



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: February 3, 2016
TO: Architectural Review Committee, Historic Preservation Commission
FROM: Rich Sucre, Historic Preservation Technical Specialist, (415) 575-9108
REVIEWED BY: Tim Frye, Preservation Coordinator, (415) 575-6822
RE: **Review and Comment on Proposed Ground Floor Storefront Design
1126 Howard Street
Case No. 2014-003270CUA**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

BACKGROUND

The Planning Department seeks review and comment on the proposed ground floor storefront design associated with the proposed project at 1126 Howard Street.

The proposed project includes a change in use of 18,819 square feet from retail to office. The proposed project includes exterior alterations, including replacement of the non-historic ground floor storefront windows, replacement of the non-historic windows on the second and third floors and installation of rooftop mechanical equipment. The project would also implement a Historic Building Maintenance Plan (HBMP) to ensure an on-going program of maintenance and rehabilitation. 1126 Howard Street is located within the RED (Residential Enclave) Zoning District, Western SoMa Special Use District, and a 40-X Height and Bulk District.

BACKGROUND

On October 7, 2015, the Historic Preservation Commission (HPC) reviewed the proposed project, including the proposed storefront alterations, as noted in HPC Resolution No. 0751. The HPC found the proposed project to be compliant with the Secretary of the Interior's Standards for Rehabilitation, and supported the proposed Historic Building Maintenance Plan (HBMP).

On December 10, 2015, the Planning Commission approved the Conditional Use Authorization (Case No. 2014-003270CUA) associated with the proposed project, as noted in Planning Commission Motion No. 19527. The Planning Commission added a Condition of Approval regarding the proposed storefront design, which requested additional review of the proposed storefront design with the Architectural Review Committee (ARC) of the HPC. The Planning Commission questioned the appropriateness of the proposed storefront design relative to the streetscape. The Planning Commission required additional consideration into the storefront design, its configuration and materials.

STAFF ANALYSIS/RECOMMENDATIONS

The Department finds the proposed project appropriate for the street, and to be in compliance with the Secretary of the Interior's Standards for Rehabilitation. As currently designed, the

Department finds the proposed storefront alterations to be restorative in nature, and based upon historical documentation. The Department worked with the Project Sponsor to develop a storefront design based upon a 1976 photograph, which illustrates the original design of the ground floor. Recognizing the constraints of modern construction and need for ventilation, the Department supports the introduction of the transom level, which aligns to the historical transom over the main entryways. Further, the proposed storefront design is similar in nature to other storefronts found on buildings from this timeframe.

REQUESTED ACTION

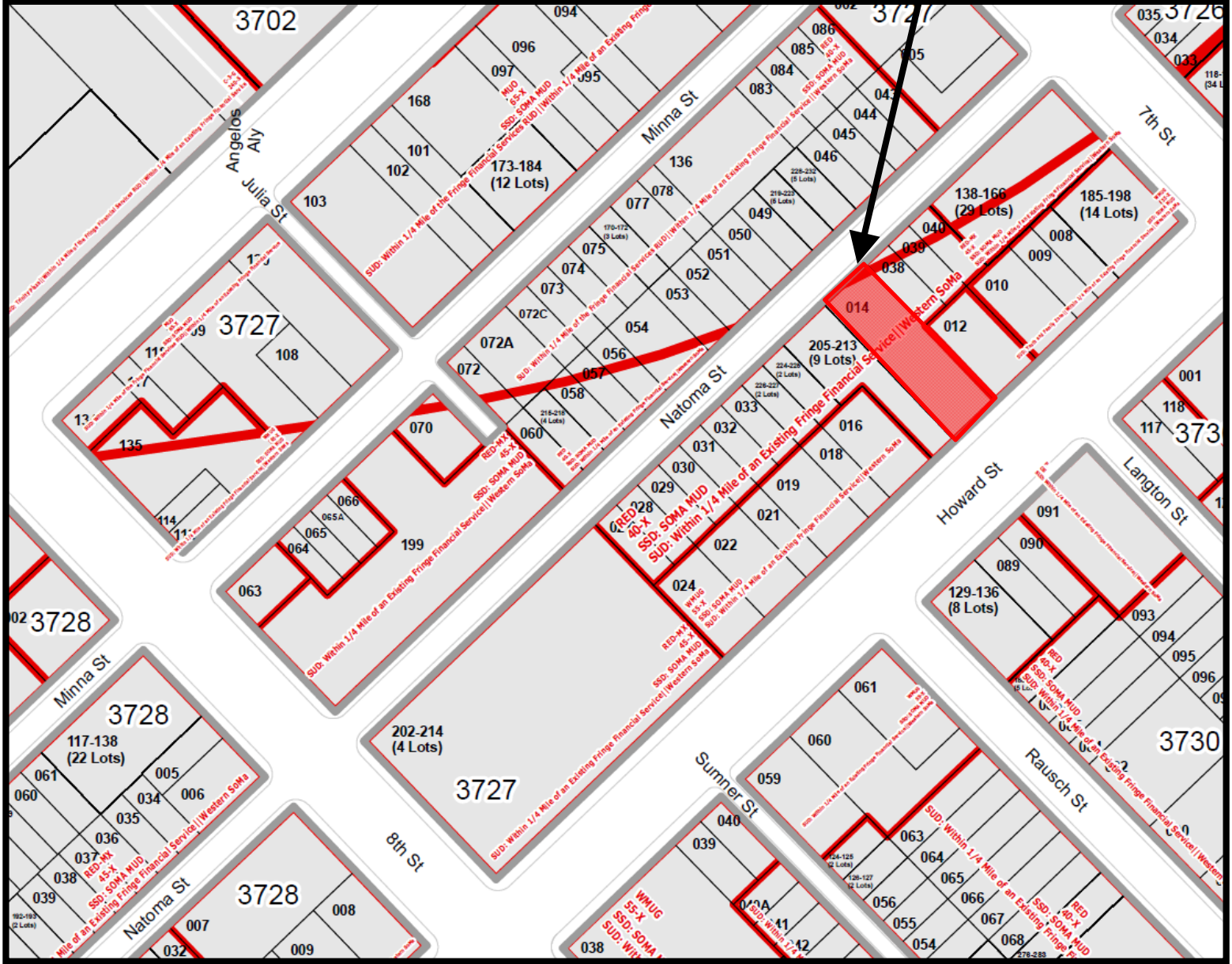
The Department is requesting adoption of a memorandum to the Planning Commission, which provides the determination by the ARC on the appropriateness of the proposed ground floor storefront design at 1126 Howard Street.

