approximately 40 bicycle parking spaces in an indoor, enclosed and locked room.

#### **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant a Conditional Use Authorization pursuant to Planning Code Sections 181(i), 210.3, 249.37, 303 and 843.45 for a retail use larger than 4,000 square feet and for expansion of a nonconforming non-residential use in the PDR-1-G Zoning District, Innovative Industries Special Use District and 68-X Height and Bulk District.

#### BASIS FOR RECOMMENDATION

- The project complies with the applicable requirements of the Planning Code.
- The project is consistent with the objectives and policies of both the General Plan and the Central Waterfront Area Plan.
- The project has previously received support from the Dogpatch Neighborhood Association.
- The project proposes the conversion of an existing vacant ground floor space with a neighborhood serving use and provides an active storefront in a vacant and underutilized space.
- The proposed project will operate within the existing building envelope and is in keeping with the existing size and scale of uses located in the immediate industrial area.
- The project serves a clientele which is predominantly local.
- The project promotes alternative modes of transportation such as bicycle usage by providing more than the required amount of bicycle parking spaces in an indoor, enclosed and secured facility.

#### **RECOMMENDATION:** Approval with Conditions

#### Attachments:

Draft Motion Block Book Map Sanborn Map Aerial Photograph Zoning Map Height and Bulk Map Site Photographs Public Comments Environmental Determination Project Plans

#### Attachment Checklist:

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

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

LAH

Planner's Initials

LAH: I:\Current Planning\Cases\2017\201009773CUA - 2573-2575 3rd St.



## 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

## **Planning Commission Motion No.** \*\*\*\*\*

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Project Address:	2573-2575 3rd STREET
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	mmelvin@touchstoneclimbing.com or (415) 509-6692
Staff Contact:	Linda Ajello Hoagland – (415) 575-6823
	linda.ajellohoagland@sfgov.org
Recommendation:	Approval with Conditions

ADOPTING FINDINGS RELATING TO CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 181(i), 210.3, 249.37, 303 AND 843.45 FOR A RETAIL USE LARGER THAN 4,000 SQUARE FEET AND FOR EXPANSION OF A NONCONFORMING NON-**RESIDENTIAL USE (GYM) IN THE PDR-1-G ZONING DISTRICT FOR THE PROJECT INVOLVING** EXPANSION OF A GYM (D.B.A. DOGPATCH BOULDERS) WITHIN THE PDR-1-G (GENERAL) DISTRICT, THE INNOVATIVE INDUSTRIES SPECIAL USE DISTRICT, AND 68-X HEIGHT AND BULK DISTRICT, AND ADOPT FINDINGS PER THE CALIFORNIA ENVIRONMENTAL **QUALITY ACT.** 

#### PREAMBLE

On August 1, 2017, Mark Melvin (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization for the subject property at 2573-2575 3rd Street, Lot 001 in Assessor's Block 4173, (hereinafter "subject property"), pursuant to Planning Code Sections 210.3, 249.37, 303 and 843.45 for the expansion of an indoor rock climbing facility/gymnasium (d.b.a. Dogpatch Builders) in the Production, Distribution & Repair, General (PDR-1-G) District, the Innovative Industries Special Use District, and 68-X Height and Bulk District.

Reception: 415.558.6378

Fax. 415.558.6409

Planning Information: 415.558.6377 The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

The Planning Department Commission Secretary is the custodian of records; the file for Case No. 2017-009773CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

On November 30, 2017, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2017-009773CUA.

