



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

September 9, 2016

Dan Gershwin
Coblentz Patch Duffy & Bass LLP
One Montgomery Street, Suite 3000
San Francisco, CA 94104

Name:	Rainbeau Building Associates, LLC
Site Address:	149 Bluxome Street
Assessor's Block/Lot	3785 / 022
Zoning District:	WMUO (Western SoMa Mixed Use – Office)
Staff Contact:	Ming Yeung, (415) 575-9183 or ming.yeung@sfgov.org
Record No.:	2016-009336ZAD

Dear Mr. Gershwin:

This letter is in response to your request for a Letter of Determination regarding the property at 149 Bluxome Street. The subject property is located in the WMUO (Western SoMa Mixed Use – Office) Zoning District and 65-X Height and Bulk District. The request seeks a determination as to whether the property was legally converted in 2000 from a Light Manufacturing use to an Office/Business Service use to allow a new prospective office tenant to obtain building permits for interior tenant improvements without additional change of use approvals.

Background and History

As noted in your letter, prior to 1999 the property was in Light Manufacturing use for garment assembly and production. At that time, the property was zoned SLI (Service/Light Industrial) which prohibited office uses, as then defined under the Planning Code. In late 1999, the owner of the property (Rainbeau Building Associates) sought to lease the property to the Transilluminant Corporation (doing business as Encirq) for multimedia use. Encirq was an internet startup company that provided products turning standard reports, bills and statements into interactive portals that are published online. On February 17, 2000, a Letter of Determination was issued by the Planning Department determining that the Encirq multimedia use was permitted in the SLI district as a Business Service use under the then-existing definition in Planning Code Section 890.111. On August 23, 2000, Building Permit No. 2000.05.01.8664 was issued to Encirq for tenant improvements at the property for the Business Service use and for the change in use from Light Manufacturing to Business Service. The permit was approved by the Planning Department with the following note: "As per plans & application, tenant improvements. Letter of Determination dated 17 Feb 2000 permits office use in SLI district..." According to your submittal, the tenant improvements were completed on December 27, 2000, however, the permit did not receive a Final Inspection from the Department of Building Inspections (DBI).

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

In 2002, Encirq broke its five-year lease and moved out of the property after two years. The owner put the building on the market and master leased it to J.J.'s Mae, who then subleased the building to Norton LLC (dba Wolfgang's Vault). Wolfgang's Vault is an electronic commerce company that maintains a website for streaming recordings from Bill Graham's collection, and for online sale of memorabilia such as concert clothing and posters. Wolfgang's Vault leased the building from 2002 to 2012 and did not perform any tenant improvements during its occupancy, using the space in a manner consistent with that of Encirq.

In 2008, the Eastern Neighborhoods Plan was adopted revising the Planning Code definitions for Office and Business Service uses. Office use was re-defined to also include "multimedia, software development, web design, electronic commerce, and information technology" uses which were previously determined to fall under the Business Service use category and which describe the operation of Encirq and Wolfgang's Vault.

On November 2, 2012, Rainbeau and AVG Technologies (the current tenant), executed a lease for the property with a commencement date of December 1, 2012. AVG creates and offers anti-virus software. AVG took possession immediately and sought multiple building permits for tenant improvements. The work modified the previous tenant improvement work performed for the Encirq occupancy, and work under these permits received Final Inspections from DBI in 2013.

In 2013, the Western SoMa Area Plan was adopted, rezoning the property from SLI to WMUO. Per Planning Code Sections 845.66 and 845.83, both Office and Business Service uses are principally permitted uses in the WMUO Zoning District. Section 890.70 defines Office as including, but not limited to, "multimedia, software development, web design, electronic commerce, and information technology."

Determination

Based upon the information provided in your request, it is my determination that the property was converted in 2000 from a Light Manufacturing use to a Business Service use as per the Letter of Determination. In consideration of the permit and tenant history, as well as the subsequent amendments to the Planning Code through the Eastern Neighborhood and Western SoMa Plans, I have determined that the building contains a legal Office use and no further change of use authorization is required. To ensure that the City's records accurately reflect the legal use of the property, please contact DBI to finalize Building Permit Application No. 2000.05.01.8664.

Please note that a Letter of Determination is a determination regarding the classification of uses and interpretation and applicability of the provisions of the Planning Code. This Letter of Determination is not a permit to commence any work or change occupancy. Permits from appropriate Departments must be secured before work is started or occupancy is changed.

Dan Gershwin
Coblentz Patch Duffy & Bass LLP
One Montgomery Street
San Francisco, CA 94104

September 9, 2016
Letter of Determination
Rainbeau Building Associates, LLC

APPEAL: If you believe this determination represents an error in interpretation of the Planning Code or abuse in discretion by the Zoning Administrator, an appeal may be filed with the Board of Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, or call (415) 575-6880.

Sincerely,



Scott F. Sanchez
Zoning Administrator

cc: Property Owner
Neighborhood Groups
Ming Yeung, Planner

Dan Gershwin
D 415.772.5714
dgershwin@coblentzlaw.com

R# 2016-009336 ZAD
CR # 4576 \$ 645 -
M. YEUNG (SE)

July 1, 2016

VIA HAND DELIVERY

Scott Sanchez
Zoning Administrator
Department of City Planning
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Request for Zoning Administrator Determination
149 Bluxome Street
Assessor's Block/Lot: 3785/022

Dear Administrator Sanchez:

This firm represents Rainbeau Building Associates, LLC ("Rainbeau"), the owner of the two-story building located at 149 Bluxome Street (the "Property"). We write to request a Zoning Administrator Determination confirming that the Property was legally converted in 2000 from a Light Manufacturing use to an Office/Business Service use with the knowledge, review, and approval of the Planning Department, as evidenced by: (1) the February 17, 2000 Letter of Determination approving the conversion, (2) the October 7, 1999 CEQA Certificate of Determination issued for the conversion, and (3) Building Permit Application 2000-05-01-8664, which contains Planning Department notations referencing and relying upon the Letter of Determination, and referencing the Planning Department file containing the CEQA Certificate of Determination. We also request confirmation that, as a result of this legal conversion, no additional change of use approvals are required for a new prospective office tenant to obtain building permits for interior tenant improvements.

Conversion History

Prior to 1999, the Property was in Light Manufacturing use, for garment assembly and production. At that time, the Property was zoned Service/Light Industrial (SLI), which prohibited office uses as then defined under the Planning Code. Rainbeau sought to lease the Property to tenant Transilluminant Corporation (doing business as Encirq) for multimedia use. Before entering into the lease, in late 1999 Rainbeau and Encirq submitted written requests for a Zoning Administrator Determination that the Encirq multimedia use was permitted in the SLI district as a Business Service use under the then-existing definition in Planning Code Section 890.111. Acting Zoning Administrator Gerald G. Green agreed and determined, in a letter dated February 17, 2000, that

Scott Sanchez
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Page 2

Encirq's multimedia use was a permitted Business Service use. (See Letter of Determination and related correspondence attached as Exhibit A.)

Rainbeau and Encirq also filed an Environmental Review Application form for the conversion to allow the Planning Department to perform environmental review. On October 7, 1999, the Environmental Review Officer issued a Certificate of Determination concluding that pursuant to CEQA Guidelines Section 15061(b)(3), it could "be seen with certainty that the proposed project could not have a significant effect on the environment and is appropriately exempt from environmental review." (See Certificate of Determination and Environmental Review Application attached as Exhibit B.) The Planning Department file number for the conversion is 1999.586.

Rainbeau and Encirq entered into a lease, and Encirq filed Building Permit Application 2000-05-01-8664 on April 28, 2000 for construction of tenant improvements in the space. The Letter of Determination was attached to the application, and on April 28, 2000 the Planning Department approved the building permit with the following notations: "As per plans & application, tenant improvements. Letter of Determination dated 17 Feb 2000 permits office use in SLI district. CP 1999.586." (Emphasis added. See Building Permit Application 2000-05-01-8664, particularly Planning Department approval on row 2 of Page 2, attached as Exhibit C.) These notations demonstrate that the Planning Department relied upon the Letter of Determination, and that the Building Permit Application was linked to the Planning Department file containing the CEQA Certificate of Determination.

Completion of Tenant Improvements, Occupancy by Encirq, and 2013 Building Permit

The tenant improvement building permit was issued on August 23, 2000, and Encirq's contractor Roberts & Sons Builders completed the tenant improvements work on December 27, 2000. (See Notice of Completion recorded March 22, 2001 attached as Exhibit D.) For reasons unknown, there are no inspections noted on the Building Permit Inspection Record, which indicates that the Building Permit expired in 2002 due to the lack of a documented final inspection. The Planning Department's approval of the Building Permit and the associated change of use, and the fact that the new use was actually established pursuant to that permit, established the legal conversion of the space for Planning Code purposes.

Though no final inspection was documented for the 2000 permit, DBI has subsequently approved and inspected building permits for office use. Notably, in 2013 the Department of Building Inspection issued Building Permit 2013-01-14-7903 for current office tenant, AVG Technologies, to perform interior tenant improvements. That work modified the previous tenant improvements work performed for the Encirq occupancy, and the Department of Building Inspection signed the building permit and confirmed completion

Scott Sanchez
July 1, 2016
Page 3

on April 12, 2013. (See Building Permit Application 2013-01-14-7903, attached as Exhibit E.) There is no indication that the lack of a documented final inspection for the 2000 Encirq tenant improvement building permit presented any concern for the Department of Building Inspection, and all work associated with that building permit still in place at the Property has effectively been inspected and approved as a result of the 2013 tenant improvements for AVG Technologies.

Planning Code Analysis

Office uses are principally permitted in the WSoMa Mixed-Use Office (WMUO) district under the Planning Code, as are Business Service uses. (See Planning Code Section 845 and Table 845.) The Property was previously zoned Service/Light Industrial (SLI), which prohibits General Office uses, but was rezoned to WMUO as a result of the 2013 Western South of Market Area Plan. (See Ordinance No. 43-13, Page 50, Row 8 [entry for Block/Lot 3785/022], an excerpt of which is attached as Exhibit F.)

The appropriate use characterization for multimedia, Internet-related businesses was generally considered on a case-by-case basis until 2008, as demonstrated by the 2000 Letter of Determination. In 2008, the Board of Supervisors adopted the Eastern Neighborhoods Area Plans and made corresponding revisions to Planning Code Sections 890.70 (definition of Office Use) and 890.111 (definition of Business Service Use), clarifying that multimedia, software development, web design, electronic commerce, and information technology businesses are now considered office uses under the Planning Code. (See Ordinance No. 298-08, Pages 796-798, an excerpt of which is attached as Exhibit G.)