ATTACHMENTS

- Exhibits, including Parcel Map, 1998 Sanborn Fire Insurance Map, Zoning Map, Aerial Photograph, and Site Photos
- HPC Resolution No. 0751
- Planning Commission Motion No. 19527
- Proposed Plans, 1126 Howard Street
- 1976 DCP Survey Form, 1126 Howard Street

Parcel Map

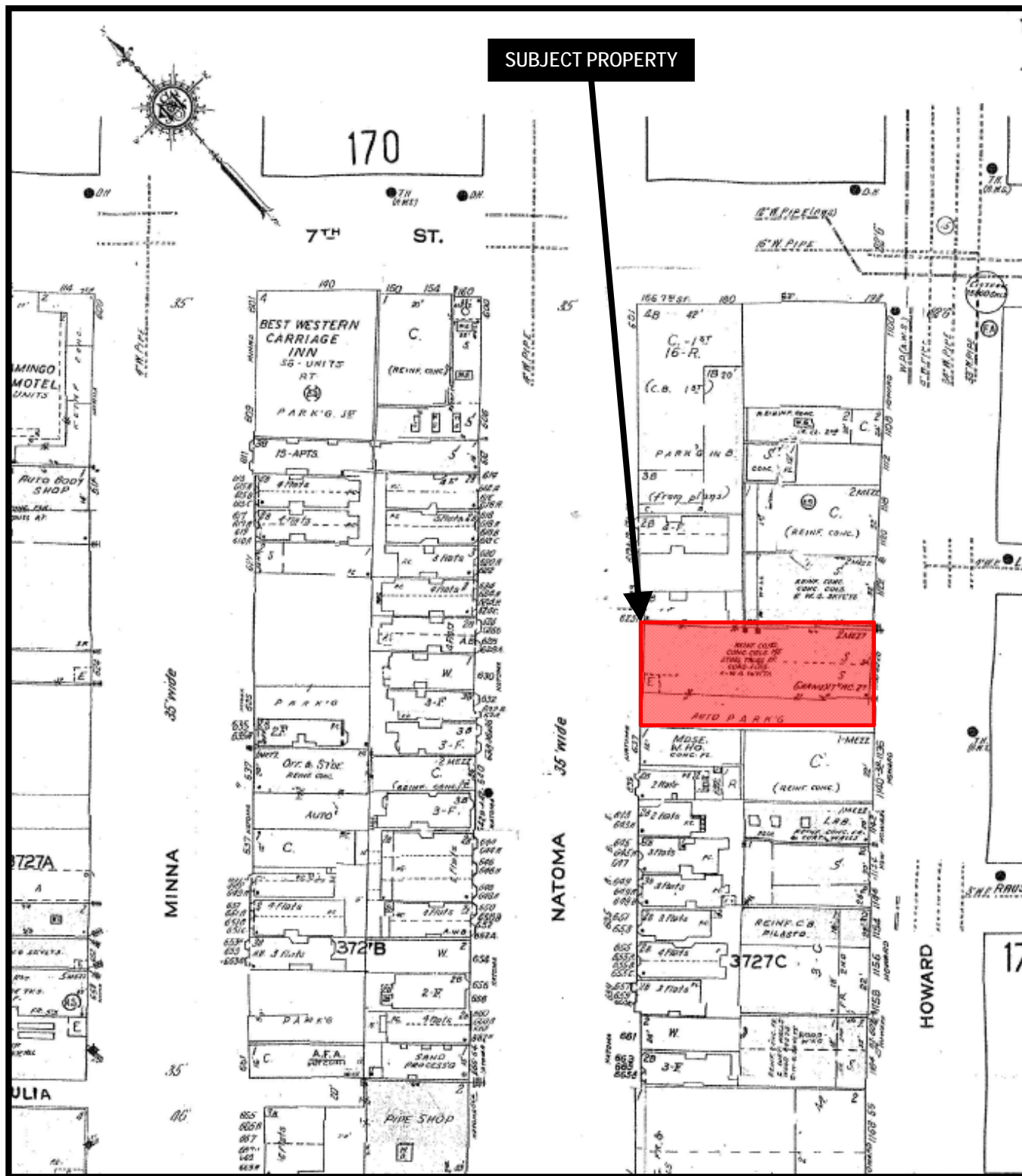
SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2014-003270CUA
1126 Howard Street



