



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use Authorization

HEARING DATE: MAY 21, 2020

Record No.: 2018-016668CUA
Project Address: 585 HOWARD STREET
Zoning: C-3-O (SD) (Downtown Office Special Development) Zoning District
350-S Height and Bulk District
Transit Center C-3-O(SD) Commercial
Transbay C-3

Block/Lot: 3736/099
Project Sponsor: Thomas Tunny
Ruben, Junius, & Rose
One Bush Street
San Francisco, CA 94104
Property Owner: 585 Howard Street Partners
585 Howard Street
San Francisco, CA 94105
Staff Contact: Samantha Updegrave – (415) 558-6612
Samantha.updegrave@sfgov.org
Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The Project proposes an 10,200 square foot General Office Use on the ground floor and mezzanine level in an existing three-story building.

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 210.2 and 303 to allow Office on the ground floor in the C-3-O(SD) Zoning District.

ISSUES AND OTHER CONSIDERATIONS

- **Public Comment:** As of the writing of this report, the Department has received one correspondence related to this project that emphasized the need for pedestrian engagement at the Howard Street ground floor.

- **Ground-Floor Office:** An Office Use at the ground floor requires a Conditional Use Authorization in the C-3-O (SD) Zoning District. The ground-floor and mezzanine of the structure were converted to Office without the benefit of a building permit or Planning Department review, and a Notice of Enforcement was issued by the Department on January 3, 2019, Record No. 2018-016668ENF. The space was previously vacant and would be occupied by a small software startup doing business as Bright Machines. An opaque film was also applied to the street-level windows, which does not meet the Planning Code standards. A new sign was placed within an existing projecting sign frame, which constitutes a new sign and requires a permit. Although the tenant sign was removed the sign remains in place. This Conditional Use would legally allow for the Office Use. The Project includes restoring the previous transparency along Howard Street and permitting or removing the sign.

ENVIRONMENTAL REVIEW

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

BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the Downtown Area Plan and the Objectives and Policies of the General Plan. The Project Site is located in the heart of the downtown commercial area and in a Zoning District that specifically calls for the concentration of office. This portion of Howard Street between 1st and 2nd Streets is uniquely situated in relation to the Transbay Terminal. The terminal contains an ample sidewalk-level plaza behind the building that is populated with small retail and restaurants, however, neither the terminal nor the plaza is accessible from Howard Street. The overhead bus ramp crosses Howard Street a few parcels to the east. While Retail Uses are encouraged at the ground level in this District, the location of this Project Site relative to the Transbay Terminal and bus ramp may make retail less viable at this location. Employees of the office will utilize retail, personal services, and restaurants in the vicinity, thus providing support for other businesses. Restoring transparency along Howard Street and using the street-facing area as a flexible workspace and lounge will help activate the sidewalk and pedestrian environment. Establishing an office at the ground floor of this site allows the continued use of a Contributory Building to the Article 11 Second and Howard Historic District in an area where new large developments are slated to occur.

ATTACHMENTS:

- Draft Motion – Conditional Use Authorization with Conditions of Approval
- Exhibit B – Plans and Renderings
- Exhibit C – Environmental Determination
- Exhibit D – Land Use Data
- Exhibit E – Maps and Context Photos
- Exhibit F - Project Sponsor Brief



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Motion

HEARING DATE: MAY 21, 2020

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Record No.: 2018-016668CUA
Project Address: 585 HOWARD STREET
Zoning: C-3-O (SD) (Downtown Office Special Development) Zoning District
350-S Height and Bulk District
Transit Center C-3-O(SD) Commercial
Transbay C-3

Block/Lot: 3736/099
Project Sponsor: Thomas Tunny
Ruben, Junius, & Rose
One Bush Street
San Francisco, CA 94104

Property Owner: 585 Howard Street Partners
585 Howard Street
San Francisco, CA 94105

Staff Contact: Samantha Updegrave – (415) 558-6612
Samantha.updegrave@sfgov.org

ADOPTING FINDINGS TO APPROVE A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 210.2 AND 303 TO ALLOW AN OFFICE USE ON THE GROUND-LEVEL OF AN EXISTING THREE-STORY BUILDING AT 585 HOWARD STREET, LOT 009 IN ASSESSOR'S BLOCK 3736, WITHIN THE C-3-O (SD) (DOWNTOWN OFFICE SPECIAL DEVELOPMENT) ZONING DISTRICT AND A 350-S HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On May 31, 2019, Thomas Tunny of Ruben, Junius, & Rose (hereinafter "Project Sponsor") filed Application No. 2018-016668CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to allow an Office on the ground floor (hereinafter "Project") at 585 Howard Street, Block 3736, Lot 099 (hereinafter "Project Site").

On May 7, 2020 the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class __ Categorical Exemption under CEQA as described in the determination contained in the Planning Department files for this Project.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2018-016668CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

On May 21, 2020, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-016668CUA.

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

MOVED, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2018-016668CUA, 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. **Project Description.** The Project proposes an 10,200 square foot General Office Use on the ground floor and mezzanine level in an existing three-story building.
3. **Site Description and Present Use.** The Project is located at 585 Howard Street, between 1st and 2nd Streets, on a through lot that is 50-foot wide by 165-foot deep and has a lot area of 8,250 square feet. The primary building entry is on Howard Street and with a secondary, back door access from Tehama Street. The site is developed with a 34,500 square foot three-story building that is currently used as offices for three separate tenants, including Bright Machines on the ground floor and mezzanine level. The ground-level office is accessed primarily by the center storefront bay on Howard Street with internal access to the mezzanine, while the upper floors are accessed via a shared lobby on the west side of the building.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the C-3-O (SD) Zoning District within the Transit Center, Downtown, and Transbay Planning Areas, and the Second and Howard Historic District. Other zoning districts in the vicinity of the project site include: P (Public), C-3-S, (Downtown Support), and TB TDR (Transbay Downtown Residential) Zoning Districts. To the west, there is a five-story building and a surface parking lot. There are one-to three-story buildings to the east, including Kate O'Brien's Irish Pub. To the north, across Howard Street, there are two four-story buildings and the back side of the Transbay Terminal spans the blocks between 2nd and Beale Streets. The bus bridge crosses Howard Street four lots to the east of the Project Site, and surface parking is located beneath. The open plaza of the terminal that contains retail, outdoor seating, and other amenities but chain-link fencing and a staff-only garage entrance prevents access from Howard Street. For this reason, this stretch of Howard has a less robust street presence that other sections of this street.