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. 2017-009773CUA, 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 east side of 3rd Street, between 22nd and 23rd Streets. The property is a through-lot that also fronts Illinois Street. The property is located within the PDR-1-G (General) District and 68-X Height and Bulk District, and the Innovative Industries Special Use District. The property is developed with a three-story, industrial use building (American Industrial Center) of approximately 480,000 square feet of space. The subject space, to be converted, is on the ground floor of a former storage and shipping facility, with approximately 50 foot frontage along Illinois Street.
- 3. **Surrounding Properties and Neighborhood.** The blocks surrounding the project site include a wide range of building types, heights, and uses typically found in a PDR zoning district. The 3rd Street median contains the T-3rd Street MUNI light rail line. The subject building covers nearly 2/3 of entire block with the remaining space a surface parking lot. Buildings across the street range from one to five stories, most with residential over ground floor retail and a newly constructed six-story residential building to the west. The area east of Illinois Street and approximately three blocks away from the project site consists of a Port of San Francisco shipyard where 19th and Illinois Streets intersect. A mixture of commercial, mixed residential/commercial, live/work, and industrial buildings on the adjacent block faces range from one to five stories, and approximately 15 to 65 feet in height.

The topography in the area slopes downwards from Potrero Hill on the west to the San Francisco Bay to the east. Third Street is at the bottom of Potrero Hill, although the topography continues to drop approximately 12 feet in elevation across the project site from 3rd Street to Illinois Street.

4. Project Description. The project involves an expansion of 5,700 square feet to an existing indoor rock climbing facility/gymnasium (d.b.a. Dogpatch Builders), at 2573-2575 3<sup>rd</sup> Street, from 22,500 square feet t 28,200 square feet, on the ground floor of an approximately 480,000 square foot building known as the American Industrial Center. No exterior modifications to the building are proposed as part of the project.

Touchstone Climbing, the parent company of Dogpatch Boulders, was founded as a San Francisco business, in its current location at 19th and Harrison Streets in 1995 under the business name of Mission Cliffs. Mission Cliffs is a multi-activity fitness club and is an icon of indoor climbing throughout the world. Touchstone Climbing is dedicated to creating innovative and exciting indoor rock climbing centers. The gymnasiums offer the opportunity for climbers of all abilities to challenge and enjoy themselves in a fun and safe environment. Mission Cliffs and Dogpatch Boulders are independently owned and operated, which has been encouraged throughout San Francisco. The proposed use is not a Formula Retail use.

- 5. **Public Comment**. The Department has received no formal comments regarding the proposal.
- 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. **Retail Controls in the PDR-1-G District and Innovative Industries Special Use District.** In the PDR-1-G District, up to 4,000 gross square feet (gsf) of retail use is permitted in the Innovative Industries Special Use District (as defined in Planning code Sections 249.37 and 843.45). A Conditional Use Authorization (CUA) is required when exceeding 4,000 gross square feet in size.

The project proposes the conversion of a vacant ground floor space of approximately 5,700 square feet into an indoor rock climbing facility/gymnasium, d.b.a. Dogpatch Boulders, for a total of 28,200 square feet of space. The proposed use is neighborhood serving and will utilize a vacant tenant space within the building.

b. **Parking.** Planning Code Section 151.1 does not require off-street parking for any commercial use located within the PDR-1-G District.

The proposed use does not provide off-street parking as it is not required by the San Francisco Planning Code.

c. **Bicycle Parking.** Planning Code Section 155.2 requires bicycle parking for any retail use. One Class I space for every 7,500 square feet of occupied floor area and one Class II space for every 2,500 square feet of occupied floor area, for spaces less than 50,000 gross square feet.

The proposed project at a total of 28,200 square feet would require four Class I spaces and eleven Class II spaces be provided. However, the indoor rock climbing facility/gymnasium, in an effort to encourage alternative modes of transportation, currently accommodates approximately 40 bicycle parking spaces. Because all of the aforementioned spaces are indoors, enclosed and fully secured, they more than satisfy all bicycle parking requirements.

d. **Nonconforming Non-Residential Uses.** Planning Code Section 181(i) requires Conditional Use Authorization for the expansion of a non-residential, nonconforming use in the PDR-1-G Zoning District.

The proposed project plans to expand the existing gym in floor area to no more than 25 percent of the existing area, and has applied for Conditional Use Authorization from the Planning Commission.

- 7. **Conditional Use Authorization.** 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.

Much of the district is mixed-use in character. The area is home to a unique mixture of activities which includes PDR businesses, as well as offices, housing, retail and other uses. The proposed project is desirable because it would occupy a vacant space and provide an active storefront for a use that has proven desirable and appropriate for the City and similar neighborhoods. Furthermore, the project serves a predominately local clientele.