Sanborn Map*

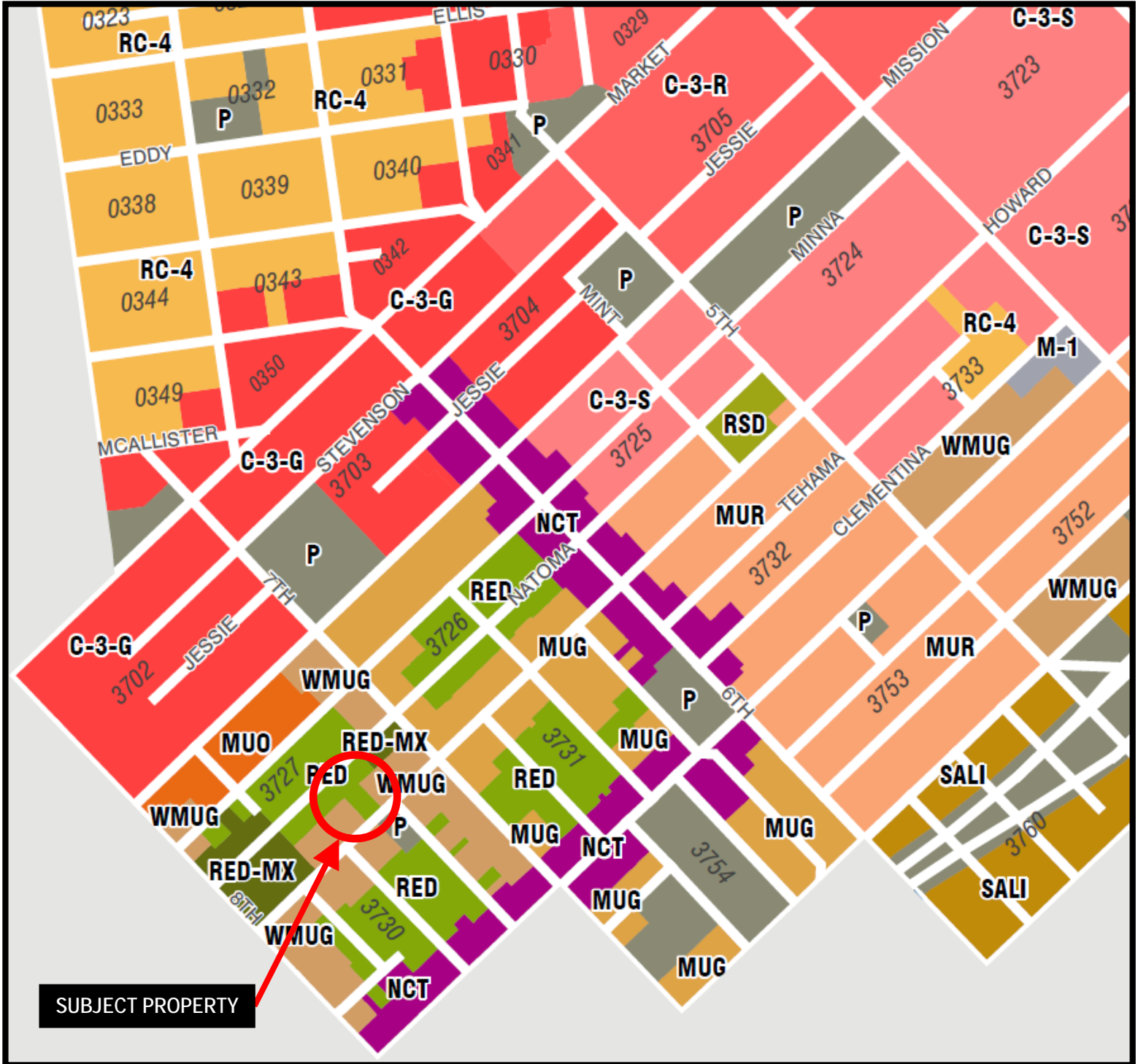


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Conditional Use Authorization Hearing
Case Number 2014-003270CUA
1126 Howard Street



