



SAN FRANCISCO PLANNING DEPARTMENT

Conditional Use Authorization Appeal 701 Valencia Street

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DATE: May 3, 2018
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: John Rahaim, Planning Director – Planning Department (415) 558-6411
Esmeralda Jardines, Case Planner – Planning Department (415) 575-9144
RE: File No. 180403, Planning Case No. 2017-004489CUA - Appeal of the approval of
Conditional Use Authorization for 701 Valencia Street
HEARING DATE: May 15, 2018
ATTACHMENTS:
A. Commission Packet (including final motion)
B. Appeal Letter (April 16, 2018)

PROJECT SPONSOR: Ryen Motzek, 391 29th Street #2, San Francisco, CA 94131
APPELLANT: Thomas J. LaLanne, attorney for Ryen Motzek, 400 Harbor Drive, Sausalito, CA
94965

INTRODUCTION

This memorandum and the attached documents are a response to the letter of appeal to the Board of Supervisors (the “Board”) regarding the Planning Commission’s (“Commission”) approval of the application for Conditional Use Authorization under Planning Code Sections 303 (Conditional Use Authorization) and 762 (Valencia NCT), to allow the temporary conversion of an accessory parking lot to a commercial parking (Public Parking Lot per Section 102) lot in the Valencia NCT Zoning District and a 55-X Height and Bulk District (“the Project”).

This response addresses the appeal (“Appeal Letter”) to the Board filed on April 16, 2018 by Thomas J. LaLanne, attorney for Ryen Motzek, project sponsor of 701 Valencia Street. The Appeal Letter referenced the proposed project in Case No. 2017-004489CUA.

The decision before the Board is whether to uphold or overturn the Planning Commission’s approval of Conditional Use Authorization with the conditions of approval noted therein to allow the temporary conversion of an accessory parking lot to a commercial parking lot at 701 Valencia Street (Assessor’s Block 3589, Lots 098 and 099).

SITE DESCRIPTION & PRESENT USE

The Project is located on the east side of Valencia Street and on the south side of 18th Street. The subject parcels cumulatively measure approximately 4,800 square feet and are improved with an approximately 450 square-foot garage with a surface parking lot providing accessory parking for the adjacent retail use (DBA Cherin’s Appliances) at 711 Valencia Street. The subject property contains approximately 60 feet of frontage on Valencia Street and 80 feet of frontage on 18th Street.

PROJECT DESCRIPTION

The proposed project includes legalizing an existing commercial parking lot, which currently also provides accessory parking for adjacent Cherin's Appliances at 711 Valencia Street. This commercial parking lot will be in operation when not in use by the adjacent store, primarily from 5:00 PM to 12:00 AM Tuesday to Saturday, and from 6:00 AM to 12:00 AM Monday and Sunday. The existing layout provides 12 standard parking stalls including 1 ADA accessible stall. The Project Sponsor (DBA Pristine Parking) will operate nine off-street parking spaces as a temporary automobile parking lot measuring 4,800 square feet, when not needed as accessory parking for Cherin's Appliances. The parking lot in question is located on a corner of 18th and Valencia and will be accessed from the existing curb cut along 18th Street.

ENVIRONMENTAL DETERMINATION

The Planning Department determined that the Project is exempt from California Environmental Quality Act ("CEQA") as Class 3 categorical exemption.

BACKGROUND

On April 12, 2017, Ryen Motzek (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303 and 762 to allow the temporary conversion of an accessory parking lot to a commercial parking lot in the Valencia Street NCT Zoning District and a 55-X Height and Bulk District.

The project was originally scheduled to be heard by the Planning Commission on February 22, 2018, but was continued to the public hearing on March 15, 2018. At the March 15 hearing, the Commission voted +6-0 (Moore absent) to approve the request to legalize the temporary conversion of an accessory parking lot to a commercial parking lot, with a condition as amended prohibiting restaurant and limited restaurant uses.

Opponents of the Project did not support the proposed restaurant and outdoor activity area uses proposed for the parking lot. They were concerned that these uses would negatively impact the quality of life in the neighborhood with specific impacts to: noise, congestion, cleanliness, and impacts to pedestrian and cyclists. A neighboring restaurant expressed concern that the proposed portable bathrooms for the outdoor activity area and restaurant (mobile food facilities) were insufficient. This would cause customers of 701 Valencia Street to use the neighboring restaurant's restrooms instead, exacerbating their limited supply. Supporters of the Project noted that the outdoor activity area and restaurant (mobile food facilities) would positively transform the surface parking lot. Some members of the public were in support of the physical improvements included in the proposal, the food options it would provide, and the local businesses it will support and provide space for.

The following is a brief timeline to-date of the Project:

- **January 2017** – Code Enforcement Case No. 2017-000634ENF (ENF) opened and Notice of Complaint sent to property owner.
- **January 2017** – Letter of Determination (LOD) No. 2017-000718ZAD filed by Ryen Motzek.

- **February 2017** –Notice of Enforcement for Case No. 2017-000634ENF sent to property owner.
- **April 2017** – Conditional Use Authorization (CUA) filed by Ryen Motzek.
- **May 2017** – Letter of Determination (LOD) No. 2017-000718ZAD issued.
- **February 2018** – 20-day neighborhood notice issued for proposed project. The proposal required notification per Planning Code Section 312, which was conducted in conjunction with the notification for the Conditional Use Authorization.
- **March 2018** – The Planning Commission heard and approved with conditions as amended prohibiting restaurant and limited restaurant uses at 701 Valencia Street.
- **March 2018** – After the Planning Commission approved the CUA to legalize the temporary conversion to a commercial parking lot, Case No. 2017-000634ENF was abated at 701 Valencia Street.
- **April 2018** – CUA appeal filed to Board of Supervisors.
- **May 2018** – CUA appeal hearing scheduled for Board of Supervisors.

CONDITIONAL USE AUTHORIZATION REQUIREMENTS

Planning Code Section 303 establishes criteria for the Commission to consider when reviewing all applications for Conditional Use approval. To approve the project, the Commission must find that these criteria have been met:

1. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community;
2. Such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
 - a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - b. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading and of proposed alternatives to off-street parking, including provisions of car-share parking spaces;
 - c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;
3. Such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan; and
4. That such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

In addition, Planning Code Section 303 (t) establishes criteria, considerations, and procedures for non-accessory parking facilities in transit-oriented neighborhoods:

1. The rate structure of Section [155\(g\)](#) shall apply;

2. Project sponsor has produced a survey of the supply and utilization of all existing publicly-accessible parking facilities, both publicly and privately owned, within ½-mile of the subject site, and has demonstrated that such facilities do not contain excess capacity, including via more efficient space management or extended operations;
3. In the case of expansion of existing facilities, the facility to be expanded has already maximized capacity through use of all feasible space efficient techniques, including valet operation or mechanical stackers;
4. The proposed facility meets or exceeds all relevant urban design requirements and policies of this Code and the General Plan regarding wrapping with active uses and architectural screening, and such parking is not accessed from any frontages protected in Section [155\(r\)](#);
5. Non-accessory parking facilities shall be permitted in new construction only if the ratio between the amount of occupied floor area of principally or conditionally-permitted non-parking uses to the amount of occupied floor area of parking is at least two to one.
6. The proposed facility shall dedicate no less than 5% of its spaces for short-term, transient use by car share vehicles as defined in Section [166](#), vanpool, rideshare, or other co-operative auto programs, and shall locate these vehicles in a convenient and priority location. These spaces shall not be used for long-term storage nor satisfy the requirement of Section [166](#), but rather are intended for use by short-term visitors and customers. Parking facilities intended for sole and dedicated use as long-term storage for company or government fleet vehicles, and not to be available to the public nor to any employees for commute purposes, are not subject to this requirement;
7. For new or expanding publicly owned non-accessory parking facilities in the C-3, RC, NCT, and RTO Districts, the following shall also apply:
 - (i) Expansion or implementation of techniques to increase utilization of existing public parking facilities in the vicinity has been explored in preference to creation of new facilities, and has been demonstrated to be infeasible;
 - (ii) The City has demonstrated that all major institutions (cultural, educational, government) and employers in the area intended to be served by the proposed facility have Transportation Demand Management programs in place to encourage and facilitate use of public transit, carpooling, car sharing, bicycling, walking, and taxis;
 - (iii) The City has demonstrated that conflicts with pedestrian, cycling, and transit movement resulting from the placement of driveways and ramps, the breaking of continuity of shopping facilities along sidewalks, and the drawing of traffic through areas of heavy pedestrian concentration, have been minimized, and such impacts have been mitigated to the fullest extent possible; and
 - (iv) The proposed parking conforms to the objectives and policies of the General Plan and any applicable area plans, and is consistent with the City's transportation management, sustainability, and climate protection goals.

The Department's responses to these criteria can be found in the attached motion.

BASIS FOR COMMISSION ACTION

The Planning Commission granted Conditional Use Authorization to legalize the temporary commercial parking lot when the lot is not in use by the adjacent retail use (DBA Cherin's Appliances); however, the Commission did not find the proposed restaurant and outdoor activity area to be necessary or desirable at 701 Valencia Street. They made this determination based on the abundance and prevalence of other nearby eating and drinking establishments. As a result, the Commission added a condition of approval for the parking lot use, which prohibits restaurant and limited restaurant uses on the project site, while operating as a commercial parking lot.

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

The concerns raised in the Appeal Letter are cited below and are followed by the Department's response:

Issue 1: The Appellant objects to the condition of approval for the prohibition of limited restaurant and restaurant uses, including a prohibition on accessory or temporary uses and/or mobile food facilities. The reasons for these objections are summarized as follows:

1. The project sponsor sought and received a Letter of Determination from the Planning Department, which stated that the uses proposed including the conversion of the lot to a restaurant with on-premises beer and wine sales and an indoor/outdoor eating and drinking area were principally permitted uses under the Planning Code.
2. The Project was thoroughly reviewed by Planning Staff, which found the Project to be desirable for the neighborhood. The Planning Staff recommended approval of the Project with conditions of approval as proposed.
3. Despite the comments of Commission members that there were already too many eating and drinking establishments in this neighborhood, the proposed restaurant use for this site would be a welcome addition to the neighborhood.
4. Contrary to the concerns that project sponsor's proposed use would be competing with traditional Mexican restaurants in the area, Filipino fusion cuisine is considerably different. Since the cuisine is not prevalent in the area, the project would also promote diversity. Further, the food served by this proposed operation would be affordable, a commodity that is becoming less and less available in the Valencia Street neighborhood.

Response 1: The Planning Commission determined that the proposed temporary commercial parking lot use is desirable as a shared use of an existing facility as it will alleviate short-term demand for on-street parking. The commercial parking lot will provide supplemental parking for patrons of the nearby retail and entertainment venue establishments. The underutilized spaces will provide a temporary use that is desirable for the neighborhood, and the existing parking lot will not be enlarged or altered to accommodate this temporary use. The Commission also determined that a restaurant or limited restaurant use at this location would not be necessary or desirable for the surrounding community, due to the overabundance of nearby eating and drinking establishments within the vicinity of the project site.

1. A Letter of Determination was obtained by the Project Sponsor stating that the proposed uses were principally permitted; however, the proposed project required the legalization of a Public Parking Lot, which required Conditional Use Authorization. It is within the Commission's purview to place conditions of approval on Conditional Use Applications that ensure the proposed use will be compatible with the surrounding neighborhood.
2. The Planning Department did recommend approval on the proposed use; however, it is up to the Planning Commission to grant Conditional Use Applications by taking into consideration not only Planning Staff's recommendation, but also public comment and other issues that may arise during the hearing.
3. The Planning Commission determined that the proposed eating and drinking uses were not necessary or desirable to the neighborhood because of an over concentration of such uses within the area.
4. The Commission's purview is on the proposed use, not on the type of food served or the price point. Restaurant menus, ownership, and price points can and do change without additional review by the Planning Commission.

CONCLUSION

For the reasons stated above as well as those contained in the record, the Planning Department recommends that the Board uphold the Planning Commission's decision in approving the Conditional Use Authorization.

