



Date Filed: February 25, 2022

**City & County of San Francisco
BOARD OF APPEALS**

JURISDICTION REQUEST FILE NO. 22-2

Date of request: **February 25, 2022.**

Portside Master Homeowner Association hereby seeks a new appeal period for the following departmental action: **ISSUANCE of Alteration Permit, 2018/09/28/1770** by **Department of Building Inspection**, issued to: **SF Oakland Bay LLC**, for property at **401 Main Street**, that was issued or became effective on **July 7, 2021**, and for which the appeal period ended at close of business on **July 22, 2021**.

Your **Jurisdiction** will be considered by the Board of Appeals on Wednesday, **March 23, 2022 at 5:00 p.m. and will be held via at San Francisco City Hall, Room 416; 1 Dr. Carlton B. Goodlett Place.**

Pursuant to Article V, § 10 of the Board Rules, the **RESPONSE** to the written request for jurisdiction must be submitted by the permit, variance, or determination holder(s) and/or department(s) no later than **10 days from the date of filing, on or before March 7, 2022**, and must not exceed 6 pages in length (double-spaced), with unlimited exhibits. An electronic copy shall be submitted to the Board office via email by 4:30 pm to: boardofappeals@sfgov.org with additional copies delivered to the opposing parties the same day.

You or your representative **MUST** be present at the hearing. It is the general practice of the Board that only up to three minutes of testimony from the requestor, the permit holder, and the department(s) will be allowed. Your testimony should focus on the reason(s) you did not file on time, and why the Board should allow a late filing in your situation.

Based upon the evidence submitted and the testimony, the Board will make a decision to either grant or deny your Jurisdiction Request. Four votes are necessary to grant jurisdiction. If your request is denied, an appeal may not be filed and the decision of the department(s) is final. If your request is granted, **a new five (5) day appeal period shall be created which ends on the following Monday**, and an appeal may be filed during this time.

Name of Requestor: Portside Master Homeowner Association

David Cincotta, Attorney for Requestor

Email: davidc@dpclawoffices.com

Via Email

Signature of Requestor or Agent

law offices of
DAVID P. CINCOTTA

February 25, 2022

Rick Swig, President
San Francisco Board of Appeals
49 Van Ness Avenue
San Francisco, CA 94103

Re: Request for Jurisdiction for Appeal of Building Permit 201809281770

Dear President Swig:

I am writing on behalf of the Portside Master Homeowner Association to request that the Board of Appeals take jurisdiction in order for the homeowners to appeal BPA 201809281770.

This Permit is specifically to perform work to bring the garage at the condominium development for the homeowners of 220 dwelling units in response to a Notice of Violation (NOV) issued by the Planning Department. The violations that were the subject of the NOV have been raised by the homeowners for many, many years as the garage has not operated in compliance with the original Conditional Use Permits 13905 and 11818 nor the Zoning Administrator Letter of Determination, dated May 25, 1999. The lack of compliance has been significantly, negatively impacting the quality of life of the homeowners for decades. The Permit is to bring the garage more into compliance because it is understood that the existing physical conditions of the structure would still not reach full compliance. The homeowners wish to ask the Board of Appeals to modify the Permit to bring the garage even more into compliance with the original approvals of the Conditional Use Permits and the ZA interpretation.

The following reasons make clear the necessity for the Board to take jurisdiction and hear the Appeal of this permit:

Rick Swig, President
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1. Homeowners Raised Issues of Lack of Compliance. The garage operation has been out of compliance for decades and the homeowners have been trying to resolve matters both directly with the garage operator and the Planning Department for many years with no success. This has been negatively impacting the quality of life in the homes of all the homeowners at Portside.
2. The Issued Building Permit is Incomplete. The permit that has been issued does not adequately address the concerns of the homeowners nor does it bring the garage operation into compliance and mitigate the NOV.
3. No Work has Begun Under the Permit. As of the date of this message, no work has begun, not even the minimum improvements included in the permit.
4. The History of the Homeowners' Involvement is Evidence of the Concern of the Homeowners. The homeowners have been actively pursuing this matter for many years. They even tried to appeal the permit when it was thought that the permit was to be issued by the Planning Department in 2020. They sought to file an appeal then and were later informed that the permit had not been issued yet and the Planning Department was seeking the addition of more compliance for the ADA violations.
5. No Notices of the Issuance of the Permit were Posted by the Garage Operator nor Was There a Notice from the Planning Department. No notices were even posted or received and there has been no work initiated in the garage, so there was no way for

law offices of
DAVID P. CINCOTTA

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the homeowners to be aware that the permit had been issued. Calls to the Department of Building Inspection about the actual status of the permit were inconclusive and communication with the Central Permit Bureau was difficult to even get an answer.

In conclusion, the Homeowners had been working for years to bring this garage operation into compliance with conditions established decades ago. They have conscientiously pressed the City until a Notice of Violation was finally issued. It took almost 2 years for the garage operator to finally prepare plans that came even close to addressing the concerns of the homeowners and the conditions in the Conditional Use Motion. (See history of permit processing from DBI attached.) Then when the permit was finally issued, there was no posting of the permit, no notice of its issuance.

We urge the Board to grant the homeowners the ability to address the issues of the garage operator that have plagued the homeowners for decades.

Sincerely,



DAVID P. CINCOTTA
Law Offices of David P. Cincotta

cc: Julie Rosenberg, Executive Director

DPC/lw

Permit Details Report

Report Date: 11/12/2021 2:01:44 PM

Application Number: 201809281770
 Form Number: 3
 Address(es): 3768 / 020 / 0401 MAIN ST
 Description: ADMINISTRATIVE PERMIT FOR PLANNING REVIEW & VERIFICATION OF (E) PARKING COUNTS. RE-STRIPPING & SIGNAGE WORK ACCORDING TO DRAWINGS.
 Cost: \$63,621.00
 Occupancy Code: R-2,B,S-2
 Building Use: 24 - APARTMENTS

Disposition / Stage:

Action Date	Stage	Comments
9/28/2018	TRIAGE	
9/28/2018	FILING	
9/28/2018	FILED	
5/25/2021	PLANCHECK	
5/25/2021	APPROVED	
7/7/2021	ISSUED	

Contact Details:

Contractor Details:

License Number: 792059
 Name: CRYSTAL MIKS
 Company Name: C M C TRAFFIC CONTROL SPECIALIST INC
 Address: 3450 3RD STREET UNIT 3G ST * SAN FRANCISCO CA 94124-0000
 Phone:

Addenda Details:

Description:

Step	Station	Arrive	Start	In Hold	Out Hold	Finish	Checked By	Hold Description
1	HIS	9/28/18	9/28/18			9/28/18		
2	CPB	9/28/18	9/28/18			9/28/18	GUTIERREZ NANCY	
3	SFFD	9/28/18	9/28/18			9/28/18	GILBRAITH KATHLEEN	N/A
4	CP-ZOC	9/28/18	9/11/20			9/11/20	JONES FRANK	10/04/18: Assigned to Dario Jones Hard copy revisions received on 09/01/2020; Delivered to D. Jones at Planning. (Jennifer) 9/11/20: Plans approved in order to come into compliance with Planning Code violation Cas No 2017-007956ENF; to restripe parking spaces in order to bring parking garage back into general conformance with Motions 11818 and 13905 under case nos 95.220C and 89.493C.
5	BLDG	9/14/20	1/16/21	3/2/21		4/22/21	WALLS MARK	APPROVED BY BLDG, TO SFFD. MGW
6	SFFD	4/22/21	4/30/21			4/30/21	BOUGHN ROB	N/A; routed to ppc
7	CP-ZOC	4/30/21	5/14/21			5/14/21	JONES FRANK	Approved to accomdate revised ADA parking from 7 to 8 and add signage; AND, plans approved in order to come into compliance with Planning Code violation Case No 2017-007956ENF; to restripe parking spaces in order to bring parking garage back into general conformance with Motions 11818 and 13905 under case nos 95.220C and 89.493C.
8	PPC	5/17/21	5/17/21			5/19/21	LUA NATALIE	5/19/21: To CPB; NL 5/17/21: Missing engineer stamp and signaure for pgs A1.1, A1. and A3.o. Plans on hold at PPC (49 South Van Ness, 5th floor) pending designer to make an appointment @ dbi.ppcrequest@sfgov.org to update drawings; NL 4/30/21: To Planning to stamp revised sets received on 3/25/21; NL 4/22/21: To SFFD; nl 03/03/21: TO HOLD BIN pending BLDG approval;me 01/19/21: In Hold bin pending BLDG approval; NL 9/14/20: to BLDG; am 3/16/20:R2 to DCP;EC. 11/13/18am: R1 to DCP. ibb 9/28/18 to DCP-PC

9	CPB	5/19/21	5/25/21			7/7/21	SECONDEZ GRACE	7/7/21: issued. schedule pick up appt. gs 7/6/21: invoiced. gs 5/25/21: approved. need payer info, contr stmt. gs
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This permit has been issued. For information pertaining to this permit, please call 628-652-3450.

Appointments:

Appointment Date	Appointment AM/PM	Appointment Code	Appointment Type	Description	Time Slots
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Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
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Special Inspections:

Addenda No.	Completed Date	Inspected By	Inspection Code	Description	Remarks
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For information, or to schedule an inspection, call 628-652-3400 between 8:30 am and 3:00 pm.

[Station Code Descriptions and Phone Numbers](#)

[Online Permit and Complaint Tracking](#) home page.

Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

BRIEF SUBMITTED BY THE PERMIT HOLDER(S)

REUBEN, JUNIUS & ROSE, LLP

Tara Sullivan
tsullivan@reubenlaw.com

March 7, 2022

Delivered Via E-Mail: boardofappeals@sfgov.org / julie.rosenberg@sfgov.org

Mr. Rick Swig, President
San Francisco Board of Appeals
49 South Van Ness Avenue, Suite 1475
San Francisco, CA 94103

**Re: Permit Holder Brief in Opposition of Jurisdiction Request
401 Main Street / Permit No. 2018.0928.1770
Hearing Date: March 23, 2022**

Dear President Swig and Commissioners:

Our office represents SF Oakland Bay, LLC, the owner of the public parking garage (the “Owner”) located at 401 Main Street (the “Property”), and holders of Building Permit Application 2018.0928.1770 (the “Permit”). This is a response to the Jurisdiction Request filed on February 25, 2022, by the Portside Master Homeowner Association (the “Requestor(s)”) of the above-mentioned Permit. We request that the Board of Appeals **deny** the Jurisdiction Request to allow a new appeal period for the Permit. The deadline for appeal was over seven months ago (July 22, 2021) and the Requestors have not met the exacting standard of review for the Board to take jurisdiction. The Requestors provide no evidence of a lack of notice that caused them to miss the appeal period – they knew of the Permit issuance but simply forfeited their right to appeal. This is another attempt by the Requestors to stall the restriping and modify the Permit to suit their needs.

A. PERMIT HISTORY

401 Main Street, also known as Portside, consists of two residential and commercial buildings with 220 dwelling units, 6,000 square feet of retail, and a parking garage (the “Garage”).

San Francisco Office
One Bush Street, Suite 600, San Francisco, CA 94104
tel: 415-567-9000 | fax: 415-399-9480

Oakland Office
827 Broadway, 2nd Floor, Oakland, CA 94607
tel: 510-527-5589

www.reubenlaw.com

It was approved by the Planning Commission (the “Commission”) in 1989 (Motion No. 11818) and 1995 (Motion No. 13905). Under the Commission approvals, the Garage must provide parking spaces to the Portside residents and commercial tenants, as well as for three off-site buildings, with the remaining parking open to the public. Most of the Requestors have parking spaces in the Garage. The Garage has been owned and operated by the Owner since 2011. In February 2020, the Zoning Administrator issued a Violation and Penalty Decision against the Owner for noncompliance with two Commission Conditions of Approvals (1995 Motion No. 13905, Condition No. 3, for not providing a minimum of 289 independently-accessible parking spaces; and 1989 Motion No. 11818, Condition No. 4, for not providing thirteen secure bicycle parking spaces).

The Owner worked with the Zoning Administrator (the “ZA”) to correct the outstanding issues and bring the Garage into compliance with the Commission conditions. Planning Department staff conducted site visits and analyzed the number, size, and location of parking spaces. Throughout this process, the Requestors were directly involved, continuously contesting the Commission approvals and requesting that the ZA place new conditions and make additional changes to the Permit. They had several meetings with staff and regularly corresponded with the ZA, both through email and by telephone.

In the fall of 2020, the ZA determined that the Permit would bring the Garage back into general conformance with the Commission motions. Specifically, the Permit is to re-stripe the Garage so that the parking spaces align with the Commission-approved plans, install additional ADA parking spaces, and add secure bicycle parking. The Permit was approved by Planning on May 14, 2021 and was issued by DBI on July 7, 2021 (the Permit and plans are attached as **Exhibit**

A). The 15-day appeal period ran until July 22, 2021. No appeal was filed, and the Owner began preparation of the work.