5. **Public Outreach and Comments.** As of the writing of this report, the Department has received one correspondence related to this project that emphasized the need for pedestrian engagement along Howard Street at ground floor.
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. **Use.** Office Use requires a Conditional Use Authorization at or below the ground-floor and is principally permitted on upper floors in the C-3-O (SD) Zoning District. The ground-floor and mezzanine were converted to an Office Use without the benefit of a building permit or Planning Department review, and a Notice of Enforcement was issued by the Department on January 3, 2019, Record No. 2018-016668ENF. The Project Sponsor responded to the Notice of Enforcement and applied for a Conditional Use Authorization to establish the Office Use on the ground level. Criteria for granting the Conditional Use is further discussed in item #7.
 - B. **Active Use.** Section 145(c)(3) of the Planning Code requires active uses for the first 25-feet of building depth. The proposed Office Use meets the criteria for an active use, which is defined as “any principal, conditional, or accessory use that by its nature does not require non-transparent walls facing a public street or involve the storage of goods or vehicles.” A previous conference room, which was constructed as a storage area when the building was used for manufacturing and warehousing, will be converted to a flexible workspace and lounge. This repurposed space would be located facing Howard Street and more heavily used than the previous conference room. Art on the walls would be visible to the passerby and contribute to a more engaged pedestrian environment.
 - C. **Transparency.** Section 145(c)(6) of the Planning Code requires frontages with active uses to be fenestrated with transparent windows and doors for a minimum of 60%. There is currently an opaque film across the street-level windows facing Howard Street that block visibility into the structure that will be removed, thus reinstating the prior existing transparency, per **Condition 6**. No changes are proposed or required along the Tehama frontage.
 - D. **Signage.** A new sign was placed within an existing projecting sign, which is considered a new sign and would require a permit. Although the tenant sign was removed the projecting sign remains in place. The Project Sponsor’s would be required to either obtain the proper permit or remove the sign prior to the issuance of any permit to establish the Office Use, per **Condition 7**, and all subsequent signage would require a permit(s), and must conform with Article 11 requirements for preservation and the provisions of Article 6 of the Planning Code.

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

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

The proposed Office Use is necessary and desirable for, and compatible with the neighborhood, particularly along this portion of Howard Street between 1st and 2nd Streets. The Project Site is located in the heart of the downtown commercial area and in a Zoning District that specifically calls for the concentration of office. The proposed Office use is relatively small, only 10,200 square feet, and would be used by a small software company (d.b.a. Bright Machines). The Project Site is also located across the street from the Transbay Terminal. The terminal contains an ample sidewalk-level plaza behind the building that is populated with small retail and restaurants, however, neither the terminal nor the plaza is accessible from Howard Street. The overhead bus ramp crosses Howard Street a few parcels to the east. While Retail Uses are encouraged at the ground level in this District, the location of this Project Site relative to the Transbay Terminal and bus ramp may make retail less viable at this location. Employees of the office will utilize retail, personal services, and restaurants in the vicinity, thus providing support for other businesses. Restoring transparency along Howard Street and using the street-facing area as a flexible workspace and lounge will help activate the sidewalk and pedestrian environment. Establishing an office at the ground floor of this site allows the continued use of a Contributory Building to the Article 11 Second and Howard Historic District in an area where new large developments are slated to occur,, such as the nearby Parcel F which will bring a 61-story tower with office, hotel, and residential uses.

- 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:
- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - (2) 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;
 - (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

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

The height and bulk of the existing building will remain the same and will not alter the existing appearance or character within the vicinity. The restoration of transparency along Howard Street will provide two-way visibility with an increase pedestrian interest and allow for more “eyes on the street,” a stated goal in the Transbay area. Given the structure’s status a Contributory Structure to the 2nd and Howard Historic District, additions to the building are less desirable, resulting in an underdeveloped lot. The proposed office would allow maximum use of the existing floor area and support the ongoing preservation of the historic resource. The Planning Code does not require parking or loading for a 10,200 ,952 square-foot Office. The Project Site is well-served by public transit and is located a few blocks from the Transbay Terminal, and within ¼ mile of 18 MUNI lines and ½ mile from the Montgomery BART station. The compact nature of the downtown allows for interactions to take place without requiring the use of vehicles. The office should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The Office use would not create noxious or offensive emissions such as noise, glare dust, and odor. Signage would comply with all applicable regulations.

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

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

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

The Office Use as proposed would provide development that is in conformity with the purpose of the Downtown Office Special Development (C-3-O(SD)) Zoning District. The Project Site is located in the region’s employment center and consists primarily of office development.

- E. The use or feature satisfies any criteria specific to the use or feature in Subsections (g), *et seq.* of this Section

Not applicable.

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1

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

The project will benefit San Francisco by increasing the supply of office space in the downtown district where office uses are encouraged, and thus creating new jobs. The project will add an office use to the dense urban core of the City, in a location easily accessible by a multitude of transit services. Employees working at the project will avail themselves of the retail offerings in the neighborhood.

DOWNTOWN AREA PLAN

OFFICE SPACE

Objectives and Policies

OBJECTIVE 2:

MAINTAIN AND IMPROVE SAN FRANCISCO'S POSITION AS A PRIME LOCATION FOR FINANCIAL, ADMINISTRATIVE, CORPORATE, AND PROFESSIONAL ACTIVITY.

Policy 2.1

Encourage prime downtown office activities to grow as long as undesirable consequences of such growth can be controlled.

Policy 2.2

Guide location of office development to maintain a compact downtown core and minimize displacement of other use.

The project will add office space to a location where office uses are allowed and that is well-served by existing and future transit and is within walking distance to goods and services available for employees of office tenants. Workers can walk, bike, or take BART, MUNI, or a regional bus service to the property.

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 complies 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 site does not possess any neighborhood-serving retail uses. The proposed Office Use would provide additional patronage to nearby shops and services.