The Encirq use for which the Property was converted from Light Manufacturing to Business Service was redefined by the 2008 Planning Code amendments for the Eastern Neighborhoods Area Plans. Under the existing definition of office, AVG Technologies, which creates and offers anti-virus software, is an office use. The legal use—and the actual existing use of the Property—is therefore office, and no change of use is required for the prospective office tenant.¹

Conclusion

We respectfully request that the Zoning Administrator confirm that: (1) the Property was legally converted in 2000 from a Light Manufacturing use to an Office/Business Service use, and (2) as a result of this legal conversion, no additional change of use approvals

¹ Like Encirq, and current office tenant AVG Technologies, the prospective office tenant is a multimedia, Internet-related business.

Coblentz
Patch Duffy
& Bass LLP

Scott Sanchez
July 1, 2016
Page 4

are required for a new prospective office tenant. Thank you in advance for your consideration. We enclose our check payable to the Planning Department in the amount of \$645 in payment of the fee for a Zoning Administrator Determination. Please do not hesitate to contact me if I can provide you with any additional information or answer any questions.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Dan Gershwin", followed by a long horizontal line extending to the right.

Dan Gershwin

Enclosures

cc: Marc Bussin
Ming Yeung



PLANNING DEPARTMENT

City and County of San Francisco 1660 Mission Street San Francisco, CA 94103-2414

(415) 558-6378 PLANNING COMMISSION ADMINISTRATION CURRENT PLANNING/ZONING LONG RANGE PLANNING
FAX: 558-6409 FAX: 558-6426 FAX: 558-6409 FAX: 558-6426

February 17, 2000

Mr. David Thompson
Crosby, Heafey, Roach and May
Four Embarcadero Center, Suite 1900
San Francisco, CA 94111-4106

Re: TransIlluminant Corp.
149 Bluxome Street
Multi-media/Internet Technology Zoning Determination

Dear Mr. Thompson:

This responds to your written inquiry of December 22, 1999 as well as Mr. Bill McCluskey's written inquiry of October 26, 1999. In both letters, the key question asked was whether TransIlluminant Corp. qualifies as a business service use as defined under Planning Code Section 890.111, and is therefore a permitted use in the SLI (Service Light Industrial) zoning district.

In your December 22 letter you describe TransIlluminant as an internet startup that provides products which turn standard reports, bills and statements into interactive portals which are published entirely online. I find that this use very much resembles uses currently listed under the definition of Business Service as defined in Section 890.111, such as radio and television stations; magazine and trade publishing; and desktop publishing. Indeed, had internet services been as omnipresent a decade ago, when the South of Market zoning controls were adopted, as they are today, I believe services such as those TransIlluminant provides would have been specifically listed in Code Section 890.111. Therefore, I find that TransIlluminant Corp., as a use, falls under the use category of Business Service and is therefore a permitted use in the SLI zoning district.

Any aggrieved person may appeal this decision to the Board of Appeals within 15 days of the date hereof. For further information, please contact the Board of Appeals in person at 1660 Mission Street, Room 3036, or by telephone at (415) 575-6880.

Sincerely,

Gerald G. Green
Director of Planning
Acting Zoning Administrator

cc: Sue Hestor

CROSBY, HEAFEY, ROACH & MAY

PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

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FOUR EMBARCADERO CENTER

SAN FRANCISCO, CALIFORNIA 94111-4106

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OAKLAND
(510) 763-2000

CENTURY CITY
(310) 203-2630

David A. Thompson
Direct Dial: (415) 659-5968
E-mail Address: dthompson@chrm.com

HAND DELIVERY and
U.S. MAIL

December 22, 1999

Ms. Mary Gallagher
Zoning Administrator
Department of City Planning
1660 Mission Street, Fifth Floor
San Francisco, CA 94103

Re: Translluminant Corporation (www.transilluminant.com)—
149 Bluxome Street

Dear Ms. Gallagher:

Our office represents Translluminant Corporation ("Translluminant" or the "Company"). We are writing on behalf of Translluminant to request a written determination whether occupancy of the real property and improvements located at 149 Bluxome Street, Block 3785, Lot 22 ("Property"), in the Service/Light Industrial ("SLI") Zoning District by a multimedia company, Translluminant, is permitted as a principal use within that Zoning District.

Translluminant is an Internet startup that provides services to businesses that are primarily in the consumer retailing and service sectors. These include financial services companies, major retailers, airlines, hotels and oil companies. Translluminant's products turn standard reports, bills and statements into interactive portals which are published entirely online through the use of sophisticated computers, servers and networks. The end-users access these portals by use of their own computers through a combination of Translluminant's and its clients' websites. Portals are considered media companies because they provide business services and have functional operations and economic models akin to traditional broadcast and print media.

Translluminant is currently located in the South of Market "Multimedia Gulch" area of the City and needs new quarters to expand its business. Because the building

RECEIVED
DEC 23 1999
CITY & COUNTY OF S.F.
DEPT. OF CITY PLANNING
& ADMINISTRATION

CROSBY, HEAFEY, ROACH & MAY
PROFESSIONAL CORPORATION

Ms. Mary Gallagher
December 22, 1999
Page 2

selected as its new premises is located within an SLI Zoning District, the Company is seeking a determination that it qualifies under San Francisco Zoning regulations as a "Business Service."

At its San Francisco location, the Company currently employs approximately 40 employees, the majority of whom are information designers, web designers, database administrators, system architects, web producers, graphics designers, quality engineers, Unix administrators, information systems engineers and desktop support engineers. The Company expects its staff to grow dramatically over the next several years with skill sets substantially similar to its current staff.

The Company currently operates in an open space configuration with no private offices. Its space includes a development data center housing its network interfaces and servers. At its new premises, the Company intends to occupy approximately 19,000 square feet in a similar open space configuration of which approximately 25% will serve as its data operation center. The operation of its business can be analogized to a broadcast media or publishing company using the Internet instead of the airwaves and computers instead of printing presses.

Translluminant's operations fall within the "Business Service" use classification permitted as a primary use in the SLI Zoning District. The "Business Service" category of the Planning Code Sections 816.47 and 890.111 include a use such as Translluminant's. The examples of "Business Services" listed in Section 890.111 include radio and television stations, magazine and trade publications and desktop publishing. Like television and radio stations, Translluminant packages information with advertising and will distribute it to the public through a public access network, the Internet. The fact that this network transmits data in addition to video and audio signals and that computer monitors are used instead of television sets is immaterial. In fact, many of Translluminant's potential customers are participating in ventures that will lead to Translluminant's products being distributed through television set-top boxes and viewed on regular television screens.

Like magazine and trade publishing, Translluminant packages information with advertising, publishes it under its clients' private labels and disseminates it to businesses and individuals; only the medium is different (the Internet versus hard copy). Like desktop publishing, Translluminant uses computers to produce its published materials; only the method of delivery to the end user is different. In sum, there is no valid distinction in the type of intensity of use between Translluminant's operations and those of other media publishers for purpose of the broad definition set forth in Section 890.111.

Although "multimedia" is not specifically defined in the current Planning Code, it would appear that Translluminant's operations should also qualify for this classification. According to the Planning Department's publication entitled "Multimedia in San Francisco" (San Francisco Planning Department, August 1997), the multimedia

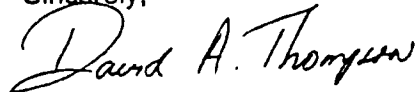
CROSBY, HEAFEY, ROACH & MAY
PROFESSIONAL CORPORATION

Ms. Mary Gallagher
December 22, 1999
Page 3

industry "facilitates access to and distribution of information through new communications tools and processes. Multimedia firms develop products or provide services integrating sound, image, video or text into a form that allows the user to interact with that information." (page 3) This description exactly fits TransIlluminant's business since its business is based on the creation and distribution of computer-accessible information that integrates sounds, video, text and/or graphics.

Thank you for your prompt attention to this matter. Please feel free to contact the undersigned with any questions you have.

Sincerely,



David A. Thompson

DAT:mjb

cc: Mr. Mark B. Vogel, President and Chief Executive Officer
Ms. Cheryl A. Sorokin, Vice President

McCLUSKEY AND ASSOCIATES
ARCHITECTS, INC.

October 26, 1999

HAND DELIVERED

BILL McCLUSKEY, AIA
PRESIDENT

Ms. Mary Gallagher
Zoning Administrator
Department of City Planning
1660 Mission Street
5th Floor
San Francisco, CA 94103

Mr. Julian Banales
Planner
Department of City Planning
1660 Mission Street
San Francisco, CA 94103

Re: 149 Bluxome Street, Multi-Media Tenancy

Dear Mary and Julian:

McCluskey and Associates is the architect of record for base building improvements at the existing 149 Bluxome Street property. This property consists of one below grade level and two additional full floors at grade and above constituting an overall project of approximately 24,340 gross square feet. Since a portion of this below grade level accommodates onsite parking, the remaining gross square footage of the project accommodating multi-media occupancy constitutes approximately 18,633 gross square feet.

This base building upgrade constitutes a legal change of occupancy from light manufacturing to multi-media use.

We have prepared and submitted an environmental review application and an environmental General Rule Exception has been granted for this project.

Given the Planning Department's October 14, 1999 information flyer addressing internet technology and multi-media occupancy, we respectfully request that multi-media occupancy be approved as the sole tenancy for this property. Please consider this correspondence our request related to this letter of determination by the Department prior to submitting a building permit application.

In support of this multi-media occupancy, we have included a copy of the environmental review application, individual floor plans and a letter from the prospective tenant, TransIlluminant Corporation, dated October 22, 1999. This correspondence outlines TransIlluminant's services and appears to substantiate their use as a multi-media tenant.

We trust this information is sufficient for you to make this determination and remain available to respond to any questions or concerns you may have associated with this proposed multi-media occupancy.

Very truly yours,

Bill McCluskey

cc: Mr. Marc Bussin
Mr. David Thompson

enc.