Zoning Map

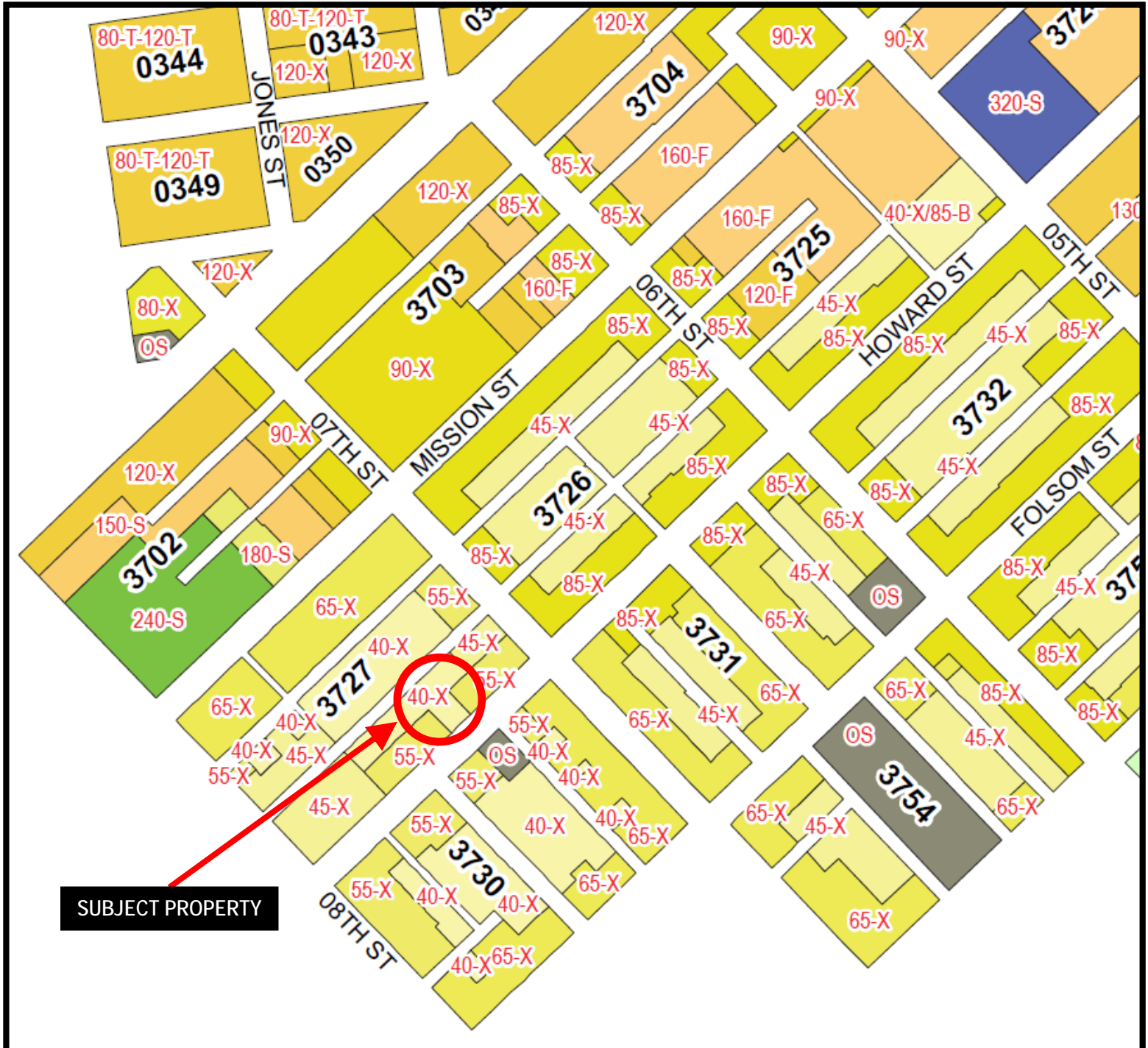


SUBJECT PROPERTY

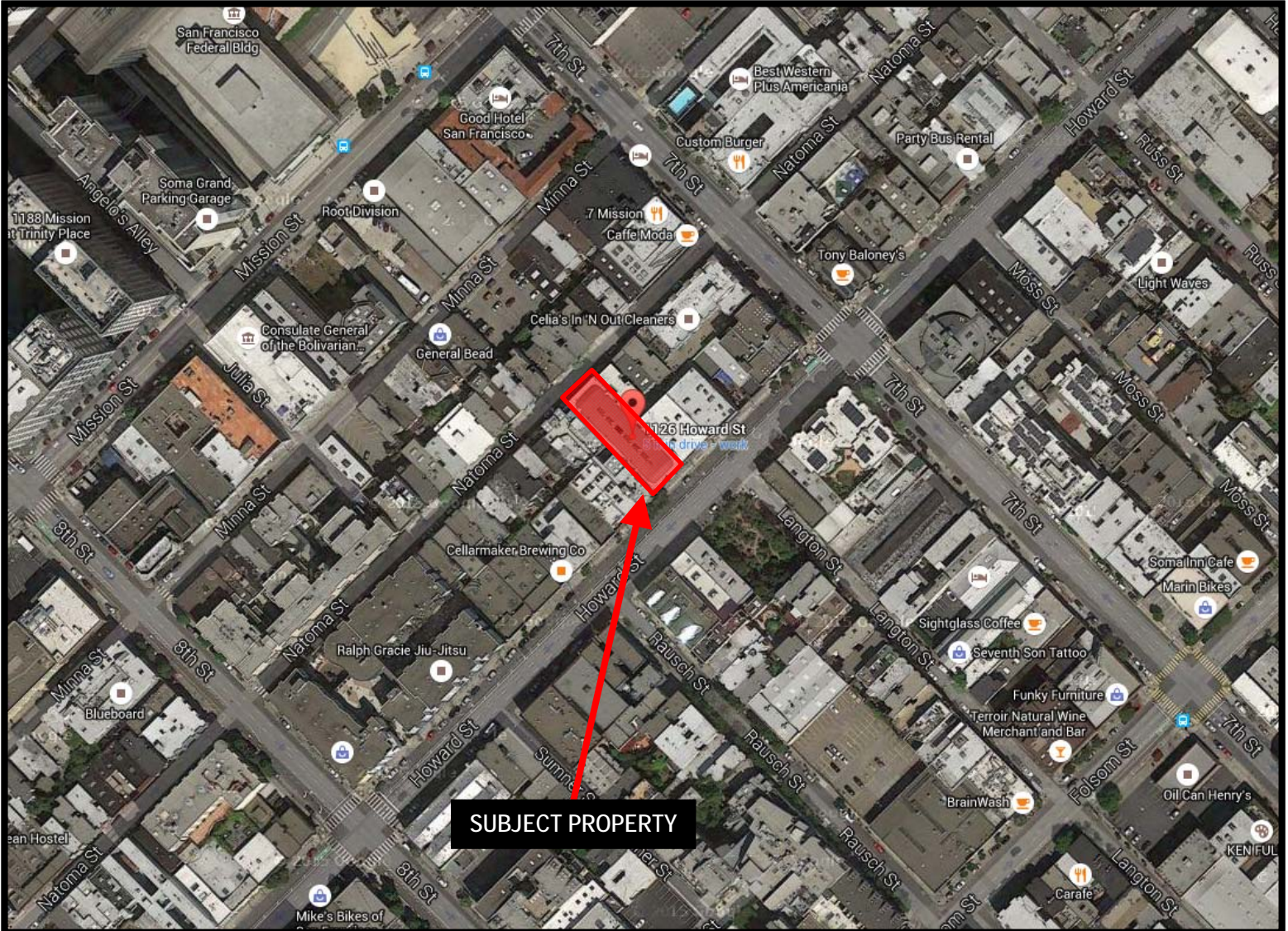


Conditional Use Authorization Hearing
Case Number 2014-003270CUA
1126 Howard Street