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SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: MARCH 15, 2018
CONTINUED FROM FEBRUARY 22, 2018

Date: March 8, 2018
Case No.: **2017-004489CUA**
Project Address: **701 VALENCIA STREET**
Zoning: Valencia Street Neighborhood Commercial Transit (NCT) District
55-X Height and Bulk District
Block/Lot: 3589/098 and 099
Project Sponsor: Ryen Motzek
391 29th Street #2
San Francisco, CA 94131
Staff Contact: Esmeralda Jardines – (415) 575-9144
esmeralda.jardines@sfgov.org
Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The proposed project includes legalization of an existing commercial parking lot, which currently also provides accessory parking for adjacent Cherin's Appliances at 711 Valencia Street. This commercial parking lot will be in operation when not in use by the adjacent store, primarily from 5:00 PM to 12:00 AM from Tuesday to Saturday and 6:00 AM to 12:00 AM Monday and Sunday. The existing parking striping and layout provides 12 standard parking stalls including 1 ADA accessible stall. The Project Sponsor (DBA Pristine Parking) will operate nine off-street parking spaces as a temporary automobile parking lot measuring 4,800 square feet, when not needed as accessory parking for Cherin's Appliances. The spaces to be utilized as automobile parking as well as ingress/egress are located on a corner surface parking lot facility and are proposed to be accessed from the existing curb cut along 18th Street. The project also proposes to establish a principally permitted outdoor activity area and a restaurant use with tables and chairs for approximately 20-25 patrons at 701 Valencia Street. When operating the restaurant (mobile food facilities), the proposed hours of operation are 6:00 AM to 9:00 PM Sunday through Thursday and 6:00 AM to 11:00 PM Friday and Saturday; when operating as an outdoor activity area the proposed hours of operation from 6:00 AM to 9:00 PM Monday and Sunday, 5:00 PM to 9:00 Tuesday through Thursday, and 5:00 PM to 11:00 PM Friday and Saturday.

SITE DESCRIPTION AND PRESENT USE

The Project is located on the east side of Valencia Street and on the south side of 18th Street on Assessor's Block 3589, Lots 098 and 099. The subject parcels cumulatively measure approximately 4,800 square feet and are improved with an approximately 450 square-foot garage with a surface parking lot providing accessory parking for the adjacent retail use (DBA Cherin's Appliances) at 711 Valencia Street. The

subject property contains approximately 60 feet of frontage on Valencia Street and 80 feet of frontage on 18th Street.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Project site is a corner lot fronting both Valencia Street and 18th Street; the block face is bounded by 18th Street and 19th Street. To the north and west are three to five-story multi-family residential mixed-use buildings. To the east is a two-story mixed-use building with a ground floor restaurant and residential above, to the south are non-residential uses and Cherin’s Appliances store. The Project site is located in the Valencia Street NCT Zoning District, which consists of a variety of neighborhood-serving uses with upper-story residential uses. A mixture of food establishments, personal services, and small retail establishments define the District. The surrounding properties are located within the Valencia Street NCT (along Valencia Street), RTO-M (Residential Transit-Oriented Mission), UMU (Urban Mixed Use), and Mission Street NCT Zoning Districts.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 3 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	February 23, 2018	January 31, 2018	43 days
Posted Notice	20 days	February 23, 2018	February 22, 2018	21 days
Mailed Notice	20 days	February 23, 2018	February 2, 2018	41 days

The proposal requires notification per Planning Code Section 312, which was conducted in conjunction with the notification for the Conditional Use Authorization.

PUBLIC COMMENT/COMMUNITY OUTREACH

- To date, the Department has received several public comments inquiring, opposing and supporting the project.

The opposition is primarily concerned with: hours of operation, noise, congestion, cleanliness, and impacts to pedestrian and cyclists. A neighboring restaurant is concerned that the proposed portable bathrooms for the outdoor activity area and restaurant (mobile food facilities) are insufficient. The neighboring restaurant is concerned that 701 Valencia Street patrons will instead be incentivized to use their restrooms, exacerbating their limited supply, unless 701 Valencia Street provides adequate restrooms.

The support is supportive of how the outdoor activity area and restaurant (mobile food facilities) will positively transform the surface parking lot. Members of the public are in support of the

physical improvements that are proposed, the food options it will provide, and the local businesses it will support and accommodate space for.

All correspondence received by the Department thus far has been included the Planning Commission packets.

ISSUES AND OTHER CONSIDERATIONS

- The project requires a Conditional Use Authorization, pursuant to Planning Code Sections 303 and 762, to legalize the operation of the existing parking lot as a commercial parking lot. Department staff has included a Condition of Approval to designate the proposed use as temporary for a period not to exceed three years from the date of the Motion.
- The Commerce and Industry Element of the General Plan contains Guidelines that seek to retain existing commercial and industrial activity and to attract a new such activity to the City. The availability of existing unused parking at the subject site for use as a temporary parking lot offers relief in parking demand, thereby contributing to the economic vitality of the area. Further, the Commerce and Industry Element seeks to maintain and strengthen viable neighborhood commercial areas easily accessible to City Residents. The project makes use of an existing, underutilized facility and would not displace any existing commercial activity. By limiting the approval to three years, the proposed temporary use would not preclude future potential uses. The project is proposing to continue operating a commercial parking lot temporarily while also pursuing an outdoor activity area and restaurant on the site (which are principally permitted). The commercial parking lot would be an interim use, per the Condition of Approval added by Department staff.
- The Transportation Element of the General Plan encourages making existing and new accessory parking available to nearby residents and the general public for use as short-term or evening parking when not being utilized by the business or institution to which it is accessory. The project will use existing, underutilized parking spaces to provide convenient parking for nearby residents and the general public, in addition to alleviating parking demand in order to maintain the high quality living environment of the City.
- The Mission Area Plan also establishes parking policies that improve the quality of neighborhoods and reduce congestion. The plan encourages, where appropriate, innovative parking arrangements that make efficient use of space, particularly where cars will not be used on a daily basis. Allowing a commercial parking lot and thereafter an outdoor activity area and restaurant (mobile food facilities) to operate at 701 Valencia Street whilst not utilized as accessory parking for the entity (DBA Cherin's Appliances), allows for an efficient use of space at an existing facility.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization to allow the legalization of a nine-space commercial parking lot in the Valencia Street NCT Zoning District, pursuant to Planning Code Sections 303 and 762.

BASIS FOR RECOMMENDATION

- The project will provide temporary off-street commercial parking in an existing facility.
- The project would result in a net reduction in the number of total off-street parking spaces available, from 12 to 9. The proposal would convert three existing spaces, one to an on-site public open space and two for the mobile food facilities; thus, reducing the total amount of off-street parking.
- The project will continue to provide off-street parking spaces available for customers of other neighborhood businesses, improving the viability of the overall district.
- When operating as anything other than accessory parking to the retail use at 711 Valencia Street (DBA Cherin's Appliances), the Valencia Street frontage should remain closed to vehicular traffic, thus further enhancing the bicycle and pedestrian-protected street.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for and compatible with the surrounding neighborhood.

RECOMMENDATION: Approval with Conditions
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Attachments:

Draft Motion

Letter of Determination

Zoning Map

Block Book Map

Sanborn Map

Aerial Photographs

Site Photographs

Project Sponsor Submittal, including:

- 701 Valencia Street Parking Supply and Utilization Survey; Proposed Initial Planning; Site Plans: Existing and Proposed; Proposed Site Renderings

Public Comment

Environmental Determination

Attachment Checklist

- | | |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | 3-D Renderings (new construction or significant addition) |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Wireless Telecommunications Materials |
| <input type="checkbox"/> Context Photos | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Site Photos | <input type="checkbox"/> RF Report |
| | <input type="checkbox"/> Community Meeting Notice |
| | <input type="checkbox"/> Housing Documents |
| | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |

Exhibits above marked with an "X" are included in this packet

_____EJ
Planner's Initials



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

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Planning Commission Draft Motion

HEARING DATE: MARCH 15, 2018

Case No.: **2017-004489CUA**
 Project Address: **701 VALENCIA STREET**
 Zoning: Valencia Street Neighborhood Commercial Transit (NCT) District
 55-X Height and Bulk District
 Block/Lot: 3589/098 and 099
 Project Sponsor: Ryen Motzek
 391 29th Street #2
 San Francisco, CA 94131
 Staff Contact: Esmeralda Jardines – (415) 575-9144
esmeralda.jardines@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 762 TO LEGALIZE THE TEMPORARY CONVERSION OF AN ACCESSORY PARKING LOT TO A COMMERCIAL PARKING LOT AND ESTABLISH A PRINCIPALLY PERMITTED OUTDOOR ACTIVITY AREA AND A NEW RESTAURANT USE WITHIN THE VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT ZONING DISTRICT AND A 55-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 12, 2017, Ryen Motzek (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 303 and 762 to allow the temporary conversion of an accessory parking lot to a commercial parking lot in the Valencia Street NCT Zoning District and a 55-X Height and Bulk District.

On February 22, 2018, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2017-004489CUA. At this public hearing, the Project was continued to the public hearing on March 15, 2018.

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 3 categorical exemption.

The Planning Commission Secretary is the custodian of records, located in the File for Case No. 2017-004489CUA at 1650 Mission Street, Fourth Floor, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2017-004489CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The Project is located on the east side of Valencia Street and on the south side of 18th Street on Assessor's Block 3589, Lots 098 and 099. The subject parcels cumulatively measure approximately 4,800 square feet and are improved with an approximately 450 square-foot garage with a surface parking lot providing accessory parking for the adjacent retail use (DBA Cherin's Appliances) at 711 Valencia Street. The subject property contains approximately 60 feet of frontage on Valencia Street and 80 feet of frontage on 18th Street.
3. **Surrounding Properties and Neighborhood.** The Project site is a corner lot fronting both Valencia Street and 18th Street; the block face is bounded by 18th Street and 19th Street. To the north and west are three to five-story multi-family residential mixed-use buildings. To the east is a two-story mixed-use building with a ground floor restaurant and residential above, to the south are non-residential uses and Cherin's Appliances store. The Project site is located in the Valencia Street NCT Zoning District, which consists of a variety of neighborhood-serving uses with upper-story residential uses. A mixture of food establishments, personal services, and small retail establishments define the District. The surrounding properties are located within the Valencia Street NCT (along Valencia Street), RTO-M (Residential Transit-Oriented Mission), UMU (Urban Mixed Use), and Mission Street NCT Zoning Districts.
4. **Project Description.** The proposed project includes legalization of an existing commercial parking lot, which currently also provides accessory parking for adjacent Cherin's Appliances at 711 Valencia Street. This commercial parking lot will be in operation when not in use by the adjacent store, primarily from 5:00 PM to 12:00 AM from Tuesday to Saturday and 6:00 AM to 12:00 AM Monday and Sunday. The existing parking striping and layout provides 12 standard parking stalls including 1 ADA accessible stall. The Project Sponsor (DBA Pristine Parking) will operate nine off-street parking spaces as a temporary automobile parking lot measuring 4,800 square feet, when not needed as accessory parking for Cherin's Appliances. The spaces to be utilized as automobile parking as well as ingress/egress are located on a corner surface parking lot facility and are proposed to be accessed from the existing curb cut along 18th Street. The project also proposes to establish a principally permitted outdoor activity area and a restaurant

use with tables and chairs for approximately 20-25 patrons at 701 Valencia Street. When operating the restaurant (mobile food facilities), the proposed hours of operation are 6:00 AM to 9:00 PM Sunday through Thursday and 6:00 AM to 11:00 PM Friday and Saturday; when operating as an outdoor activity area the proposed hours of operation from 6:00 AM to 9:00 PM Monday and Sunday, 5:00 PM to 9:00 Tuesday through Thursday, and 5:00 PM to 11:00 PM Friday and Saturday.

5. **Public Comment/Community Outreach.** To date, the Department has received several public comments inquiring, opposing and supporting the project. The opposition is primarily concerned with: hours of operation, noise, congestion, cleanliness, and impacts to pedestrian and cyclists. A neighboring restaurant is concerned that the proposed portable bathrooms for the outdoor activity area and restaurant (mobile food facilities) are insufficient. The neighboring restaurant is concerned that 701 Valencia Street patrons will instead be incentivized to use their restrooms, exacerbating their limited supply, unless 701 Valencia Street provides adequate restrooms. The support is supportive of how the outdoor activity area and restaurant (mobile food facilities) will positively transform the surface parking lot. Members of the public are in support of the physical improvements that are proposed, the food options it will provide, and the local businesses it will support and accommodate space for.

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Uses.** Per Planning Code Section 762, a public parking lot is conditionally permitted within the Valencia Street NCT Zoning District. As part of the project, a new outdoor activity area and restaurant (mobile food facilities) would be established; these uses are principally permitted within the Valencia NCT District.

The Project would legalize a temporary commercial parking lot when the existing parking lot is not in use by adjacent Cherin's Appliances at 711 Valencia Street. Thereafter, 701 Valencia Street would operate as a restaurant (mobile food facilities) with an outdoor activity area, when not in use by Cherin's Appliances.

- B. **Off-Street Parking.** Per Planning Code Section 762, off-street parking is not required for commercial uses within the Valencia NCT District; limits are set forth per Planning Code Section 151.1.

Per Planning Code Section 151.1, 12 off-street car parking spaces are permitted as accessory for the retail sales and service use (DBA Cherin's Appliances) as one space is permitted for every 500 square feet of occupied floor area. Cherin's currently occupies approximately 5,998 square feet of occupied floor area, and the surface parking lot provides 12 off-street parking accessory spaces for this use. No additional spaces are proposed upon legalizing the commercial parking lot and the project sponsor is proposing to use nine spaces for the commercial parking lot use.