The project is compatible with the immediate neighborhood, an area that acts as a buffer between the PDR districts to the north and east and the residential districts to the south and west. The area contains mostly mixed-use buildings with uses including office, retail, housing, and various light industrial uses.

The scale of the project is relatively modest in terms of full fitness facilities. While the proposed 5,700 square foot expansion of the existing 22,500 square foot indoor rock climbing facility is larger than boutique fitness centers, it is smaller than the average health clubs that support more than a fringe group of users in the U.S. Furthermore, the project does not propose an expansion to the existing building envelope; rather it proposes to expand into an adjacent vacant tenant space.

- 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 expansion of the indoor rock climbing facility use will operate within the existing building envelope, and no expansion of the building envelope is proposed.

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 for retail uses in the PDR-1-G District. The Eastern Neighborhoods Plan Areas have generally eliminated minimum off-street parking requirements in new commercial developments, while continuing to permit reasonable amounts of parking if desired. The subject site is well-served by public transit, minimizing the need for private vehicle trips and provides ample interior bicycle parking spaces to accommodate approximately 40 spaces.

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

The indoor rock climbing facility operation is not expected to generate noxious or offensive emissions such as noise, glare dust and odor. The facility is located within an industrial area, and operates within enclosed building walls.

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

The Planning Code does not require any parking or loading for the proposed project. There is no proposed addition of or change to signs as part of the Conditional Use Authorization. No additional landscaping is proposed. There are twenty-three existing trees on the 3rd Street frontage.

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.

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

#### COMMERCE AND INDUSTRY

#### **Objectives and Policies**

#### **OBJECTIVE 1:**

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

#### Policy 1.3:

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

The proposed development will provide a necessary and desirable service to both the immediate and surrounding neighborhoods by providing a facility for recreational fitness. The proposed project is also consistent with the PDR-1-G District in that the use maintains all characteristics of the existing building and preserves the commercial and industrial nature of the area.

#### **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 reuse and retain the existing building while providing an expansion of a commercial activity that has thus far proven effective and desirable; thereby enhancing the diverse economic base of the City. The proposed expansion will occupy a currently vacant space. The proposed indoor rock climbing facility/gymnasium has proven to be a viable and resilient business that has established relationships with its patrons.

#### NEIGHBORHOOD COMMERCE

#### **Objectives and Policies**

#### **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 as currently the space in question is vacant, and the project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood. The proposed use is the only indoor rock climbing facility/gymnasium within the American Industrial Center, thus further diversifying the mix of uses within the building and the neighborhood at large.

#### Policy 6.2:

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to the economic and technological innovation in the marketplace and society.

The proposed use is a neighborhood serving use and is not a Formula Retail use. Dogpatch Boulders has a unique design that is specific to its location in the Dogpatch neighborhood. The proposed facility is responding to the interest and need of indoor rock climbing facilities by providing an expansion of an existing service, while maintaining the basic physical character of the American Industrial Center building as the building footprint will remain unchanged.

#### TRANSPORTATION ELEMENT

#### **Objectives and Policies**

#### **OBJECTIVE 1:**

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

#### Policy 1.3

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

The project site is located immediately adjacent to the T-3rd Street MUNI Metro Rail Line and near MUNI Lines 22, 48, 91 and T-Owl. Bicycle use is also a desirable alternative to the automobile as a means of urban transportation in San Francisco. It can successfully be used for most transportation needs, including commuting, shopping, errands, and recreation. Bicycle use is a practical and economical transportation alternative which produces no emissions or noise. In addition, each bicycle user enjoys health benefits through increased physical activity. The project proposes ample interior bicycle parking spaces to accommodate approximately 40 spaces.

#### CENTRAL WATERFRONT AREA PLAN

#### **Objectives and Policies**

Land Use

#### **OBJECTIVE 1.1:**

ENCOURAGE THE TRANSITION OF PORTIONS OF THE CENTRAL WATERFRONT TO A MORE MIXED-USE CHARACTER, WHILE PROTECTING THE NEIGHBORHOOD'S CORE OF PDR USES AS WELL AS THE HISTORIC DOGPATCH NEIGHBORHOOD.