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

The project site does possess any existing housing. While much of this neighborhood is characterized by ground-level retail services, the Project Site is located across the street from the backside of the Transbay Terminal. A ground-level plaza at the Transbay Terminal provides small retail and restaurant spaces, however there is no access to the plaza or terminal from Howard Street. The proposed Office provides activity at the street level, opportunities for pedestrian interest, and eyes on the street.

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

The Project Site does not currently possess any existing affordable housing. The Project is exempt from the City's Inclusionary Housing Program due to its small size.

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

The Project Site is served by nearby public transportation options, with the Transbay Terminal, 18 MUNI lines, and the Montgomery BART station all within walking distance.

- 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 does not displace industrial or service sector uses, and locates Office in a Zoning District designated for a concentration of office uses.

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

The Project has no impact on earthquake preparedness. The building has already been seismically retrofitted based on the structural and seismic safety requirements of the Building Code.

- G. That landmarks and historic buildings be preserved.

The Project would allow for the continued use of a Contributory Building to the Article 11 2nd and Howard Historic District. The structure was previously seismically retrofitted, and an active tenant will help maintain the preservation of this resource.

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

There are no changes to the building envelop; the Project would not impact parks and open space and their access to sunlight, or any protected vistas.

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 Authorization Application No. 2018-016668CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated April 14, 2020, 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. 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 May 21, 2020.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 21, 2020

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow an Office Use (d.b.a. **Bright Machines**) located at 585 Howard Street, Assessor's Block 3736, Lot 099, pursuant to Planning Code Section(s) 210.2 and 303 within the **C-3-O(SD)** District and a **350-S** Height and Bulk District; in general conformance with plans, dated April 14, 2020, and stamped "EXHIBIT B" included in the docket for Record No. **2018-016668CUA** and subject to conditions of approval reviewed and approved by the Commission on **May 21, 2020** under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **May 21, 2020** under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

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

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

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

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

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

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

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

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

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

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

DESIGN – COMPLIANCE AT PLAN STAGE

6. **Transparency.** The Project Sponsor will remove the frosted film from the street-level windows facing Howard Street to restore the transparency and views into the building.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
7. **Signage.** The Project Sponsor shall either obtain the applicable permit(s) for or remove the projecting sign from the Howard Street façade prior to the issuance of any permit to establish the Office Use at the Project Site. Any subsequent signs shall require a sign permit(s) and must comply with Article 11 requirements for preservation and Article 6 of the Planning Code in effect at the time of permitting the sign(s). All exterior signage shall be designed to compliment, not compete with, the existing architectural character and architectural features of the building.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
8. **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 building permit plans. 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

PROVISIONS

9. **Downtown Park Fee - C-3 District.** The Project is subject to the Downtown Park Fee, as applicable, pursuant to Planning Code Section 412.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

10. **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

11. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

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

OPERATION

12. 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 the Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>.

13. **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>

14. **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 and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups 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

Appendix B:

Plans and Renderings

Conditional Use Authorization
Case Number 2018-016668CUA
585 Howard Street

585 HOWARD



HOWARD STREET (NORTHWEST ELEVATION)



HOWARD STREET ELEVATION

GENERAL NOTES

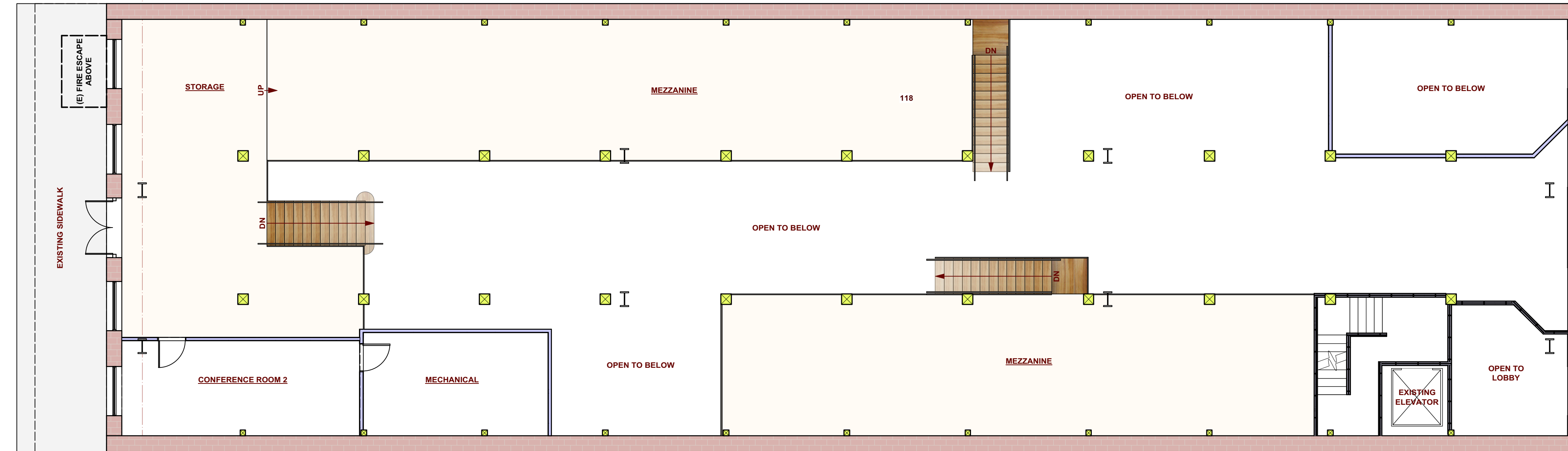
1. THE GROUND LEVEL WINDOWS AND DOORS WILL BE TRANSPARENT. EXISTING WINDOW FROSTING WILL BE REMOVED.
2. THERE WILL NOT BE ANY CHANGES TO THE EXTERIOR OF THE BUILDING. EXISTING BRICK FACADE TO REMAIN.
3. THE OFFICE SPACE LOCATED ALONG HOWARD SHALL BE ACTIVE. THE CONFERENCE ROOM SHALL NOT BE VISIBLE FROM THE STREET.
4. THE RECEPTION DESK SHALL BE MOVED FURTHER INTO THE BUILDING.
5. THE RECEPTION LOBBY SHALL BE OPEN AND ACTIVE.