R:\Admin\Projects\1000s\01052.01\Bluxome.149 T\Plan Dept\Ltr Gallagher.wpd
Project No. 01052

735 MONTGOMERY
THIRD FLOOR
SAN FRANCISCO
CALIFORNIA 94111
TEL 415 391 5000
FAX 415 391 5550

TRANSILLUMINANT
CORPORATION

Mark B. Vogel
President
Chief Executive Officer

December 8, 1999

Mary Gallagher
Zoning Administrator
Department of City Planning
1660 Mission Street
5th Floor
San Francisco, CA 94103

Re: Request for Written Determination Pursuant to Planning Code Section 307(a)
149 Bluxome Street

Dear Ms. Gallagher:

I am the Chief Executive Officer of TransIlluminant Corporation. TransIlluminant is an Internet startup that provides services to businesses that are primarily in the consumer retailing and service sectors. These include financial services companies, major retailers, airlines, hotels and oil companies. TransIlluminant's products turn standard reports, bills and statements into interactive portals which are published entirely online through the use of sophisticated computers, servers and networks. The end-users access these portals by use of their own computers through a combination of TransIlluminant's and our clients' websites. Portals are considered media companies because they provide business services and have functional operations and economic models akin to traditional broadcast and print media.

We are currently located in the South of Market "Multimedia Gulch" area of the City and need new quarters to expand our business. Because the building we have selected as our new premises is located within an SLI Zoning District, we are seeking a determination that we qualify under San Francisco Zoning regulations as a "Business Service".

At our San Francisco location, TransIlluminant currently employs approximately 40 employees, the majority of whom are information designers, web designers, database administrators, system architects, web producers, graphics designers, quality engineers, Unix administrators, information systems engineers and desktop support engineers. We expect our staff to grow dramatically over the next several years with skill sets substantially similar to our current staff.

300 Brannan Street, Suite 608
San Francisco, CA 94107

415.284.9800 ext.110
415.861.8764 fax
mvogel@transilluminant.com

The Company currently operates in an open space configuration with no private offices. Its space includes a development data center housing its network interfaces and servers. At our new premises, the Company intends to occupy approximately 19,000 square feet in a similar open space configuration of which approximately 25% will serve as its data operation center. The operation of our business can be analogized to a broadcast media or publishing company using the Internet instead of the airwaves and computers instead of printing presses.

Transilluminant's operations fall within the "Business Service" use classification permitted as a primary use in the SLI Zoning District. The "Business Service" category of the Planning Code sections 816.47 and 890.111 include a use such as Transilluminant. The examples of "Business Services" listed in 890.111 include radio and television stations, magazine and trade publications and desktop publishing. Like television and radio stations, Transilluminant packages information with advertising and will distribute it to the public through a public access network, the Internet. The fact that this network transmits data in addition to video and audio signal and that computer monitors are used instead of television sets is immaterial. In fact, many of Transilluminant's potential customers are participating in ventures that will lead to Transilluminant's products being distributed through television set-top boxes and viewed on regular television screens.

Like magazine and trade publishing, Transilluminant packages information with advertising, publishes it under its clients' private labels and disseminates it to businesses and individuals; only the medium is different (the Internet versus hard copy). Like desktop publishing, Transilluminant uses computers to produce its published materials; only the method of delivery to the end user is different. In sum, there is no valid distinction in the type of intensity of use between Transilluminant's operations and those of other media publishers for purpose of the broad definition set forth in section 890.111.

Although "multimedia" is not specifically defined in the current Planning Code, it would appear that Transilluminant's operations should also qualify for this classification. According to the Planning Department's publication entitled *Multimedia in San Francisco* (San Francisco Planning Department, August 1997), the multimedia industry "facilitates access to and distribution of information through new communications tools and processes. Multimedia firms develop products or provide services integrating sound, image, video or text into a form

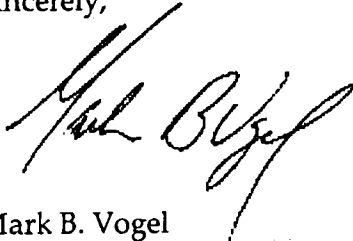
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San Francisco, CA 94107

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mvogel@transilluminant.com

that allows the user to interact with that information." (p.3). This description exactly fits TransIlluminant's business since our business is based on the creation and distribution of computer-accessible information that integrates sounds, video, text and/or graphics.

Thank you for your prompt attention to this matter. Please feel free to call with any questions. We are represented by David Thompson of Crosby, Heafey Roach & May (415-659-5968).

Sincerely,



Mark B. Vogel
President and Chief Executive Officer

300 Brannan Street, Suite 608
San Francisco, CA 94107

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PLANNING DEPARTMENT

City and County of San Francisco 1660 Mission Street San Francisco, CA 94103-2414

(415) 558-6378

PLANNING COMMISSION
FAX: 558-6409

ADMINISTRATION
FAX: 558-6426

CURRENT PLANNING/ZONING
FAX: 558-6409

LONG RANGE PLANNING
FAX: 558-6426

CERTIFICATE OF DETERMINATION OF EXEMPTION/EXCLUSION FROM ENVIRONMENTAL REVIEW

Project Title: 99.586E - 149 Bluxome Street. Building conversion.

Location: 149 Bluxome Street, between Fifth Street and Sixth Street; Assessor's Bock 3785, Lot 022.

City and County: San Francisco

Description of Nature and Purpose of Project: The proposal includes the conversion of approximately 24,339 square feet of an existing light manufacturing/warehouse use (garment assembly/production) into multi-media use. The building contains three levels, including a basement. The structure would not be enlarged, however, five on-site, indoor parking spaces would be added within the building. The proposal includes the addition of a window, storefront door and garage entryway along the front facade and five windows along the west facade. The site is centrally located within the block, is 80 feet by 125 feet and has street frontage on Bluxome Street to the northwest. The project site is located within an SLI (Service/Light Industrial) District, where Business Service uses are permitted, is also within an IPZ (Industrial Protection Zone) and is within a 65-X height and bulk district, which permits construction to a height of 65 feet.

Name of Person, Board, Commission or Department Proposing to Carry Out Project: Siu Yuen Chung, requiring a building permit from the Department of Building Inspection.

EXEMPT STATUS: General Rule Exclusion (State Guidelines, Section 15061(b)(3)).

REMARKS: The existing structure would not be expanded, although building permits are required for the replacement of windows, doors, the installation of a new garage entryway and minor modifications to the interior for indoor parking spaces. The surrounding parcels are utilized as light industrial, retail, commercial and office space and the proposed remodel and change of use of the existing structure is consistent with the size, character and uses of the structures in the general area.

(continued on next page)

Contact Person: Cecilia M. Jaroslowsky

Telephone: (415) 558-6386

Date of Determination:

10/7/99

I do hereby certify that the above determination has been made pursuant to State and Local requirements.

Hillary Gitelman
Environmental Review Officer

cc: Angelica Chiong
Sponsor, Bulletin Board
M.D.F., Exemption/Exclusion File

The project would convert light manufacturing/warehouse use to multi-media use. The Planning Code does not include a definition of multi-media use. Whether classified as business services, office or other use, the impacts of the multi-media employment would be similar to those associated with office employment.

As the site is presently in use for garment assembly, the conversion of the existing building would not result in an intensification of use on the site and the level of activity would be concentrated during the morning and evening, Monday through Friday only. Further, the level of activity would not exceed amounts associated with other uses within the area. Due to the relatively small size of the project, the change in area traffic as a result of the project would be undetectable to most drivers. The increase in parking demand attributable to the project would not substantially alter the existing parking conditions in the area.

CEQA State Guidelines Section 15061(b)(3) provides an exemption from environmental review where it can be seen with certainty that the proposed project would not have a significant effect on the environment. The conversion of 24,339 square feet from light manufacturing/warehouse use to multi-media service use would have minimal physical impacts on the environment. Based upon the above information and analysis, it can be seen with certainty that the proposed project could not have a significant effect on the environment and is appropriately exempt from environmental review.

ENVIRONMENTAL REVIEW APPLICATION

Owner/Applicant Information

Property Owner's Name: Rainbeau Building Associated Telephone: (415) 255-7047
Address: 120 Mission Street, San Francisco, CA Zip: 94107
Applicant's Name: McCluskey and Associates Telephone: (415) 391-5000
Address: 735 Montgomery Street, 3rd Floor, San Francisco, CA 94111 Zip: 94111
Project Contact Person: Bill McCluskey Telephone: (415) 391-5000
Address: 735 Montgomery Street, 3rd Floor, San Francisco, CA Zip: 94111

Site Information

Street Address(es) of Project: 149 Bluxome Street, San Francisco
Cross Street: Fifth and Sixth Streets
Assessors Block(s)/Lot(s): 3785/22 Zone District: SLT
Site Size (Square Feet): 10,000 sq. ft. Height/Bulk District: 40X
65- X L

Project Description

Please Check All That Apply:

Additions Change of Use New Construction Lot Split/Subdivision
Alterations Demolition Zoning Change Other

Please Provide the Following Information:

Present or Previous Use of the Site: Light Manufacturing
Please Describe Proposed Use: Business Services and Support/Onsite Parking
Building Permit Application No. N/A Date Filed: N/A
What Other Approvals Does Project Require? Building Permit Only
Estimated Construction Cost: \$ 620,000.

Please Describe Your Proposed Project:

(Include existing uses on the site, changes proposed, and all proposed uses. Attach additional sheets if necessary.)

See Attachment A for building description, parking derivation and occupancy derivation

FILE NO: _____ (For Staff Use Only)

Project Summary Table:

CV on DR for incl. Hdy, demo.
FPZ

99.586E

(Please provide information on existing site conditions and proposed uses. You may round numbers. If you are not sure of the eventual size of the project, provide MAXIMUM estimates.)

Category	Existing Uses	Existing Uses To Be Retained	Existing Space Converted to Other Use	New Construction	Project Totals
Office Gross Square Footage (GSF)	---	---	---	---	0
Retail GSF	---	---	---	---	0
Residential GSF	---	---	---	---	0
Other GSF Specify Use	21,418sq.ft. Light Industrial	---	18,633 sq. ft. Business Service	0	18,633 sq. ft. Business Services
TOTAL GROSS SQUARE FOOTAGE	24,339sq. ft.	0	18,633 sq. ft.	0	18,633 sq. ft.
Dwelling Units	---	---	---	---	0
Hotel Rooms	---	---	---	---	0
Parking Spaces	---	---	---	---	5
Loading Spaces	1	---	---	---	0
Height of Buildings	32' - 8"	32' - 8"	---	---	32' - 8"
Number of Stories	2	2	---	---	2
Number of Buildings	1	1	---	---	1

If there are features of your project not included in this table, please describe:

N/A

If your project involves demolition, please describe the use and size (square footage) of each building to be demolished:

There will be not demolition as a result of this project

Environmental Issues

(Please Respond to all questions below. If not applicable to your project, please answer "not applicable." For lengthy responses attach separate sheets.)