The re-striping cannot occur while vehicles are in the Garage – they must be moved for the duration of work. Before work was to begin, the Owner requested updated vehicle information from the Requestors in order to perform an inventory to reassign spaces once the Garage was restriped. From the outset, the Requestor has refused to provide the necessary information. The Requestor sent multiple cease and desist letters to the Garage demanding it refrain from any attempts to collect the required information in order to reassign cars. The Requestor, in a blatant attempt to interfere with the Owner’s ability to perform the corrective work, posted a notice to all residents instructing them to ignore any requests for information from the Owner (*see* letter, **Exhibit B**). Under the parking agreements with the Requestor, arbitration is required. The Owner filed a Demand for Arbitration on June 29, 2021, requesting injunctive relief in order to allow the corrective work under the Permit to begin. The Requestor failed to respond, which delayed the commencement of the arbitration until September 2021. Unfortunately, the arbitration is ongoing, with a final hearing/determination on the matter scheduled for May 2022.

On February 25, 2022, the Requestor filed this Jurisdiction Request with the Board, requesting that the Permit be reopened so they can appeal and seek changes to the Permit.

B. LEGAL STANDARD

The Board’s Rules provide that the Board is authorized to grant a Jurisdiction Request only “*in extraordinary cases where the Board must find that the City intentionally or inadvertently caused the requestor to be late in filing the appeal.*” (San Francisco BOA Rules, § 10(a), emphasis added.) The Requestor fails to meet this standard of review for the Board to take jurisdiction.

C. LEGAL ANALYSIS

Under San Francisco Business and Tax Regulations Code Section 8, an appeal to the Board of Appeals must be filed within 15 days of a permit issuance. The Permit was issued on July 7, 2021, and the appeal period ended on July 22, 2021. The Requestor did not appeal the Permit within the 15-day appeal period. The Requestors fail to address how the City intentionally or inadvertently caused them to be late in filing the appeal.

Contrary to the Requestors' assertion, no notice of issuance of building permit was required (Jurisdiction Request, Point 5, p. 2-3). The Planning Code does not require notification of the issuance of the Permit (Planning Code §311(b)). Regardless, the Requestors had actual notice when the permit was approved by Planning. They received notice from Planning staff informing them that the permit was approved. This was a courtesy notice to allow them to track the Permit issuance. In addition, the Requestor also received direct notice from the Owner's attorney four days after Planning's sign-off. The final approved plans and notice of staff's actions were sent at the Requestor's attorneys request (*see* email, **Exhibit C**). The Requestors' attorney knows that there is no notice requirement in the Planning Code and their statement that they had no notice of Planning approval is simply false. They had actual notice of Planning's approval.

Regarding DBI notice, the Building Code requires notice of permit issuance for demolition, new construction, or a structural addition (Building Code §106A.4.6). The Permit does not meet any of these criteria. No notice by DBI was required when the Permit was issued. The City did not "intentionally or inadvertently" cause the Requestors to miss the appeal window by not providing notice. The City correctly followed the law, which does not require notice for the Permit.

It is perplexing that the Requestors' assert that they had no notice of the Permit issuance because "*calls to DBI about the actual status of the permit were inconclusive and communication*

with the Central Permit Bureau was difficult to even get an answer” (Jurisdiction Request, p. 3).

It is very easy to check the status of a permit on the City’s online tracking system. Both DBI and Planning have easy-to-access permit tracking programs,¹ which are updated daily and provide accurate information on the status of a permit. It is hard to believe that there was “*no way for the homeowners to be aware that the permit had been issued*” (*ibid.*, *emphasis added*). The Requestors are savvy enough to know how to track the Permit issuance – they have two law firms working on this matter, one of which is a long-practicing land use attorney with knowledge of City processes and systems. Even if they checked with DBI only once a week, they would have been informed of the Permit issuance within the 15-day appeal window. They did track the permit and knew when it was issued by DBI, but simply chose not to appeal within the allowable window. They should not be permitted to appeal it now.

This Jurisdiction Request is another example of the Requestor seeking to delay the work under the Permit. They consistently complain to the City about the Garage yet do everything possible to prevent the Owner from bringing it into compliance. Had they responded to the information request in the spring 2021, the work under the Permit could have been completed by last fall. Instead, they serve cease and desist letters and tell their members not to cooperate. There is a consistent pattern of the Requestor blocking any forward progress by the Owner. They knew of the Permit months ago and could have filed this request in the summer of 2021. Instead, they strategically waited for seven months. Each delay causes the Garage to remain out of compliance and the Owner to incur considerable financial costs. The goal of the Requestor is to permanently harm a small business so they go out of business.

¹ DBI: <https://dbiweb02.sfgov.org/dbipts/> ; Planning: <https://sfplanninggis.org/pim/>

The Requestors have not asserted any wrongdoing or error on the City's part that the Board of Appeals can correct by granting jurisdiction. The Requestors had notice but they chose not to appeal the Permit. Their stated purpose of the Jurisdiction Request – to bring the Garage “even more” into compliance with the Commission approvals – is not within the Board's purview. They don't discuss the lack of notice until the end of their brief – they know they had ample notice and simply forfeited their right in July 2021 to appeal the Permit. This request should be seen for what it is – a desperate attempt to amend the Permit so they can get their desired changes made. They have done everything possible to prevent the corrective work from occurring. The ZA has determined that the Permit brings the Garage into general conformity with the approvals. Contrary to the Requestors assertions, this cannot be contested under this Jurisdiction Request. The facts clearly show that this is not an extraordinary case nor did the City do anything to prevent the Requestor to be late in filing an appeal. The Requestors simply did not appeal the Permit during the appeal period. They should not be allowed a second opportunity to do so.

The Requestors have failed to make a valid assertion or show evidence justifying the present Jurisdiction Request. For all of these reasons, we respectfully request that the Board deny the Jurisdiction Request.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Tara N. Sullivan

cc: Anne Lazarus, Commissioner
Darryl Honda, Commissioner
Tina Chang, Commissioner
Jose Lopez, Commissioner
Portside Master HOA, c/o David Cincotta

Exhibit A

CENTRAL PERMIT BUREAU
49 South Van Ness Ave, Suite 400
San Francisco, CA 94103

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION
(628) 652-3200

Receipt No: 20210706-1180L
Application/Permit No: 201809281770

PERMIT IS GRANTED TO

- ERECT ALTER BUILDING ERECT SIGN DATE OF ISSUE 07-JUL-21
 DEMOLISH BUILDING GRADE FILING FEE RECEIPT # 18097585
 LOWER CURB OCCUPY STREET SPACE
 EXCAVATE STREET OR SIDEWALK POST NOTICE
 HOUSE NUMBER CERTIFICATE REPAIR OR CONSTRUCT SIDEWALK

THIS PERMIT IS GRANTED IN ACCORDANCE WITH PROVISIONS OF THE CHARTER AND ORDINANCES OF THE CITY AND COUNTY OF SAN FRANCISCO AND/OR THE CURRENT STANDARD SPECIFICATIONS OF THE DEPARTMENT OF BUILDING INSPECTION

* ADDITIONAL INFORMATION REGARDING SPECIFIC PERMITS IS GIVEN ON THE BACK OF THIS FORM.

SUPPLEMENTAL FEE PAID:

- FINAL PLAN CHECK EXPEDITER FEE PENALTY
 STRUCTURAL LTR DCP FEE

OWNER:

OAKLIAND SF LLC

(650)787-4800

DBI P/C PAID AT FILING \$144.85

AUDITED FOR REFUND

FEE

DCP PLAN CHECK	3,382.44
BACK PLANCHECK FEE	695.64
BUILDING	510.58
PLAN REVIEW	1,045.73
RECORDS RETENTION	16.00
BLDG STDS ADMIN FUND	2.00
PLANNING CODE ENF	1,395.00

LOCATION OF JOB: HOUSE NUMBER: EXISTING ASSIGNED
 STREET ADDRESS BLOCK/LOT
401 MAIN ST 3768/020

METES AND BOUNDS

FRONTAGE FT 11 # STORIES 1 TYPE R-2, B, S-2 LEGAL OCCUPANCIES
 BUILDING USE APARTMENTS ESTIMATED COST \$ 63,621.00
 SIDEWALK SQ. FTGE ST. SPACE LINEAR FT. 9 FT. CURB SECT. TO BE LOWERED
 PARKING METER LINEAR FT. PARKING METER DAYS

WORK MUST COMMENCE ON BUILDING WITHIN TIME PER CODE, UNLESS EXTENSION AUTHORIZED PRIOR TO EXPIRATION. IF UNDER ENFORCEMENT ORDERS, SPECIAL TIME PERIODS SPECIFIED IN NOTICE OF VIOLATION OR ABATEMENT ORDER WILL APPLY.

TIME FOR COMPLETION OF WORK UNDER THIS BUILDING PERMIT EXPIRES 360 Days AFTER DATE OF ISSUANCE. IF UNDER ENFORCEMENT ORDERS, SPECIAL TIME PERIODS WHERE SPECIFIED WILL APPLY. (NOTE: STREET SPACE PERMIT EXPIRES ON COMPLETION OF WORK OR WHEN REVOKED BY DIRECTOR OF PUBLIC WORKS. SEE BACK OF FORM FOR OTHER TIME LIMITS.)

Portside Garage

SUBTOTAL OF FEES WITH APPLICABLE SURCHARGES \$7,084.39

FEE PAYOR
800 Airport Blvd, ste 314
 ADDRESS
Burlingame CA 94010
 CITY

PERMIT 20210706-1180L

APPEAL
 CENTRAL PERMIT BUREAU-D.B.I. GSECONDE

SURCHARGE 0.00
 BOA SURCHARGE 37.00

STRONG MOTION 17.81

SUBTOTAL OTHER FEES 17.81

TOTAL \$ \$7,102.20

SEPARATE PERMITS MUST BE OBTAINED FOR ELECTRICAL, PLUMBING OR OTHER RELATED WORK
 9003-18(Rev.10/95)

WARNING

Pursuant to Article 20 of Chapter 10, Part II of the San Francisco Municipal Code (Public Works Code), certain building permits may be issued only after the permittee analyzes the soil for the presence of hazardous wastes and, where applicable, certifies that it has completed site mitigation. No officer, employee, or agency of the City conducted the soil sampling and analysis, recommended site mitigation measures, conducted the site mitigation or checked or verified the reports submitted or work performed for accuracy, reliability or adherence to protocols. In issuing this permit, neither the city nor any of its officers or employees make any representation that the soil on or about the site is free from the presence of hazardous wastes. Nor does the City's implementation of this process relieve any person from their duties and responsibilities relating to hazardous waste contamination under state and federal law. Neither soil analysis pursuant to Article 20 of Public Works Code nor the issuance of this permit is intended to alter, extinguish, or transfer these responsibilities.

ADDITIONAL INFORMATION

1. **Building Permit.**
All requests for extension of time must be in writing to Director, Dept. of Building Inspection. Permits are issued subject to Appeal within 15 days to Board of Permit Appeals. Incur no expenses until right of Appeal has lapsed.
2. **Demolition Permit.**
If Demolition involves Abandonment of Side Sewer Permittee must obtain a Side Sewer Permit. The Side Sewer will then be blocked at the Main Sewer.
3. **Permit to Lower Curb/To Excavate in Street or Sidewalk.**
Issued to construct Auto Runway as per Article 15. Public Works Code.
Excavation should be carried out in accordance with Article 8 of Public Works Code.
If issued with Building permit time for completion is same as Building; if issued alone, complete work within 6 months from date of Permit. Void if not started within 6 months.
4. **Street Space Permit.**
No refuse, excavated materials, concrete or mortar is to be disposed of upon Paved Streets, catch basins or into the City sewer system. No material or equipment shall be left on Roadway of Police Tow-Away Zone during hours when Tow-Away Rule is in force. Gutters and Waterways must be kept clear.
All provisions of Section 724.3 of the Public Works Code are incorporated into this permit by reference.
Street and sidewalk areas occupied must not exceed a width 1/2 the width of the sidewalk plus 1/3 the width of the Roadway fronting.
5. **Permit to Repair or Construct Sidewalk.**
Handicap Ramps required in vicinity of Crosswalks per plan No.11-33, 982, Ch. 2. Before beginning any work under this permit contact your Area Inspector Tel. 554-5837. Permit valid for 3 months from date issued, unless extension authorized.
Some sidewalks have been constructed over a subsidewalk basement or other below ground structure. Issuance of this permit does not limit, modify, or alter in any way the responsibility of the property owner to ensure that such subsidewalk space complies with the San Francisco Building Code, Electrical Code, Fire Code, Mechanical Code, Plumbing Code, Public Works Code, and other Municipal Codes. In addition, issuance of this permit does not limit the liability of the property owner or his or her agent if work pursuant to this permit or the actions of a third party result in damage to the sidewalk or subsidewalk structure; consequently, permittees proceed at their own risk. The City and County of San Francisco makes no representations that issuance of a sidewalk permit will or will not directly or indirectly affect a subsidewalk structure. The Department of Building Inspection, in conjunction with the Department of Public Works, issues permits to construct or alter subsidewalk spaces separately from a sidewalk permit. Property owners are encouraged to seek the advice of qualified professionals to independently analyze the structural integrity of subsidewalk space and determine whether such space should be improved or modified.
6. **Hold Harmless Clause.**
The Permittee(s) by acceptance of this 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 and actions.

BOARD OF PERMIT APPEALS STIPULATIONS.

JUL 07 2021

OR ISSUANCE

25 2021

APPLICATION NUMBER

OSHA APPROVAL REQ'D APPROVAL NUMBER

2018-028-1740

Patrick O'Riordan
PATRICK O'RIORDAN
INTERIM DIRECTOR

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS

DEPT. OF BUILDING INSPECTION 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.