MICHAEL HEACOCK ARCHITECTS
 ECOLOGICAL ARCHITECTURE + GREEN INTERIORS

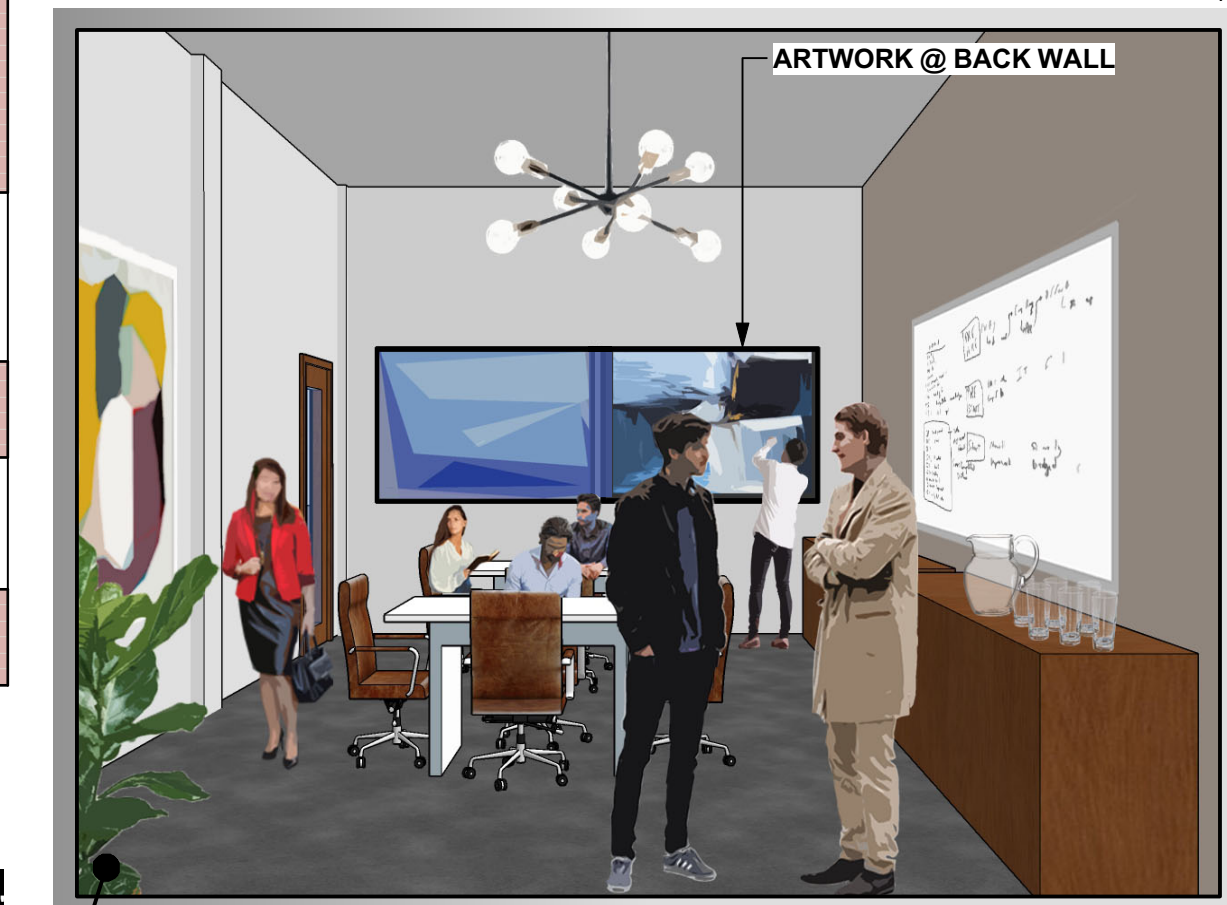
129 Miller Ave, Suite 623
 Mill Valley CA 94941

T 415.845.5326
 E mh@MichaelHeacock.com

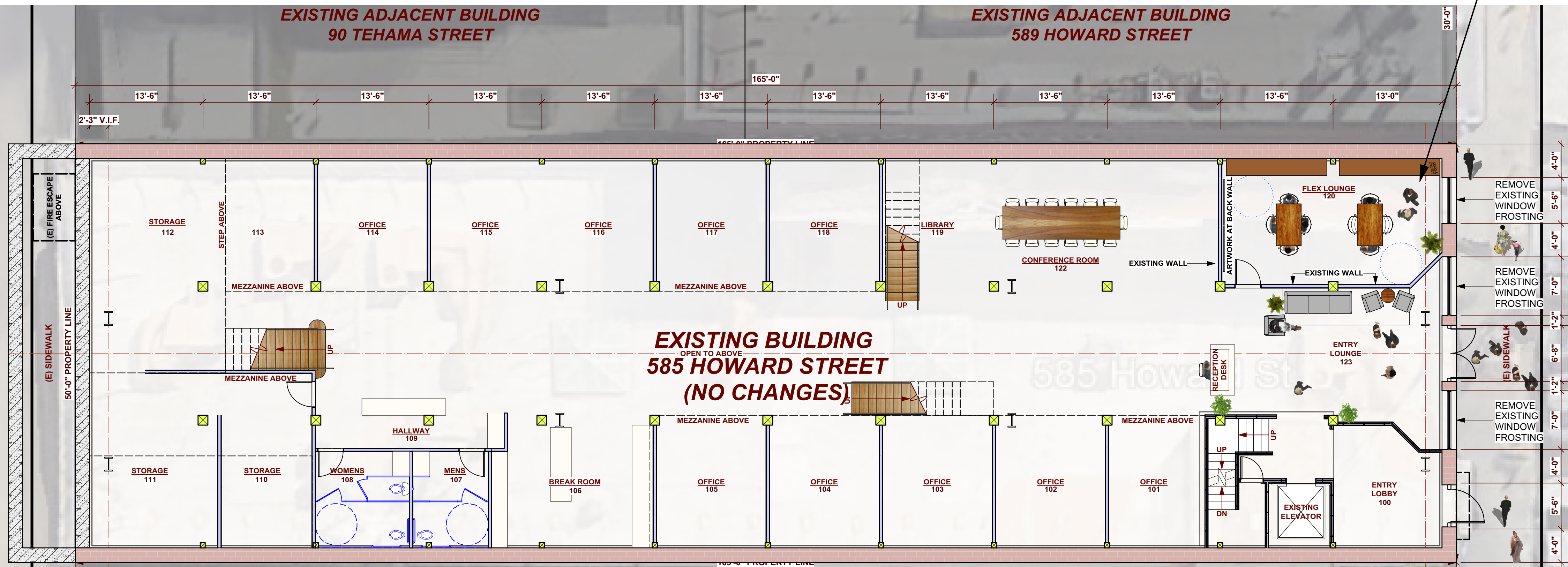
**585 HOWARD ST
 SAN FRANCISCO**



MEZZANINE SCALE 1/8" = 1'-0"