- C. **Screening and Greening of Parking and Vehicle Use Areas.** Planning Code Section 142 requires that all vehicular use areas that are greater than 25 linear feet adjacent to the public

right-of-way shall provide a screening feature around the perimeter of the lot adjacent to the public right-of-way.

The project site has approximately 60 feet of frontage along Valencia Street and approximately 80 feet along 18th Street. The existing parking lot will meet this requirement with proposed rollaway landscaped planter boxes around the perimeter that will screen the parking lot from view. The screening shall add to the visual diversity of the use and will not be an opaque barrier.

- D. **Parking Lots.** Planning Code Section 156(c) requires that any parking lot for two or more automobiles which adjoins a lot in any R District, or which faces a lot in any R District across a street or alley; as well as any parking lot for ten or more vehicles shall be screened in accordance with the standards described in Section 142, Screening and Greening of Parking and Vehicle Use Areas.

The frontage along 18th Street is adjacent to and faces an RTO-M District; further, the existing and proposed parking lot provides 12 off-street parking spaces, one of which will be used for on-site public open space and two of which will be used for mobile food facilities. The proposed parking lot will provide a code-complying screening feature around the perimeter of the lot adjacent to the public right-of-way per the aforementioned requirements in Section 142.

- E. **Lighting.** Planning Code Section 156(d) requires that all lighting used to illuminate a parking lot for any number of automobiles shall be so arranged that all direct rays from such lighting fall entirely within the parking lot.

The subject parking lot already meets this requirement and is currently illuminated by spotlights that are arranged to direct all rays downward directly onto the lot. Any future lighting will also be required to demonstrate compliance with Section 156(d).

- F. **Interior Landscaping and Street Trees.** Planning Code Section 156(h) requires that all permanent parking lots are required to provide one tree per five parking spaces in a manner that is compliant with the applicable water use requirements of Administrative Code Chapter 63 and a minimum of 20 percent permeable surface.

The proposal is not a permanent parking lot; the Conditional Use Authorization is only for legalizing a temporary commercial parking lot, which will be further limited to a maximum of three years. However, the project sponsor will install planter/landscaping around the perimeter of the site and place tree boxes on the site.

- G. **Hours of Operation.** Planning Code Section 762 states that the principally permitted hours of operation in the Valencia NCT Zoning District are from 6 AM to 2 AM.

When used by Cherin's Appliances, the proposed hours of operation are Tuesday through Saturday from 8:00 AM to 5:00 PM; when operating a commercial parking lot, the proposed hours of operation are from 6:00 AM to 12:00 AM Monday and Sunday, 5:00 PM to 12:00 AM Tuesday through Saturday; when operating the mobile food facilities, the proposed hours of operation are 6:00 AM to

9:00 PM Sunday through Thursday and 6:00 AM to 11:00 PM Friday and Saturday; when operating as an outdoor activity area the proposed hours of operation from 6:00 AM to 9:00 PM Monday and Sunday, 5:00 PM to 9:00 Tuesday through Thursday, and 5:00 PM to 11:00 PM Friday and Saturday. Per Planning Code Section 762, the proposed hours of operation are code-complying.

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

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

The proposed temporary use is desirable as a shared use of an existing facility and, during the off-hours of the adjacent retail use, as it will alleviate short-term demand for on-street parking. The commercial parking lot will provide supplemental parking for patrons of the nearby retail and entertainment venue establishments. The underutilized spaces will provide a temporary use that is desirable for the neighborhood, and the existing parking lot will not be enlarged or altered to accommodate this temporary use. Three of the existing parking spaces will be converted to accommodate on-site public open space as well as two mobile food facilities.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The project does not include any physical alterations to the existing garage structure. The existing parking lot will be improved with landscaped planter boxes around the perimeter of the site. The project will not add any new curb cuts that would interfere with pedestrian, vehicular or MUNI traffic. The project will benefit the surrounding neighborhood by providing off-street parking for the neighborhood commercial districts within the vicinity.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The existing lot is large enough to provide on-site circulation, reducing the likelihood of queuing in the street. Traffic conditions will remain substantially unaltered by this project because the proposed use provides nine existing spaces for patrons of nearby bars, restaurants and entertainment venues. The Project could potentially alleviate traffic as the existing on-street demand for parking will be reduced by providing unused spaces for the public to park their vehicles.

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

The Project utilizes existing parking spaces and will not create any additional noxious or offensive emissions such as glare, dust or odors.

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

The Project improves the existing conditions by adding new landscaped planter boxes around the perimeter along the property lines adjacent to the public right-of-ways, Valencia Street and 18th Street. Further, the project is proposing tree boxes within the parking lot facility.

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

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

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

The Project is consistent with the stated purpose of the Valencia Street NCT Zoning District, which is intended to offer a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood. The conversion of the subject accessory parking lot to a commercial parking lot provides an opportunity for city residents living in neighborhoods with limited public transportation options to visit the district. Whilst operating as a community space providing an outdoor activity and a restaurant (mobile food facilities), the project will further activate the Site and provide additional options for patrons within the neighborhood commercial district.

- 8. **Planning Code Section 303(t)(3)** establishes criteria, considerations and procedures for non-accessory parking facilities in transit-oriented neighborhoods. On balance, the project does comply with said criteria in that:

- a) The rate structure of Section [155\(g\)](#) shall apply.

In order to discourage long-term commuter parking, any off-street parking spaces provided for a structure or use other than residential or hotel, whether classified as an accessory or conditional use, shall maintain a rate or fee structure for their use such that the rate charge for four hours of parking duration is no more than four times the rate charge for the first hour, and the rate charge for eight or more hours of parking duration is no less than 10 times the rate charge for the first hour. Additionally, no discounted parking rate shall be permitted for weekly, monthly or similar time-specific periods. The 701 Valencia Street applicant has confirmed the aforementioned rate structure will be utilized.

- b) Project sponsor has produced a survey of the supply and utilization of all existing publicly-accessible parking facilities, both publicly and privately owned, within ½-mile of the subject site, and has demonstrated that such facilities do not contain excess capacity, including via more efficient space management or extended operations.

The project sponsor has conducted a survey of the supply and utilization of all existing publicly-accessible parking facilities, both publicly and privately owned, within 1/2 mile of 701 Valencia Street. The sponsor has demonstrated that such facilities do not contain excess capacity. The results of the aforementioned survey are attached as an exhibit to this report.

- c) In the case of expansion of existing facilities, the facility to be expanded has already maximized capacity through use of all feasible space efficient techniques, including valet operation or mechanical stackers.

The proposal is to utilize the existing off-street parking spaces. No expansion of the existing facility is proposed. A reduction in off-street parking spaces is proposed as 3 of the 12 existing spaces will be converted to two mobile food facilities spaces and one of which will be used as on-site public open space.

- d) The proposed facility meets or exceeds all relevant urban design requirements and policies of this Code and the General Plan regarding wrapping with active uses and architectural screening, and such parking is not accessed from any frontages protected in Section [155\(r\)](#).

The proposed facility will satisfy all relevant urban design requirements and policies of the Planning Code and General Plan. The proposed lot is an existing nonconforming facility. Valencia Street is a protected pedestrian, cycling and transit-oriented street frontage per Planning Code Section 155(r). Although within this vicinity, 701 Valencia Street is not a development lot for the purposes of Planning Code Section 155, since the Project does not involve new construction, an increase in existing square footage or a change in use which results in the increase in gross floor area. Pre-existing access to off-street parking and loading on development lots that violates the restrictions of this Section [155\(r\)](#) may not be maintained. The proposed project at 701 Valencia Street is not considered a development lot. However, when operating any of the new proposed uses, the Valencia Street frontage should remain blocked to vehicular access because an alternative frontage, 18th Street, is available.

- e) Non-accessory parking facilities shall be permitted in new construction only if the ratio between the amount of occupied floor area of principally or conditionally-permitted non-parking uses to the amount of occupied floor area of parking is at least two to one.

New construction is not proposed as part of the Project. Currently, the subject parking lot is an accessory parking lot for the adjacent Cherin's Appliances at 711 Valencia Street. The proposal is to legalize the existing parking lot as a commercial lot when not in use by the aforementioned retail establishment as a short-term solution. The parking lot is intended to be used as an outdoor activity area and restaurant (mobile food facilities) thereafter.

- f) The proposed facility shall dedicate no less than 5% of its spaces for short-term, transient use by car share vehicles as defined in Section [166](#), vanpool, rideshare, or other co-operative auto

programs, and shall locate these vehicles in a convenient and priority location. These spaces shall not be used for long-term storage nor satisfy the requirement of Section 166, but rather are intended for use by short-term visitors and customers. Parking facilities intended for sole and dedicated use as long-term storage for company or government fleet vehicles, and not to be available to the public nor to any employees for commute purposes, are not subject to this requirement;

The proposed commercial parking lot with 12 existing off-street parking spaces is proposing to provide one of the aforementioned spaces for short-term, transient use by a high-occupancy vehicle.

- g) For new or expanding publicly owned non-accessory parking facilities in the C-3, RC, NCT, and RTO Districts, the following shall also apply:

(i) Expansion or implementation of techniques to increase utilization of existing public parking facilities in the vicinity has been explored in preference to creation of new facilities, and has been demonstrated to be infeasible;

(ii) The City has demonstrated that all major institutions (cultural, educational, government) and employers in the area intended to be served by the proposed facility have Transportation Demand Management programs in place to encourage and facilitate use of public transit, carpooling, car sharing, bicycling, walking, and taxis;

(iii) The City has demonstrated that conflicts with pedestrian, cycling, and transit movement resulting from the placement of driveways and ramps, the breaking of continuity of shopping facilities along sidewalks, and the drawing of traffic through areas of heavy pedestrian concentration, have been minimized, and such impacts have been mitigated to the fullest extent possible; and

(iv) The proposed parking conforms to the objectives and policies of the General Plan and any applicable area plans, and is consistent with the City's transportation management, sustainability, and climate protection goals.

The proposed commercial parking lot is not publicly owned; therefore, the aforementioned requirements do not apply.

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 2:

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

The availability of existing unused parking at the subject site for use as a temporary parking lot offers relief in parking demand, thereby contributing to the economic vitality of the area.

OBJECTIVE 6:

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

The Project makes use of existing, underutilized facilities and would not displace any existing commercial activity. By limiting the approval to three years, the proposed temporary use would not preclude development of the lot for other commercial uses.

During store business hours (for 711 Valencia Street), the 701 Valencia Street parking lot will be used as accessory parking for Cherin's customers to park and load. The long-term goal of the Project is to turn the facility into an outdoor activity area with restaurant (mobile food facilities) during the hours that it is not being used as accessory parking by Cherin's customers. The proposed commercial parking lot will only be used during an interim period while the project sponsors prepare the space for the community usage for an estimated 6 to 12 months. According to the project sponsor, the commercial parking lot is a way for the facility to cover expenses whilst the larger vision is realized and developed.

The long-term vision is to make 701 Valencia Street a place to promote local artists, food, music and businesses that speak to the culture and history of San Francisco, particularly the Mission District. The project sponsor plans to have local food trucks serve daily to encourage a unique and affordable food perspective to the area. The project sponsor plans to have weekly markets and events that are open to the community i.e. farmers markets, movie nights, free yoga, etc. The goal is to create a space that can bring people from all backgrounds, economic status and other beliefs together.

TRANSPORTATION ELEMENT

Citywide Parking

Objectives and Policies

OBJECTIVE 30:

ENSURE THAT THE PROVISION OF NEW OR ENLARGED PARKING FACILITIES DOES NOT ADVERSELY AFFECT THE LIVABILITY AND DESIRABILITY OF THE CITY AND ITS VARIOUS NEIGHBORHOODS.

Policy 30.1

Assure that new or enlarged parking facilities meet need, locational and design criteria:

- There is a demonstrated demand for additional parking space in the surrounding area in relation to the supply provided or resulting from a specific development.
- This demand cannot be met by existing available facilities or more efficient use of existing facilities.
- In the case of desired accessory parking (i.e. parking customarily provided incidental to a permitted use and directly related to the activities conducted on the site of the use) its need is clearly established and not presumed.
- The location is appropriate in terms of adjacent land uses.
- Conflict between pedestrian and bicycle movements and driveways or ramps is minimized and additional auto traffic through areas of heavy pedestrian concentration is avoided.
- The design and operating policy of the facility is such that vehicles can be admitted rapidly, to avoid the use of the street as a waiting area for entrance into the facility and to avoid the situation of automobiles idling for a long period of time.
- Adequate provisions are made to accommodate parking and egress for people with mobility impairments.