FORM 3 OTHER AGENCIES REVIEW REQUIRED

FORM 8 OVER-THE-COUNTER ISSUANCE

2 NUMBER OF PLAN SETS

\$4,504.00
UPP
GENE

DO NOT WRITE ABOVE THIS LINE

DATE FILED 9/28/18	FILING FEE RECEIPT NO. 18097585	(1) STREET ADDRESS OF JOB 401 MAIN ST.	BLOCK & LOT 3768/020
PERMIT NO. 20210706-118DL	ISSUED JUL 07 2021	(2A) ESTIMATED COST OF JOB \$1.00	(2B) REVISED COST: \$63,621.00 - M.W. 4-22-21

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

4-HR. Back Check Fee

LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR. F	(5A) NO. OF STORIES OF OCCUPANCY 11	(6A) NO. OF BASEMENTS AND CELLARS	(7A) PRESENT USE: RESIDENTIAL APT.	(8A) OCCUP. CLASS R2, B1, S2	(9A) NO. OF DWELLING UNITS 158
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DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(4) TYPE OF CONSTR. F	(5) NO. OF STORIES OF OCCUPANCY 11	(6) NO. OF BASEMENTS AND CELLARS	(7) PROPOSED USE (LEGAL USE) RESIDENTIAL APT.	(8) OCCUP. CLASS R2, B1, S2	(9) NO. OF DWELLING UNITS 158
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(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(11) WILL STREET SPACE BE USED DURING CONSTRUCTION?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(12) ELECTRICAL WORK TO BE PERFORMED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(13) PLUMBING WORK TO BE PERFORMED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
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(14) GENERAL CONTRACTOR KRYSTAL MIKSI/MS TRAFFIC CONTROL SPECIALISTS INC 3450 SHERIDAN #24	ADDRESS	ZIP	PHONE	CALIF. LIC. NO.	EXPIRATION DATE
---	---------	-----	-------	-----------------	-----------------

(15) OWNER - LESSEE (CROSS OUT ONE) SF OAKLAND BAY LLC	ADDRESS	ZIP	BTRC#	PHONE (FOR CONTACT BY DEPT.) RICK B. 605-787-760
---	---------	-----	-------	---

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

ADMINISTRATIVE PERMIT FOR PLANNING DEPARTMENT REVIEW AND VERIFICATION OF EXISTING PARKING COUNTS. NO WORK UNDER THIS PA#.

Re-striping & Signage Work According to Drawings.

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT	(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA	SQ. FT.
--	--	---	--	--	--	---------

(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN)	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
--	--	---	--	---	--	---	--

(25) ARCHITECT OR ENGINEER (DESIGN <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/> REZA A. HADAEGH	ADDRESS 2021 EARL ST TORRANCE, CA 90503 C 25803	CALIF. CERTIFICATE NO.
--	--	------------------------

(26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN")	ADDRESS
--	---------

IMPORTANT NOTICES

NOTICE TO APPLICANT

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.

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.

No portion of building or structure or scaffolding used during construction is to be closer than 6'0" to any wire containing more than 750 volts. See Sec 385, California Penal Code.

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have worker's compensation coverage under (I) or (II) designated below, or shall indicate item (III), (IV), or (V), whichever is applicable. If however item (V) is checked, item (IV) must be checked as well. Mark the appropriate method of compliance below.

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.

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

Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown, revised drawings showing correct grade lines, cuts and fills, and complete details of retaining walls and wall footings must be submitted to this department for approval.

() I. I have and will maintain a certificate of consent to self-insure for worker's compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.

() II. I have and will maintain worker's compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My worker's compensation insurance carrier and policy number are: 8-1

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

Carrier: _____
Policy Number: _____

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) (22) OR (24).

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

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

() IV. 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 worker's compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the worker's

In dwellings, all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

CHECK APPROPRIATE BOX

OWNER ARCHITECT

Mark Walls, DBI

APR 22 2021

BUILDING INSPECTOR, DEPT. OF BLDG. INSP.

For Planning review only
NOTIFIED MR. _____
DATE: _____
REASON: _____

APPROVED: TO ADDRESS PLANNING CODE VIOLATION NO. 2017-007956 ENF, SO AS PARKING GARAGE COMES INTO GENERAL CONFORMANCE WITH MOTIONS 11818 & 13905 (Attached). GARAGE OPERATOR TO PURSUE CORRECTIVE COORDINATION DILIGENTLY TO COMPLETION. 9/11/20 5/14/2021

NOTIFIED MR. _____
DATE: _____
REASON: _____

APPROVED: Rhab Boughn, SFFD
NA Kathleen Gilbraith, SFFD

MA APR 30 2021

SEP 28 2018

BUREAU OF FIRE PREVENTION & PUBLIC SAFETY

NOTIFIED MR. _____
DATE: _____
REASON: _____

APPROVED: _____
MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION

NOTIFIED MR. _____
DATE: _____
REASON: _____

APPROVED: _____
CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION

NOTIFIED MR. _____
DATE: _____
REASON: _____

APPROVED: _____
BUREAU OF ENGINEERING

NOTIFIED MR. _____
DATE: _____
REASON: _____

APPROVED: _____
DEPARTMENT OF PUBLIC HEALTH

NOTIFIED MR. _____
DATE: _____
REASON: _____

APPROVED: _____
REDEVELOPMENT AGENCY

NOTIFIED MR. _____
DATE: _____
REASON: _____

APPROVED: Legal use per CFC # 970763S
No. of Units 158 Floors of Occ. _____
FOR WORK STATED ONLY
HOUSING INSPECTION DIVISION

NOTIFIED MR. _____
DATE: _____
REASON: _____

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

PROJECT TEAM		
Project	Portside Garage	401 Main Street San Francisco, CA 94105
Consultant	Silva-MCS	298 Arlington St San Francisco, CA 94131
Traffic Engineer	Mike Silva Derek Doan	(415) 740-4392 3450 3rd St #3g San Francisco, CA
Owner/Developer	SF Oakland Bay, LLC Rico Bautista	San Miguel Bldg 2149 Ste #1 Army Drive Dedeo, GU 96929 (605) 787-4800

PROJECT INFORMATION		Code Ref./Notes
PROJECT SCOPE:	Project consists of restriping the existing garage at 401 N Main Street - San Francisco California, in response to NOVPD 2017-007956ENF	See Sheet A3.0
Parking Spaces (TOTAL Cars):	373 required / 373 provided- See Sheet A1.0 for counts	
	Compact 123 Required at 127.5 sqft > / 133 Provided at 127.5	+10 Difference
	Standard 159 Required at 160 sq ft > / 148 Provided at 160 sq	-11 Difference
	ADA 8 Required / 8 Provided	0 Difference
	Valer 84 Required / 84 Provided	0 Difference
Parking Spaces (Bicycle):	13 required / 16 provided- See Sheet A1.0 for count	+ 3 Difference
Compliance with Section 11b202.4 of the California Code 2016	Not Required, parking garage restriping Sealed drawing attached specifically (Sheets A1.0 and A2.0) for the removal and replacement of striping to correct issues identified in NOVPD 2017-007956ENF. All other conditions exists and have no changes. All other info and analysis on other sheets is provided for reference only.	Sec 11b202.4 exception 5 CBC
Jurisdiction:	City of San Francisco, DBI, Planning and Zoning Depts.	
Project Address/Parcel #	401 N Main Street, San Francisco, CA	
Current Governing Building Codes Used:	2016 California Codes/San Francisco Local Amendments	
Site Area:	Existing	
Zoning:	Existing	
Use:	Parking Garage	
Max Bldg Ht Allowed (Zoning)	Existing	
Lot Coverage XX%	Lot Coverage = Existing	
Max FAR Allowed:	Existing	
Actual FAR	Existing	
Parking Required:	Existing	

BUILDING CODE ANALYSIS		Chapter 3 CBC/Sec.312
Occupancy Classification	Group U - Private Garage	Chapter 6 CBC
Construction Type	TYPE IB	Chapter 5/Sec 503/504
General Building Hts./Areas CH. 5		
Allowable Area/Ht/Stories (Sec 503)	Existing	
Allowable Area Increase (Sec 506)	Existing	
Actual Building Area/Ht/Stories	Existing	Table 508.4
Occupancy Separation:	Existing	Table 1020.1
Corridor Fire Resistance Rating:	Existing	Chapter 9 CBC
Fire Prevention:	Fire Sprinklers provided throughout	Sec. 903
	Portable Extinguishers provided throughout	Sec 906
	Fire Alarms (throughout system)	Sec 907
	Fire Department Connection - Existing	Sec 912
Occupant Load:	N/A	Chapter 10 CBC
		Sec. 1004
		Sec. 1004
		Sec. 1004
		Table 1004.5
Egress Illumination:	Existing	Section 1006,1008,2702
Exit Access/Egress/Stairs/Elevators	Occupancy Group U	Table 1006.2.1
Common Path of Egress Travel (ft)	Existing/Compliant	Table 1017.2 footnote c
Exit Access Travel Distance (ft)	Existing/Compliant	Section 1020.4
Max Dead End Corridor (ft)	N/A	Table 1020.2
Minimum Corridor Width	N/A	Section 1005.3.1.1
Stairway Width	Existing	Section 1009
Area of Refuge Req	Existing	Table 1006.3.2
Number of Exits Req/Provided	Existing	ADA Title III 5.4
Elevator Req	Existing	Chapter 4/Table 403.1
Required Plumbing Fixtures:	N/A	
	Water Closets	
	Lavatories	
	Drinking Fountain	

D.A. CHECKLIST (p. 1 of 2): The address of the project is: 401 N Main St. San Francisco, CA

For ALL tenant improvement projects in commercial use spaces, both pages of this checklist are required to be reproduced on the plan set and signed.

- The proposed use of the project is Existing Parking Garage (e.g. Retail, Office, Restaurant, etc.)
- Describe the area of remodel, including which floor: Restriping of parking garage per NOVPD 2017-007956ENF
- The construction cost of this project excluding disabled access upgrades to the path of travel is \$ \$63,621.00 which is; (check one) more than / less than the 2020 Valuation Threshold of \$170,466.00
- Is this a City project and/or does it receive any form of public funding? Check one: Yes / No Note: If Yes, then see Step 3 on the Instructions page of the Disabled Access Upgrade Compliance Checklist package for additional forms required.

Conditions below must be fully documented by accompanying drawings

5- Read A through D below carefully and check the most applicable boxes. Check one box only:

A: All existing conditions serving the area of remodel fully comply with access requirements. No further upgrades are required. Fill out page 2 of D.A. Checklist

B: Project Adjusted cost of construction is greater than the current valuation threshold: Fill out and attach page 2 of D.A. Checklist and any other required forms to plans

C: Project adjusted cost of construction is less than or equal to the current valuation threshold: List items that will be upgraded on Form C. All other items shall be checked on page 2 of the D.A. Checklist in the "Not required by code" column.

D: Proposed project consists entirely of Barrier removal: Fill out and attach Barrier removal form to Plans

E: Proposed project is minor revision to previously approved permit drawings only. (Note: This shall NOT be used for new or additional work) Provide previously approved permit application here: _____ Description of revision: _____

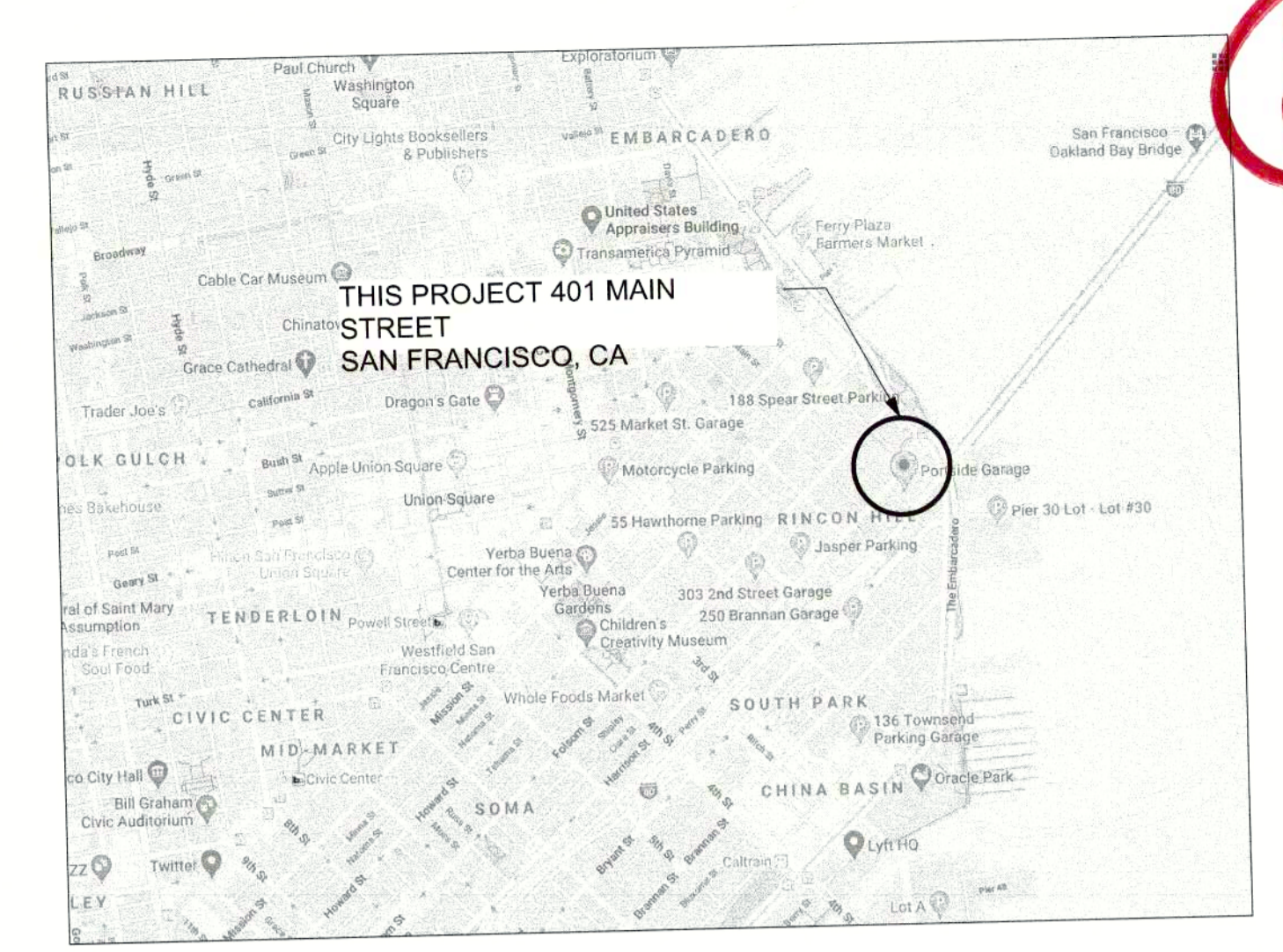
D.A. CHECKLIST (p. 2 of 2): The address of the project is: 401 N Main St. San Francisco, CA