Height & Bulk Map



Aerial Photo



Conditional Use Authorization Hearing
Case Number 2014-003270CUA
1126 Howard Street

Site Photo



1126 Howard Street (Google Maps, July 2015)

Conditional Use Authorization Hearing
Case Number 2014-003270CUA
1126 Howard Street

Site Photo



1126 Howard Street, View along Natoma Street (Google Maps, February 2015)

Conditional Use Authorization Hearing
Case Number 2014-003270CUA
1126 Howard Street



SAN FRANCISCO PLANNING DEPARTMENT

Historic Preservation Commission Resolution No. 0751

HEARING DATE: October 7, 2015

Case No.: 2014-003270CUA
Project Address: 1126 Howard Street
Zoning: RED (Residential Enclave) Zoning District
Block/Lot: 3727/014
Project Sponsor: John Kevlin, Rueben & Junius
Staff Contact: Richard Sucre – (415) 575-9108
richard.sucre@sfgov.org
Reviewed By: Tim Frye, Preservation Coordinator
tim.frye@sfgov.org

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ADOPTING FINDINGS PURSUANT TO PLANNING CODE SECTION 803.9(B) REGARDING THE FEASIBILITY OF PRESERVING A HISTORIC BUILDING AT 1126 HOWARD STREET (ASSESSOR'S BLOCK 3727, LOT 014), LOCATED WITHIN RED (RESIDENTIAL ENCLAVE) ZONING DISTRICT, WESTERN SOMA SPECIAL USE DISTRICT AND 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

1. WHEREAS, on December 31, 2014, the Project Sponsor (Rueben & Junius) filed a Conditional Use Authorization Application with the San Francisco Planning Department for 1126 Howard Street (Block 3727, Lot 014).
2. WHEREAS, the proposed project intends to utilize Planning Code Section 803.9(b) to allow a change in use of 18,819 square feet from retail to office at 1126 Howard Street. Pursuant to Planning Code Section 803.9(b), the following provision is intended to support the economic viability of buildings of historic importance within an Eastern Neighborhoods Mixed Use District:

This subsection applies only to buildings in RED and RED-MX Districts that are a designated landmark building per Article 10 of the Planning Code, buildings designated as Category I-IV pursuant to Article 11 of this Code and located within the Extended Preservation District, or a building listed in or determined individually eligible for the National Register of Historic Places or the California Register of Historical Resources by the State Office of Historic Preservation.

A. Retail and office uses, as defined in Planning Code Sections 890.104 and 890.70, respectively, are permitted only with conditional use authorization, pursuant to Planning Code Section 303, provided that:

- i. The project does not contain any nighttime entertainment use.

- ii. Prior to the issuance of any necessary permits, the Zoning Administrator, with the advice of the Historic Preservation Commission, determines that allowing the use will enhance the feasibility of preserving the building
3. WHEREAS, on October 7, 2015, the Department presented the proposed project to the Historic Preservation Commission. The Commission's comments on the compliance of the proposed project with the Secretary of the Interior's Standards for Rehabilitation and the ability of the proposed project to enhance the feasibility of the historic resource would be forwarded to the Planning Commission for consideration under Planning Code Section 803.9(b).

THEREFORE BE IT RESOLVED that the Historic Preservation Commission has reviewed the proposed project at 1126 Howard Street, on Lot 014 in Assessor's Block 3727, and this Commission has provided the following comments:

- The proposed project is compliant with the Secretary of the Interior's Standards of Rehabilitation.
- The Historic Building Maintenance Plan appropriately outlines a program for cyclical maintenance, repair and restoration, and proactively seeks to rectify inappropriate alterations to the subject property, thus reinforcing the building's historic character.

BE IT FURTHER RESOLVED that the Historic Preservation Commission hereby directs its Recording Secretary to transmit this Resolution, and other pertinent materials in the Case File No. 2014-003270CUA to the Planning Commission.

I hereby certify that the foregoing Resolution was ADOPTED by the Historic Preservation Commission at its regularly scheduled meeting on October 7, 2015.

Jonas P. Ionin
Commission Secretary

PRESENT: Hasz, Hyland, Johnck, Matsuda and Wolfram

ABSENT: Johns and Pearlman

ADOPTED: October 7, 2015



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other (EN Impact Fee, Sec. 423) |

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Planning Commission Motion No. 19527

HEARING DATE: DECEMBER 10, 2015

Date: December 10, 2015
Case No.: **2014-003270CUA**
Project Address: **1126 Howard Street**
Zoning: RED (Residential Enclave) Zoning District
Western SOMA Special Use District
40-X Height and Bulk District
Block/Lot: 3727/014
Project Sponsor: John Kevlin, Reuben, Junius & Rose LLP
One Bush Street, Suite 600
San Francisco, CA 94104
Staff Contact: Richard Sucre – (415) 575-9108
richard.sucre@sfgov.org
Recommendation: **Approval with Conditions**

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 803.9(B) AND 813.48 OF THE PLANNING CODE TO PERMIT OFFICE USE WITHIN A QUALIFIED HISTORIC BUILDING AND ALLOW A CHANGE IN USE OF 18,819 SQUARE FEET FROM RETAIL TO OFFICE USE AT 1126 HOWARD STREET, LOT 014 IN ASSESSOR'S BLOCK 3727 WITHIN THE RED (RESIDENTIAL ENCLAVE) DISTRICT, WESTERN SOMA SPECIAL USE DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On December 31, 2014, John Kevlin of Reuben, Junius & Rose LLP (hereinafter "Project Sponsor") on behalf of Alan Sagatleyan of Parkside Lending LLC (Property Owner) filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303, 803.9(b) and 813.48 of the Planning Code to permit office use within a qualified historic property to allow a change in use of 18,819 square feet from retail to office use at 1126 Howard Street within the RED (Residential Enclave) Zoning District, Western SOMA Special Use District and a 40-X Height and Bulk District.