- a) If you have received permits for any other projects in this vicinity within the last two years, please give permit numbers.

N/A

- b) If your project proposes any one, or a combination of the following uses, a transportation study may be required, and you should submit a check for \$160, along with a brief description of your project, to the Department's Transportation Section c/o Bill Wycko. The Transportation Section will determine whether an independent consultant-prepared transportation study is required, and if so, will consult with you regarding the scope of the study.

Residential (multi-family, multi-bedroom):	N/A	30 dwelling units or more
General office space:	N/A	25,000 sq. ft. or more
General convenience retail:	N/A	5,000 sq. ft. or more

- c) If any trees greater than 4 inches in trunk diameter or taller than 20 feet would be removed, please submit a plot plan showing the location, size and common or botanic name(s) of each.

N/A

- d) If, to your knowledge, any hazardous materials may have ever been present on the site, please attach a Phase I Site Assessment and any additional reports that are available.

No hazardous materials, to my knowledge

- e) Is the site (a) level or has only a slight grade, (b) steeply sloped. Please explain and, if steeply sloped, provide a geotechnical or soils report.

The entire site is level.

- f) If pile driving is proposed, please explain, If excavation is proposed, please describe the maximum depth anticipated, and provide an estimate of the amount of soil to be removed.

Pile driving is not proposed. Excavation is not Proposed

- g) If there are any designated landmarks or rated buildings on the site, please describe.

The building is not a designated landmark, a rated building no is it located within any historic districts

- h) If the project would exceed 40 feet in height (via new construction or additions), please submit a Shadow Study Application at the Planning Information Counter.

The Project will not exceed 40 feet in height

Environmental Review Application Checklist

Please submit all materials shown below. The staff person assigned to the project will contact you if additional information is required in order for environmental review to proceed. All submittals should be labeled "For Environmental Review"

SUBMIT THESE MATERIALS WITH APPLICATION	INDICATE THAT MATERIALS ARE PROVIDED	IF NOT SUBMITTED, PLEASE EXPLAIN
Application with all blanks filled in	X	
Map showing adjacent properties and those directly across the street	X	
Two sets of original address labels for adjacent properties (owner & occupants) and those located across the street		Required?
Photocopy of address labels	X	
Site Plan and floor plan	X	
8 1/2 X 11 reduction of site plan	X	
Elevations	X	
Photographs	X	
Check payable Dept. of City Planning	X	
Application signed by owner or agent	X	
Letter authorizing agent to sign application	X	
Special Studies (See cover sheet and p. 3 of the application.) Examples include Site Assessments for Hazardous Materials (required for gas station, auto repair, and dry cleaner sites), Soils Reports, etc. Please submit all available materials.	N/A	

Applicant's Affidavit: I certify the accuracy of the following declarations.

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: I understand that other applications may be required.

Signed: Bill McCluskey Date: August 17, 1999
 Applicant or Owner

Bill McCluskey
 (Print name of applicant in full)

99.586E

Attachment A

PROPERTY DESCRIPTION

149 Bluxome is designated as Block 3785, Lot 22 with an overall site footprint is 125'-0" in the northsouth direction and 80' - 0" in the eastwest direction. This property consists of two levels at grade and above and one full below grade footprint, all floors covering the entire nominal site size. The building is flanked on the eastern side by a public way dimensioning 20'-1" from building face to building face across a through block right of way.

Located within the SLI (Service, Light Industrial) zoning designation, this building has no national or local historic rating.

The property abuts an existing building of similar height to the south, and to the west is an adjacent masonry building similar in height. The northern facade of the building faces on Bluxome and sidewalks at either street side are not provided. The clear dimension from the Bluxome Street facade to the opposite building on Bluxome Street dimensions 50'-2".

The Bluxome Street exterior facade consists of exterior red masonry in a conventional running bond. Four distinct exterior bays are recessed by a brick height, and these recesses contain cuplets of double hung, wood sash casement windows. These window sets are approximately 8'-0" wide by 7'-4" high.

The Bluxome Street facade is banded at the base with a concrete band of approximately 4'-5" in height and the upper parapet wall of the building evidences steel plate restraints indicating parapet ordinance upgrading. This upper portion of the building within the approximate upper 6' consists of a projecting masonry decorative belt coursing with corbeled masonry and a plastered effect. Exterior gutters and a rain water leaders occur at the northeast building corner.

The eastern facade exterior wall is not as decorative as the Bluxome Street elevation, however, the upper masonry units are corbeled. Wood sash double hung casement windows as the Bluxome Street facade are deeply recessed in the masonry and this facade is also provided with two sets of wood delivery doors.

The eastern facade consists of ten individual windows at the second level, and nine openings generally aligned with openings at the ground floor level.

Exit doors at the eastern facade have been updated and consist of metal doors in metal frames with the addition of above door transom lights approximately 8' high consisting of metal surrounds with wire patterned glass inserts.

Gauged k-lath has been installed at the shallow eastern elevation below grade windows to provide ventilation.

99.586E

Bluxome Street is provided with two distinct existing railway track sets, one approximately five feet from the Bluxome Street facade.

Typical column spacing in eastwest direction results in four equal bays with nine equal bays in northsouth direction. Structural columns at the second floor consist of unprotected 8' x 8' timber supporting the roof beams consisting of 8' x 12' timber carrying the roof.

The roof joists consist of 2 x 8's at 24" on center in the eastwest direction and roof sheathing consists of straight nailed 1 x 6 with plywood above. Roof joist blocking occurs approximately 4' on center.

Heating and air movement at the property level appears to be provided by gas fired localized heaters with fans and operable exterior windows at the north and east facades.

The roof is crowned in the center providing drainage of the roof at the northeast location.

At the second floor, the north, east, and partial west facades are provided with wood double hung operable casement windows in wood sash. Most window openings are trimmed in wood sash.

PARKING DERIVATION

The existing below grade, ground and second levels are currently used for Light Manufacturing occupancies consisting of garment assembly and production. These existing three levels constitute 24,339 gross square feet. This gross square footage represents 21,418 occupied square feet. The parking credit for this property consists of 15 vehicular stalls based on occupied square footage based on the parking credit of one vehicle stall for each 1500 square feet.

The proposed occupancy, Business Services, requires parking at a ratio of 1 vehicular stall per each 1,000 square feet of occupied area or 20 stalls. The required parking deficit is resolved by our inclusion of developed onsite parking accommodating 5 self parked vehicles.

OCCUPANCY DERIVATION

Based on the total number of workers currently occupying the space, we conclude that 221 individuals occupy the premises during normal working hours. Photographs are included of existing interior conditions. Based on an area allocation of 175 square feet per occupant, a reasonable allocation per Business Service occupancy, we conclude that the proposed occupancy at the building will constitute 115 individuals. Accordingly, this change of occupancy neither constitutes a significant change in individuals at the property or development of new onsite areas.

RAINBEAU®

J.J.'s MAE, Inc.

120 Mississippi St.

San Francisco

CA 94107

415.255.7047

800.582.1251

Fax 415.255.8185

New York Office

1411 Broadway #2542

New York NY 10018

212.398.6006

Fax 212.398.6900

Mr. Bill McCluskey
McCluskey and Associates
735 Montgomery St.
Third Floor
San Francisco, Ca. 94111

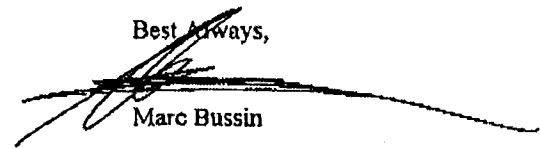
August 17, 1999

Dear Bill,

Bill, this letter is to confirm that you represent my interests in the Bluxome St. project. Please feel free to have anyone call me to confirm this if you need to.

Again, thank you for time and help.

Best Always,



Marc Bussin

PROJECT NAME

149 BLUXOMB ST.
BUILDING
RENOVATION

McCLINSKEY
AND
ASSOCIATES
ARCHITECTS, INC.