Check all applicable boxes and specify where on the drawings the details are shown:

	Existing Fully Complying	Will be Upgraded to Full Compliance	Equivalent facilities will provide full access	Compliance is Technically Infeasible	Approved in compliance with immediately preceding code	Not required by Code (and/or none existing)	Not required by code (UHR must be ratified by AAC)	Location of detail(s)- include detail no. & drawing sheet (do not leave this part blank!)
A. One accessible entrance including approach walk, vertical access, platform (landings), door / gate and hardware for door/gate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A per Section 11b202.4 CBC and Section 11b202.4 exception 5
B. An accessible route to the area of remodel including: Parking/access aisles and curb ramps	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A per Section 11b202.4 CBC and Section 11b202.4 exception 5
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
C. At least one accessible restroom for each sex or a single unisex restroom serving the area of remodel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A per Section 11b202.4 CBC and Section 11b202.4 exception 5
D. Accessible public pay phone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A per Section 11b202.4 CBC and Section 11b202.4 exception 5
E. Accessible drinking fountains	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	N/A per Section 11b202.4 CBC and Section 11b202.4 exception 5
F. Additional accessible elements such as parking, stairways, storage, alarms and signage.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sheets A1.0 and A2.0 N/A per Section 11b202.4 CBC and Section 11b202.4 exception 5
See the requirements for additional forms listed below	1.	2.	3.	4.	5.	6.	7.	

Note: upgrades below are listed in priority based on CBC-11b-202.4, exception 8

- No additional forms required
- No additional forms required
- Fill out Request for Approval of Equivalent Facilitation form for each item checked and attach to plan.
- Fill out Request for Approval of Technical Infeasibility form for each item checked and attach to plans.
- Provide details from a set of City approved reference drawings, provide its permit application number here: _____ and list reference drawing number on plans.
- No additional forms required
- Fill out Request for an Unreasonable Hardship form for each item checked and attach to plan. All UHR must be ratified by the Access Appeals Commission (see UHR form for details)



INDEX TO DRAWINGS

1	CS1	Cover Sheet
2	A1.0	Proposed Parking Layout
3	A1.1	Existing Parking Layout
4	A1.2	Exhibit B
5	A2.0	Proposed Striping Plan
6	A2.1	Existing/Removed Striping
6	A3.0	Notes/Specs
6	A3.1	Exhibit A

APPROVED
JUL 07 2021
DEPT. OF BUILDING INSPECTION - SAN FRANCISCO

REGISTERED PROFESSIONAL ENGINEER
Derek Doan
C 65156
EXP. 03/31/22
CIVIL
STATE OF CALIFORNIA

Approved Planning Dept. *[Signature]* Darío Jones 5/14/2021

RECEIVED
MAR 25 2021

Mark Walls, DBI
APR 22 2021

No.	Date	Appr	Revision Notes
3	3/12/2021	Per DBI comments 3/3/21	
2	2/2/2021	Per DBI comments 1/18/21	
1	6/18/20	Corrected math error on car counts	

Project Title: **PORTSIDE GARAGE**
401 MAIN STREET
SAN FRANCISCO, CALIFORNIA

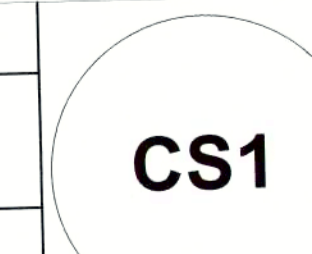
MARCH 9, 2020

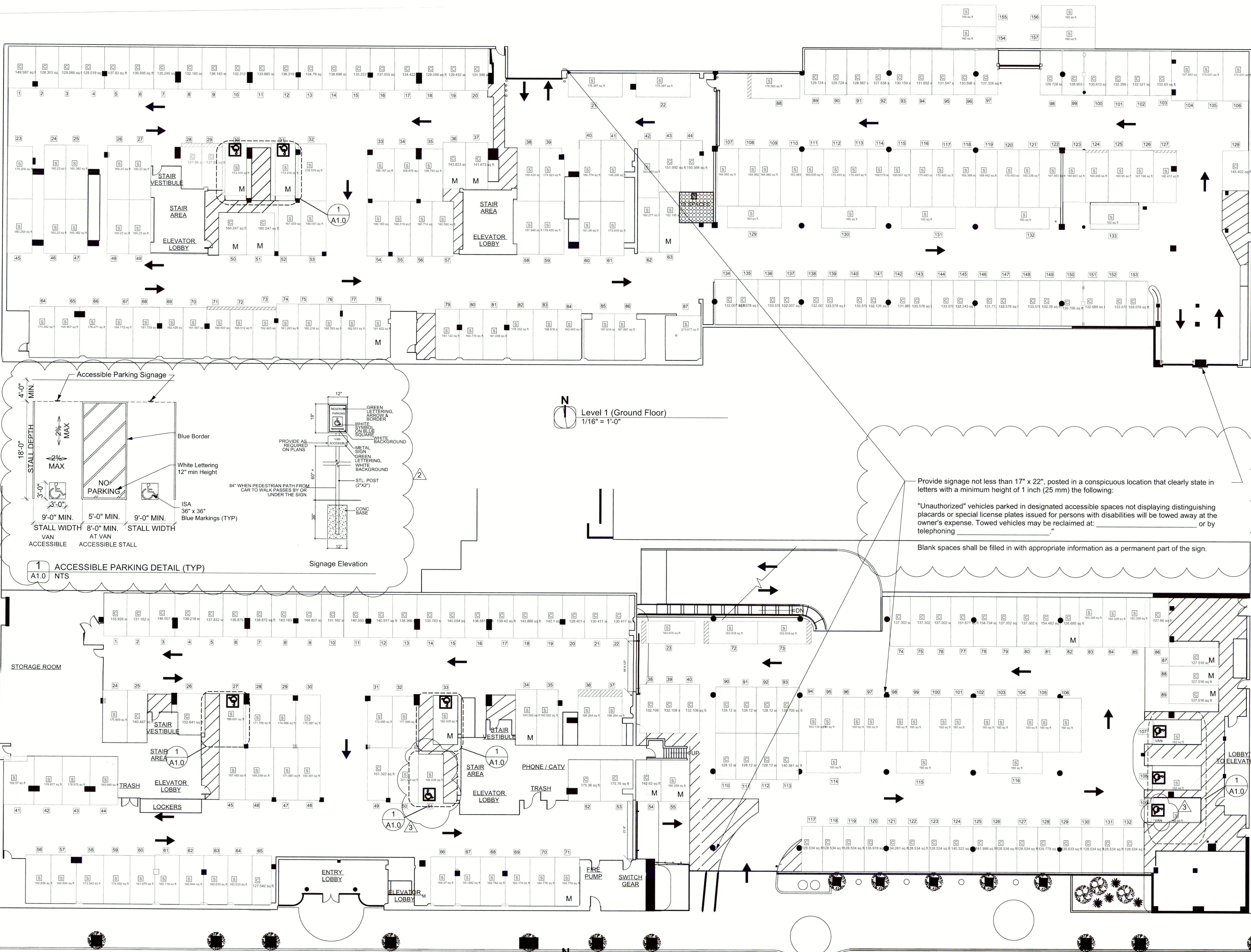
Sheet Title: **Cover Sheet**

Project Manager: _____
Date: 3/9/2020

Rev2PortsideShpDBI3rsub31221.vwx

2018 0928 1770/R-3 401 MAIN





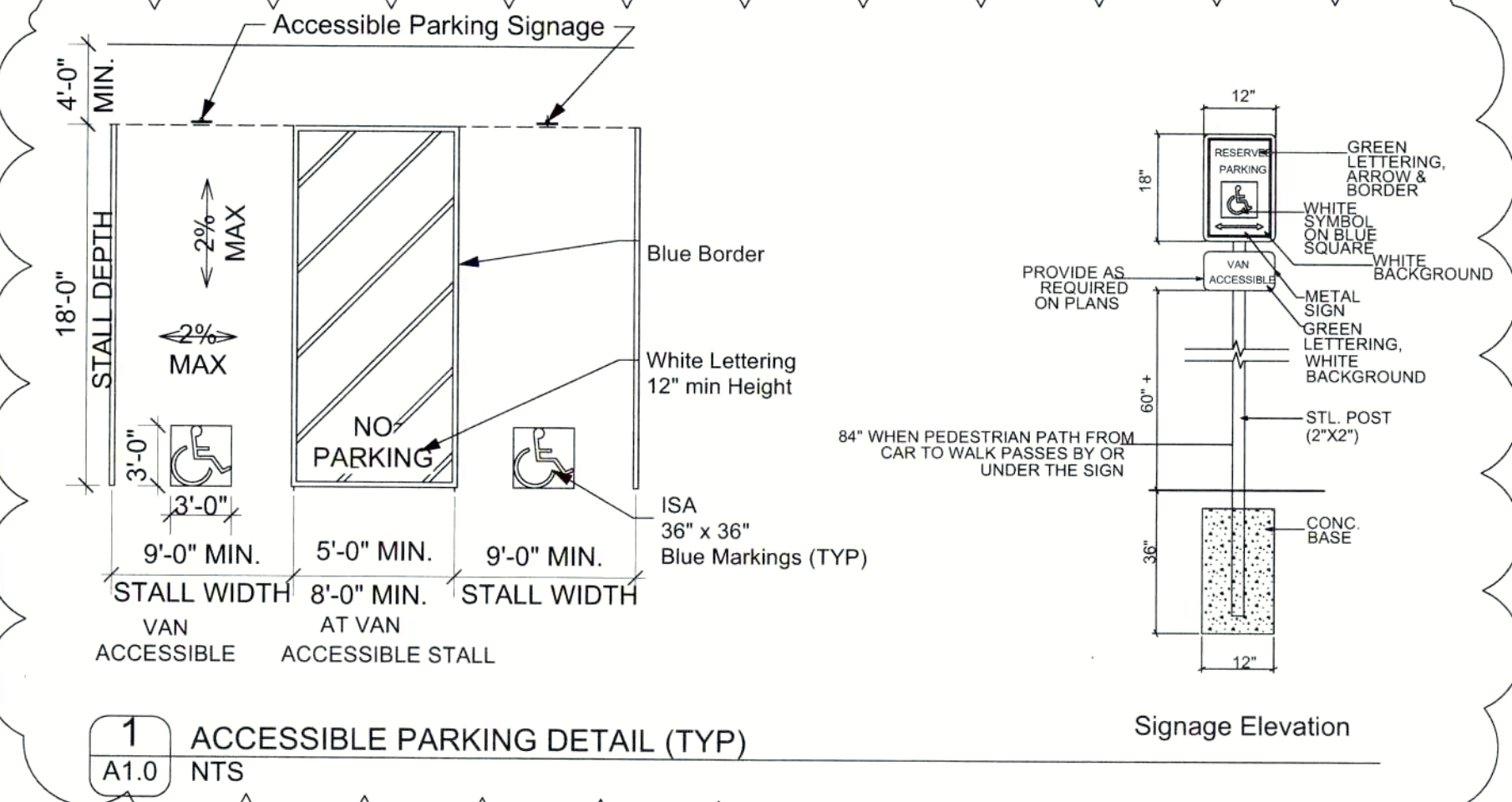
PARKING SPACE COUNTS (Proposed)

LEVEL 1	
COMPACT	64
STANDARD	91
ADA	2
TOTAL LEVEL 1	157
LEVEL 2	
COMPACT	69
STANDARD	57
ADA	6
TOTAL LEVEL 2	132
TOTAL INDEPENDENTLY ACCESSIBLE SPACES	289
Valet Spaces	84
TOTAL	373
BICYCLE PARKING	
LEVEL 1	16

- LEGEND**
- COMPACT
 - STANDARD
 - ADA
 - BICYCLE
- M** INDICATES MODIFICATION MADE PER 2001 REVISED HANDICAP/STORAGE LOCKER PLAN

Level 1 (Ground Floor)
1/16" = 1'-0"

Level 2
1/16" = 1'-0"



Provide signage not less than 17" x 22", posted in a conspicuous location that clearly state in letters with a minimum height of 1 inch (25 mm) the following:
"Unauthorized" vehicles parked in designated accessible spaces not displaying distinguishing placards or special license plates issued for persons with disabilities will be towed away at the owner's expense. Towed vehicles may be reclaimed at: _____ or by telephoning _____.