The 701 Valencia Street team conducted a supply and utilization survey of all existing publicly-accessible parking facilities within a 1/2 mile radius of the subject site, as outlined in Planning Code Section 303(t)(3) and attached as an exhibit. Per the project sponsor's analysis, the survey analyzed 5 surveyed sites including: 2351 Mission Street, 606 Capp Street, 3255 21st Street, 42 Hoff Street, and 3111 17th Street. The Survey results of the supply and utilization of all existing publicly-accessible parking facilities within 1/2 mile of the subject site (701 Valencia) show that there is limited excess capacity at these facilities. They Survey also shows that there are no parking facilities on Valencia Street for patrons to utilize during the dinner hours from 5 PM to 9 PM as proposed on most days. There are restaurants on Valencia Street between 16th Street and 20th Street without parking options on Valencia Street except for public metered spaces. During the aforementioned times, there are limited public metered spaces available and providing 12 spaces at 701 Valencia is a relief for patrons and businesses in the area.

The average usage for each parking facility survey includes: 61% usage at 2351 Mission Street, 69% usage at 606 Capp Street, 74% usage at 3255 21st Street, and 57% usage at 3111 17th Street. The average usage of all five lots that were surveyed was 58% full capacity. Parking facilities were surveyed during morning and evening hours. Two of the aforementioned facilities that were surveyed, 3255 21st Street and 42 Hoff Street, include monthly permit holders only along with spaces open to the public.

Policy 30.6:

Make existing and new accessory parking available to nearby residents and the general public for use as short-term or evening parking when not being utilized by the business or institution to which it is accessory.

The Project will use existing, underutilized parking spaces to provide convenient parking for nearby residents and the general public, in addition to alleviating parking demand in order to maintain the high quality living environment of the City.

OBJECTIVE 35:

MEET SHORT-TERM PARKING NEEDS IN NEIGHBORHOOD SHOPPING DISTRICTS CONSISTENT WITH PRESERVATION OF A DESIRABLE ENVIRONMENT FOR PEDESTRIANS AND RESIDENTS.

Policy 35.2

Assure that new neighborhood shopping district parking facilities and other auto-oriented uses meet established guidelines.

In addition to the criteria for new parking facilities in Objective 30, Policy 1, the following guidelines should be considered in the review of proposed new facilities in Neighborhood Commercial Districts:

- Parking Facilities should be located to provide convenient access to desired shopping destinations. However, they should be located in such a manner that lessens the amount of traffic traveling through the district, does not disrupt the continuity of the shopping district, and that neither gives it priority over nor impedes access to destinations for persons arriving by transit, bicycle or on foot.
- Multiple use of parking structures and lots should be provided wherever feasible.
- The location and configuration of curb cuts and entrances to off-street parking should be designed to minimize safety hazards and access conflicts to pedestrians, transit operations and bicyclists, and to be sensitive to the design and scale of the urban streetscape.

The proposed commercial parking lot is conveniently located near the Mission Street and Valencia Street shopping corridors. Whilst operating as a commercial parking lot, the parking facility will only be accessible from 18th Street. Planter boxes and food trucks will block the Valencia Street frontage, diverting vehicular traffic away from the protected-bicycle and pedestrian street. Therefore, the proposed parking lot would not disrupt the continuity of the shopping district.

10. **Mission Area Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the Mission Area Plan.

BUILT FORM

OBJECTIVE 3.2:

PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE, ACTIVE AND SAFE PUBLIC REALM

Policy 3.2.3

Minimize the visual impact of parking.

Where a building has two frontages, parking entrances, loading docks, bays, and auxiliary service entrances should be accessed from secondary streets, and their visual impact on the neighborhood should be minimized.

As part of the conditional use authorization, roll-away planter/landscaping boxes will be placed around the periphery of the parking lot facility. When operating as a commercial parking lot and thereafter as an outdoor activity area and restaurant (mobile food facilities), the Valencia Street frontage will be closed off with landscaped planter boxes and the site will be accessed from 18th Street.

TRANSPORTATION

Objectives and Policies

OBJECTIVE 4.3:

ESTABLISH PARKING POLICIES THAT IMPROVE THE QUALITY OF NEIGHBORHOODS AND REDUCE CONGESTION AND PRIVATE VEHICLE TRIPS BY ENCOURAGING TRAVEL BY NON-AUTO MODES.

Policy 4.3.4

Encourage, or require where appropriate, innovative parking arrangements that make efficient use of space, particularly where cars will not be used on a daily basis.

Allowing a commercial parking lot to operate at 701 Valencia Street while not utilized as accessory parking for the adjacent retail use at 711 Valencia Street (DBA Cherin's Appliances), permits an efficient use of space at an existing facility. Further, whilst operating as a commercial parking lot, the Valencia Street entrance will be blocked with food trucks and planter boxes, further enhancing the protected-bicycle and pedestrian Street.

Valencia and 18th Street are part of the cyclist and pedestrian high injury network and 701 Valencia is within the Vision Zero High Injury Network; the latter of which aims for zero traffic deaths in San Francisco by 2024.

The temporary entrance closure of Valencia Street is rather significant as it will reduce potential cyclist and pedestrian collisions with vehicular traffic and further enhance the protected-bicycle and pedestrian street frontage.

11. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:
 - A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The Project will assist in alleviate on-street parking demand, while also establishing a new restaurant use (for mobile food facilities). Thereafter, the site will activate a surface parking lot by providing additional food establishments to support the retail uses within the district.

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

The commercial parking lot will utilize an existing parking facility. It will also remove three parking spaces, two will be used for mobile food facilities and one will be dedicated as on-site public open space. Therefore, the Project will not have any effect on the cultural or economic diversity of the neighborhood but instead will enhance it.

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

The Project would not have any effect on the City's supply of affordable housing. No housing exists on the project site.

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

The Project will not impede MUNI services or overburden streets or neighborhood parking. Rather, the Project will reduce the neighborhood's parking scarcity by using an existing underutilized parking facility temporarily with long term plans to activate and establish an outdoor activity area and restaurant (mobile food facilities). Currently, there is an existing curb cut along 18th Street that will remain. The 33 MUNI bus route runs along 18th Street and will continue operating accordingly without any impediment to MUNI services.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project will not displace any service or industry establishment. The Project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.

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

This Project will not affect the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The Project does propose any alterations to the existing garage structure on the site; thus, neither landmarks nor historic buildings will be affected.

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

The Project will have no negative effect on existing parks and open spaces.

- I. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The proposal will contribute to the overall economic vitality of the district, thereby preserving and enhancing future opportunities for resident employment and business ownership.

12. The project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
13. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2017-004489CUA**, pursuant to Planning Code Sections 303 and 762, for the temporary conversion of an accessory parking lot to a commercial parking lot within the Valencia Street NCT Zoning District and a 55-X Height and Bulk District.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94012.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on March 15, 2018.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: March 15, 2018

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the temporary conversion of an accessory parking lot to a commercial parking lot (DBA Pristine Parking) located at 701 Valencia Street, Block 3589, Lot 098 and Lot 099, pursuant to Planning Code Sections 303 and 762, within the Valencia Street NCT Zoning District and a 55-X Height and Bulk District; in general conformance with plans, stamped "EXHIBIT B" included in the docket for Case No. 2017-004489CUA and subject to conditions of approval reviewed and approved by the Commission on March 15, 2018 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on March 15, 2018 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. 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. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

DESIGN

2. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

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

3. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.

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

4. **Landscaping, Screening of Parking and Vehicular Use Areas.** Pursuant to Planning Code Section 142, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating the screening of parking and vehicle use areas not within a building. The design and location of the screening and design of any fencing shall be as approved by the Planning Department. The size and species of plant materials shall be as approved by the Department of Public Works. Landscaping shall be maintained and replaced as necessary.

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

PARKING AND TRAFFIC

5. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than **nine (9)** off-street parking spaces for use as part of the commercial parking lot.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

MONITORING

6. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
7. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

8. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the site and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>*
9. **Temporary Parking Lot.** The authorization to operate this temporary automobile parking lot is limited to the 9 existing spaces located on Assessor's Lot 098 and Lot 099 in Block 3589 and is valid for a period not to exceed three years from the date of approval of this Conditional Use Motion. To continue this use beyond the three years, a new Conditional Use Authorization from the Planning Commission shall be required.
10. **18th Street Frontage Site Access.** The vehicular access to operate this temporary automobile parking lot as well as an outdoor activity area and restaurant (mobile food facilities) is limited to the existing street frontage access along 18th Street. The Valencia Street frontage must remain closed via landscaped planter boxes prohibiting vehicular access from Valencia Street.

11. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The community liaison officer will be Ryen Motzek (DBA Pristine Parking), who can be contacted at (415) 550-2393 or at ryen@pristineparking.com. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

12. **Eating and Drinking Uses.** As defined in Planning Code Section 202.2, Eating and Drinking Uses, as defined in Section [102](#), shall be subject to the following conditions:

- A. The business operator shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Street and Sidewalk Maintenance Standards. In addition, the operator shall be responsible for daily monitoring of the sidewalk within a one-block radius of the subject business to maintain the sidewalk free of paper or other litter associated with the business during business hours, in accordance with Article 1, Section [34](#) of the San Francisco Police Code.

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

- B. While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

- C. Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

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

13. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

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

14. **Hours of Operation.** The subject establishment is limited to the following hours of operation as accessory parking to the adjacent retail use at 711 Valencia Street: Tuesday through Saturday from 8:00 AM to 5:00 PM.

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

15. **Hours of Operation.** The subject establishment is limited to the following hours of operation as a restaurant (mobile food facilities): Sunday through Thursday 6:00 AM to 9:00 PM and 6:00 AM to 11:00 PM Friday and Saturday. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*

16. **Hours of Operation.** The subject establishment is limited to the following hours of operation as a commercial parking lot: Monday and Sunday from 6:00 AM to 12:00 AM; as well as Tuesday through Saturday from 5:00 PM to 12:00 AM. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*

17. **Hours of Operation.** The subject establishment is limited to the following hours of operation as an outdoor activity area: Monday and Sunday 6:00 AM to 9:00 PM, Tuesday through Thursday 5:00 PM to 9:00 PM, and Friday and Saturday 5 PM to 11:00 PM. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*

18. **Noise.** The subject establishment is limited to the noise permitted per the City and County of San Francisco Police Code's Noise Ordinance, Article 29, Section 2909. *For information about compliance with the requirements for noise limits contact the Police Department at 415-553-0123, www.sf-police.org.*

Letter of Determination

SAN FRANCISCO
PLANNING DEPARTMENT

Conditional Use Hearing
Case Number 2017-004489CUA
701 Valencia Street
Block 3589, Lot 098 and 099



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

May 30, 2017

Ryen Motzek
Pristine Parking
391 29th Street #2
San Francisco, CA 94131

Record Number: 2017-000718ZAD
Site Address: 701 Valencia Street
Assessor's Block/Lot: 3589/098 and 099
Zoning District: Valencia Street NCT (Neighborhood Commercial Transit)
Staff Contact: Esmeralda Jardines, (415) 575-9144 or esmeralda.jardines@sfgov.org

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Dear Mr. Motzek:

This letter is in response to your request for a Letter of Determination regarding the property at 701 Valencia Street. This property is located in the Valencia Street Neighborhood Commercial Transit (NCT) Zoning District, Mission Alcohol Restricted Use District (RUD) and 55-X Height and Bulk District. The request seeks clarification on whether a proposal to convert an existing structure on the lot to a restaurant with on-premises beer/wine sales and indoor/outdoor eating/drinking area would comply with the Planning Code.

Per Planning Code Section 726.44, a Restaurant as defined in Planning Code Section 790.91 is a principally permitted use on the first story within the Valencia Street NCT. As such, the proposed conversion of the existing structure to a restaurant would be allowed as a principally permitted use on the subject property.

Per Planning Code Sections 249.60 and 781.8, a Restaurant use operating as a Bona Fide Eating Place, as defined in 790.142, shall be permitted to serve alcoholic beverages in the Mission Alcoholic Beverage Special Use District. Per Planning Code Section 790.91, required food sales (to qualify as a Bona Fide Eating Place) may be made from food made/sold in the renovated structure on the lot and/or food trucks on the lot. Further, alcohol sales may only be made at time when food is available on-site.

Per Planning Code Section 726.24, an Outdoor Activity Area as defined in Planning Code Section 790.70 is subject to the requirements of Planning Code Section 145.2 and is principally permitted if located outside a building and contiguous to the property line and conditionally permitted if located elsewhere on the lot. Given that the subject property is a corner lot and the proposed seating area is contiguous to the property lines, the proposed Outdoor Activity Area is a principally permitted use on the subject property.

Ryen Motzek
391 29th Street
San Francisco, CA 94131

May 30, 2017
Letter of Determination
701 Valencia Street

It should also be noted that while a Restaurant and Outdoor Activity Area are principally permitted uses, they require neighborhood notification pursuant to Planning Code Section 312 and the use must comply with the Operating Conditions outlined in Planning Code Section 703.5.