726 MONTGOMERY STREET
THIRD FLOOR
SAN FRANCISCO
CALIFORNIA 94104
TEL: 415 398 1800
FAX: 415 398 1800

DATE: 07/15/90

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

PROJECT NUMBER: 1053.00

PROJECT NAME: 149BLUXOMB

DESCRIPTION: SITE PLAN & SITE MAP

SHEET NUMBER: 1

A20

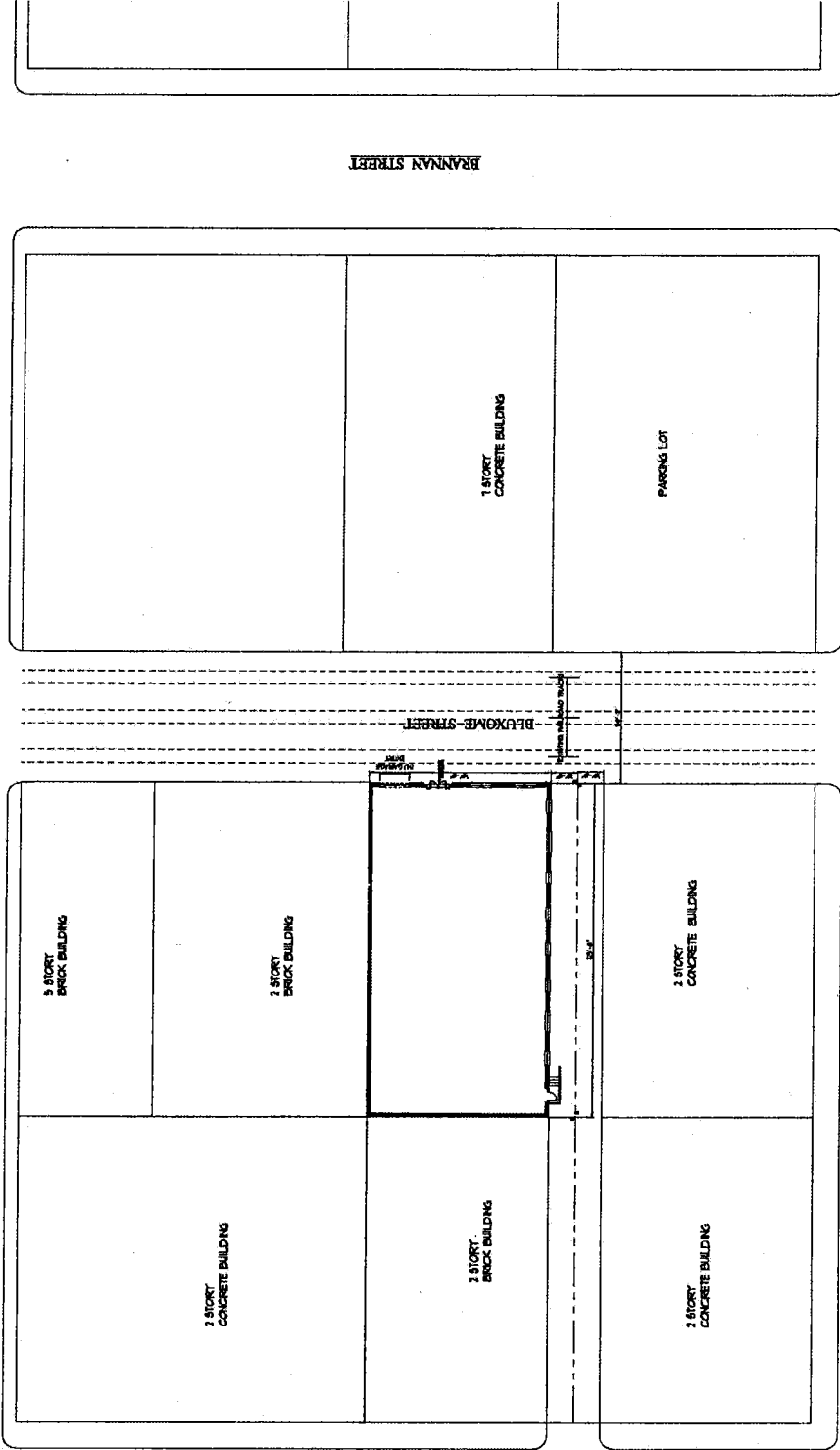
THIS PLAN AND ALL INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF THE ARCHITECT AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

6TH STREET

TOWNSEND STREET

BRANNAN STREET

5TH STREET



1 SITE PLAN & SITE MAP
N/A



PROJECT NAME

149 BLUXOME ST.
BUILDING
RENOVATION

McCLUSKEY
AND
ASSOCIATES
ARCHITECTS, INC.

728 HORTONCREEK STREET
THIRD FLOOR
SAN FRANCISCO
CALIFORNIA 94104
TEL 415 361 5800
FAX 415 361 5800

DATE: 07/15/98

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

PROJECT NUMBER: 1053.00

PROJECT NAME: LIBRARY

DESCRIPTION: SITE PLAN & FIRST FLOOR PLAN

PROJECT NUMBER: A22

DATE: 07/15/98

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

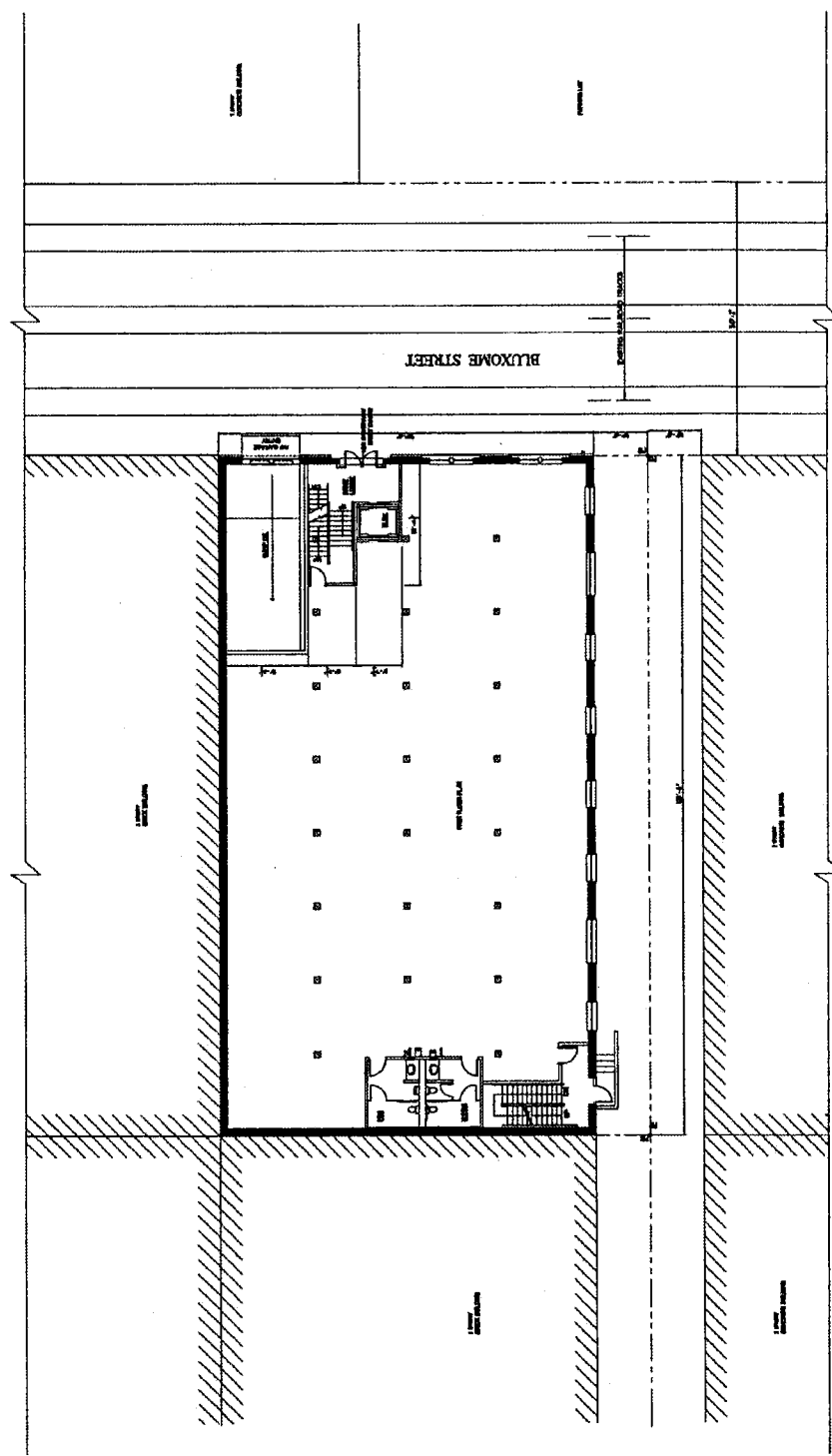
PROJECT NUMBER: 1053.00

PROJECT NAME: LIBRARY

DESCRIPTION: SITE PLAN & FIRST FLOOR PLAN

PROJECT NUMBER: A22

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1 SITE PLAN & FIRST FLOOR PLAN
1053-00

1011



DEPARTMENT OF BUILDING INSPECTION

AUG 23 2000

FRANK Y. CHIU, DIRECTOR

T.I.D.E.

APPROVED FOR ISSUANCE

JUL 08 2000

BLDG FORM 318

APPLICATION NUMBER: 1000105161/8664

PAB-PC

OSHA APPROVAL REQUIRED APPROVAL NUMBER:

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS

CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

FORM 3 [X] OTHER AGENCIES REVIEW REQUIRED

FORM 8 [] OVER-THE-COUNTER ISSUANCE

2 NUMBER OF PLAN SETS

APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF BUILDING INSPECTION OF SAN FRANCISCO FOR PERMISSIBLE WORK IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HEREWITH AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH.

DATE FILED: 4/28/00, PLUMBING RECEIPT NO: 312769, STREET ADDRESS OF JOB: 1500 BURKE BLVD, BLOCK & LOT: 3180/22, PERMIT NO: 919510, ISSUED: 8/23/00, ESTIMATED COST OF JOB: \$502,000.00, REVISED COST: 3180/22, DATE:

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING: III-11TR, BUILDING SERVICES, OCCUP. CLASS B. DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION: III-11TR, BUILDING SERVICES, OCCUP. CLASS B. (17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING? YES [] NO [X]. (18) DOES THIS ALTERATION CREATE DECK OR PORCH, EXTENSION TO BUILDING? YES [] NO [X]. (19) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? YES [] NO [X].

IMPORTANT NOTICES: No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code. No portion of building or structure or scaffolding used during construction, to be closer than 6'0" to any wire containing more than 750 volts. See Sec. 305, California Penal Code.

NOTICE TO APPLICANT: HOLD HARMLESS CLAUSE: The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands or actions.

CHECK APPROPRIATE BOX: [X] OWNER, [X] ARCHITECT, [] LESSEE, [] AGENT, [] CONTRACTOR, [] ENGINEER

APPLICANT'S CERTIFICATION: I HEREBY CERTIFY AND AGREE THAT I AM QUALIFIED FOR THE CONSTRUCTION AND OPERATIONS OF THE PROPOSED WORK UNDER THIS PERMIT AND ALL LAWS AND ORDINANCES THERE TO BE OBEYED BY ME.

Signature of Applicant or Agent: Blaine R. Nelson, Date: 4-28-00

DEPARTMENT OF BUILDING INSPECTION

CONDITIONS AND STIPULATIONS

APPROVED:
By JOSEPH P. DUFFY, DBI
MAY 30 2000

Contact the District building inspector at the start of work call 558-6050. For plumbing inspection scheduling call 558-6054. For electrical inspection scheduling call 558-6030. This application is approved subject to inspection, detailed plan review, and other conditions. Work must be done in strict accordance with the code books. Any electrical or plumbing work must be done in accordance with applicable separate permits.

Joseph Duffy
BUILDING INSPECTOR DEPT. OF BLDG. INSPECTION

APPROVED: As per plan & application, tenant improvements. Letter of determination dated 17 Feb 2000 permits office use in S-1 District. 05 1999.506.

MTD, etc 28 April 2000
DEPARTMENT OF BUILDING INSPECTION

APPROVED:

NA

BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

APPROVED:

PAD-Mech.

By Tiecheng Hu
TIECHENG HU, DBI
JUN 09 2000

DEPARTMENT OF BUILDING INSPECTION

APPROVED:

As noted on plans.