Blank spaces shall be filled in with appropriate information as a permanent part of the sign.



No.	Date	Appr	Revision Notes
3	3/12/2021	Per DBI comments 3/12/21	
2	2/2/2021	Per DBI comments 3/3/21	

Project Title
PORTSIDE GARAGE
401 MAIN STREET
SAN FRANCISCO, CALIFORNIA

MARCH 9, 2020

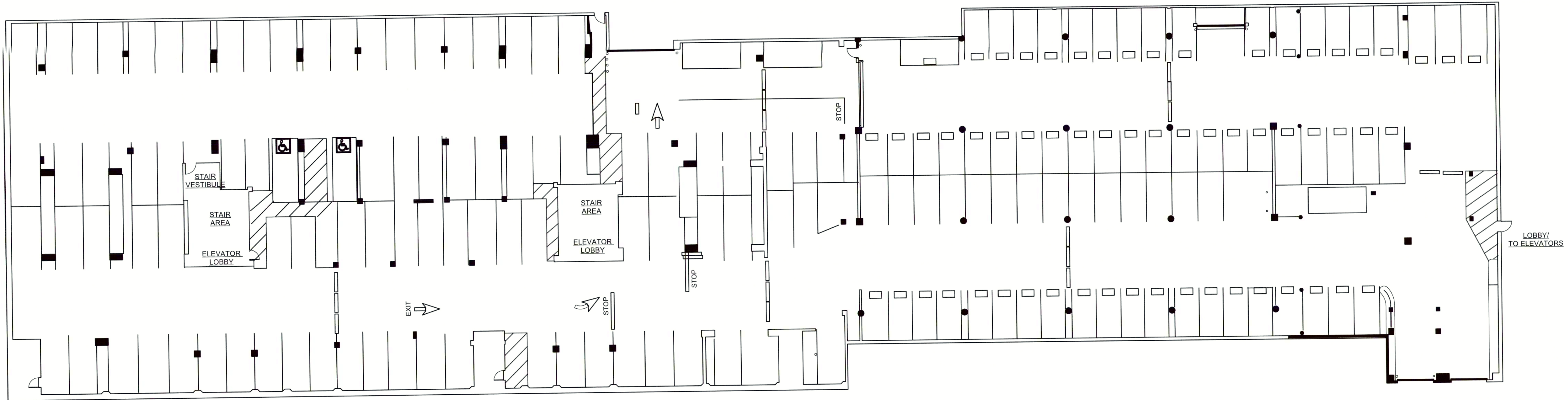
RECEIVED
MAR 25 2021

Sheet Title
Proposed Parking Layout

Project Manager
Drawn By
Date
Rev2PortsideStpDBI31221.vwx

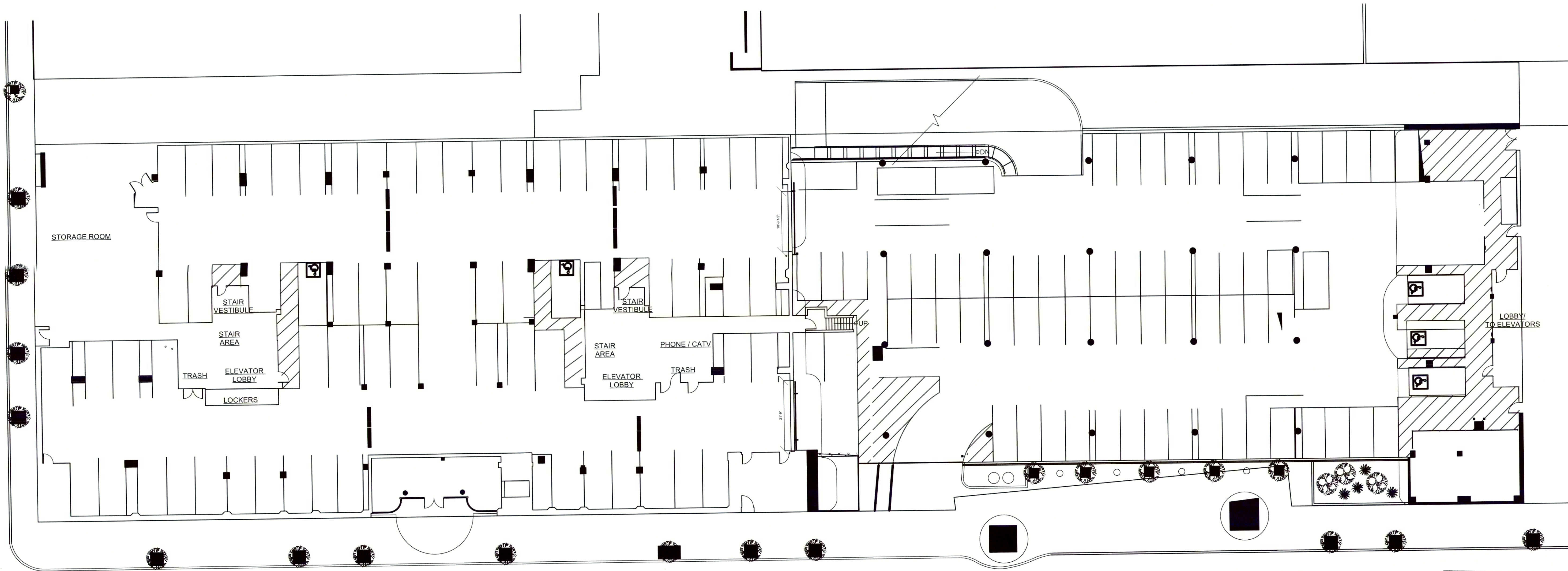
Approved Planning Dept. *5/14/2021* Dario Jones
Mark Walls, DBI
APR 22 2021

A1.0



Level 1 - Existing Parking Layout (For Reference Only)
Scale: 1/16" = 1'-0"

For Reference Only



Level 2 - Existing Parking Layout (For Reference Only)
Scale: 1/16" = 1'-0"

No.	Date	Appr	Revision Notes
Project Title			
PORTSIDE GARAGE 401 MAIN STREET SAN FRANCISCO, CALIFORNIA MARCH 9, 2020 <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> RECEIVED MAR 25 2021 <small>DEPT. OF BUILDING INSPECTION THIS PLAN SHALL BE REVIEWED FOR COMPLIANCE WITH THE BUILDING CODE</small> </div>			
Sheet Title			
Existing Parking Layout			
Project Manager			
Drawn By			
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Date			
3/9/2020			
Rev2PortsideShipDBI3rdsub31221.vwx			

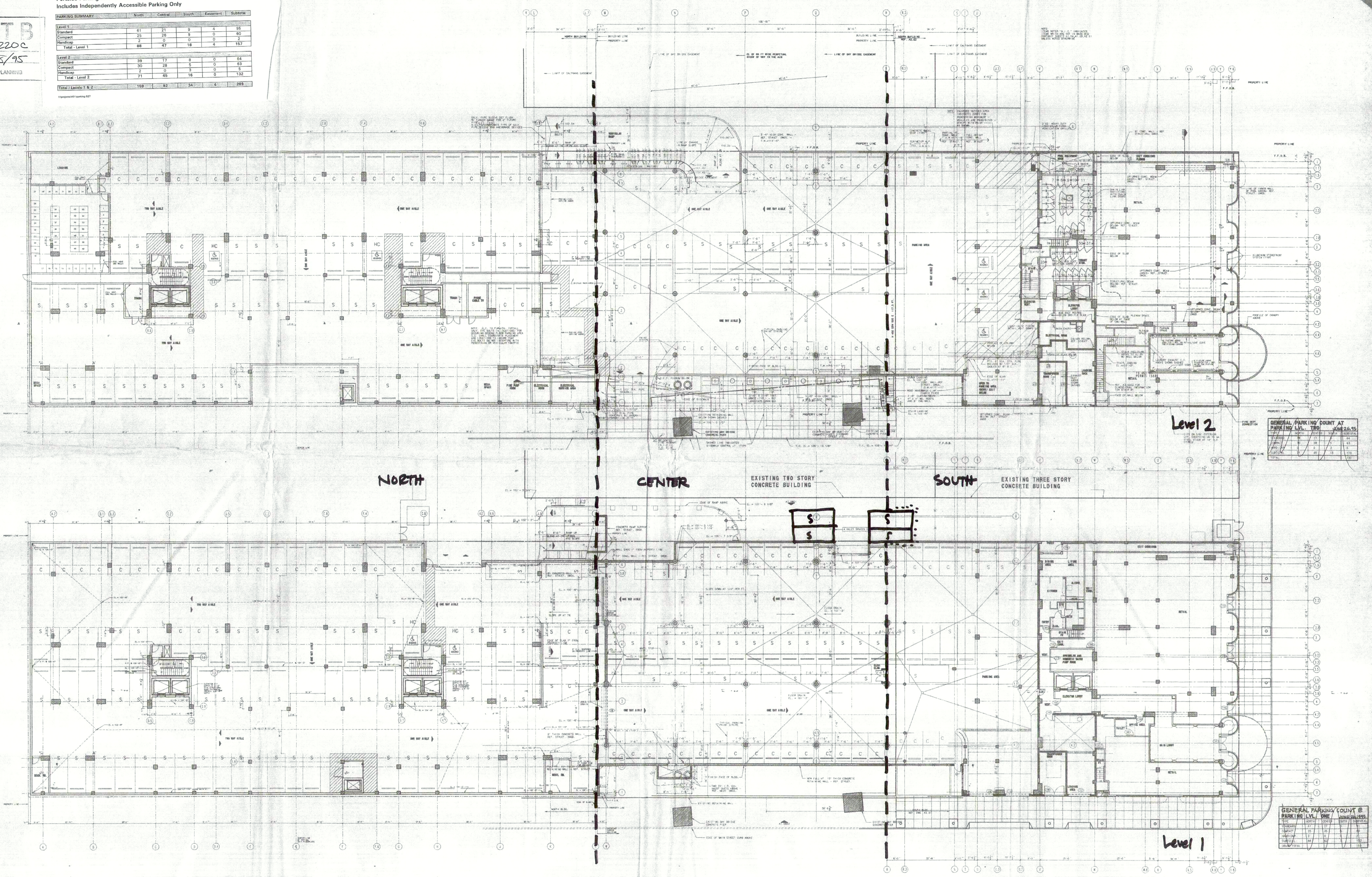
5/14/2021
 Approved Planning Dept. Dario Jones
 Mark Walls, DBI
 APR 22 2021

EXHIBIT B

APPLICATION No. 95.220c
 PLANS DATED: 6/28/15
 DEPARTMENT OF CITY PLANNING

Portside Parking Information Includes Independently Accessible Parking Only

PARKING SUMMARY	North	Center	South	Eastwest	Subtotal
Level 1					
Standard	61	21	0	4	86
Compact	25	20	0	0	45
Handicap	2	0	0	0	2
Total - Level 1	88	41	0	4	133
Level 2					
Standard	33	17	0	0	50
Compact	30	28	0	0	58
Handicap	0	0	0	0	0
Total - Level 2	63	45	0	0	108
TOTAL LEVELS 1 & 2	151	86	0	4	241



01 PLAN
 1/21/21

PARKING GARAGE
 FIRST LEVEL
 A1.1

Mark Walls, DBI
 APR 22 2021

For Reference Only

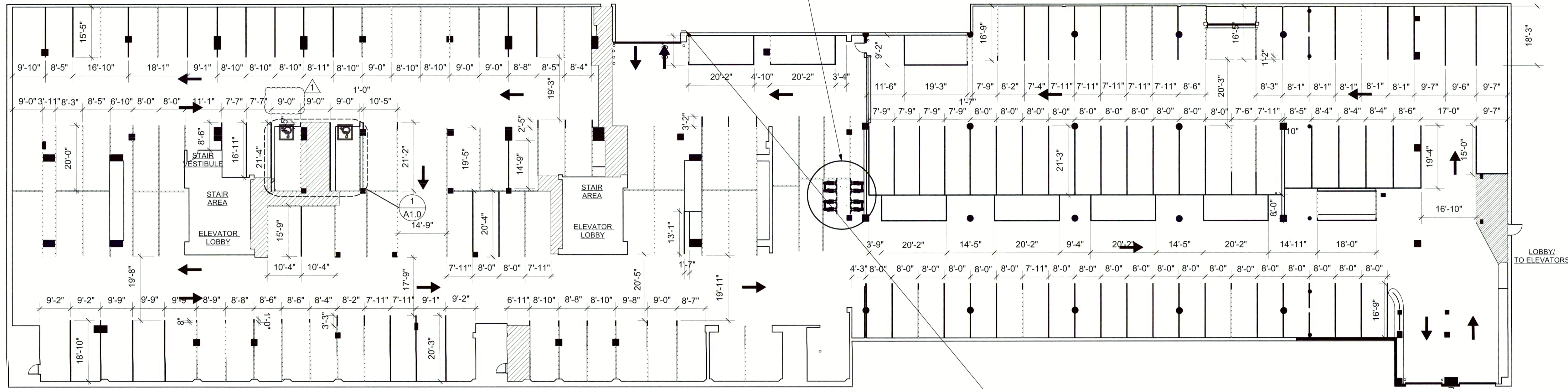
No.	Date	Appr	Revision Notes
2	2/2/2021		Per DBI comments 1/18/21
Project Title			
PORTSIDE GARAGE 401 MAIN STREET SAN FRANCISCO, CALIFORNIA MARCH 9, 2020 RECEIVED MAR 25 2021 DEPT. OF BUILDING INSPECTION THIS PLAN MEETS THE QUALITY STANDARD FOR MARKING APPROVED			
Sheet Title			
Exhibit B			
Project Manager			
Drawn By			
Date			
3/9/2020			
Rev2PortsideStripDBI31221.vwx			

