

# NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

## RECORDING REQUESTED BY

### And When Recorded Mail To:

Lana Joy Bowen  
1630 Clay Street #4  
San Francisco, California 94109

CONFIRMED COPY of document recorded  
05/29/2020, 2020K936418  
with document no  
This document has been compared with the original  
SAN FRANCISCO ASSESSOR-RECORDER

1630 Clay Street, San Francisco, California 94109  
APN: Block: 0620, Lot: 007

(Space Above This Line For Recorder's Use)

We, Michael Wong, Jeffrey James Williams, Daniel Gerstein, Lana Joy Bowen, Viktor Lopatkin, Deborah Brewer, and Teri X. Peterson, the owners of that certain real property situated in the City and County of San Francisco, State of California more particularly described as follows:

Beginning at a point on the Northerly line of Clay Street, distant thereon 114 feet and 6 inches Westerly from the Westerly line of Larkin Street; running thence Westerly and along said line of Clay Street 23 feet; thence at a right angle Northerly 127 feet and 8-1/4 inches; thence at a right angle Easterly 23 feet; thence at a right angle Southerly 127 feet and 8-1/4 inches to the point of beginning.

Being a portion of Western Addition Block No. 18.

Assessor's Lot 007; Block 0620

### COMMONLY KNOWN AS: 1630 Clay Street;

hereby give notice that there are special restrictions on the use of said property under the Planning Code.

Said Restrictions consist of conditions attached to Condominium Referral No. 2019-016849CND authorized by the Planning Commission of the City and County of San Francisco on January 23, 2020, as set forth on Planning Commission Motion No. 20624, to convert a four-story, six-unit building into residential condominiums located at 1630 Clay Street, Block 0620,

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herein run with the property and not with a particular Project Sponsor, business, or operator.

### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on January 23, 2020, under Motion No. 20624.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 20624 shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

### SEVERABILITY

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

### CHANGES AND MODIFICATIONS

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

### Conditions of Approval, Compliance, Monitoring, and Reporting

#### PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.



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

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

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

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The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco; except that in the event that the zoning standards above are modified so as to be less restrictive and the uses therein restricted are thereby permitted and in conformity with the provisions of the Planning Code, this document would no longer be in effect and would be null and void.

**NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE**

Michael Wong  
Michael Wong

Dated 4/10/2020 at San Francisco, CA

Each signature must be acknowledged by a notary public before recordation.

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of San Francisco

On April 10, 2020 before me, Jose R. Hernandez, Notary Public  
(Name and title of the officer)

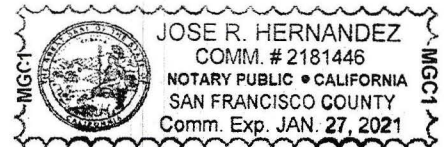
personally appeared Michael Wong, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

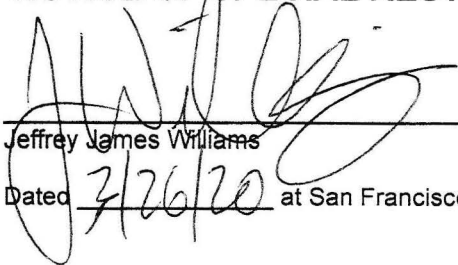
WITNESS my hand and official seal.

Signature: [Handwritten Signature]

(Seal)



**NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE**

  
\_\_\_\_\_  
Jeffrey James Williams  
Dated 3/26/20 at San Francisco, CA

Each signature must be acknowledged by a notary public before recordation.

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Alameda

On 3/26/2020 before me, Sara Rhodes, Notary Public  
(Name and title of the officer)

personally appeared Jeffrey Williams, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:  (Seal)



**NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE**

[Signature]  
Daniel Gerstein

Dated 5-18-2020 at San Francisco, CA

**Each signature must be acknowledged by a notary public before recordation.**

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

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State of California  
County of San Francisco

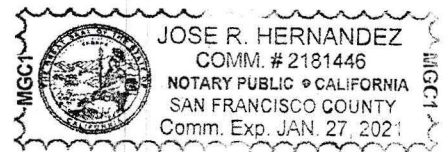
On May 18, 2020 before me, Jose R. Hernandez, Notary Public  
(Name and title of the officer)

personally appeared Daniel Gerstein, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: [Signature] (Seal)





**NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE**

*Lana Joy Bowen*  
Lana Joy Bowen

*Viktor Lopatkin*  
Viktor Lopatkin

Dated 3/19/2020 at San Francisco, CA

Dated 3/19/2020 at San Francisco, CA

**Each signature must be acknowledged by a notary public before recordation.**

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

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State of California  
County of Placer

On 3/19/20 before me, *J. Friedman, Notary*,  
(Name and title of the officer)

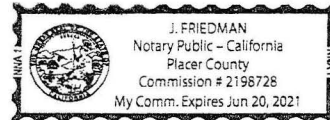
personally appeared *Lana Joy Bowen and Viktor Lopatkin*, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: *J. Friedman*

(Seal)



**NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE**



Deborah Brewer

Dated 4/27/2020 at San Francisco, CA

**Each signature must be acknowledged by a notary public before recordation.**

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

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State of California  
County of San Francisco

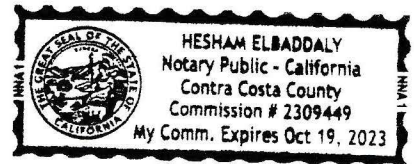
On April 27, 2020 before me, Hesham Elbaddaly, Notary Public  
(Name and title of the officer)

personally appeared Deborah Brewer, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he (she/they) executed the same in his (her/their) authorized capacity(ies), and that by his (her/their) signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:  (Seal)





**NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE**

Teri X. Peterson

Teri X. Peterson

Dated 4/22/20 at San Francisco, CA

**Each signature must be acknowledged by a notary public before recordation.**

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Placer

On April 22, 2020 before me, V.R. Turner notary public  
(Name and title of the officer)

personally appeared Teri X. Peterson, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: V.R. Turner (Seal)