FLEX LOUNGE VISIBLE THROUGH WINDOWS



FIRST FLOOR PLAN SCALE 1/8" = 1'-0"

CONDITIONAL USE AUTHORIZATION

Rev.	Description	Date
1	PLANNING SUBMITTAL	04/15/19
2	PLANNING SUBMITTAL	12/13/19
3	PLANNING SUBMITTAL	03/06/20
4	PLANNING SUBMITTAL	04/14/20

**FLOOR 1
 MEZZANINE**

SHEET **A201**

**585 HOWARD ST
 SAN FRANCISCO**

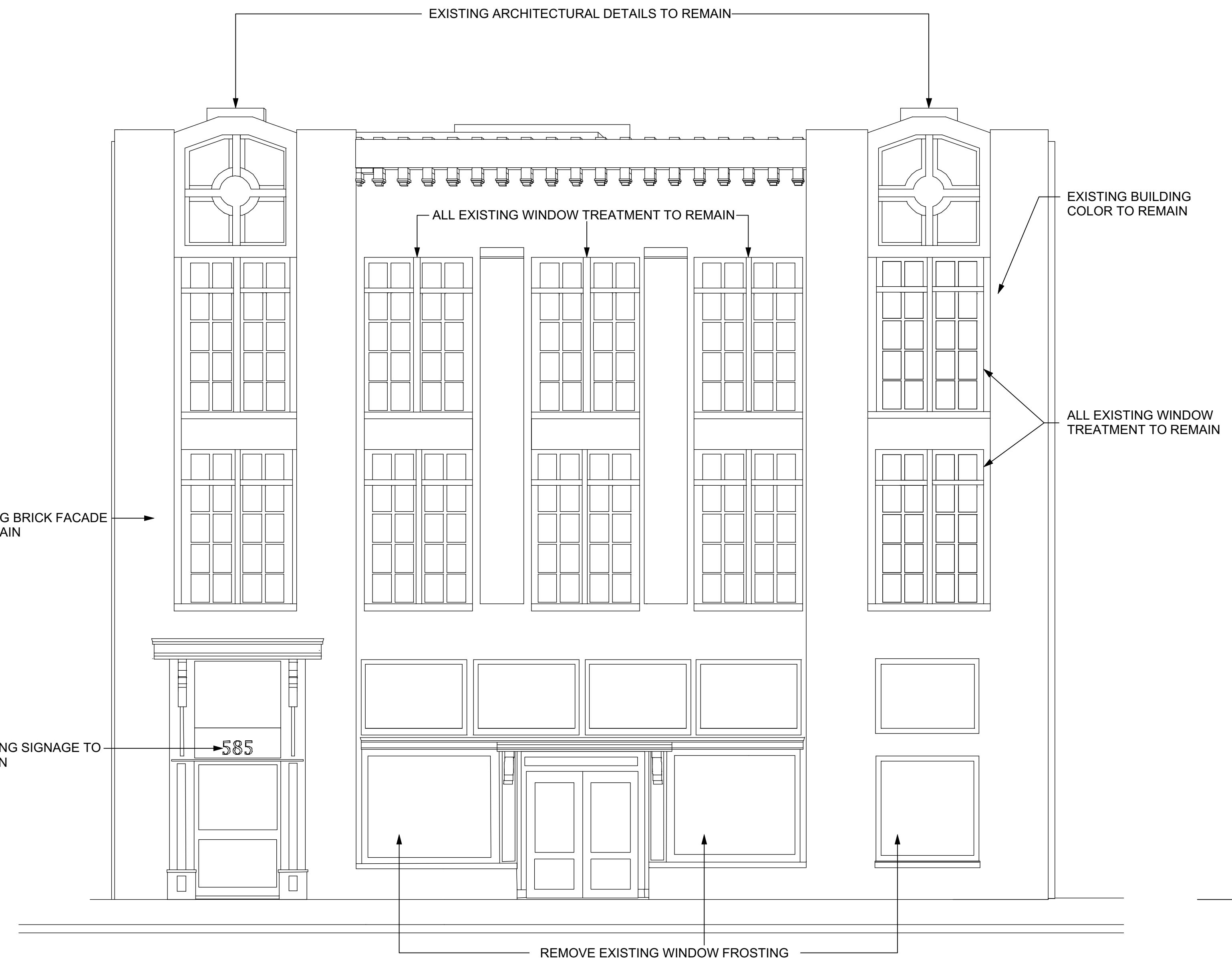
APN



**CONDITIONAL USE
 AUTHORIZATION**

Rev.	Description	Date
	PLANNING SUBMITTAL	04/15/19
	PLANNING SUBMITTAL	12/13/19
	PLANNING SUBMITTAL	03/06/20
	PLANNING SUBMITTAL	04/14/20

**EXTERIOR
 ELEVATION**



NORTHWEST ELEVATION (HOWARD STREET)



NORTHWEST ELEVATION (TEHAMA STREET)

Appendix C:

Environmental Determination



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
585 Howard St		3736099
Case No.		Permit No.
2018-016668PRJ		
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
Project description for Planning Department approval. Conditional Use Authorization application to permit office use on the ground floor.		