Exhibit B (For Reference Only)
 Not To Scale

2
 FOR REFERENCE ONLY

A1.2

Bicycle Parking:
 (2) SS08 Side Stage Vertical Offset Bicycle Rack by
 Ground Control Systems.
 (16) Bikes Parked



N
 Level 1 (Ground Floor)
 1/16" = 1'-0"

PARKING SPACE COUNTS (Proposed)		
LEVEL 1		
COMPACT	64	
STANDARD	91	
ADA	2	
TOTAL LEVEL 1	157	
LEVEL 2		
COMPACT	69	
STANDARD	57	
ADA	6	
TOTAL LEVEL 2	132	
TOTAL INDEPENDENTLY ACCESSIBLE SPACES	289	
Valet Spaces	84	
TOTAL	373	
BICYCLE PARKING		
LEVEL 1	16	

	Level 2	Level 1	Total (LF)
New Striping	1884	1839	3723
Exist Striping [To Be Removed]	1711	1740	3451
Exist. Striping [To Remain]	1486	1140	2626

Provide signage not less than 17" x 22", posted in a conspicuous location that clearly state in letters with a minimum height of 1 inch (25 mm) the following:
 "Unauthorized" vehicles parked in designated accessible spaces not displaying distinguishing placards or special license plates issued for persons with disabilities will be towed away at the owner's expense. Towed vehicles may be reclaimed at: _____ or by telephoning _____.

Blank spaces shall be filled in with appropriate information as a permanent part of the sign.



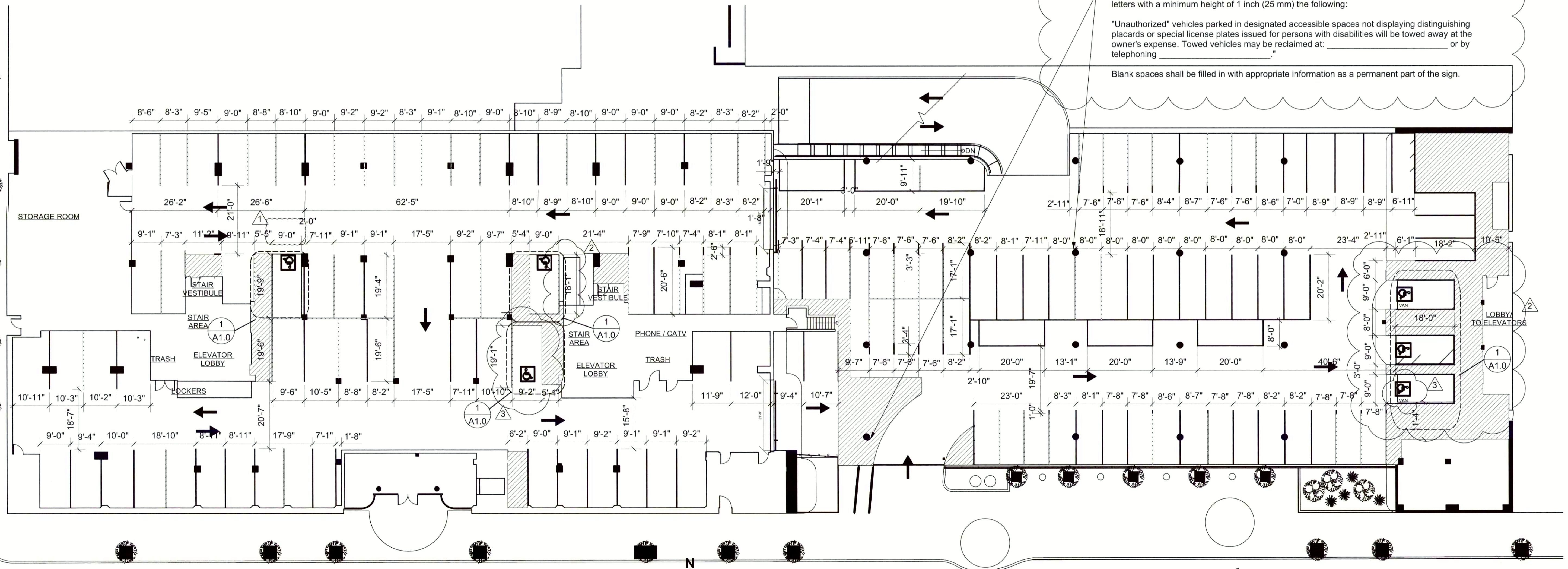
APPROVED
 Dept. of Building Inspection
 San Francisco
 JUL 01 2021

No.	Date	Appr	Revision Notes
3	3/12/2021		Per DBI comments 3/3/21
2	2/2/2021		Per DBI Comments 1/18/21
1	6/18/20		Verified and corrected dimensional discrepancies re: ADA Spaces

Project Title
PORTSIDE GARAGE
 401 MAIN STREET
 SAN FRANCISCO, CALIFORNIA

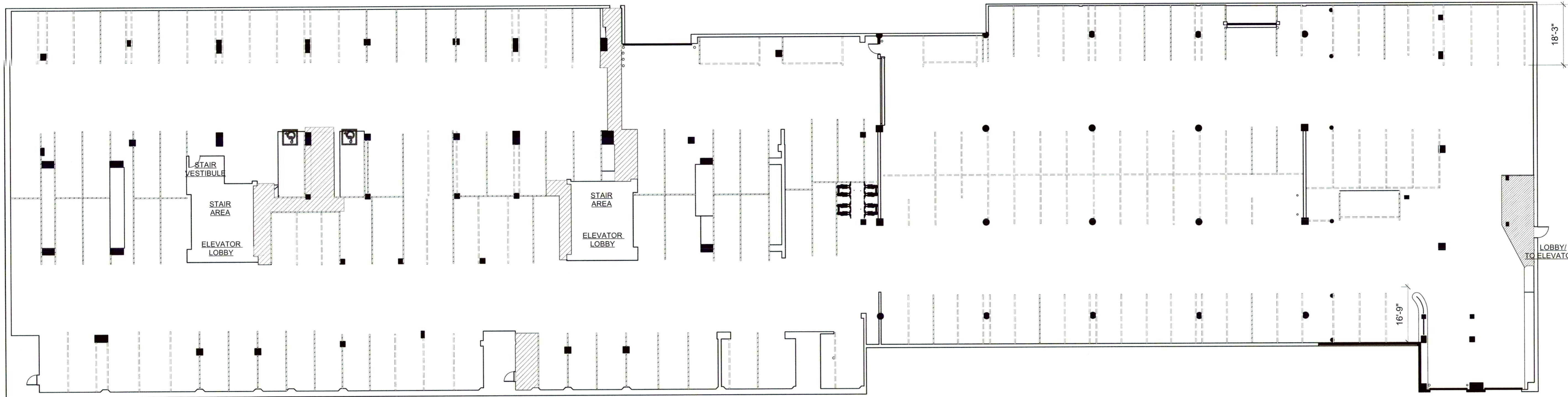
MARCH 9, 2020
RECEIVED
 MAR 25 2021

Proposed Striping Plan	
Project Manager	A2.0
Drawn By	
Date	3/9/2020
Rev2PortsideSnpDBI3rdsb31221.vwx	



N
 Level 2
 1/16" = 1'-0"

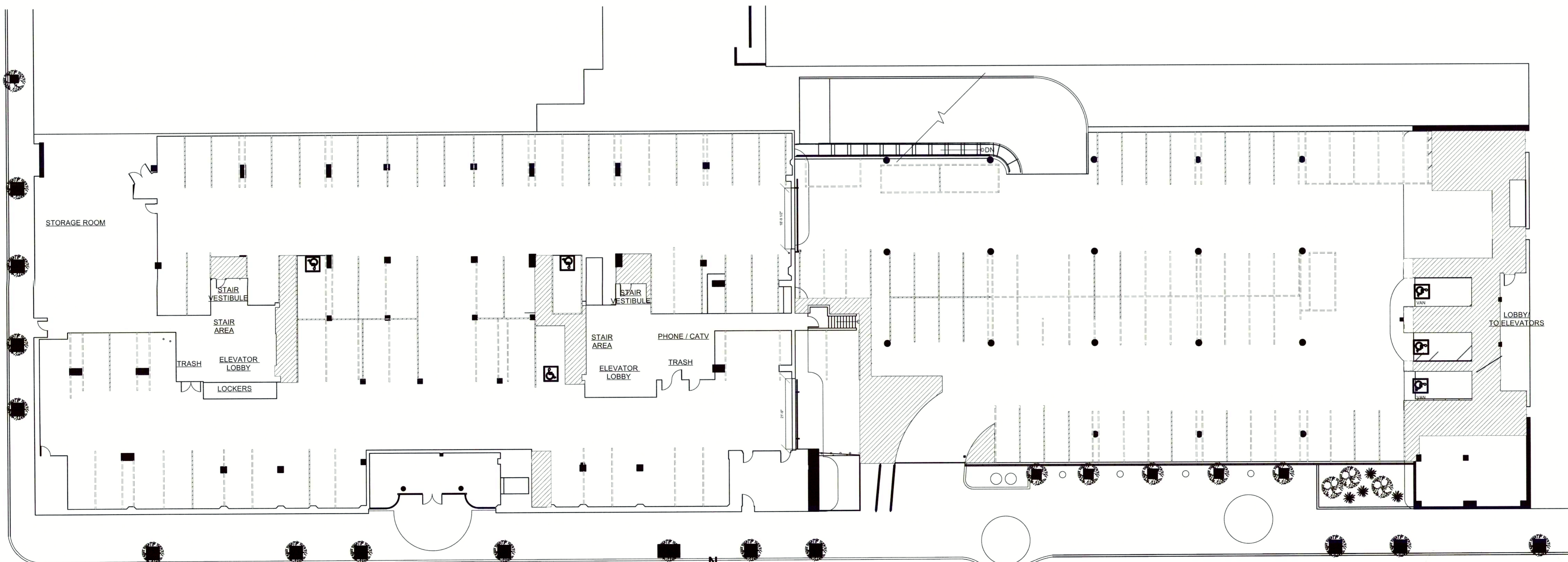
Approved Planning Dept. 5/14/2021
 Mark Walls, DBI
 APR 22 2021



PARKING SPACE COUNTS (Proposed)		
LEVEL 1		
COMPACT	64	
STANDARD	91	
ADA	2	
TOTAL LEVEL 1	157	
LEVEL 2		
COMPACT	69	
STANDARD	57	
ADA	6	
TOTAL LEVEL 2	132	
TOTAL INDEPENDENTLY ACCESSIBLE SPACES	289	
Valet Spaces	84	
TOTAL	373	
BICYCLE PARKING		
LEVEL 1	16	

N
Level 1 (Ground Floor)
1/16" = 1'-0"

	Level 2	Level 1	Total (LF)
New Striping	1884	1839	3723
Exist Striping (To Be Removed)	1711	1740	3451
Exist Striping (To Remain)	1486	1140	2626



N
Level 2
1/16" = 1'-0"



No.	Date	Appr	Revision Notes
3	3/12/2021		Per DBI comments 3/3/21
1	6/18/20		Verified and corrected dimensional discrepancies re: ADA Spaces

Project Title
PORTSIDE GARAGE
401 MAIN STREET
SAN FRANCISCO, CALIFORNIA

MARCH 9, 2020
RECEIVED
MAR 25 2021
DEPT. OF BUILDING INSPECTION
375 CALIFORNIA STREET, 12TH FLOOR
SAN FRANCISCO, CA 94102

Sheet Title
Existing/Removed Striping Plan

Project Manager
Drawn By
Date
Rev2PortsideStripDBI3rdsub31221.vwx

Mark Walls, DBI
APR 22 2021

3/14/2021
Approved Planning Dept. Dario Jones

A2.1

DESCRIPTION OF VIOLATION

The Property is in violation of the following conditions of approval:

1. Condition No. 2.

The valid operation is out of compliance with Condition No. 2 for exceeding the number of parking (273 parking spaces) set per Motion 1360S. Based upon a recent inspection, there is an excess of 27 parking spaces. This has resulted in a gross modification of the previously approved layout of the garage and surface parking lot, including commercial parking in designated residential parking spaces; parking of vehicles in designated pedestrian walking paths, parking on the entrance and exit ramps, parking at the entrances of the subject property's lot, and parking of vehicles without disabled placards in designated ADA parking spaces.

2. Condition No. 3.

The parking garage has been retrofitted to increase density of parking spaces which has also resulted in the creation and increase of substandard size (aka compact) parking spaces. Per Condition No. 3: The 289 independently accessible parking spaces shall be provided within the garage to support 132 standard size parking spaces at 160 square feet and 129 compact parking spaces at 123 square feet. As such, the retrofitting of parking garage to increase the number of parking spaces particularly, compact parking stalls is a violation of Planning Code Section 155(b) and Conditions of Approval.