Your request notes that the parking lot is primarily used as accessory parking for customers of Cherin's Appliances on the adjacent lot at 727 Valencia Street (which is under the same ownership as the subject property); however, you have a rental agreement with Cherin's Appliance to provide general public parking on the site. Per Planning Code Section 726.56, Automobile Parking as defined in Planning Code Section 790.8 (which includes general public parking), is a conditionally permitted use within the Valencia Street NCT. While the existing accessory parking for customers of Cherin's Appliances is allowed as continuation of existing parking, general public parking requires a Conditional Use Authorization. As you know, the subject property currently has an active code enforcement case (Case No. 2017-000634ENF) for unauthorized general public parking. On April 12, 2017, Conditional Use Authorization Case No. 2017-004489CUA was submitted to legalize the use and allow general public parking when the lot is not being used as accessory parking for customers of Cherin's Appliances. This Conditional Use Authorization Application will be presented to the Planning Commission at a duly noticed public hearing. Please note that the Planning Department will not process permits for new uses on the subject property until active complaints have been properly addressed.

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

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

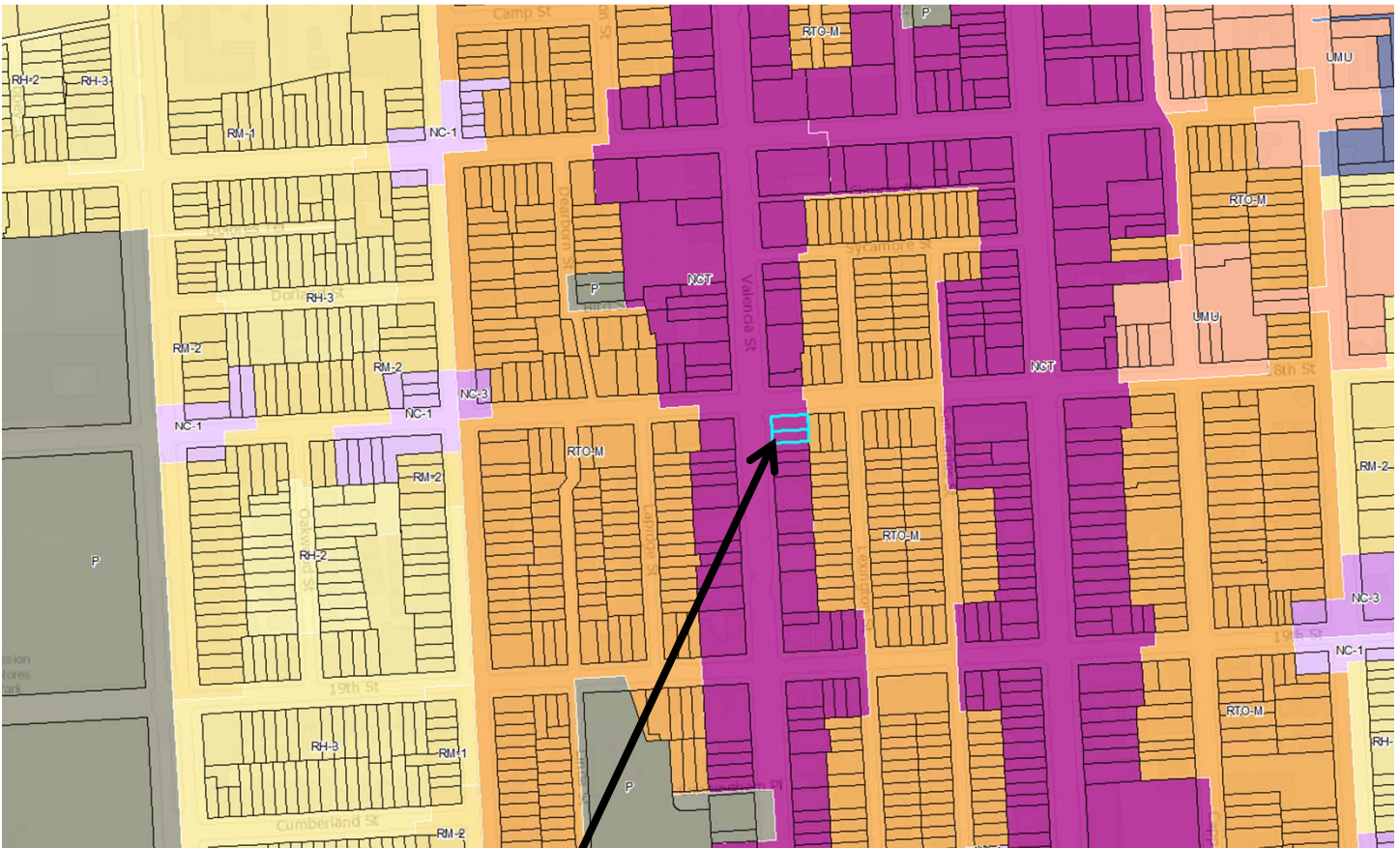
Sincerely,



Scott F. Sanchez
Zoning Administrator

cc: Property Owner
Neighborhood Groups
Esmeralda Jardines, Planner

Zoning Map



SUBJECT PROPERTY

**SAN FRANCISCO
PLANNING DEPARTMENT**



Conditional Use Hearing
Case Number 2017-004489CUA
701 Valencia Street
Block 3589, Lot 098 and 099

Sanborn Map*



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

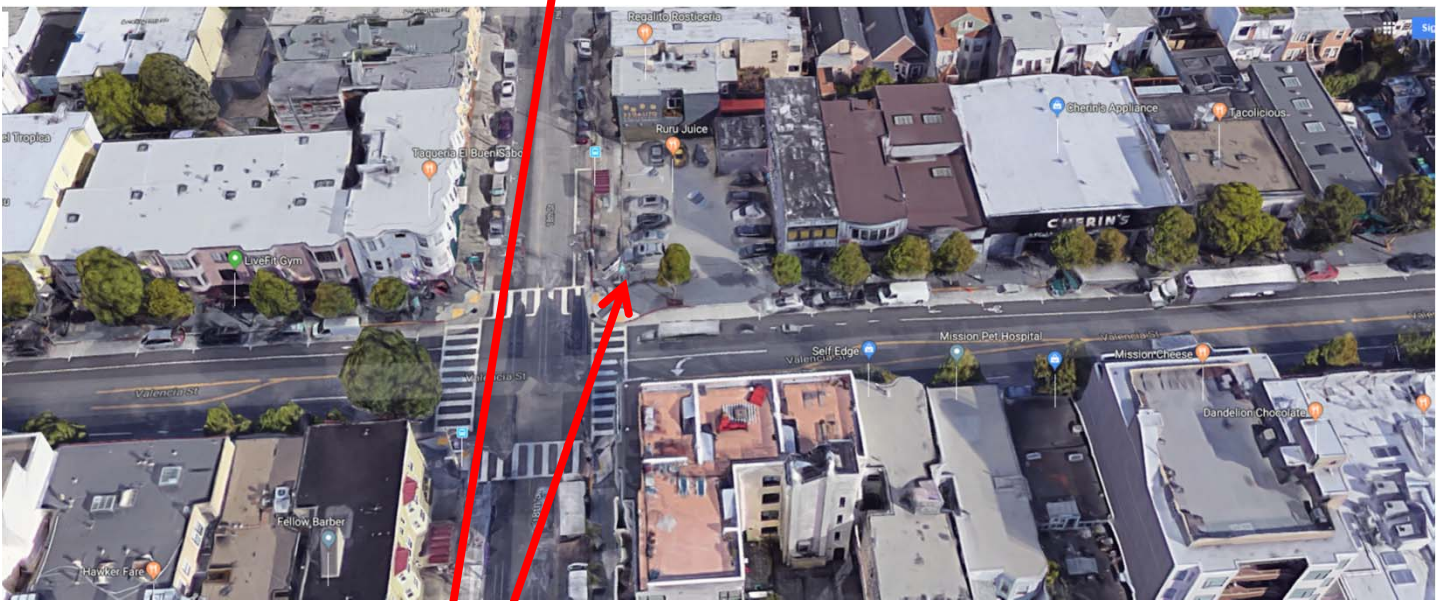
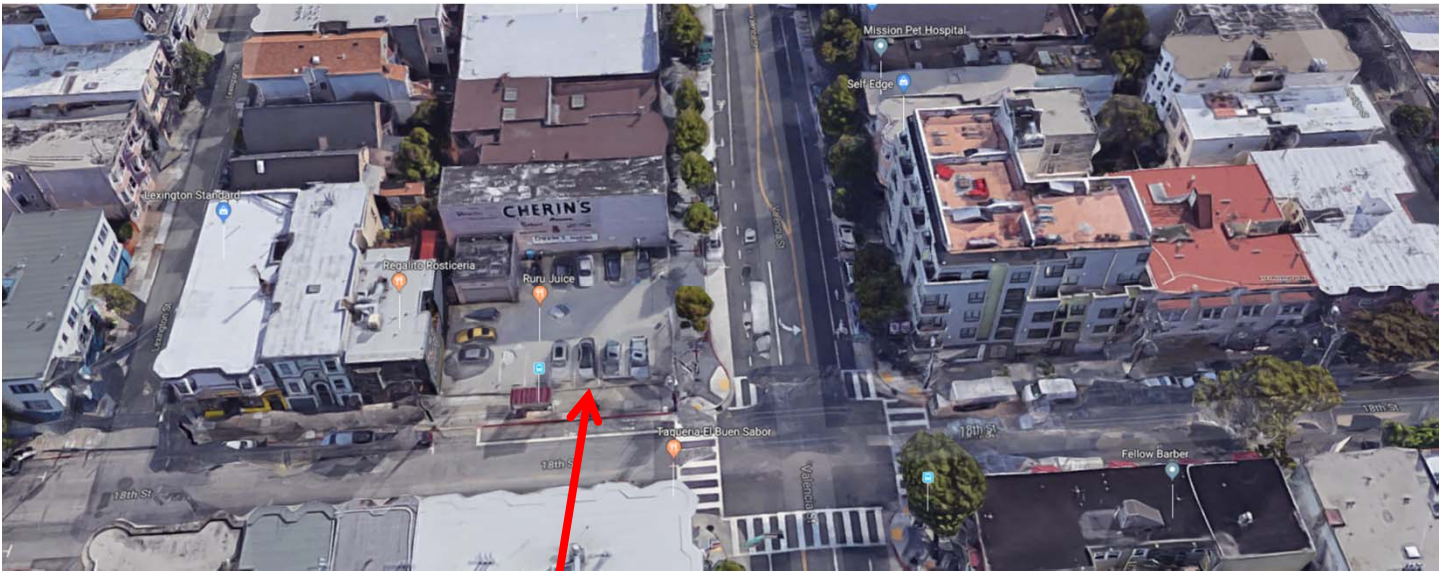
SUBJECT PROPERTY

**SAN FRANCISCO
PLANNING DEPARTMENT**



Conditional Use Hearing
Case Number 2017-004489CUA
 701 Valencia Street
 Block 3589, Lot 098 and 099

Aerial Photographs



SUBJECT PROPERTY

**SAN FRANCISCO
PLANNING DEPARTMENT**

Conditional Use Hearing
Case Number 2017-004489CUA
701 Valencia Street
Block 3589, Lot 098 and 099

Site Photographs



SAN FRANCISCO
PLANNING DEPARTMENT

Conditional Use Hearing
Case Number 2017-004489CUA
701 Valencia Street
Block 3589, Lot 098 and 099

Project Sponsor Submittal: 701 Valencia Street Parking Supply and Utilization Survey; Proposed Initial Planning

SAN FRANCISCO
PLANNING DEPARTMENT

Conditional Use Hearing
Case Number 2017-004489CUA
701 Valencia Street
Block 3589, Lot 098 and 099

RESPONSES TO SECTION 303(t)(3)

(3) For Non-Accessory Parking in C-3, RC, NCT, and RTO Districts:

(A) The rate structure of Section 155(g) shall apply.

The parking facility will comply. There will not be any long term parking because the property will be used as a flex space where non-accessory parking will be happening only in the certain time frames. Further, the facility will maintain an applicable market rate or fee structure for parking use such that the rate charge for four hours of parking duration is no more than four times the rate charge for the first hour, and the rate charge for eight or more hours of parking duration is no less than 10 times the rate charge for the first hour. Additionally, no discounted parking rates will be provided for any weekly, monthly or similar time-specific periods.