On October 7, 2015, the San Francisco Historic Preservation Commission reviewed the proposed project, and provided a recommendation on the project's feasibility to preserve the subject building, as noted in

HPC Resolution No. 751. Subsequently, the Zoning Administrator has determined that the proposed office use would enhance the feasibility to preserve the subject building.

On December 10, 2015, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2014-003270CUA.

On December 30, 2014, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

The Planning Department, Jonas P. Ionin, is the custodian of records, located in the File for Case No. 2014-003270CUA at 1650 Mission Street, Fourth Floor, San Francisco, California.

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. 2014-003270CUA, 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 a midblock rectangular through lot measuring 50-ft by 165-ft (approximately 8,245 square feet in size) on the east side of Howard Street between 7th and 8th Streets (Block 3727, Lot 014). The project site has 50-ft of frontage along Howard Street and 50-ft of frontage along Natoma Street. Constructed in 1930, 1126 Howard Street is a three-story former warehouse designed in an Art Deco architectural style. Currently, the existing building is vacant and was last legally used for retail.
3. **Surrounding Properties and Neighborhood.** The area surrounding the project site is mixed-use in character, and is located across from the Howard & Langton Mini Park. A variety of residential uses, commercial establishments, and light industrial properties are located within the surrounding area, including several apartment buildings, an art gallery, and a print shop. Along Howard Street, buildings in the immediate vicinity typically range from two to three stories in height, and contain residential, commercial or light industrial uses. Adjacent to the subject property is a five-story condominium and a three-story former warehouse. Along Natoma Street, buildings in the immediate vicinity are predominantly two-to-three-stories tall, and largely residential in character. Other zoning districts within the vicinity of the project site include:

WMUG (Western SoMa Mixed-Use General), Folsom St NCT (Neighborhood Commercial Transit), and MUO (Mixed Use Office).

4. **Project Description.** The proposed project includes a change in use of 18,819 square feet from retail to office. The proposed project also includes exterior alterations, including replacement of the ground floor storefront windows, replacement of the windows on the second and third floors and installation of rooftop mechanical equipment. The project would also implement a Historic Building Maintenance Plan (HBMP) to ensure an on-going program of maintenance and rehabilitation.
5. **Public Comment.** The Department has not received any public correspondence regarding the proposed 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. **Office Use in Historic Buildings in the RED Zoning District.** In qualified historic properties, Planning Code Section 803.9(b) states that office use is principally permitted if the Zoning Administrator, with the advice of the Historic Preservation Commission, determines that the proposed use will enhance the feasibility of preserving the building. Further, the Project requires Conditional Use Authorization from the Planning Commission, and must not contain any nighttime entertainment use.

1126 Howard Street is a qualified historic property, since it was determined to be individually-eligible for listing in the National Register of Historic Places within the South of Market Historic Resource Survey, which was adopted by the Historic Preservation Commission in February 2011. In addition, the proposal was reviewed by the Historic Preservation Commission on October 7, 2015, and was determined to enhance the feasibility of preserving the subject building, as documented in HPC Resolution No. 0751. The proposed project does not contain any nighttime entertainment uses. The Zoning Administrator has reviewed the Project, and has determined that the proposed use would enhance the feasibility of preserving the existing building. Therefore, the Project qualifies for use of Planning Code Section 803.9(b).

- B. **Open Space.** Planning Code Section 135.3 requires one square foot of useable open space for every fifty (50) square feet of occupied floor area of new office use within the RED Zoning District.

For the proposed 18,819 sq ft of office space, the Project is required to provide approximately 376 square feet of useable open space. The Project does not include any on-site open space. Per Planning Code Section 307(h), the Zoning Administrator may grant administrative relief from the non-residential open space requirement, and allow for the payment of the open space in-lieu fee, per Planning Code Section 426.

- C. **Off-Street Parking.** In the RED Zoning District, Planning Code Section 151.1 outlines parking maximums rather than parking minimums. Currently, the project is not required to provide off-street parking for the proposed uses.

The Project does not provide any off-street parking.

- D. **Bicycle Parking.** Planning Section 155.2 of the Planning Code requires at least one Class 1 bicycle parking spaces for every 5,000 sq. ft. of office use, and a minimum of two Class 2 bicycle parking space for any office use greater than 5,000 gsf, but less than 50,000 sq. ft. Therefore, the Project is required to provide 3 Class 1 bicycle parking spaces and 2 Class 2 bicycle parking spaces.

The Project will provide 16 Class 1 bicycle parking spaces. Therefore, the proposed project complies with Planning Code Section 155.2.

- E. **Shower Facility and Clothes Locker Requirement.** Planning Section 155.4 of the Planning Code requires at least one shower and six clothes lockers when gross square footage exceeds 10,000 square feet but is not greater than 20,000 square feet of the office use floor area.