STEP 1: EXEMPTION CLASS

The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA).	
<input checked="" type="checkbox"/>	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 - New Construction. Up to three new single-family residences or six 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.
<input type="checkbox"/>	Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services. FOR ENVIRONMENTAL PLANNING USE ONLY
<input type="checkbox"/>	Class ____

SAN FRANCISCO
PLANNING DEPARTMENT

中文詢問請電: 415.575.9010
Para Información en Español llamar al: 415.575.9010
Para sa Impormasyon sa Tagalog tumawag sa: 415.575.9121

Conditional Use Authorization
Case Number 2018-016668CUA
585 Howard Street

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<p>Air Quality: 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, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)</p>
<input type="checkbox"/>	<p>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? Note that a categorical exemption shall not be issued for a project located on the Cortese List 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).</p>
<input type="checkbox"/>	<p>Transportation: Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? 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?</p>
<input type="checkbox"/>	<p>Archeological Resources: 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? If yes, archeo review is required (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</p>
<input type="checkbox"/>	<p>Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography). If yes, Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Slope = or > 25%: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.</p>
<p>Comments and Planner Signature (optional): Jonathan Vimr</p>	

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to <i>Property Information Map</i>)	
<input checked="" type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	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

Check all that apply to the project.	
<input type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. 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 <i>Residential Design Guidelines</i> .
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) 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.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PROJECT PLANNER

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input checked="" type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.

<input type="checkbox"/>	7. Addition(s), 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> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation <input type="checkbox"/> Reclassify to Category A a. Per HRER or PTR dated b. Other (specify): <input type="checkbox"/> Reclassify to Category C (attach HRER or PTR)
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional): Change of use with exterior work being limited to the removal of frosting from the front storefront glazing at ground level.	
Preservation Planner Signature: Jonathan Vimr	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION
TO BE COMPLETED BY PROJECT PLANNER**

<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Planning Commission Hearing	Signature: Jonathan Vimr 05/07/2020
Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.		

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.

MODIFIED PROJECT DESCRIPTION

Modified Project Description:

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	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 least one of the above boxes is checked, further environmental review is required.	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	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. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.	
Planner Name:	Date:

Appendix D: Land Use Data



SAN FRANCISCO PLANNING DEPARTMENT

Land Use Information

PROJECT ADDRESS: 585 HOWARD ST
RECORD NO.: 2018-016668PRJ

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

Reception:
415.558.6378

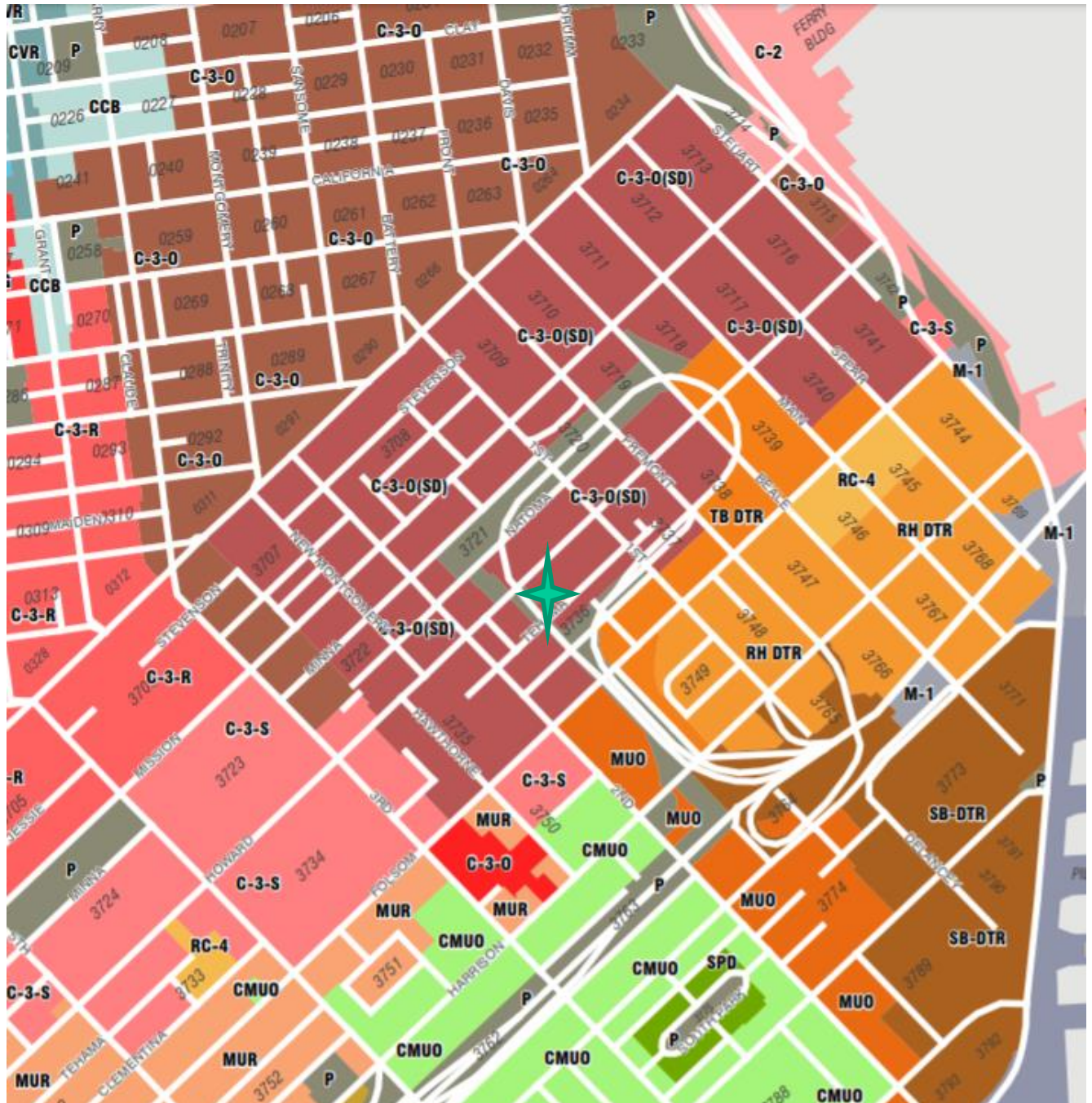
Fax:
415.558.6409

Planning
Information:
415.558.6377

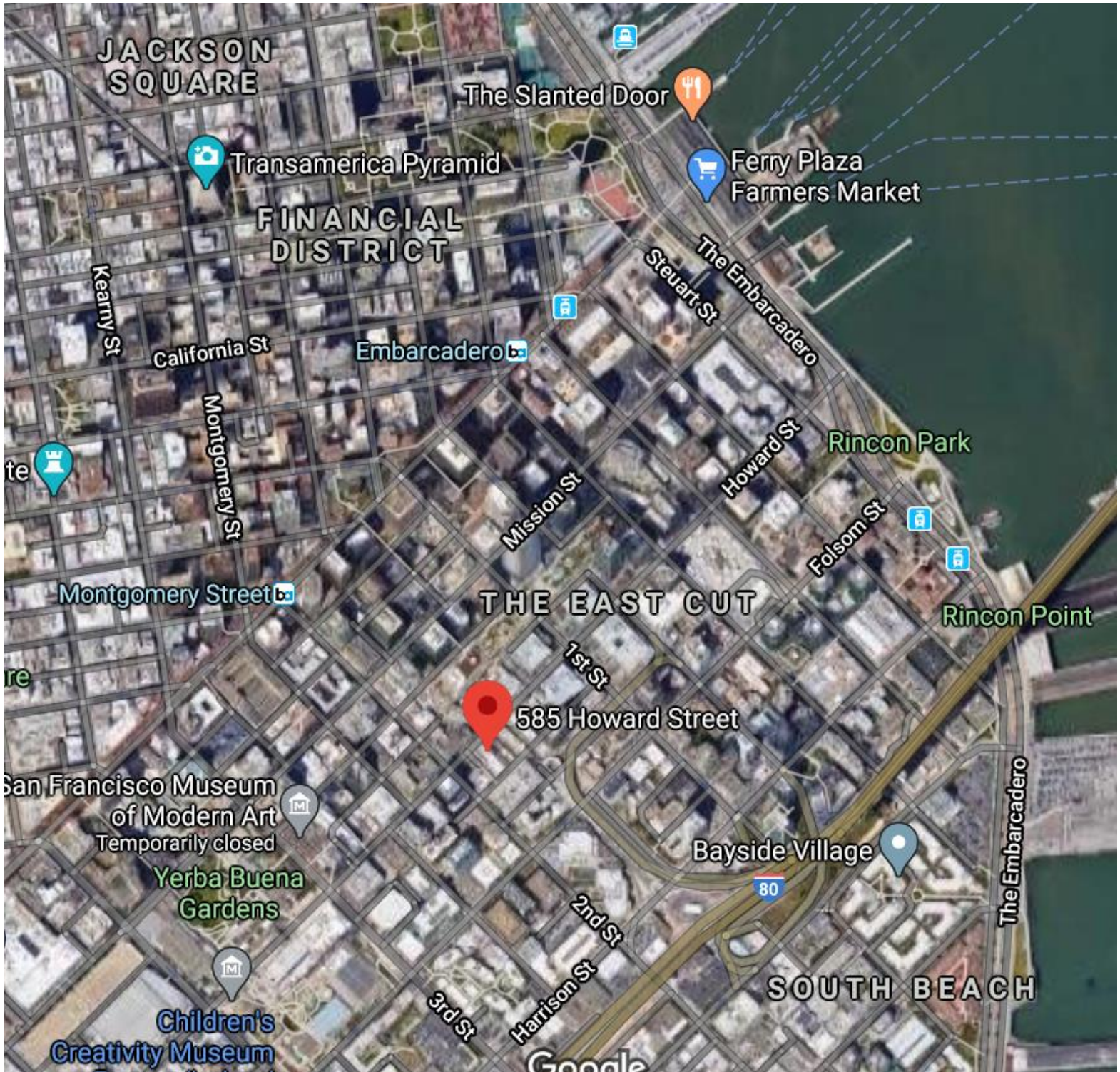
	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Retail/Commercial GSF			
Office GSF	0	10,200	10,200
TOTAL GSF			
	EXISTING	NET NEW	TOTALS