(B) The project sponsor has produced a survey of the supply and utilization of all existing publicly-accessible parking facilities, both publicly and privately owned, within one-half mile of the subject site, and has demonstrated that such facilities do not contain excess capacity, including via more efficient space management or extended operations;

Please refer to the attached 701 Valencia Street Parking Utilization and Supply Report. This survey shows the supply and utilization of all existing publicly-accessible parking facilities, both publicly and privately owned, within one-half mile of the subject site, and has demonstrated that such facilities do not contain excess capacity, including via more efficient space management or extended operations. See also the summary on page 4 below for details.

(C) In the case of expansion of existing facilities, the facility to be expanded has already maximized capacity through use of all feasible space efficient techniques, including valet operation or mechanical stackers.

No expansion of the facility for Non-Accessory Parking is proposed.

(D) The proposed facility meets or exceeds all relevant urban design requirements and policies of this Code and the General Plan regarding wrapping with active uses and architectural screening, and such parking is not accessed from any frontages protected in Section 155(r);

The subject property will meet or exceed all relevant urban design requirements and policies of this Code and the General Plan regarding wrapping with active uses and architectural screening, and such parking is not accessed from any frontages protected in Section 155(r). New planters will be placed around the property lines to act as barriers. In addition, this project will require NO new curb cuts.

(E) Non-accessory parking facilities shall be permitted in new construction only if the ratio between the amount of Occupied Floor Area of principally or conditionally-permitted non- parking uses to the amount of Occupied Floor Area of parking is at least two to one.

There is no new construction, this item is not applicable.

(F) The proposed facility shall dedicate no less than 5% of its spaces for short-term, transient use by car share vehicles as defined in Section 166, vanpool, rideshare, or other co-operative auto programs, and shall locate these vehicles in a convenient and priority location. These spaces shall not be used for long-term storage or to satisfy the requirement of Section 166, but rather are intended for use by short-term visitors and customers. Parking facilities intended for sole and dedicated use as long-term storage for company or government fleet vehicles, and not to be available to the public nor to any employees for commute purposes, are not subject to this requirement.

The parking facility will comply. There will be 12 spaces total and (1) of the spaces shall be dedicated for for short-term, transient use by car share vehicles as defined in Section 166, vanpool, rideshare, or other co-operative auto programs, and shall locate these vehicles in a convenient and priority location, during the hours of non-accessory parking use.

(G) For new or expanding publicly owned non-accessory parking facilities in the C-3, RC, NCT, and RTO Districts, the following shall also apply:

The facility is not publicly owned. Not applicable

(i) Expansion or implementation of techniques to increase utilization of existing public parking facilities in the vicinity has been explored in preference to creation of new facilities, and has been demonstrated to be infeasible;

The facility is not publicly owned. Not applicable.

(ii) The City has demonstrated that all major institutions (cultural, educational, government) and employers in the area intended to be served by the proposed facility have Transportation Demand Management programs in place to encourage and facilitate use of public transit, carpooling, car sharing, bicycling, walking, and taxis;

The facility is not publicly owned. Not applicable.

(iii) The City has demonstrated that conflicts with pedestrian, cycling, and transit movement resulting from the placement of driveways and ramps, the breaking of continuity of shopping facilities along sidewalks, and the drawing of traffic through areas of heavy pedestrian concentration, have been minimized, and such impacts have been mitigated to the fullest extent possible; and

The facility is not publicly owned. Not applicable.

(iv) The proposed parking conforms to the objectives and policies of the General Plan and any applicable area plans, and is consistent with the City's transportation management, sustainability, and climate protection goals.

The proposal promotes the following Master Plan Objectives and Policies:

COMMERCE & INDUSTRY ELEMENT

OBJECTIVE 1

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

POLICY 1.1

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

POLICY 1.2

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

OBJECTIVE 2

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

POLICY 2.3

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

OBJECTIVE 3

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

POLICY 3.1

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

OBJECTIVE 4

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

POLICY 4.2

Promote and attract those economic activities with potential benefit to the City.

RECREATION & OPEN SPACE ELEMENT

OBJECTIVE 1

ENSURE A WELL-MAINTAINED, HIGHLY UTILIZED, AND INTEGRATED OPEN SPACE SYSTEM

POLICY 1.1 Encourage the dynamic and flexible use of existing open spaces and promote a variety of recreation and open space uses, where appropriate.

POLICY 1.3 Preserve existing open space by restricting its conversion to other uses and limiting encroachment from other uses, assuring no loss of quantity or quality of open space.

POLICY 1.7 Support public art as an essential component of open space design.

POLICY 1.8 Support urban agriculture and local food security through development of policies and programs that encourage food production throughout San Francisco.

SUMMARY: 701 VALENCIA STREET

Survey results of the supply and utilization of all existing publicly-accessible parking facilities within 1/2 mile of the subject site (701 Valencia) show that there is limited excess capacity at these facilities. Survey also shows that there are no parking facilities on Valencia st for patrons to utilized during the dinner hours 5pm - 9pm as proposed on most days. There is a mass amount of restaurants on Valencia st, between 16th st and 20th st, and there is no parking on this street expect for public metered spaces for cars to park. During these times there is extremely limited public metered spaces available and having a extra 12 spaces in this location is a relief for both patrons and businesses in the area.

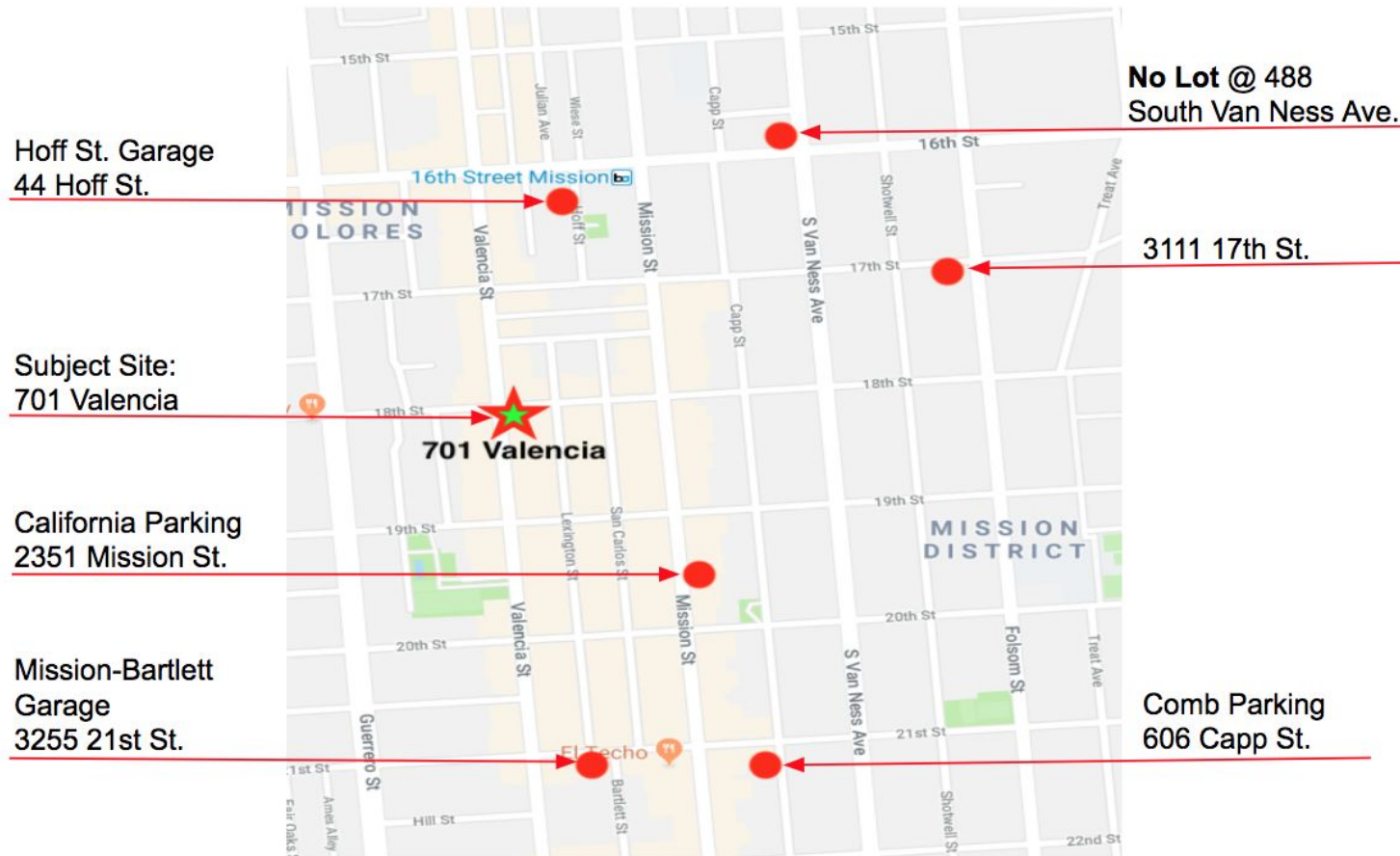
During business hours (hours noted in additional information below), this facility will be used as accessory parking for Cherins customers to park and load. The goal of this project is to turn the facility into a community space during the hours that it is not being used as accessory parking by Cherins customers. The non-accessory parking usage will only be used during an interim period while we are preparing the space for the community usage, which we are estimating will take 6 - 12 months. The non-accessory parking aspect of this plan is essentially a way for the facility to cover expenses while the larger vision is being developed.

Our vision is make this a space to promote local artist, food, music and businesses that speak to the culture and history of San Francisco, particularly the mission district. We plan to have local food trucks serve daily to bring a unique, fun and affordable food perspective to the area. We plan to have weekly markets and events that are open to the community i.e farmers markets, movie nights, free yoga, etc. We want to bring in local artist on a to promote their work.

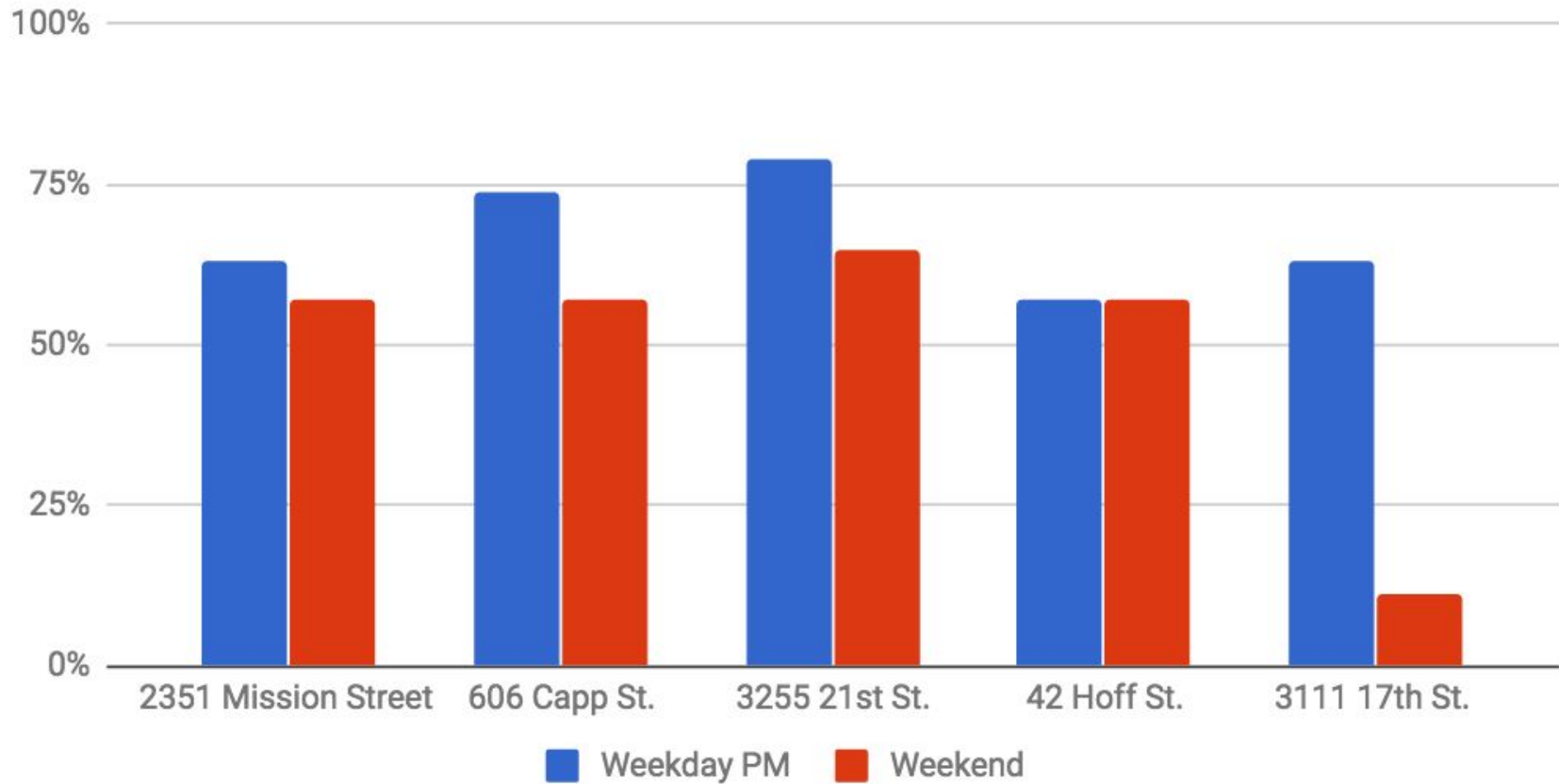
Our goal is to create a space that can bring people from all backgrounds, economic status and other beliefs together in one place where the can have a enjoyable and revolving experience in one of the cities most iconic areas. The Valencia St. area has come along way over the years and our goal is to maintain some of the culture, the vibe and the history that made this area so great today. By creating this community space we will be able to give opportunity to local individuals and businesses to show what they are doing in a area that would otherwise be infeasible. As well as giving the community a space that is always changing to maintain the excitement and trust that every neighborhood deserves.