#### **Policy 1.1.3:**

Permit and encourage greater retail uses on the ground floor on parcels that front 3rd Street to take advantage of transit service and encourage more mixed uses, while protecting against the wholesale displacement of PDR uses.

The proposed project is on the ground floor of the American Industrial Center building along 3rd Street. Approving the expansion of the Dogpatch Boulder's indoor rock climbing facility/gymnasium will take full advantage of the proximity to numerous muni transit lines while further encouraging a mix of uses within the building. Because the proposed work consists of interior tenant improvement work, the historic façade of the American Industrial Building will not be altered.

#### Transportation

#### **OBJECTIVE 4.3**

ESTABLISH PARKING POLICIES THAT IMPROVE THE QUALITY OF NEIGHBORHOODS AND REDUCE CONGESTION AND PRIVATE VEHICLE TRIPS BY ENCOURAGING TRAVEL BY NON-AUTO MODES.

#### Policy 4.3.4:

Encourage, or require where appropriate, innovative arrangements that make efficient use of space, particularly where cars will not be used on a daily basis.

The project provides ample interior bicycle parking spaces, with an innovative parking space arrangement, to encourage the use of bicycles and public transit. The project site is on the T-3rd Street MUNI Metro Rail Line and near MUNI Lines 22, 48, 91 and the T-Owl; furthering incentivizing travel through non-automobile modes.

#### **OBJECTIVE 4.7**

IMPROVE AND EXPAND INFRASTRUCTURE FOR BICYCLING AS AN IMPORTANT MODE OF TRANSPORTATION.

#### Policy 4.7.2:

Provide secure, where accessible and abundant parking, particularly at transit stations, within shopping areas and at concentrations of employment.

Though off-street parking is not required, the applicant provides approximately 40 bicycle parking spaces. Because the aforementioned parking is provided indoors and is thus fully enclosed, it provides a hybrid of Class I and Class II spaces. Because the bicycle racks are located in a locked area, the bicycle racks also satisfy the requirements for Class I bicycle parking.

## Historic Preservation **OBJECTIVE 8.2**:

PROTECT, PRESERVE, AND REUSE HISTORIC RESOURCES WITHIN THE CENTRAL WATERFRONT AREA PLAN.

#### **Policy 8.2.2:**

Apply the Secretary of the Interior's Standards for the Treatment of Historic Properties in conjunction with the Central Waterfront area plan and objectives for all projects involving historic or cultural resources.

The existing American Industrial Center building has a National Register of Historic Places Status Code 4S1. There are no modifications proposed to the exterior of the building and will therefore comply with the Secretary of Interior Standards for historic buildings.

#### **Policy 8.2.3:**

Promote and offer incentives for the rehabilitation and adaptive reuse if historic buildings in the Central Waterfront area plan.

*The proposed project maintains the existing historic building. The construction is limited to interior tenant improvements with no modifications to the exterior of the building.* 

- 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 project will expand into a vacant tenant space and therefore, the project will not displace a neighborhood serving retail use. On the contrary, the proposed expansion of the Dogpatch Boulders indoor rock climbing gymnasium will accommodate an enhancement of a neighborhood-serving retail use that has proven to be desirable and successful.

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

The proposed project is consistent with the stated purpose of the PDR-1-G District in that the intended use maintains and preserves all characteristics of the existing building. Moreover the subject zoning district is located in an area serving as a buffer between residential districts and PDR districts in the Eastern Neighborhoods.

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

No housing is being removed for this Project.

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

The Planning Code does not require parking for any use within the PDR-1-G District. The Project site is well served by public transit and provides an abundance of interior bicycle parking spaces. It is highly likely that both employees and customers of the proposed project will walk, ride their bicycle or use Muni to arrive at the subject location. 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 as the space is vacant.

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.