Ala Schlemmer 07-03-2000
BOARD OF FIRE ALARMS
BSM

APPROVED:

NA

DEPARTMENT OF PUBLIC HEALTH

REDEVELOPMENT AGENCY

APPROVED:

DEPARTMENT OF BUILDING INSPECTION

[Signature]

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

DATE: _____

REASON: _____

NOTIFIED MR. _____

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING



PLANNING DEPARTMENT

City and County of San Francisco 1660 Mission Street San Francisco, CA 94103-2414

(415) 558-6378 PLANNING COMMISSION FAX: 558-6409 ADMINISTRATION FAX: 558-6424 CURRENT PLANNING/ZONING FAX: 558-6428 LONG RANGE PLANNING FAX: 558-6424

February 17, 2000

Mr. David Thompson
Crosby, Heafey, Roach and May
Four Embarcadero Center, Suite 1900
San Francisco, CA 94111-4106

Re: Transilluminant Corp.
149 Bluxome Street
Multi-media/Internet Technology Zoning Determination

Dear Mr. Thompson:

This responds to your written inquiry of December 22, 1999 as well as Mr. Bill McCluskey's written inquiry of October 26, 1999. In both letters, the key question asked was whether Transilluminant Corp. qualifies as a business service use as defined under Planning Code Section 890.111, and is therefore a permitted use in the SLI (Service Light Industrial) zoning district.

In your December 22 letter you describe Transilluminant as an internet startup that provides products which turn standard reports, bills and statements into interactive portals which are published entirely online. I find that this use very much resembles uses currently listed under the definition of Business Service as defined in Section 890.111, such as radio and television stations; magazine and trade publishing; and desktop publishing. Indeed, had internet services been as omnipresent a decade ago, when the South of Market zoning controls were adopted, as they are today, I believe services such as those Transilluminant provides would have been specifically listed in Code Section 890.111. Therefore, I find that Transilluminant Corp., as a use, falls under the use category of Business Service and is therefore a permitted use in the SLI zoning district.

Any aggrieved person may appeal this decision to the Board of Appeals within 15 days of the date hereof. For further information, please contact the Board of Appeals in person at 1660 Mission Street, Room 3036, or by telephone at (415) 575-6880.

Sincerely,

Gerald G. Green
Director of Planning
Acting Zoning Administrator

cc: Sue Hector

CENTRAL PERMIT BUREAU
1660 MISSION STREET
SAN FRANCISCO, CA 94103

Appl. # _____
Address _____

LICENSED CONTRACTOR'S STATEMENT

Licensed Contractor's Declaration

Pursuant to the Business and Professions Code Sec. 7031.5, I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Sec. 7000) of Division 3 of the Business and Professions Code, and that my license is in full force and effect.

License Number _____ License Class _____
Expiration Date _____ Contractor _____

PRINT

SIGNATURE

Owner-Builder Declaration

I hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law, Business and Professions Code (Sec. 7031.5). (Mark the appropriate box below.)

____ I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044). I further acknowledge that I understand and agree that in the event that any work is commenced contrary to the representations contained herein, that the Permit herein applied for shall be deemed suspended.

X architect agent

I, as owner of the property, am exclusively contracting with licensed contractors to construct this project (Sec. 7044). I certify that at the time such contractors are selected, I will have them file a copy of this form (Licensed Contractor's Declaration) prior to the commencement of any work. I further acknowledge that I understand and agree that, in the event that said contractors fail to file a copy of the Declaration with the Central Permit Bureau, that the Permit herein applied for shall be deemed suspended.

____ I am exempt under Business and Professions Code Sec. _____

Reason _____

____ Architect (PRINT) _____

Date 4-25-01

Blanca Nelson
____ Agent (PRINT) Blanca Nelson

____ Owner (PRINT) _____

(SIGNATURE) Blanca Nelson

NOTICE: "Any violation of the Bus. & Prof. Code Sec. 7031.5 by any permit applicant shall be subject to a civil penalty of not more than five hundred dollars (\$500)." Bus. & Prof. Code Sec. 7031.5.

CERTIFICATION OF AUTHORIZED AGENT

I hereby certify that for the purpose of filing an application for a building or other permit with the Central Permit Bureau, or completion of any form related to the S.F. building Code, or to City and County ordinances and regulations, or to state laws and codes, I am the agent of the owner and am authorized to sign all documents connected with this application or permit.

I declare under penalty of perjury that the foregoing is true and correct.

Piauca R. Nelson
Applicant's Signature

Piauca Nelson
Type or Print Name

A4654020
Identification
(Drivers Lic. No., etc.)

INCPG (CP)
Owner/Lessee

05 01 00
Date

CENTRAL PERMIT BUREAU
1660 MISSION STREET
SAN FRANCISCO, CA 94103

Appl. # _____
Address _____

LICENSED CONTRACTOR'S STATEMENT

Licensed Contractor's Declaration

Pursuant to the Business and Professions Code Sec. 7031.5, I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Sec. 7000) of Division 3 of the Business and Professions Code, and that my license is in full force and effect.

License Number _____ License Class _____

Expiration Date _____ Contractor _____

PRINT

SIGNATURE

Owner-Builder Declaration

I hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law, Business and Professions Code (Sec. 7031.5). (Mark the appropriate box below.)

_____ I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044). I further acknowledge that I understand and agree that in the event that any work is commenced contrary to the representations contained herein, that the Permit herein applied for shall be deemed suspended.

X architect, agent

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_____ I am exempt under Business and Professions Code Sec. _____

Reason _____

_____ Architect (PRINT) _____

Date X 8/23/00 X Agent (PRINT) Anne-Marie Burger

_____ Owner (PRINT) _____

(SIGNATURE) [Signature]

NOTICE: "Any violation of the Bus. & Prof. Code Sec. 7031.5 by any permit applicant shall be subject to a civil penalty of not more than five hundred dollars (\$500)." Bus. & Prof. Code Sec. 7031.5.

CERTIFICATION OF AUTHORIZED AGENT

I hereby certify that for the purpose of filing an application for a building or other permit with the Central permit Bureau, or completion of any form related to the S.F. building Code, or to City and County ordinances and regulation, or to state laws and codes, I am the agent of the owner and am authorized to sign all documents connected with this application or permit.

I declare under penalty of perjury that the foregoing is true and correct.

A. A. Zyer
Applicant's Signature

Anne-Marie Bourger
Type or Print Name

(ed) A1903303
Identification
(Drivers Lic.No., etc.)

ENCIRA
Property Owner/Lessee

8/23/00
Date

OFFICIAL COPY



ADDRESS OF JOB		BLOCK/LOT	APPLICATION NO.				
149 BLUXOME ST		3785/022	200005018664				
OWNER NAME			TELEPHONE				
LESSEE: ENCIRQ CORP.							
ESTIMATED COST	FILE DATE	DISPOSITION	DISPOSITION DATE	PERMIT NO.	EXPIRE DATE		
\$562,000	05/01/00	ISSUED	08/23/00	200005018664	05/01/02		
FORM CONST. TYPE	OCCUPANCY CODES	PLANS	STORIES	UNITS	DISTRICT		
3	3	B	2	2	0	3	BID-INSP
CONTACT NAME			TELEPHONE				
STANDARD DESCRIPTION/BLOG. USE			OTHER DESCRIPTION				
OFFICE			office buildout for t/i (no demo), creation of offices to 2 floors &				
SPECIAL INSPECTIONS?	NO	FIRE ZONE	NO				
SPECIAL USE DISTRICT		TIDF	NO				
		PENALTY	NO				
			COMPLIANCE WITH REPORTS				

NOTES:

PERMIT INSPECTION RECORD
 DEPARTMENT OF PUBLIC WORKS
 CITY AND COUNTY OF SAN FRANCISCO
 BUILDING INSPECTION JOB CARD

9003-15

OFFICIAL COPY



DATE	BUILDING INSPECTORS JOB RECORD
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/ /	
/ /	<input type="checkbox"/> FINAL
/ /	<input checked="" type="checkbox"/> EXPIRE
/ /	By <u>E. Fang</u>
/ /	Edward Fang, DBI
/ /	
/ /	
/ /	
/ /	

~~WORK COMPLETED FINAL CERTIFICATE POSTED~~

APP. NO. 700005018664 E. Fang
 BUILDING INSPECTOR

RECORDING REQUESTED BY:

ENCIRQ CORPORATION

AND WHEN RECORDED MAIL TO:

CROSBY, HEAFEY, ROACH & MAY
Two Embarcadero Center, Suite 2000
San Francisco, CA 94111
Attn: David A. Thompson, Esq.

RECORDED AT THE REQUEST OF CHICAGO TITLE CO.

7/3 4 8:00 AM

MAR 22 2001

G920431

City & County of San Francisco, CA

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is the owner of the interest or estate stated below in the property described below.
2. The name of the undersigned is ENCIRQ CORPORATION.
3. The address of the undersigned is 149 Bluxome Street, San Francisco, CA 94107.
4. The nature of interest or estate of the undersigned is a leasehold.
5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are: N/A
6. The names of the predecessors in interest of the undersigned, if the property was transferred subsequent to the commencement of the work of improvement herein referred to are: N/A
7. A work of improvement on the property hereinafter described was completed on December 27, 2000.
8. The name of the original contractor, if any, for the work of improvement was Roberts & Sons Builders.
9. The kind or work done or material furnished was tenant improvements, including walls, electrical, glazing, etc.
10. The street address of the said property is 149 Bluxome Street, San Francisco, California.

Dated: March 20, 2001.

ENCIRQ CORPORATION

By: 

Name: Mark Goldman

Title: President

This instrument is delivered to the Recorder's office as an accommodation, by Chicago Title Insurance Company, for physical convenience only. It has not been examined as to its validity, content or its effect upon title, if any.

12248074.1

VERIFICATION

I, the undersigned, say:

I am the person who signed the foregoing notice. I have read the above notice and know its contents, and the facts stated therein are true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at San Francisco, California, this 20 day of March, 2001.

By: 
Mark Goldman

12248074.1

OFFICIAL COPY



APPROVED
Dept. of Building Insp.

JAN 16 2013

Tom C. Hui
FORM E, F, G, H, I, J
ACTING DIRECTOR
DEPT. OF BUILDING INSPECTION

BLDG. FORM 3/B
3/18
2013-01-14-7903
APPLICATION NUMBER:
APPROVAL NUMBER:
CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION

WV

APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS

FORM 3 OTHER AGENCIES REVIEW REQUIRED
FORM 8 OVER-THE-COUNTER ISSUANCE
2 NUMBER OF PLAN SETS

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION

APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF BUILDING INSPECTION OF SAN FRANCISCO FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HERewith AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH.