The Project will provide one shower and six clothes lockers. Therefore, the Project meets this Planning Code requirement.

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:

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

The Project includes a change in use from retail to office within a qualified historic property. The size and intensity of the new office use is necessary and desirable for this neighborhood and the surrounding community because the new use will allow for the rehabilitation of a historic landmark and will improve the character of the surrounding neighborhood through the implementation of a Historic Building Maintenance Plan (HBMP). The immediate area is extremely varied in character and features a variety of uses, including light industrial, commercial, and residential. The subject building is a well-preserved historic resource and contributes to the street wall, texture and character of the surrounding neighborhood. The new office use will complement the mix of goods and services currently available in the surrounding district and will contribute to the economic vitality of the neighborhood by preserving, rehabilitating and restoring a historic resource, which is a positive contribution to the neighborhood.

- (2) That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to

property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

- 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. The Project will preserve and rehabilitate the exterior of the subject building, and will remove inappropriate alterations that have occurred over the project's lifetime. The Project will incorporate new compatible alterations, including new upper story windows and a new storefront. The proposed use would be complimentary to the surrounding neighborhood, which already has a wide mix of uses from residential to commercial to industrial. Overall, this work will be beneficial to the surrounding neighborhood and the historic resource.

- 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 off-street parking for the Project. The Project would not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The subject property is easily accessible by public transit.

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

The Project will comply with the City's requirements to minimize noise, glare, odors, or other harmful emissions. As a change in use from retail to office, the Project is not expected to result in noxious or offensive emissions.

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

The Project will add new exterior lighting, historically-appropriate windows on the upper levels and a new compatible storefront on the ground floor. This new work will be beneficial to the surrounding neighborhood because it will improve the larger neighborhood character and would reactivate a vacant storefront. The proposal will not include loading or service areas, unusual lighting or signage.

- (3) 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.

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

The Project is not located in a Neighborhood Commercial District.

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 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.

OBJECTIVE 3:

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

Policy 3.4:

Assist newly emerging economic activities.

The Project will introduce a new office use within the neighborhood, which will enhance the diverse economic base of the City.

URBAN DESIGN

Objectives and Policies

OBJECTIVE 2:

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWING.

Policy 2.4:

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

Policy 2.5:

Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

The Project will preserve, reuse, and rehabilitate a historic resource according to the Secretary of the Interior's Standards for Rehabilitation. The Project will provide for a compatible new use, which will result in removing incompatible alterations to the subject property.

WESTERN SOMA AREA PLAN

LAND USE

Objectives and Policies

OBJECTIVE 1.2:

ENCOURAGE PRESERVATION OF EXISTING AND VIABLY APPROPRIATE NEW LAND USES IN LOCATIONS THAT PROVIDE THE GREATEST OPPORTUNITIES FOR SUCCESS AND MINIMIZE CONFLICT WITH RESIDENTIAL USES.

Policy 1.2.6:

Include development impact fees from the Western SoMa SUD in the Eastern Neighborhoods Community Benefit Fund.

NEIGHBORHOOD ECONOMY

Objectives and Policies

OBJECTIVE 2.1:

RETAIN AND ENCOURAGE GROWTH OPPORTUNITIES.

Policy 2.1.7:

Encourage innovation, creativity and start-up business opportunities through adaptive re-use programs that encourage building rehabilitation over demolition and new construction proposals.

URBAN DESIGN AND BUILT FORM

Objectives and Policies

OBJECTIVE 2.1:

Reinforce the diversity of the existing built form and the warehouse, industrial and alley character.

Policy 5.1.3:

Encourage and support the preservation and adaptive re-use of historic and social heritage neighborhood resources.

Policy 5.1.4:

Continue to develop and codify a clear and coherent historic resource adaptive re-use program for the Western SoMa SUD that reinforces and builds on the Secretary of the Interior adaptive re-use standards.

Policy 5.1.6:

Encourage a mix of uses rather than mixed use developments.

PRESERVATION/SOCIAL HERITAGE AND CULTURAL PRESERVATION

Objectives and Policies

OBJECTIVE 6.2:

Protect historic and cultural resources.

Policy 6.2.2:

Protect individually designated resources and resources that are valuable as a group.

OBJECTIVE 6.3:

Demonstrate leadership through preservation, rehabilitation and adaptive re-use.

Policy 6.3.2:

Preserve, restore, and rehabilitate social heritage assets with an appropriate re-use that responds to the “adaptive re-use analysis” and “adaptive re-use programs” proposed in the Western SoMa SUD.

Generally, the Western SoMa Area Plan encourages the preservation and reuse of historic buildings. The Project is consistent with the policies and objectives of the Western SoMa Area Plan. The Project will contribute to the economic diversity and mixed-use character of the neighborhood and will reuse and restore a historic resource.

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 not significantly affect the availability neighborhood serving retail uses, as numerous retail uses will still be present in the area. The existing building did not contain any neighborhood-serving retail uses. The proposal will introduce a new office use, which will bring new patrons to the area that will frequent the surrounding retail uses.
 - B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The existing building does not contain any existing housing. The Project will not impact the existing housing or neighborhood character, which already includes residential, commercial, and light industrial uses.

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

The Project will not impact any of the existing housing, since no housing exists on the project site.

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

The Project will not alter the existing commuter traffic patterns. The existing building is within walking distance to public transportation options. The location of the site will enable employees and visitors to the building to walk, bike, or use public transit. Parking is not required for the new office use per Planning Code Section 151.1.

- 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.