G. That landmarks and historic buildings be preserved.

The Project will not involve any exterior modifications to the existing building 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 is located within an existing building and will have no negative impact on existing parks and 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. 2017-009773CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 1, 2017, 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. 20051. 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 November 30, 2017.

Jonas P. Ionin Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: November 30, 2017

## **EXHIBIT A**

#### **AUTHORIZATION**

This authorization is for a conditional use to allow a retail use larger than 4,000 square feet and to allow the expansion of a non-residential, nonconforming use (gym) in the PDR-1-G Zoning District for the expansion of an indoor rock climbing facility/gymnasium (d.b.a. Dogpatch Boulders) at 2575 3rd Street, San Francisco, CA, Block 4173, Lot 001 pursuant to Planning Code Sections 181(i), 210.3, 249.37, 303 and 843.45 within the PDR-1-G Zoning District, the Innovative Industries Special Use District and a 68-X Height and Bulk District; in general conformance with plans, dated August 1, 2017, and stamped "EXHIBIT B" included in the docket for Case No. 2017-009773CUA and subject to conditions of approval reviewed and approved by the Commission on November 30, 2017 under Motion No. \*\*\*\*\*. 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 November 30, 2017 under Motion No. \*\*\*\*\*.

#### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. \*\*\*\*\* 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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>

**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, <u>www.sf-planning.org</u>

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, <u>www.sf-planning.org</u>

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.

#### PROVISIONS

6. **Eastern Neighborhoods Infrastructure Impact Fee.** Pursuant to Planning Code Section 423, the Project Sponsor shall comply with the Eastern Neighborhoods Public Benefit Fund provisions through payment of an Impact Fee pursuant to Article 4

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

#### MONITORING - AFTER ENTITLEMENT

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, <u>www.sf-planning.org</u>

8. **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, <u>www.sf-planning.org</u>

#### OPERATION

9. **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, <u>http://sfdpw.org</u>

10. **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, <u>http://sfdpw.org</u>

11. **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, <u>www.sf-planning.org</u>

# **Block Book Map**



23 R D





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



# **Zoning Map**





# **Aerial Photo**





# **Aerial Photo**





# **Context Photos**

### SUBJECT PROPERTY ON 3rd STREET



# **Site Photo**

## PORTION OF OPPOSITE BLOCK ON 3rd STREET



# **Site Photo**

## SUBJECT PROPERTY ON ILLINOIS STREET



# **Site Photo**

## PORTION OF BLOCK OPPOSITE ON ILLINOIS STREET





### SAN FRANCISCO PLANNING DEPARTMENT

## **CEQA Categorical Exemption Determination**

#### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)		
Case No.	Permit No.	Plans Dated		
Addition/	Demolition	New	Project Modification	
Alteration	(requires HRER if over 45 years old)	Construction	(GO TO STEP 7)	
Project description for Planning Department approval.				

#### STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

*Note:	*Note: If neither class applies, an Environmental Evaluation Application is required.*		
	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.		
	<b>Class 3 – New Construction/ Conversion of Small Structures.</b> Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.; .; change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000 sq. ft. if principally permitted or with a CU.		
	Class		

#### STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an Environmental Evaluation Application is required.

5	
	<b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone?
	Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel
	generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and</i>
	<i>the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap &gt;</i>
	CEQA Catex Determination Layers > Air Pollutant Exposure Zone)
	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing
	hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy
	manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards
	or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be
	checked and the project applicant must submit an Environmental Application with a Phase I
	Environmental Site Assessment. Exceptions: do not check box if the applicant presents documentation of
	enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the

	Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).	
	<b>Transportation:</b> Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?	
	<b>Archeological Resources:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? ( <i>refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Archeological Sensitive Area</i> )	
	<b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? ( <i>refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography</i> )	
	<b>Slope = or &gt; 20%:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? ( <i>refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Topography</i> ) <b>If box is checked, a geotechnical report is required.</b>	
	<b>Seismic: Landslide Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? ( <i>refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones</i> ) <b>If box is checked, a geotechnical report is required.</b>	
	<b>Seismic: Liquefaction Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? ( <i>refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones</i> ) <b>If box is checked, a geotechnical report will likely be required.</b>	
	are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an <i>Environmental</i> Application is required, unless reviewed by an Environmental Planner.</u>	
	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.	
Comments and Planner Signature (optional):		

#### STEP 3: PROPERTY STATUS – HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER

<b>PROPERTY IS ONE OF THE FOLLOWING:</b> (refer to Parcel Information Map)		
	Category A: Known Historical Resource. GO TO STEP 5.	
	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.	
	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.	