SUPPLY AND UTILIZATION SURVEY

Pursuant to the Planning Code, all public parking facilities within a 1/2 mile radius of the subject site at 701 Valencia Street were surveyed for capacity and occupancy over a range of days and times including peak, weekend, and evening times.



Average Use During Random Periods Weekday Afternoons & Weekends



California Parking - 2351 Mission St

<u>Parking Lot</u>	<u>Hours of Operation</u>	<u>Date of Survey</u>	<u>Day of Survey</u>	<u>Time of Survey</u>	<u>Capacity / # of Spaces</u>	<u>Number in Use</u>	<u>Number vacant</u>	<u>% of Capacity in Use</u>
California Parking 2351 Mission Street	24 hours	1/29/2018	Monday	5:30 pm	87	43	44	49%
California Parking 2351 Mission Street	24 hours	1/30/2018	Tuesday	5:11 pm	87	52	35	60%
California Parking 2351 Mission Street	24 hours	1/31/2018	Wednesday	6:00 pm	87	43	44	49%
California Parking 2351 Mission Street	24 hours	2/1/2018	Thursday	4:30 pm	87	66	21	76%
California Parking 2351 Mission Street	24 hours	2/2/2018	Friday	3:10 pm	87	69	18	79%
California Parking 2351 Mission Street	24 hours	2/3/2018	Saturday	12:10 pm	87	70	17	80%
California Parking 2351 Mission Street	24 hours	2/4/2018	Sunday	10:20 am	87	29	58	33%

Comb Parking - 606 Capp St.

<u>Parking Lot</u>	<u>Hours of Operation</u>	<u>Date of Survey</u>	<u>Day of Survey</u>	<u>Time of Survey</u>	<u>Capacity / # of Spaces</u>	<u>Number in Use</u>	<u>Number vacant</u>	<u>% of Capacity in Use</u>
Comb Parking 606 CAPP ST	8:00 am-9:00 pm	1/29/2018	Monday	5:50 pm	30	14	16	47%
Comb Parking 606 CAPP ST	8:00 am-9:00 pm	1/30/2018	Tuesday	5:20 pm	30	22	8	73%
Comb Parking 606 CAPP ST	8:00 am-9:00 pm	1/31/2018	Wednesday	6:10 pm	30	24	6	80%
Comb Parking 606 CAPP ST	8:00 am-9:00 pm	2/1/2018	Thursday	4:39 pm	30	27	3	90%
Comb Parking 606 CAPP ST	8:00 am to 12:00 am	2/2/2018	Friday	3:25 pm	30	24	6	80%
Comb Parking 606 CAPP ST	8:00 am to 12:00 am	2/3/2018	Saturday	12:25 pm	30	18	12	60%
Comb Parking 606 CAPP ST	10:00 am to 8:00 pm	2/4/2018	Sunday	10:45 am	30	16	14	53%

Mission-Bartlett Garage - 3255 21st Street

<u>Parking Lot</u>	<u>Hours of Operation</u>	<u>Date of Survey</u>	<u>Day of Survey</u>	<u>Time of Survey</u>	<u>Capacity / # of Spaces</u>	<u>Number in Use</u>	<u>Number vacant</u>	<u>% of Capacity in Use</u>
Mission-Bartlett Garage 3255 21st Street	7:00 am-12:00 am	1/29/2018	Monday	6:15 pm	200	154	352	77%
Mission-Bartlett Garage 3255 21st Street	7:00 am-12:00 am	1/30/2018	Tuesday	5:30 pm	200	133	352	67%
Mission-Bartlett Garage 3255 21st Street	7:00 am-12:00 am	1/31/2018	Wednesday	6:15 pm	200	157	352	79%
Mission-Bartlett Garage 3255 21st Street	7:00 am-12:00 am	2/1/2018	Thursday	4:45 pm	200	174	352	87%
Mission-Bartlett Garage 3255 21st Street	7:00 am-2:30 am	2/2/2018	Friday	3:45 pm	200	158	352	79%
Mission-Bartlett Garage 3255 21st Street	7:00 am-2:30 am	2/3/2018	Saturday	12:55 pm	200	193	352	97%
Mission-Bartlett Garage 3255 21st Street	7:00 am-2:30 am	2/4/2018	Sunday	11:05 am	200	67	352	34%

Hoff St. Garage - 42 Hoff Street

<u>Parking Lot</u>	<u>Hours of Operation</u>	<u>Date of Survey</u>	<u>Day of Survey</u>	<u>Time of Survey</u>	<u>Capacity / # of Spaces</u>	<u>Number in Use</u>	<u>Number vacant</u>	<u>% of Capacity in Use</u>
Hoff St. Garage 42 Hoff Street	8:00 am - 12:00 am	1/29/2018	Monday	6:40 pm	98	47	51	48%
Hoff St. Garage 42 Hoff Street	8:00 am - 12:00 am	1/30/2018	Tuesday	5:40 pm	98	33	65	34%
Hoff St. Garage 42 Hoff Street	8:00 am - 12:00 am	1/31/2018	Wednesday	6:28 pm	98	73	25	74%
Hoff St. Garage 42 Hoff Street	8:00 am - 12:00 am	2/1/2018	Thursday	5:00 pm	98	40	58	41%
Hoff St. Garage 42 Hoff Street	8:00 am - 2:30 am	2/2/2018	Friday	4:55 pm	98	86	12	88%
Hoff St. Garage 42 Hoff Street	10:00 am - 2:30 am	2/3/2018	Saturday	1:20 pm	98	92	6	94%
Hoff St. Garage 42 Hoff Street	11:00 am - 11:00 pm	2/4/2018	Sunday	11:40 am	98	19	79	19%

3111 17th St

<u>Parking Lot</u>	<u>Hours of Operation</u>	<u>Date of Survey</u>	<u>Day of Survey</u>	<u>Time of Survey</u>	<u>Capacity / # of Spaces</u>	<u>Number in Use</u>	<u>Number vacant</u>	<u>% of Capacity in Use</u>
3111 17th St	24 hours	1/29/2018	Monday	7:00 pm	180	37	143	21%
3111 17th St	24 hours	1/30/2018	Tuesday	5:55 pm	180	56	124	31%
3111 17th St	24 hours	1/31/2018	Wednesday	6:40 pm	180	41	139	23%
3111 17th St	24 hours	2/1/2018	Thursday	5:10 pm	180	97	83	54%
3111 17th St	24 hours	2/2/2018	Friday	4:10 pm	180	113	67	63%
3111 17th St	24 hours	2/3/2018	Saturday	1:50 pm	180	22	158	12%
3111 17th St	24 hours	2/4/2018	Sunday	12:10 pm	180	19	161	11%

701 VALENCIA STREET – PARKING DEMAND STUDY

OFF-STREET PARKING LOCATIONS WITHIN HALF (1/2) MILE of 701 Valencia

ADDRESS	DESCRIPTION	NUMBER OF PARKING SPACES
2351 Mission Street	Open air lot	87
606 Capp Street	Open air lot	30
3255 21st Street	Enclosed parking structure. Lower level open to public; 2nd level is monthly parkers only. 1st floor has 200 spaces and 2nd floor has 152 spaces	200 (152 spaces reserved for monthly permit holders only)
42 Hoff Street	Enclosed parking structure. Lower level open to public; 2nd level is monthly parkers only. 1st floor has 48 spaces and 2nd floor has 50 spaces	48 (50 spaces reserved for monthly permit holders only)
3111 17th Street	Open air lot next to a recently developed small park. Entrance is from Shotwell alleyway, not 17th.	180
488 South Van Ness	There is no parking lot or structure at this location	n/a
3500 19th ST	Condos - permit holders only	20
899 VALENCIA ST	Medical center; parking only for patients	31
3251 18th St	Permit holders only	23
1501 15th St	Condos - permit holders only	36
3270 17th St	Business center - permit holders only	9
751 Valencia St	Business center - permit holders only	14
3431 17th St	Condos - permit holders only	24
3205 16th St	Condos - permit holders only	12

48 Julian St	Business center - permit holders only	18
1580 15th St	Condos - permit holders only	14
407 South Van Ness	Condos - permit holders only	25
372 Shotwell St	Condos - permit holders only	10
3254 19th St	Condos - permit holders only	40
3380 20th St	Condos - permit holders only	20
2320 Folsom St	Business center - permit holders only	60
2226 Folsom St	Condos - permit holders only	105
2256 Folsom St	Condos - permit holders only	60
500 Treat Ave	Condos - permit holders only	41
3186 18th St	Condos - permit holders only	25
1850 Mission St	Arriba Juntos - Customer parking only	28
727 VALENCIA ST	Business center - permit holders only	30
3434 17th St	Duggan Funeral Services - Customer parking only	26
2230 Mission St	Condos - permit holders only	13
435 Valencia St	Ferguson Supplies - Customer parking only	12
565 South Van Ness	Business center - permit holders only	35
3068 16th St	Business center - permit holders only	16
798 Valencia St	Business center - permit holders only	10
659 South Van Ness	Condos - permit holders only	16
240 Shotwell St	Business center - permit holders only	24
3281 16th St	Church Parking - Customer parking only	25
3201 17th St	Apartment Building - Customer parking only	17

70 Capp St	Business center - permit holders only	61
3027 16th St	Bank Branch - Customer parking only	10
3315 18th St	Apartment Building - Customer parking only	23
431 South Van Ness	Condos - permit holders only	15
392 South Van Ness Ave	Condos - permit holders only	12

ADDITIONAL INFORMATION (FACILITY TIMES & USAGE)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Cherins Parking	CLOSED	8am - 5pm	8am - 5pm	8am - 5pm	8am - 5pm	8am - 5pm	CLOSED
2 Permanent Food Vendors	6am - 2am	6am - 2am	6am - 2am	6am - 2am	6am - 2am	6am - 2am	6am - 2am
Public Parking Lot (Temporary)	6am - 2am	5pm - 2am	5pm - 2am	5pm - 2am	5pm - 2am	5pm - 2am	6am - 2am
Community Space	6am - 2am	5pm - 2am	5pm - 2am	5pm - 2am	5pm - 2am	5pm - 2am	6am - 2am

701 VALENCIA PROJECT

INITIAL PLANNING

A COMMUNITY SPACE LOCATED IN THE HEART OF THE MISSION DISTRICT

PROPOSED PLAN

San Francisco is a rapidly changing city struggling to support local community, organizations and independently owned businesses that made the city one of the best in the world.

When not used for Cherin's parking the 18th and Valencia corner is currently dilapidated parking lot that attracts vandals, drug users as well as other mischief and crime.

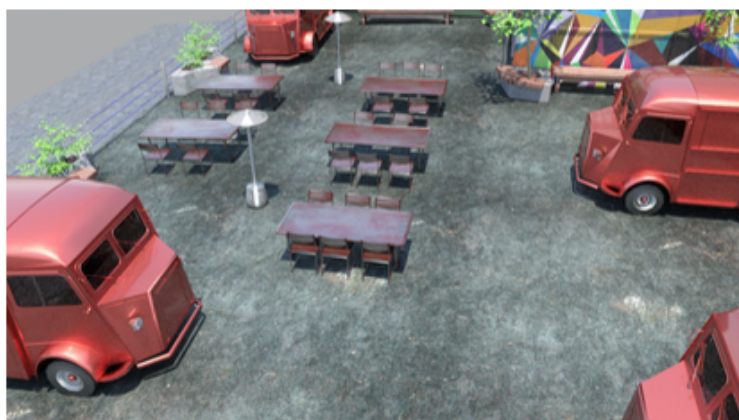
In an attempt to preserve the core definition of true San Francisco, we are aiming to build a community space featuring independently owned and operated SF/Bay Area vendors that share a similar vision. Offering a high traffic location at an affordable rate and therefore creating opportunities that would be not possible otherwise.