DO NOT WRITE ABOVE THIS LINE

PRICE FILED: 1.16.12	PLANS PER RECEIPT NO.	(7) STREET ADDRESS OF JOB: 149 Buonomo St basement	BLOCK & LOT: 3185/022
PERMIT NO: 1284015	ISSUED: 1-16-2013	(8) ESTIMATED COST OF JOB: 160,000	(9) REVENUE COST: 180,000

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(A) TYPE OF CONSTR. II	(B) NO. OF STORIES OF OCCUPANCY: 2	(C) NO. OF BASEMENTS AND CELLARS: 1	(D) PRESENT USE: Office	(E) OCCUP. CLASS: B	(F) NO. OF CHIMNEYS: 0
------------------------	------------------------------------	-------------------------------------	-------------------------	---------------------	------------------------

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(A) TYPE OF CONSTR. II	(B) NO. OF STORIES OF OCCUPANCY: 2	(C) NO. OF BASEMENTS AND CELLARS: 1	(D) PROPOSED USE (LEGAL USE): Office	(E) OCCUP. CLASS: B	(F) NO. OF CHIMNEYS: 0
------------------------	------------------------------------	-------------------------------------	--------------------------------------	---------------------	------------------------

(10) IS ALTERATION TO BE CONSTRUCTED OR ALTERED? YES NO

(11) WILL ROOFING BE USED OR RECONSTRUCTED? YES NO

(12) ELECTRICAL WORK TO BE PERFORMED? YES NO

(13) PLUMBING WORK TO BE PERFORMED? YES NO

(14) GENERAL CONTRACTOR: David Construction Co 88 Tolson St 576-1800 94103 9/2013

(15) ARCHITECT: Studio OHA 950 Howard St. SE, CA 94103

(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)

Interior tenant improvement to include demolition of non-structural partitions, millwork, ceiling, finishes, construction of non-structural partitions, MEP, life safety, fire sprinkler under sep. permit

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HAZARD OR EXPOSE TO BUILDING? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	(18) IF (17) IS YES, STATE HOW HAZARD AT COURSE LINE OF FRONT: ft.	(19) DOES THIS ALTERATION CREATE A HAZARD OR EXPOSE TO BUILDING? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	(20) IF (19) IS YES, STATE HOW HAZARD AT COURSE LINE OF FRONT: sq. ft.
(21) WILL SIGNATURE OVER MAIN OCCUPANCY SPACE BE IMPAIRED OR ALTERED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	(22) WILL SIGNATURE EXTEND BEYOND PROPERTY LINE? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	(23) DOES THIS ALTERATION SUBMIT TO A CHANGE OF OCCUPANCY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	(24) DOES THIS ALTERATION SUBMIT TO A CHANGE OF OCCUPANCY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

(25) ARCHITECT OR ENGINEER DESIGN OR SUPERVISION? NONE

(26) CONTRACTOR LICENSE (ENTER NUMBER AND EXPIRE DATE) OR NONE IF NONE

(27) IF THERE IS NO KNOWN CONSTRUCTION LICENSE, ENTER "UNKNOWN"

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.

No portion of building or structure or existing used during construction, to be closer than 6' to any side curbside more than 750 feet from the site, California Penal Code.

Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.

Checks from an owner or developer accompanying this application are assumed to be correct. If actual checks from an owner or developer contain errors, including correct grade lines, and are not in accordance with complete details of retaining walls and wall footings required must be submitted to the department for approval.

ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.

BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL, WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWER IS "YES" TO ANY OF ABOVE QUESTIONS (10) (11) (12) (13) (14) (23).

THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.

All drawings and building details must have a clearance of at least two inches from all adjacent walls or openings.

CHECK APPROPRIATE BOX:
 OWNER
 ARCHITECT
 ENGINEER
 CONTRACTOR

APPLICANT'S CERTIFICATION

I HEREBY CERTIFY AND AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THEREBY WILL BE COMPLIED WITH.

8023-08 (REV. 1/08)

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE. The permittees by acceptance of the permit, agree to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City or County of San Francisco against all such claims, demands or actions.

In conformity with the provisions of Section 2602 of the Labor Code of the State of California, the applicant shall have coverage under (a), or (b) designated below or shall indicate item (a), or (b), or (c), whichever is applicable. If however item (a) is checked item (b) must be checked as well. Mark the appropriate method of compliance below.

I hereby affirm under penalty of perjury one of the following declarations:

(1) I have and will maintain a certificate of coverage to self-insure for workers' compensation, as provided by Section 2700 of the Labor Code, for the performance of the work for which this permit is issued.

(2) I have and will maintain workers' compensation insurance, as required by Section 2700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation liability is covered by the following policy:
 Carrier: Republic Indemnity
 Policy Number: 152019

(3) The cost of the work to be done is \$100 or less.

(4) I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the workers' compensation provisions of the Labor Code of California and fail to comply therewith with the provisions of Section 2602 of the Labor Code, that the permit herein applied for shall be deemed null and void.

I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the workers' compensation laws of California and will, prior to the commencement of any work, file the a completed copy of this form with the Building Permit Bureau.

Signature of Applicant or Agent: [Signature] Date: 1.16.12

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CONDITIONS AND STIPULATIONS

<input type="checkbox"/>	APPROVED: <u>QH</u> Qi Hu, DBI JAN 15 2013 BUILDING INSPECTOR, DEPT. OF BLDG. INF.	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: <u>NA</u> DEPARTMENT OF CITY PLANNING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: _____ BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input checked="" type="checkbox"/>	APPROVED: <u>MEP systems permit</u> <u>Jeff Lai, DBI</u> JAN 15 2013 MECHANICAL ENGINEER, DEPT OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: <u>QH</u> Qi Hu, DBI JAN 15 2013 CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: <u>NA</u> BUREAU OF ENGINEERING	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: _____ DEPARTMENT OF PUBLIC HEALTH	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: _____ REDEVELOPMENT AGENCY	DATE: _____ REASON: _____ NOTIFIED MR. _____
<input type="checkbox"/>	APPROVED: <u>Tom</u> Tom 1/16/13 HOUSING INSPECTION DIVISION	DATE: _____ REASON: _____ NOTIFIED MR. _____

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

I agree to comply with all conditions or stipulations of the various bureaus or department noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Number of attachments OWNER'S AUTHORIZED AGENT _____

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City and County of San Francisco
Department of Building Inspection



Edwin M. Lee, Mayor
Tom Hui, Acting Director

LICENSED CONTRACTOR'S STATEMENT

Application #: 201301147903 Address: 149 Bluxome St.

Licensed Contractor's Declaration

Pursuant to the Business and Professions Code Sec. 7031.5, I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Sec. 7000) of Division 3 of the Business and Professions Code, and that my license is in full force and effect.

License Number	<u>791022</u>	License Class	<u>B</u>
Expiration Date	<u>3/2013</u>	Contractor	<u>Cyril Reed</u> PRINT
			<u>[Signature]</u> SIGNATURE

Owner-Builder Declaration

I hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law, Business and Professions Code (Sec. 7031.5). **Mark the appropriate box below.**

I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044). I further acknowledge that I understand and agree that in the event that any work is commenced contrary to the representations contained herein, that the Permit herein applied for shall be deemed suspended.

Architect, Agent

I, as owner of the property, am exclusively contracting with licensed contractors to construct this project (Sec. 7044). I certify that at the time such contractors are selected, I will have them file a copy of this form (Licensed Contractor's Declaration) prior to the commencement of any work. I further acknowledge that I understand and agree that, in the event that said contractors fail to file a copy of the Declaration with the Central Permit Bureau, that the Permit herein applied for shall be deemed suspended.

I am exempt under Business and Professions Code Section: _____

Reason: _____

____ Architect (PRINT) _____

____ Agent (PRINT) _____

____ Owner (PRINT) _____

____ (SIGNATURE) _____

NOTE: "Any violation of the Business and Professions Code Sec. 731.5 by any permit applicant shall be subject to a civil penalty of not more than five hundred dollars (\$500)" Business and Professions Code Sec. 7031.5. Revised 04/30/2010.

OFFICIAL COPY



ADDRESS OF JOB: 149 BLUXOME ST BLOCK/LOT: 3785/022 APPLICATION NO. 201301147903

OWNER NAME: AVG TELEPHONE:

ESTIMATED COST	FILE DATE	DISPOSITION	DISPOSITION DATE	PERMIT NO.	EXPIRATION DATE	
\$180,000	01/14/13	ISSUED	01/16/13	201301147903	01/01/16	
FORM	CONST. TYPE	OCCUPANCY CODES	PLANS	STORIES	UNITS	DISTRICT
B	2	B	2	2	0	3
CONTACT NAME: NOVO CONSTRUCTION INC						TELEPHONE: 4155761800

DESCRIPTION/BLDG. USE: OFFICE OTHER DESCRIPTION: TI TO INCLUDE DEMOLITION OF NON-STRUCTURAL PARTITIONS, MILLWORK CEIL FINISHES. CONSTRUCTION OF NON-STRUC

SPECIAL INSPECTIONS? NO FIRE ZONE NO

SPECIAL USE DISTRICT TIDF NO

PENALTY NO COMPLIANCE WITH REPORTS

NOTES: Keith: 341-7054

2013 02 11 9906 - 126/134

2013 01 17 8215 - 126/134

PERMIT INSPECTION RECORD
DEPARTMENT OF BUILDING INSPECTION
CITY AND COUNTY OF SAN FRANCISCO
BUILDING INSPECTION JOB CARD

SAN FRANCISCO



DATE

DEPARTMENT OF

BUILDING INSPECTION

BUILDING INSPECTORS JOB RECORD

1/24/13	(126)	ok parking PID+SID sign
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/ /	<input checked="" type="checkbox"/>	FINAL
/ /	<input type="checkbox"/>	EXPIRE
/ /	By	EG
/ /		Edward Greene, DBI
/ /		

4/11/17 WORK COMPLETED. FINAL CERTIFICATE ISSUED

APP. NO.

2013 01147903

BUILDING INSPECTOR

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[Zoning Map - Height and Bulk Revisions to the Western South of Market Area Plan]

Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, and HT08 to revise use districts and height and bulk districts within the Western South of Market Plan Area; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and Planning Code, Section 101.1.