#### STEP 4: PROPOSED WORK CHECKLIST TO BE COMPLETED BY PROJECT PLANNER

Che	Check all that apply to the project.		
	1. Change of use and new construction. Tenant improvements not included.		
	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.		
	3. <b>Window replacement</b> that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.		
	4. <b>Garage work.</b> A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.		
	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.		
	6. <b>Mechanical equipment installation</b> that is not visible from any immediately adjacent public right-of- way.		
	7. <b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .		
	8. <b>Addition(s)</b> that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.		
Note: Project Planner must check box below before proceeding.			
	Project is not listed. GO TO STEP 5.		
	Project <b>does not conform</b> to the scopes of work. <b>GO TO STEP 5</b> .		
	Project involves <b>four or more</b> work descriptions. <b>GO TO STEP 5</b> .		
	Project involves less than four work descriptions. GO TO STEP 6.		

# STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW TO BE COMPLETED BY PRESERVATION PLANNER

Check a	Check all that apply to the project.			
	1. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.			
	2. Interior alterations to publicly accessible spaces.			
	3. <b>Window replacement</b> of original/historic windows that are not "in-kind" but are consistent with existing historic character.			
	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.			
	5. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.			
	6. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.			
	7. <b>Addition(s)</b> , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .			
	8. <b>Other work consistent</b> with the Secretary of the Interior Standards for the Treatment of Historic Properties (specify or add comments):			

9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):				
(Requires approval by Senior Preservation Planner/Preservation Coordinator)	-			
10. <b>Reclassification of property status</b> . ( <i>Requires approval by Senior Preservation Planner/Preservation</i>				
Reclassify to Category A Reclassify to Category C				
a. Per HRER dated: (attach HRER)				
b. Other ( <i>specify</i> ):				
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.				
<b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b>				
Project can proceed with categorical exemption review. The project has been reviewed by the				
Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>				
Comments ( <i>optional</i> ):				
Comments (optional).				
Preservation Planner Signature:				
	_			
STEP 6: CATEGORICAL EXEMPTION DETERMINATION				
TO BE COMPLETED BY PROJECT PLANNER				
<b>Further environmental review required.</b> Proposed project does not meet scopes of work in either ( <i>check all that apply</i> ):				
Step 2 – CEQA Impacts				
Step 5 – Advanced Historical Review				
STOP! Must file an Environmental Evaluation Application.				
No further environmental review is required. The project is categorically exempt under CEQA.				
Signature				

Signature:
ted,
tegorical exemption pursuant to CEQA Guidelines and Chapter 31
e Code, an appeal of an exemption determination can only be filed

# STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

#### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)		
Case No.	Previous Building Permit No.	New Building Permit No.		
Plans Dated	Previous Approval Action	New Approval Action		
Modified Project Description:				

#### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:

1	
	Result in expansion of the building envelope, as defined in the Planning Code;
	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at loss	tone of the choice house is checked further anxies mental review is required

If at least one of the above boxes is checked, further environmental review is required.

#### DETERMINATION OF NO SUBSTANTIAL MODIFICATION

The proposed modification would not result in any of the above changes.							
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project							
approval and no additional environmental review is required. This determination shall be posted on the Planning							
Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.							
Signature or Stamp:							
ked add	ked, the proposed modifications are categorically exempt under CEQA, in accordance with prior projec additional environmental review is required. This determination shall be posted on the Planning site and office and mailed to the applicant, City approving entities, and anyone requesting written notic						





#### WALL LEGEND



(E) WALLS TO BE DEMOLISHED (E) WALLS TO REMAIN



REF PLAN Scale: 1"= 100 ft 2

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