Pursuant to Planning Code Section 303(f), "the Planning Commission may consider the possible revocation of a conditional use or the possible modification of or placement of additional conditions on a

¹ Planning Code Section 155(b) defines Layout and Markings as, "The internal layout of off-street parking and loading spaces, driveways, aisles and maneuvering areas shall be according to acceptable standards, and all spaces shall be clearly marked."

403 Main Street and 38 Bryant Street (A.K.A 401 Main Street or Portside) Notice of Violation
2017-007956ENF March 9, 2018

conditional use when the Planning Commission determines, based upon substantial evidence, that the applicant for the conditional use had submitted false or misleading information in the application process that could have reasonably had a substantial effect upon the decision of the Commission or the conditional use is not in compliance with a condition of approval..."

In addition, pursuant to Planning Code Section 174, every condition, stipulation, special restriction, and other limitation shall be complied with in the use of land and structures to the effect that the existing lawful use or proposed use of a structure or land conforms to the provisions of Planning Code. Failure to comply with any of these provisions constitutes a violation of Planning Code and is subject to enforcement process under Code Section 176.

TIMELINE OF INVESTIGATION

On September 19, 2017, the Planning Department ("Department") sent you a Notice of Enforcement informing you about the violation and the abatement process. In that notice, you were advised to take corrective actions and provide evidence of compliance to the Planning Department within fifteen (15) days from the notice date.

On or around December 12, 2017, Planning Department staff, Dario Jones and Tina Tam, conducted an inspection of the two-story parking garage. This site inspection revealed the total number of parking spaces had increased from 373 to approximately 400 parking spaces.

HOW TO CORRECT THE VIOLATION

- You must restore the parking spaces to the original approved standard and compact size parking spaces per Condition No. 3;
- You must restore the garage to the authorized number of parking spaces of 373;
- In addition, you must demonstrate the above requirements via the submittal of a Building Permit Application with floor plans drawn to scale, including information about the stall sizes and a table with the number of standard and compact spaces, and ADA parking spaces;
- Additional inspections and monitoring may be required to confirm compliance. Contact Planning Department Staff listed above to arrange for an inspection of the garage within 15 days from the date of issuance of this notice. Please note: a joint inspection including the Department of Building Inspection and SFMTA may be required to assess potential Building Code violations and ADA requirements in relation to the Planning Code Violations;
- Furthermore, the Planning Department would like to remind you to provide valid parking only during the conditioned hours set forth in the Conditions of Approval (Condition No. 4). In addition to this requirement, you need to demonstrate to the Planning Department how the approved 289 independently accessible parking spaces for residential uses are provided for as stated in Condition No. 3; and

403 Main Street and 38 Bryant Street (A.K.A 401 Main Street or Portside) Notice of Violation
2017-007956ENF March 9, 2018

- Finally, you must cease parking vehicles without required ADA placards in ADA designated parking spaces.

To prevent further enforcement action and avoid accrual of penalties, the responsible party will need to provide adequate evidence to demonstrate that either no violation exists or that the violation has been abated.

TIMELINE TO RESPOND

The responsible party has **fifteen (15) days from the date of this notice** to contact the staff planner noted at the top of this notice and submit evidence to demonstrate that the corrective actions have been taken to bring the subject property in compliance with the Planning Code. The corrective actions shall be taken as early as possible. Any unreasonable delays in abatement of the violation may result in further enforcement action by the Planning Department.

APPEAL PROCESSES

If the responsible party believes that this order to remove violation of the Planning Code is an abuse of discretion by the Zoning Administrator, the following appeal processes are available **within fifteen (15) days from the date of this notice**:

- The responsible party may request a Zoning Administrator Hearing under Planning Code Section 176 to show cause why this Notice of Violation is issued in error and should be rescinded by submitting the Request for Zoning Administrator Hearing Form and supporting evidence to the Planning Department. The Zoning Administrator shall render a decision on the Notice of Violation within 30 days of such hearing. The responsible party may appeal the Zoning Administrator's decision to the Board of Appeals within 15 days from the date of the decision.
- The responsible or any interested party may waive the right to a Zoning Administrator Hearing and proceed directly to appeal the Notice of Violation to the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, CA 94103, telephone: (415) 575-6880, website: www.sfgov.org/bdappeal. The Board of Appeals may not reduce the amount of penalty below \$100 per day for each day the violation continues unabated, excluding the period of time the matter has been pending either before the Zoning Administrator or before the Board of Appeals.

ADMINISTRATIVE PENALTIES

If any responsible party does not request any appeal process and does not take corrective action to abate the violation **within the 15-day time limit** as noted above, this Notice of Violation will become final. Beginning on the following day, administrative penalties of up to **\$250 per day** to the responsible party will start to accrue for each day the violation continues unabated. The penalty amount shall be paid **within 30 days** from the final date of the Notice of Violation. After 30 days, the Planning Department may forward the matter to the Bureau of Delinquent Revenue for collection as authorized by Article V, Section 10.39 of the San Francisco Administrative Code. Please be advised that payment of penalty does not excuse failure to correct the violation or bar further enforcement action. Additional penalties will continue to accrue until a corrective action is taken to abate the violation.

Section 12 93 13 Bicycle Racks SPECIFICATIONS FOR GROUND CONTROL SYSTEMS' OFFSET® VERTICAL BIKE RACK VR2/XL, SIDE STAGE™ (SS4, SS6, SS8, SS10) AND CENTER STAGE™ (CS8, CS12, CS16, CS20) FREE STANDING VERTICAL BIKE RACK SYSTEMS

PART 1 GENERAL

1.1 Summary

This section includes providing specifications for the Offset® VR2 and XL vertical bike racks and the Side Stage™ and Center Stage™ freestanding vertical offset bike rack systems.

1.2 Quality Assurance

- Manufacturer Qualifications:**
 - A manufacturer experienced in manufacturing and producing commercial bicycle parking racks similar to the desired specification described for this project and with a record of successful in-service performance.
 - Product Options:** The manufacturer will be able to produce several finish and color options, and types of bicycle racks from a single source or from resources able to provide product options of like quality in both form and function.
 - Manufacturer Service Options:** The manufacturer will be able to present product specific drawings of the bicycle racks size, shape, dimensional requirements, and weight.
- Installer Qualifications:** Experienced installer has completed installation of bicycle racks similar in specifications and to the extent indicated for this project.

1.3 Submittals

- Product Information:** Must contain physical descriptions such as bicycle parking capacity, dimensions, shape, installation hardware requirements, and finish options for each bike rack.
- Installation Drawings and/or Installation Video:** Detailed installation instructions for the designated bicycle rack. Drawing packages and submittals can be supplied by *Ground Control*.
- Assembly Instructions:** For the Offset® vertical bike rack and Side Stage™ and Center Stage™ freestanding vertical bike rack systems.
- Product Verification:** Able to submit finish samples for review and verification upon request.
- Manufacturer's Project References:** Must provide a minimum of three references for whom the firm provided similar or comparable services during the last 5 years and a description of the services provided.
- Warranty:** Submit manufacturer's standard warranty.

1.4 Delivery, Storage and Handling

- Delivery:** In order to ensure shipments are received undamaged, a thorough inspection must be made and noted on the B.O.L. upon receipt of shipment.
- Storage:** Bicycle racks and components should be stored in their original packages or containers until they are ready for installation.
- Handling:** Before and up to installation, bicycle racks should be handled with sufficient care in order to prevent any finish damage.

1.5 Warranty

Manufacturer's Warranty: Bicycle racks carry a one year limited warranty against defects in materials and workmanship beginning on the date they are received.

PART 2 PRODUCTS

2.1 Manufacturer

Provided bicycle racks designed by Ground Control Systems® 708 Alhambra Blvd, Suite 200, Sacramento, CA, 95816, 1-800-630-7225, Fax: 1-866-532-9049, Website: www.groundcontrolsystem.com

2.2 Materials

- Mechanical tube: ASTM A511M
- Steel rod: ASTM A36 Rod size: ¾"
- Steel pipe: ASTM A53
- Plate steel: ASTM A 1008M or ASTM A36
- Polyvinyl Sleeve: Covers the locking loop for extra protection for bikes against paint damage from the metal rack.

2.3 Finishes

- Black Duraplas® finish
- Electro galvanized finish -- rails and tubing (Side Stage/Center Stage)

2.4 Space Use

- Offset® Vertical Bike Rack VR2 Setbacks:**
 - Ground offset: A minimum of 42" to the bottom edge of the rack
 - Ceiling height: minimum 82", recommended 92" to hook
 - Side wall to rack center: minimum 20", recommended 24"
 - Distance between racks center to center: minimum 28", recommended 31"
- Offset® Vertical Bike Rack XL Setbacks:**
 - Distance from ground to bottom of rack minimum: 42"
 - Ceiling height: Minimum 82", recommended 92" to hook
 - Side wall to rack center: Minimum 22" to the left side of rack, Minimum 18" to right side of rack
 - Distance between racks center to center:
 - For racks not offset: 30" Minimum, 36" Recommended
 - For racks offset: 15" Minimum, 23" Recommended
- Side Stage™ and Center Stage™ Free Standing Vertical Bike Rack Systems Setbacks**
 - Ceiling height: minimum 92" ceiling
 - Distance between bike racks center to center: minimum 28", recommended 31"
 - Distance from parallel wall: minimum 96" from center of tower
 - Loading zone: recommended 48" - 72"

2.5 Product Details

- Offset® VR2 - 2 bike rack** is a vertical wall mounted bike rack holding two bikes with an offset distance of 12½" vertically and 7-¼" horizontally. May require Unistrut™ for studded wall mounting, call for details.
- Offset® XL - 1 bike rack** is a vertical wall mounted bike rack holding one oversized bike, such as a fat tire or cargo bike. May require Unistrut™ for studded wall mounting, call for details.
- Optional free standing rail mounted systems available.** Configurations include:
 - Side Stage™ SS4 - single sided, 4 bikes secured
 - Side Stage™ SS6 - single sided, 6 bikes secured
 - Side Stage™ SS8 - single sided, 8 bikes secured
 - Side Stage™ SS10 - single sided, 10 bikes secured
 - Center Stage™ CS8 - double sided, 8 bikes secured
 - Center Stage™ CS12 - double sided, 12 bikes secured
 - Center Stage™ CS16 - double sided, 16 bikes secured
 - Center Stage™ CS20 - double sided, 20 bikes secured
- Add on units for Side Stage™ systems. Configurations include: 1. SS4A - SS4A10 add on units in multiples of two, 4 - 10 bikes secured
- Add on units for Center Stage™ systems. Configurations include: 1. CS8A - CS8A20 add on units in multiples of two, 8 - 20 bikes secured

3.1 Examination

Examine footprint to ensure conditions are adequate for installation. Do not proceed with installation if conditions are not adequate for install. Notify project manager if conditions are unsatisfactory.

3.2 Preparation

Make sure the location of the racks is flat, level, square, accurate for alignment, and correctly located for the installation of the bicycle racks(s).

3.3 Installation

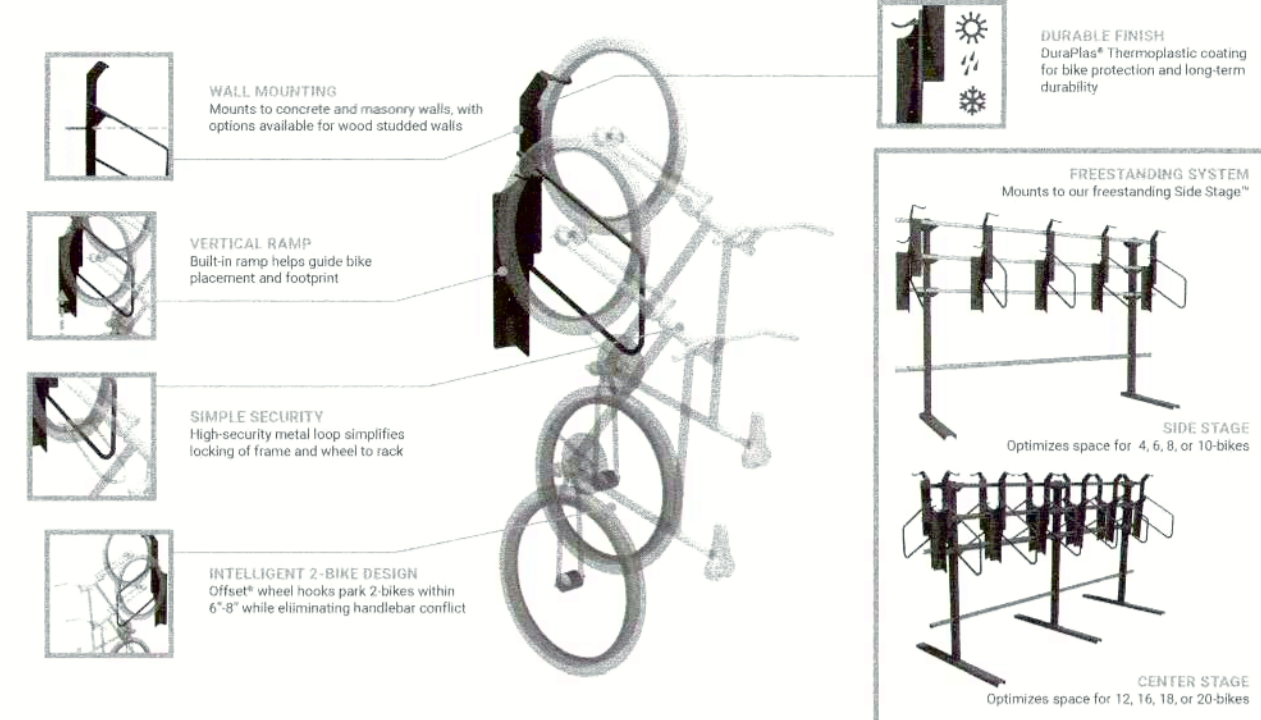
- Wall Mount:** The Offset® vertical bike rack mounts into concrete and masonry walls.
- Free Standing Mount:**
 - Center Stage™ and Side Stage™ systems are free standing units with no mounting required.
 - Side Stage™ units have the option to mount to a wall where wood studs are used. Steel stud walls require Side Stage™ or Center Stage™ free standing systems only.
- Rail Wall mount:** Wall installations into wood studs will require Unistrut™ rails. Call for details.