NOTE: Additions are single-underline italics Times New Roman; deletions are ~~strike-through italics Times New Roman~~. Board amendment additions are double-underlined; Board amendment deletions are ~~strikethrough-normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

(a) California Environmental Quality Act.

In accordance with the actions contemplated herein, this Board adopted Ordinance No. _____, concerning findings pursuant to the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.) A copy of said Ordinance is on file with the Clerk of the Board of Supervisors in File No. 130001 and is incorporated herein by reference.

(b) General Plan Consistency and Other Findings.

(1) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this Ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. 18760, and incorporates those reasons herein by

1 reference. A copy of Planning Commission Resolution No. 18760 is on file with the Clerk of
2 the Board of Supervisors in File No. 130003.

3 (2) This Board of Supervisors finds that this Ordinance is, on balance, consistent with
4 the General Plan and the Priority Policies of Planning Code Section 101.1(b) for the reasons
5 set forth in Planning Commission Resolution No. 18760, and incorporates those reasons
6 herein by reference.

7
8 Section 2. Under Sections 106 and 302(c) of the Planning Code, the following zoning
9 use designation amendments to Sheets ZN01, ZN02, ZN07, and ZN08 are hereby approved:

	<u>Use District</u>	<u>Use District Hereby</u>	
<u>Block/Lot</u>	<u>To Be Superseded</u>	<u>Approved</u>	<u>Zoning Map Sheet</u>
13 3509002	SLR	RCD	7
14 3509003	SLR	RCD	7
14 3509004	SLR	RCD	7
15 3509005	SLR	RCD	7
15 3509007	SLR	RCD	7
16 3509008	SLR	RCD	7
16 3509008A	SLR	RCD	7
17 3509009	SLR	WMUG	7
18 3509010	SLR	WMUG	7
18 3509011	SLR	RCD	7
19 3509014	SLR	RCD	7
19 3509015	SLR	RCD	7
20 3509015A	SLR	RCD	7
20 3509015B	SLR	RCD	7
21 3509015C	SLR	RCD	7
22 3509020	SLR	RED-MX	7
22 3509021	SLR	RED-MX	7
23 3509022	SLR	RED-MX	7
23 3509024	SLR	RED-MX	7
24 3509025	SLR	RED-MX	7
24 3509026	SLR	RED-MX	7
25 3509027	SLR	RED-MX	7

Supervisor Kim
BOARD OF SUPERVISORS

1	3784181	SLI	SALI	8
	3785002	SSO	WMUO	8
2	3785002A	SLI	WMUO	8
	3785003	SSO	WMUO	8
3	3785004	SLI	WMUO	8
4	3785004A	SLI	WMUO	8
	3785004B	SLI	WMUO	8
5	3785005	SLI	WMUO	8
6	3785009	SLI	SALI	8
	3785016	SLI	SALI	8
7	3785017	SLI	SALI	8
	3785018	SLI	SALI	8
8	3785022	SLI	WMUO	8
	3785023	SLI	WMUO	8
9	3785024	SLI	WMUO	8
10	3785030	SLI	WMUO	8
	3785031	SLI	WMUO	8
11	3785032	SLI	WMUO	8
	3785033	SLI	WMUO	8
12	3785034	SLI	WMUO	8
	3785035	SLI	WMUO	8
13	3785036	SLI	WMUO	8
	3785037	SLI	WMUO	8
14	3785038	SLI	WMUO	8
	3785039	SLI	WMUO	8
15	3785040	SLI	WMUO	8
	3785041	SLI	WMUO	8
16	3785042	SLI	WMUO	8
	3785043	SLI	WMUO	8
17	3785044	SLI	WMUO	8
	3785045	SLI	WMUO	8
18	3785046	SLI	WMUO	8
	3785047	SLI	WMUO	8
19	3785048	SLI	WMUO	8
	3785049	SLI	WMUO	8
20	3785050	SLI	WMUO	8
	3785051	SLI	WMUO	8
21	3785052	SLI	WMUO	8
	3785053	SLI	WMUO	8
22	3785054	SLI	WMUO	8
	3785055	SLI	WMUO	8
23	3785056	SLI	WMUO	8
24				
25				

Supervisor Kim
BOARD OF SUPERVISORS

FILE NO. 081153

ORDINANCE NO. 298-08

1 [Planning Code amendments for the Eastern Neighborhoods Area Plans.]
2
3 Ordinance amending the San Francisco Planning Code by adding and
4 amending various sections to implement the four Eastern Neighborhood
5 Area Plans comprised of the East SoMa, the Mission, the Showplace
6 Square/Potrero Hill, and the Central Waterfront Area Plans; adopting in-lieu
7 fees for on-site open space, trees, and affordable housing; adopting the
8 Eastern Neighborhoods impact fee subject to certain restrictions; and
9 making various findings, including environmental findings and findings of
10 consistency with the General Plan and priority policies of Planning Code
11 Section 101.1.

12 Note: Additions are *single-underline italics Times New Roman*;
13 deletions are ~~*strikethrough italics Times New Roman*~~.
14 Board amendment additions are double underlined.
15 Board amendment deletions are ~~strikethrough normal~~.

16 Be it ordained by the People of the City and County of San Francisco:

17 Section 1. Findings. The Board of Supervisors of the City and County of
18 San Francisco hereby finds and determines that:

19 (a) Under Planning Code Section 302, the Board of Supervisors finds
20 that this ordinance will serve the public necessity, convenience and welfare for
21 the reasons set forth in Planning Commission Resolution No. 17663
22 recommending the approval of this Planning Code Amendment and incorporates
23 such reasons by this reference thereto. A copy of said resolution is on file with
24 the Clerk of the Board of Supervisors in File No. 081153 and is incorporated
25 here by reference.

1 or highly combustible materials, and wholesale goods or commodities. ~~This use~~
2 ~~shall include retail self storage facilities for household goods.~~

3 (d) Self-Storage. Retail facilities for the storage of household and personal goods.

4 **SEC. 890.70. OFFICE USE.**

5 ~~As used in this Article an office use is space within a structure intended or primarily~~
6 ~~suitable for occupancy by persons or entities which perform for their own benefit or~~
7 ~~provide to others at that location administrative services, design services, professional~~
8 ~~services, financial services or medical services as defined in Sections 890.28, 890.106,~~
9 ~~890.108, 890.110 and 890.114. It does not include business services as defined in Section~~
10 ~~890.111 or the office functions which are permitted by this Code as uses which are~~
11 ~~necessary to another permitted use.~~

12 (a) "Office use" shall mean space within a structure or portion thereof intended
13 or primarily suitable for occupancy by persons or entities which perform, provide for
14 their own benefit, or provide to others at that location services including, but not limited
15 to, the following: Professional; banking; insurance; management; consulting; technical;
16 sales; and design; and the non-accessory office functions of manufacturing and
17 warehousing businesses; all uses encompassed within the definition of "office" in Section
18 219 of this Code; (multimedia, software development, web design, electronic commerce,
19 and information technology); all uses encompassed within the definition of
20 "administrative services" in Section 890.106 of this Code; and all " professional
21 services" as proscribed in Section 890.108 of this Code excepting only those uses which
22 are limited to the Chinatown Mixed Use District.

23 (b) "Office use" shall exclude: retail uses; repair; any business characterized by
24 the physical transfer of tangible goods to customers on the premises; wholesale shipping,

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1 receiving and storage; and design showrooms or any other space intended and primarily
2 suitable for display of goods.

3 **SEC. 890.88. RESIDENTIAL USE.**

4 A use which provides housing for San Francisco residents, rather than visitors,
5 including a dwelling unit or group housing, as defined in Subsections (a) and (b)
6 below, or a residential hotel, as defined in Section 890.47 of this Code and in
7 Chapter 41 of the San Francisco Administrative Code.

8 (a) Dwelling Unit. A residential use which consists of a suite of two or
9 more rooms and includes sleeping, bathing, cooking, and eating facilities, and
10 has only one kitchen.

11 (b) Group Housing. A residential use which provides lodging or both
12 meals and lodging without individual cooking facilities for a week or more at a
13 time in a space not defined as a dwelling unit. Group housing includes, but is not
14 limited to, a roominghouse, boarding house, guest house, lodging house,
15 residence club, commune, fraternity and sorority house, monastery, nunnery,
16 convent, and ashram. It also includes group housing operated by a medical or
17 educational institution when not located on the same lot as such institution.

18 (c) Single Room Occupancy (SRO) Unit. A dwelling unit or group housing
19 room consisting of no more than one occupied room with a maximum gross floor
20 area of 350 square feet and meeting the Housing Code's minimum floor area
21 standards. The unit may have a bathroom in addition to the occupied room. As a
22 dwelling unit, it would have a cooking facility and bathroom. As a group housing
23 room, it would share a kitchen with one or more other single room occupancy
24 unit/s in the same building and may also share a bathroom. A single room

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1 occupancy building (or "SRO" building) is one that contains ~~one or more~~ only SRO
2 units and non nonaccessory living space.

3 **SEC. 890.111. SERVICE, BUSINESS.**

4 A use which provides the following kinds of services to businesses and/or
5 to the general public and does not fall under the definition of 'office' pursuant to
6 Section 890.70: radio and television stations; newspaper bureaus; magazine and
7 trade publication publishing; ~~desktop publishing; product testing laboratories;~~
8 microfilm recording; slide duplicating; bulk mail services; parcel shipping
9 services; parcel labeling and packaging services; messenger delivery/courier
10 services; ~~uniform security services;~~ sign painting and lettering services; building
11 maintenance services; ~~interior decorating services.~~

12 **Article 10.0 – Preservation of Buildings and Districts of Architectural,**
13 **Historical, and Aesthetic Importance in the C-3 Districts**

14 **APPENDIX I TO ARTICLE 10 SOUTH END HISTORIC DISTRICT**

15 **SEC. 10. ADDITIONS.**

16 Additions to existing buildings and new infill construction proposed within the
17 South End Historic District must reflect an understanding of the relationship of the
18 proposal with the contributing buildings within the district. Additions shall be reviewed
19 for compatibility with the historic building and the district while infill construction shall
20 be reviewed for compatibility with the overall district. Neither should directly imitate nor
21 replicate existing features. For additions, every effort should be made to minimize the
22 visibility of the new structure within the district. Infill construction should reflect the
23 character of the district, including the prevailing heights of contributing buildings
24 without creating a false sense of history. Property owners should consult early in the
25