Conditional Use Authorization
Case Number 2018-016668CUA
585 Howard Street

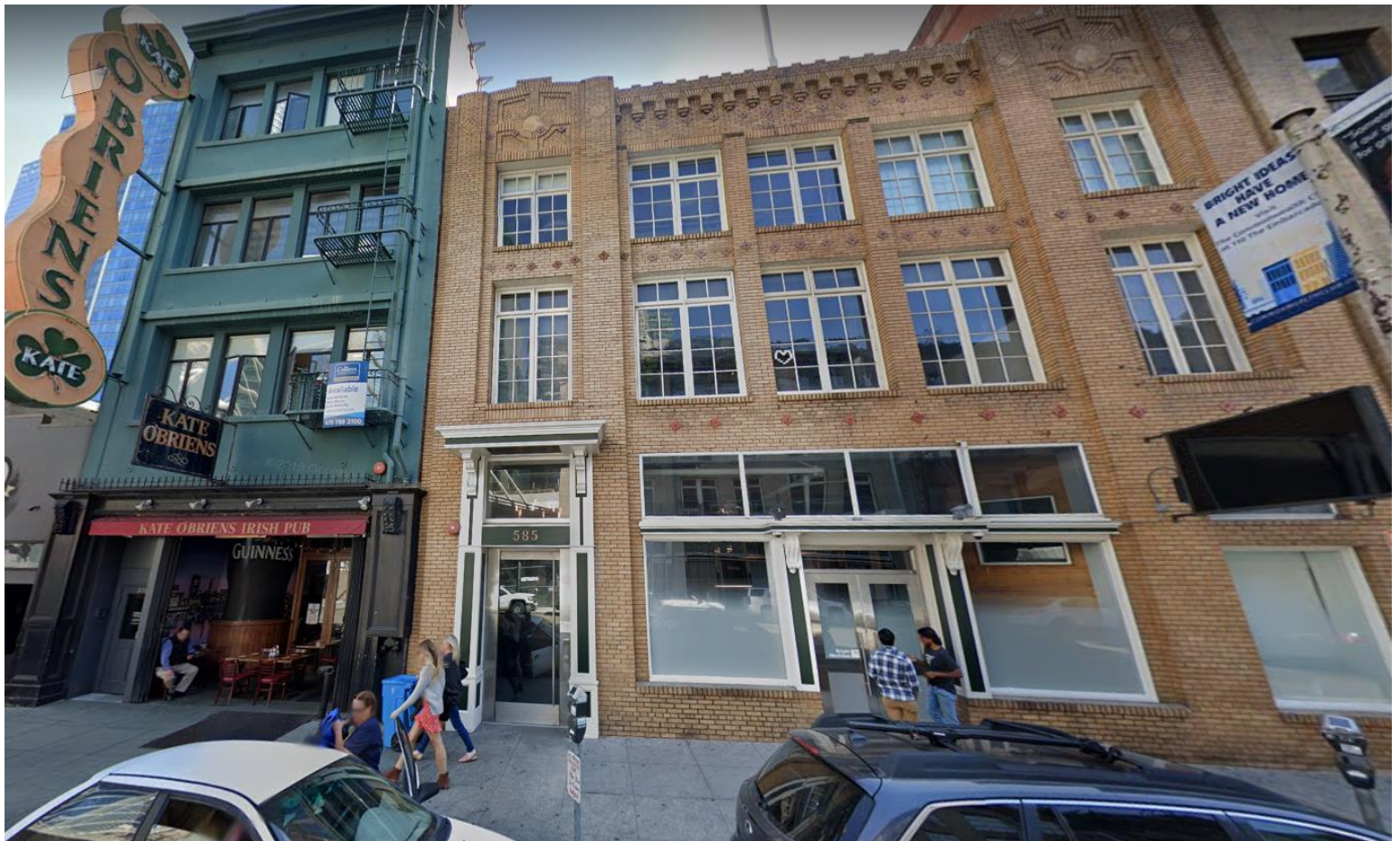
Appendix E: Maps and Context Photos



Conditional Use Authorization
Case Number 2018-016668CUA
585 Howard Street



Google – 2020



Howard Street frontage
Google Street View – October 2019



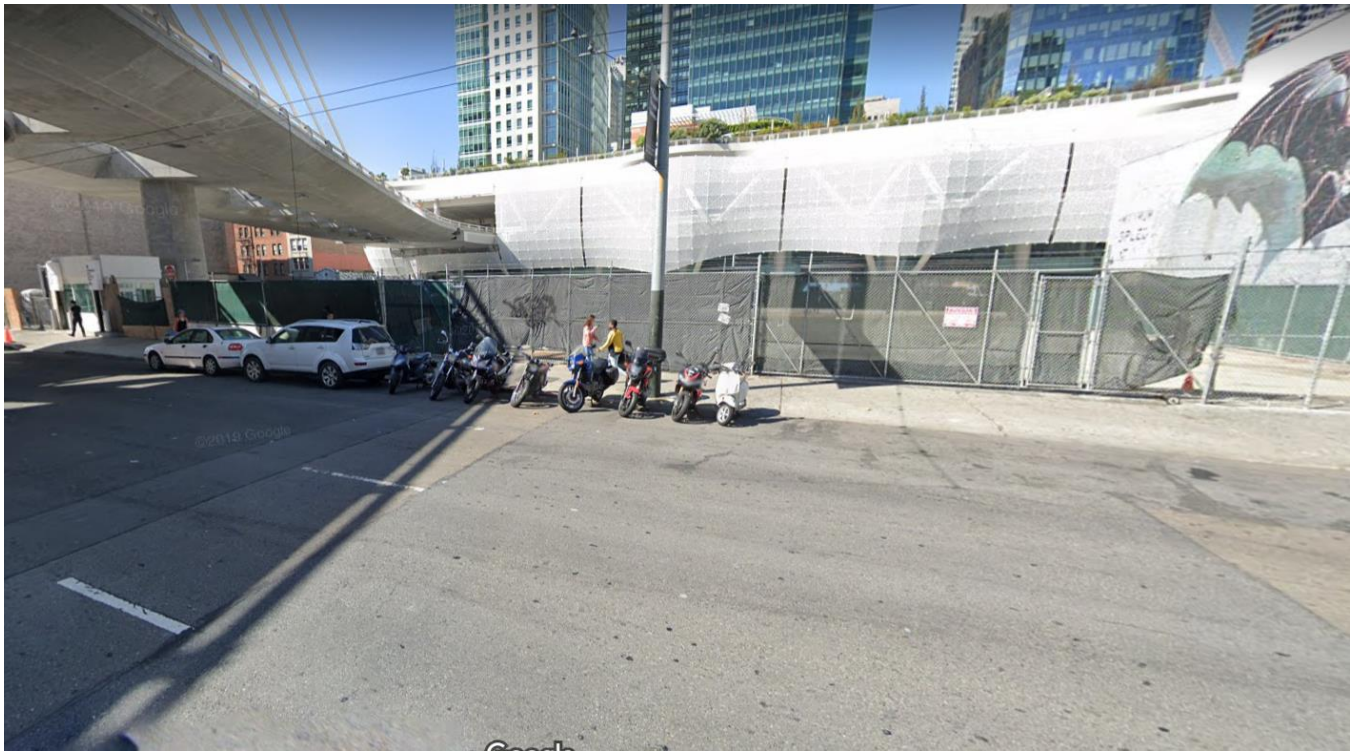
Looking northwest down Howard Street
Google Street View – October 2019



Looking Southeast down Howard Street
Google Street View – October 2019



Tehama Street frontage
Google Street View – October 2019



Looking across Howard Street
Google Street View – October 2019

Appendix F:

Project Sponsor Submittal

585 HOWARD STREET PARTNERS

May 11, 2020

Sponsor Brief for 585 Howard Street (2018-016668CUA) 5/21/20

Prior to the Covid-19 disruption of economic conditions, retail was struggling, even in the most highly trafficked areas. Now, brick and mortar retail may not recover for years, if ever. The building at 585 Howard St is in an area that does not attract retail traffic. Additionally, in the 20 + years we have owned the building, there has been no interest by retailers in this space due to it's size, location and physical limitations. Additionally, the ongoing construction in the area, including from the new parcels across the street and adjacent to us, will make it even a less attractive retail destination for years to come.

We've designed the ground floor office to meet the aesthetic intent of the ground floor retail provisions: transparency and activating the street frontage. The granting of this CU will allow us to avoid a probable long-term vacancy and instead will foster an active, safe ground floor use.

Sincerely,



Francis Mathews & George Yamas

Conditional Use Authorization
Case Number 2018-016668CUA
585 Howard Street