3.4 Quoting

- Product Specification:** Make sure the product item, finish options, installation hardware, fasteners, and expected lead time have been included in estimate.
- Product Pricing:** Estimates are good for 45 days; contact a *Ground Control* representative for a current price list.

THE ORIGINAL ULTRA-HIGH DENSITY OFFSET® DUAL BIKE RACK MOST SPACE EFFICIENT BIKE PARKING ON THE MARKET

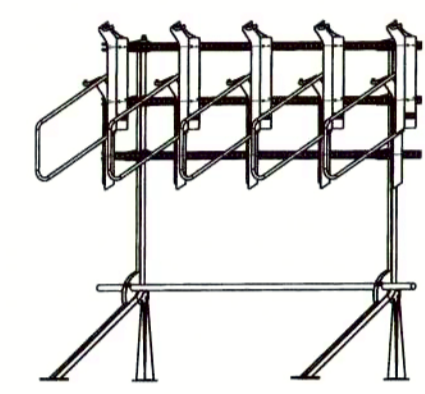
OFFSET® DESIGN MAXIMIZES THE NUMBER OF BIKES PER SQ FT WITHOUT COMPROMISING SECURITY OR USABILITY



800.630.7225 | INFO@GROUNDCONTROLSYSTEMS.COM | WWW.GROUNDCONTROLSYSTEMS.COM | GROUND CONTROL Innovative Bike & Board Parking

GROUND CONTROL SYSTEMS®
Innovative Bike & Board Parking

SIDE STAGE™ VERTICAL RACK SYSTEM
Cut Sheet & Quick Specifications



MATERIALS & FEATURES

- Single sided Offset® vertical rack staging system
- Bikes are offset by 12.5" (See Offset Quick Specs)
- Unistrut™ zinc plated electro galvanized mounting rails
- 2 Universal support stanchions allow wall retaining option, black thermoplastic coated steel
- 2 Universal kickstand legs allow self supported option, black thermoplastic coated steel
- 1 ¼" kick tube, hot-dipped galvanized steel pipe
- Stanchion hardware kit, hot-dipped galvanized steel

FINISHES

- Duraplas® black thermoplastic stanchions
- Electro-galvanized Unistruts
- Hot-dipped galvanized kick tube

MOUNTING OPTIONS

- Wall anchored retainer
- Surface mounted self support (shown)

SPACE USE RECOMMENDATIONS

- Racks can be spaced center to center:
 - 28.5" (for 21" bike-to-bike spacing) standard on SS04-08
 - 27.5" (for 20" bike-to-bike spacing) standard on SS10
 - 31.5" (for 24" bike-to-bike spacing) optional
 - 25.5" (for 18" bike-to-bike spacing) minimum, optional
- Ceiling height: minimum 92"
- Loading zone: recommended 48" - 60"
- Distance to wall: recommended 19.5' from end of last dock

FOOTPRINTS WITH SPACE USE*

- SS4 76.75"W x 68.375"L x 90"H
 - SS6 105.25"W x 68.375"L x 90"H
 - SS8 135"W x 68.375"L x 90"H
 - SS10 159"W x 68.375"L x 90"H
- AS5-On units are available in multiples of two (SSA4 - SSA8)
*Actual dimensions may vary, please see final drawings

groundcontrolsystems.com | 800.630.7225 | info@groundcontrolsystems.com

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For Reference Only

Mark Walls, DBI
APR 22 2021

2	2/2/2021	Per DBI comments 1/18/21	
No.	Date	Appr	Revision Notes
Project Title			
PORTSIDE GARAGE			
401 MAIN STREET SAN FRANCISCO, CALIFORNIA			
MARCH 9, 2020			
Sheet Title			
Notes/Specs			
Project Manager		A3.0	
Drawn By			
Date			
Date		3/9/2020	
Rev2PortsideSlipDBI3rdsu631221.rwx			



EXHIBIT A

CONDITIONS OF APPROVAL

The authorization contained herein is for the modification of Motion No. 11818 allowing a reduction in the dwelling unit count and provision of the off-street parking at 401 Main Street, Portside Phase II, generally as described herein. The Project shall be in general conformance with Exhibit B, architectural plans dated June 29, 1995, reviewed and approved by the Commission on July 6, 1995, and filed in the docket for Case No. 95.220C and incorporated herein as though fully set forth.

1. The residential unit count for the Portside Development, Phase I and II, shall be reduced from 260 to 220. The on-site commercial space shall be reduced from 10,000 to 6,000 square-feet.
2. A total of 289 independently accessible parking spaces shall be provided within the proposed garage to support residential uses as follows: Portside Phase I (62 units), Portside Phase II (158 units) and 101 Harrison Street (46 units).
3. The 289 independently accessible parking spaces shall be provided as 132 standard (160 Square-feet) and 129 compact (127.5 square-feet) spaces.
4. Attendant/valet parking shall be operated Monday through Friday between the hours of 7:00 a.m. and 7:00 p.m. within the proposed parking garage to provide a minimum of 84 off-street parking spaces to serve the off-site commercial uses as follows: 2 Bryant Street (60 spaces), 444 Spear Street (21 spaces). The operation of valet parking outside the designated Monday through Friday 7:00 a.m. to 7:00 p.m. schedule shall be prohibited without prior authorization of a new conditional use by the City Planning Commission.
5. Except as otherwise stated herein all conditions set forth in Exhibit A, of Motion 11818 shall remain in effect and without modification.

6. The project sponsor shall disclose in writing a notice to all owners of the proposed dwelling units and for project tenants that a major sports facility and associated parking structure may be constructed in the immediate vicinity of the project. Such notice shall be given until such a facility is constructed on an undeveloped site within the immediate vicinity or another location, or until another project is built on the undeveloped parcels within the immediate vicinity. Notice shall include a statement that an arena/sports facility is anticipated to seat 20-47 thousand people with daytime, evening, and nighttime events throughout the year. The notice should also disclose that the facility could be approximately 200 feet in height, could substantially cover a 15 acre site and include parking for several thousand cars which would generate substantial levels of pedestrian and vehicular activity during events, and that public streets and right-of-ways may be modified.
7. The Applicant shall record a copy of these conditions with the Office of the Recorder for the City and County of San Francisco as part of the property records prior to the authorization of any site/building permits by the Department of City Planning.
8. The authorization and rights vested by virtue of this action shall be deemed void and cancelled if construction of the parking garage has not commenced within three years of the date of this approval.

mac:DATA\EMERALD\401.MTN

Mark Walls, DBI
APR 22 2021

This Sheet FOR REFERENCE ONLY

For Reference Only

No.	Date	Appr	Revision Notes
3	3/12/21		Per DBI comments 3/3/21
Project Title			
PORTSIDE GARAGE			
401 MAIN STREET SAN FRANCISCO, CALIFORNIA			
MARCH 9, 2020			
RECEIVED			
MAR 25 2021			
DEPT. OF BUILDING INSPECTION THE TOLMAN BUILDING, 375 CALIFORNIA ST., SAN FRANCISCO, CA 94102			
Sheet Title			
Exhibit A			
Project Manager			
Drawn By			
Date			
3/9/2020			
Rev2PortsideStripDBI3rdsub31221.vwx			

A3.1

Exhibit B



Portside Master Owners' Association, Inc. | Portside Homeowners' Association, Inc.
38 Bryant Street, San Francisco, CA 94105 Tel: 415 777-1696 Fax: 415 777-0896 www.portsidehoa.com

May 4, 2021

Portside

Owners,

You may have already received or will soon receive a notice from Douglas Parking. The notice, **"Portside Garage- Portside Tenant Monthly Parking Application"**, was mailed and/or placed on Windshields of parked cars starting April 28. This notice has been referred to Portside Owners Association legal counsel for review and advice. The Owners Association will advise owners once the review has been completed. This issue will be taken up with the Garage Ownership at the May 12 Master Board of Directors Meeting. The Owners' Association recommends that owners wait to take any action on this matter at this time.

DO NOT SIGN THE NEW AGREEMENT UNTIL ADVISED TO DO SO

The Owners Association will continue to update owners on these matters as the need arises.

34
65

Exhibit C

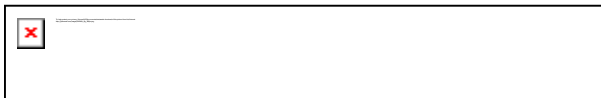
Tara N. Sullivan

From: Cincotta, David <dc5@jmbm.com>
Sent: Wednesday, September 16, 2020 10:12 AM
To: Tara N. Sullivan
Subject: RE: Conditions of Approval/ Portside garage operators/SF Bay, LLC

Thanks, Tara.

David C

David P. Cincotta | Of Counsel
Jeffer Mangels Butler & Mitchell LLP | JMBM
Two Embarcadero Center, 5th Floor, San Francisco, CA 94111
D: (415) 984-9687 | **E:** DCincotta@JMBM.com
VCARD | **BIO** | **BLOG** | **LINKEDIN**



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From: Tara N. Sullivan <tsullivan@reubenlaw.com>
Sent: Wednesday, September 16, 2020 8:58 AM
To: Cincotta, David <dc5@jmbm.com>
Subject: RE: Conditions of Approval/ Portside garage operators/SF Bay, LLC

Morning David,

Attached is a pdf of the final plan set that was approved by Planning.

Best,
-tara

REUBEN, JUNIUS & ROSE, LLP

Tara N. Sullivan
T. (415) 567-9000
tsullivan@reubenlaw.com
www.reubenlaw.com

SF Office: Oakland Office:
One Bush Street, Suite 600 492 9th Street, Suite 200
San Francisco, CA 94104 Oakland, CA 94607



From: Cincotta, David <dc5@jmbm.com>
Sent: Tuesday, September 15, 2020 5:13 PM
To: Tara N. Sullivan <tsullivan@reubenlaw.com>
Subject: RE: Conditions of Approval/ Portside garage operators/SF Bay, LLC

Thanks, Tara. I believe that most of the Conditions of Approval that we proposed are included in the Conditional Use Permits and the Zoning Administrator Letter of Determination. If those particular conditions are not included in the permit plans then the homeowners will be forced to appeal the permit to the Board of Appeals.

Could you please send me a copy of the plans that was approved by the Planning Department? I am confused by what Dario has said to me is in the plans. It does not appear to be in the plans I got reviewed. For example, the CU Motion requires "secure" bicycle parking spaces. I did not notice any secure bicycle parking spaces on the plans.

Please let me know if you can send me the final approved plans.

David C

David P. Cincotta | Of Counsel
Jeffer Mangels Butler & Mitchell LLP | JMBM
Two Embarcadero Center, 5th Floor, San Francisco, CA 94111
D: (415) 984-9687 | **E:** DCincotta@JMBM.com
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From: Tara N. Sullivan <tsullivan@reubenlaw.com>
Sent: Tuesday, September 15, 2020 4:51 PM
To: Cincotta, David <dc5@jmbm.com>
Subject: RE: Conditions of Approval/ Portside garage operators/SF Bay, LLC

Hi David,

I wanted to let you know that the ZA has approved the building permit related to the NOV for this project. It brings the garage back into general conformance with the two PC approvals. Given that we have resolved our issues with the ZA, we withdrew the appeal at the BOA as well.

Understand that this may not be the outcome your client was hoping for, but as mentioned, the goal of the owners was to resolve this matter with the Zoning Administrator. They have valid entitlements from the Planning Commission and are intent on bring the garage back into compliance with those approvals.

Thanks and talk soon,
-tara

REUBEN, JUNIUS & ROSE, LLP

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One Bush Street, Suite 600 492 9th Street, Suite 200
San Francisco, CA 94104 Oakland, CA 94607



From: Cincotta, David <dc5@jmbm.com>
Sent: Tuesday, September 8, 2020 10:15 AM
To: Tara N. Sullivan <tsullivan@reubenlaw.com>
Subject: Conditions of Approval/ Portside garage operators/SF Bay, LLC

Tara, please find attached a proposed set of Conditions of Approval for the proposed plans presently on appeal at the Board of Appeals. I have been authorized by representatives of the homeowners association at Portside to forward these to you and Dario Jones at the Planning Department.

I am prepared to discuss these at your earliest convenience.

David C

David P. Cincotta | Of Counsel
Jeffer Mangels Butler & Mitchell LLP | JMBM
Two Embarcadero Center, 5th Floor, San Francisco, CA 94111
D: (415) 984-9687 | **E:** DCincotta@JMBM.com
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