Currently, the existing building is vacant, and was most recently used for retail. The existing building did not contain any industrial or service sector jobs. The Project will assist in maintaining a diverse economic base by introducing new office use. No industrial or service sector jobs will be impacted by the Project.

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

The Project will conform to the structural and seismic safety requirements of the City Building Code. The proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

1126 Howard Street is a historic resource. As recognized by the Historic Preservation Commission (HPC) in HPC Resolution No. 0671, the proposed project will enhance the feasibility to preserve the existing building by converting the building into office use.

- 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 has no 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. 2014-003270CUA** under Planning Code Sections 303, 803.9(b) and 813.48 to establish office use within a qualified historic property and a change the use of 18,819 square feet from retail to office at 1126 Howard Street within the RED (Residential Enclave) Zoning District, Western SOMA Special Use District, and a 40-X Height and Bulk District. The project is subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated September 16, 2015, 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. 19527. 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 December 10, 2015.

Jonas P. Ionin
Commission Secretary

AYES: Antonini, Fong, Hillis, Moore, Richards and Wu

NAYS:

ABSENT: Johnson

ADOPTED: December 10, 2015

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to establish office use within a qualified historic property and a change in use of 18,819 square feet from retail to office located at 1126 Howard Street, Block 3727 and Lot 014 pursuant to Planning Code Section 303, 803.9(b) and 813.48 within the RED Zoning District, Western SOMA Special Use District, and a 40-X Height and Bulk District; in general conformance with information stamped "EXHIBIT B" included in the docket for Case No. 2014-003270CUA and subject to conditions of approval reviewed and approved by the Commission on December 10, 2015 under Motion No. 19527. 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 December 10, 2015 under Motion No. 19527.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19527 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 Office Development 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 authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

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

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

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

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

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

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

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

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

DESIGN

Final Materials. The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

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

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.

Storefront Design. The Department shall review the design of the ground floor storefront windows with the Architectural Review Committee (ARC) of the Historic Preservation Commission.

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

MONITORING

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

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

PARKING AND TRAFFIC

Bicycle Parking. Pursuant to Planning Code Sections 155.2, the Project shall provide no fewer than 5 bicycle parking spaces (3 Class 1 spaces and 2 Class 2 spaces).

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

OPERATION

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

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>

street address

1130 Howard

3727
block number

14
lot number

1
summary

building type/use/number of floors

ind/3

landmark number

RELATIONSHIP WITH SURROUNDING BUILDINGS

Relationship of setting to building -2 -1 0 1 (2) 3 4 5

Importance as contribution to a cluster/streetscape -2 -1 0 1 (2) 3 4 5

ARCHITECTURAL DESIGN VALUATION

Facade proportions -2 -1 0 1 (2) 3 4 5

Richness/Excellence of detailing/decoration -2 -1 0 (1) 2 3 4 5

Unique visual *entrance* feature of interest 0 1 (2) (3) 4 5

Example of a rare or unusual style or design 0 1 (2) 3 4 5

Overall architectural quality -2 -1 0 (1) 2 3 4 5

PROPOSED FOR FURTHER INVESTIGATION

CORNICE, PARAPET, APPENDAGE

Importance of cornice to building design -2 -1 0 1 2 3 4 5

Cornice contribution to streetscape -2 -1 0 1 2 3 4 5

FACADE CONDITION

Physical condition -2 -1 0 1 (2) 3 4 5

Paint/Material color -2 -1 0 1 2 (3) 4 5

REMODELING

Appropriateness of improvements -2 -1 0 1 2 3 4 5

7E 6/8/75

date

Field Notes

Review Notes

Junior League Listing

text index file

Northern California Guide

Other Listing _____

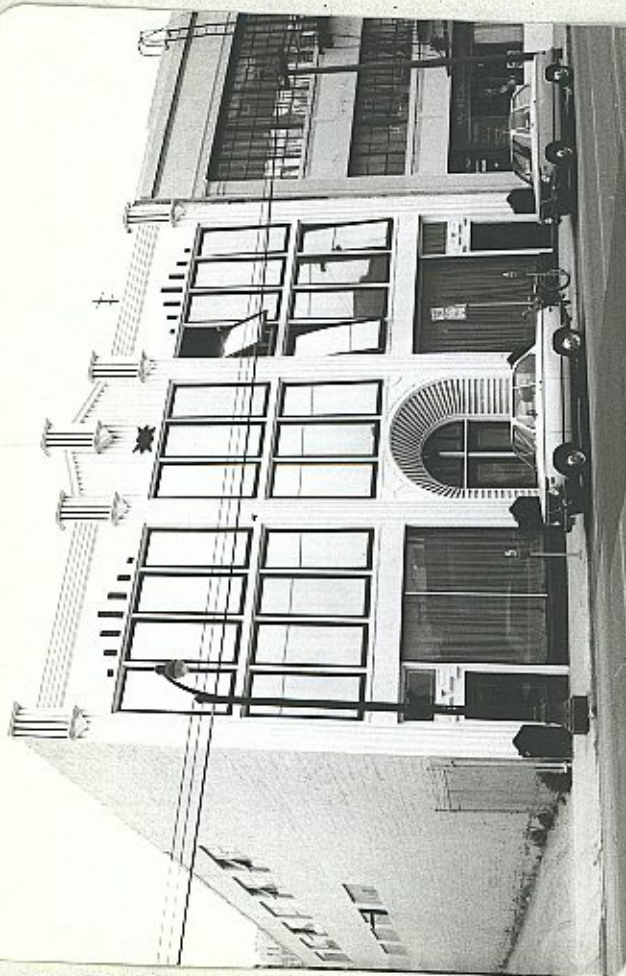


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