The sole focus is community. We intend to offer a positive, non invasive solution by:

- offering an affordable space to independent and local vendors
- generating income to support the Cherin's family business
- working tightly with the local community, non profits and other pro-SF organizations
- creating a safe and family oriented space
- promoting bike safety by reducing vehicles crossing the bike lane to enter the parking lot
- beautifying the corner with planters (built and maintained by Paxton Gate)
- restoring the Cherin's wall with fresh paint and a mural from a local SF artist
- working with local businesses to build lot furnishings
- designing the space with a local architect
- learning from other case studies that follow a similar mission
- respecting the Mission District and it's heritage

INITIAL RENDERINGS

Below are renderings to help visualize the proposed space. These renderings are not final by any means and are to be considered as rough.

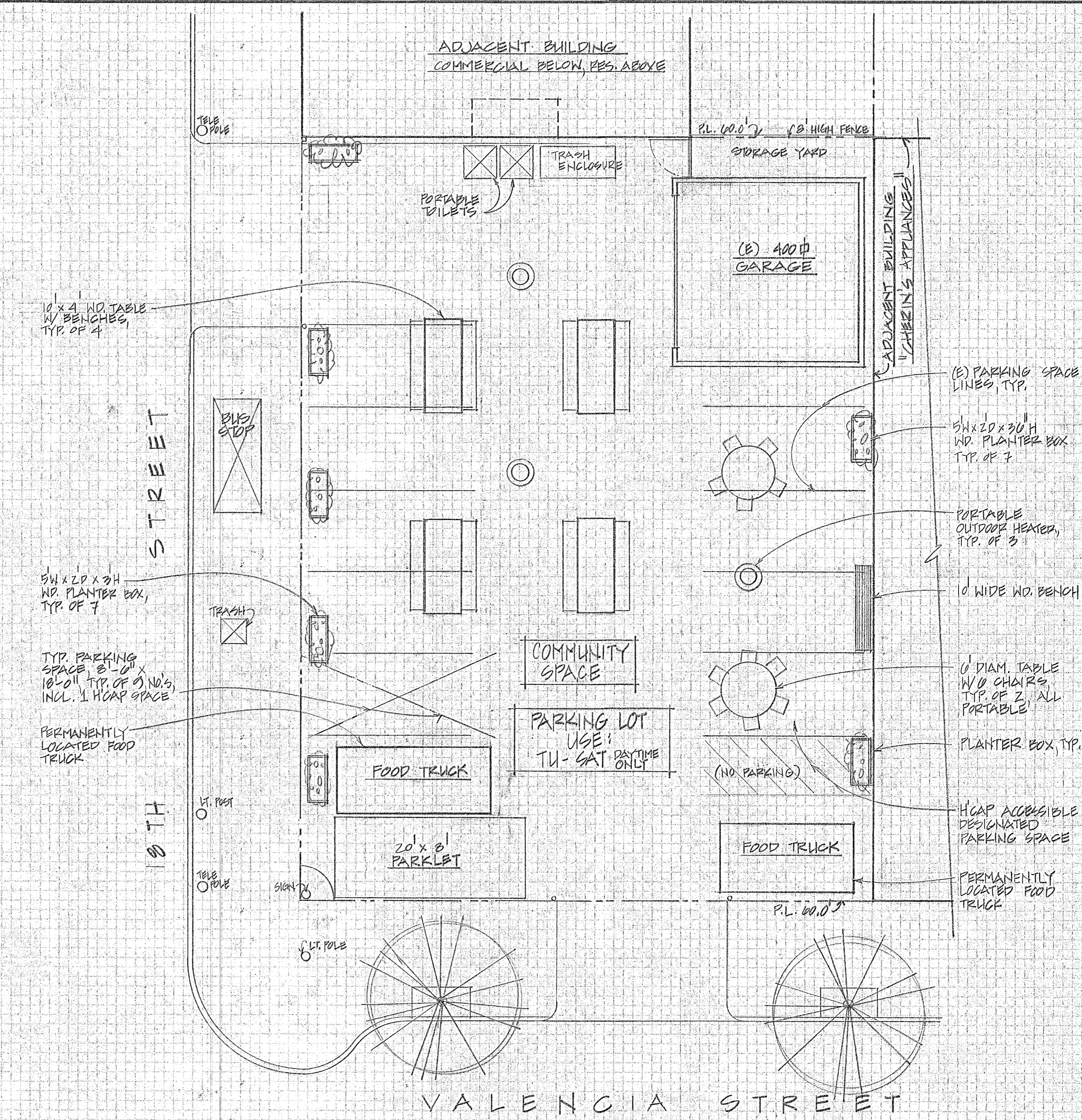


Site Plans: Existing and Proposed

SAN FRANCISCO
PLANNING DEPARTMENT

Conditional Use Hearing
Case Number 2017-004489CUA
701 Valencia Street
Block 3589, Lot 098 and 099

REVISIONS	BY



PROPOSED PLOT PLAN

COMMUNITY SPACE & CHERIN'S PARKING LOT

701 VALENCIA STREET
SAN FRANCISCO, CA 94110
APPLICANT: RYEN MOTIEK (415) 743-0133

NOTE: EXISTING PARKING LOT WILL BE USED FOR PARKING TUES THRU SAT. DURING DAYTIME HOURS ONLY, AND INCLUDES 9 NO.'S (8'6" x 18'0") PARKING SPACES, INCL. HCAP SPACE.

PROPOSED PLOT PLAN : COMMUNITY SPACE / PARKING LOT
1/8" = 1'-0" N

Date	DEC 2017
Scale	1/8" = 1'-0"
Drawn	dl
Job	
Sheet	A2
Of 2	Sheets

Proposed Site Renderings

SAN FRANCISCO
PLANNING DEPARTMENT

Conditional Use Hearing
Case Number 2017-004489CUA
701 Valencia Street
Block 3589, Lot 098 and 099

N'S
CUSTOMER
PARKING
ONLY







LEGALITO
OSTICERIA
MEXICAN COOKING

Kitchen
FOR THE WAY IT'S

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Public Comment

SAN FRANCISCO
PLANNING DEPARTMENT

Conditional Use Hearing
Case Number 2017-004489CUA
701 Valencia Street
Block 3589, Lot 098 and 099

Jardines, Esmeralda (CPC)

From: wilsonhull@aol.com
Sent: Wednesday, February 28, 2018 6:14 PM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: 701 Valencia Street

Hello - I am writing to tell you my views on the proposed use for 701 Valencia Street. My understanding is that Ryen Motzek, with others, wants to use the current parking lot as a food venue.

First of all, I should tell you that I have some history with Ryen Motzek. I don't actually know him, but he and I became acquainted over another issue in this neighborhood several years ago. I found him to be open, accommodating and honest. So I am predisposed to think that he is a guy with integrity.

I live on Bird Street, a quiet street very near the hubbub of 18th and Valencia. I am 65 years old and have lived here for about 30 years. The neighborhood is very different than when I moved here, and many of these changes I don't like. But I also recognize that Valencia Street is not going to revert back to the mom and pop stores and services that sustained a far different population. And I also try to keep in mind that much of what I don't like about the city today is generational - I'm old and the city is young.

So while I am very unlikely to patronize the proposed businesses at 701 Valencia, it also seems to me that the proposed use is an appropriate one, appropriate for what Valencia Street is now. I wouldn't be happy if I lived across the street from 701 Valencia, and I would hope that if the city approves this use that it will make some accommodations to any individuals who happen to live closer by.

Thanks,
Matt Wilson

Jardines, Esmeralda (CPC)

From: Suneetha Venigalla <svenigal@gmail.com>
Sent: Thursday, March 01, 2018 3:36 PM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: Letter of Support for Cherin's parking lot plan

To the San Francisco Planning Department,

I am writing a letter of support for the proposed plan at Cherin's parking lot (18th and Valencia) to build a community space gathering space. The concept of inviting people, food trucks, and local vendors to connect and socialize is exciting for our community members and it would be welcomed and celebrated.

I'm a resident of the Castro neighborhood and have lived in San Francisco for the past eight years. Over this time, I've witnessed significant transformation across our city. This proposal is a great example of activating underutilized space for the benefit of our residents and visitors, while focusing on preserving and highlighting the uniqueness of San Francisco.

I, along with many of my fellow friends and community members, look forward to your approval of the Cherin's parking lot revitalization proposal.

Sincerely,

Suneetha Venigalla

Jardines, Esmeralda (CPC)

From: Stephen Krzywonos <stephen.krzywonos@gmail.com>
Sent: Wednesday, February 28, 2018 7:56 PM
To: Jardines, Esmeralda (CPC); ryen@pristineparking.com
Subject: 18th & Valencia Project

Hello Esmeralda,

I'm writing you to show my support for the beautification and shared use project proposed by Ryen.

I've been a resident of San Francisco for over 10 years and appreciate ideas that help build a sense of community and also benefit local merchants.

Hope this email finds you well and thank you for taking the time to read it.

Cheers,

Stephen Krzywonos

Jardines, Esmeralda (CPC)

From: Rebecca Carlson <rcarlson456@yahoo.com>
Sent: Wednesday, February 28, 2018 6:17 PM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: Community Space: Cherin's Lot (18th Street & Valencia)

Dear Ms. Jardines:

I learned about a proposal you have within your department for a community space utilizing the Cherin's lot during non-store hours. I'd like to communicate my support for this idea. I'm a resident of nearby Diamond Heights Village Association and feel that the positive use of the space for community space for evening/weekend gathering of foods/vendors for the nearby residents and to draw people from around the city helping local business.

What I like most about this idea is the use of currently unused space that doesn't require displacement of residents or business, but will generate more business, bring more traffic to the area to support already established business in the area and give one more community space for people to gather. One thing I know in this ever digitized world, is we need MORE community space to connect with our neighbors.

I appreciate your serious consideration of approving this proposal and I look forward to visiting the space when available to the neighbors!

Thank you,

Rebecca Carlson

Jardines, Esmeralda (CPC)

From: Phuong Herz <phuong.lam@gmail.com>
Sent: Friday, March 02, 2018 9:25 AM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: Lot 701 Valencia Street

Hi Esmeralda,

I have been residing in San Francisco (Twin Peaks) for a decade now and have seen many changes in the city good and bad; more so good. Over the years, I have enjoyed the changing scenes in neighboring areas like Hayes Valley, the Mission, SOMA, Outer Sunset and the Dog Patch as it brings communities together with addition of local restaurants and retail businesses, parklets (who doesn't love sitting outside on a sunny day), pop ups and green garden areas.

As I walked by the 701 Valencia Street the other day I read the neighborhood notification to revise the parking lot into a Food Truck community space. I look forward to seeing this happen as I recall the first time my friends and I followed Twitter to locate where and when Anthony Myint's Mission Street Food Taco Truck would be. This was the beginning of the Food Truck phenomenon and the experience of trying something new and limited was exciting! I have since been a proponent of Food Trucks and Food Truck lots. Off the Grid and Spark SF are places I always take out of town friends and family members to due to their casual atmosphere and the multitude of food choices.

In addition, I love supporting local businesses and have seen some of these Food Trucks become successful and eventually open their own restaurant spaces. It's a great opportunity for local chefs and everyday people to share their wonderful food and live their dreams.

I did notice that this space will also include more greenery which is something you don't see with other Food Trucks lots and Valencia street could use more trees. Plants are calming and add a nice aesthetic to the space.

I hope to meet and eat at this spot, 701 Valencia Street with good friends in their near future.

Best Regards,
Morgan Herz

Jardines, Esmeralda (CPC)

From: nicholas kunz <mrnicholaskunz@gmail.com>
Sent: Friday, March 02, 2018 8:31 AM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: 18th and Valencia proposed use - support

Hello Esmeralda,

My name is Nicholas Kunz and I have worked in the Mission for 7 years now and was a resident of Valencia Street in the past and would like to support the transformation Ryen Motzek has planned for the parking lot at 18th and Valencia. When I first moved to the city over 7 years ago I was living between 16th and 17th on Valencia so I understand the noise and commotion of the area. Personally, I think that something positive such as an outdoor food space has a lot of potential to bring people together as well as brighten up a corner that was previously a dead zone, with people passed out against a fence or hiding in the shadows drinking beers on the sidewalk.

I have known Ryen for the past 7 years and him and I have discussed his desire to build positive communities. I truly feel that he has the best intentions for the neighborhood and that he will be very present and active in keeping the space clean and respectful.

If there is anything more I can do to support this project, or if you have any questions for me, please let me know. Thank you for taking the time to listen to my input.

Nicholas Kunz
mrnicholaskunz@gmail.com
(509)-981-0333

Jardines, Esmeralda (CPC)

From: Nicholas Hutter <nicholasghutter@gmail.com>
Sent: Friday, March 02, 2018 1:19 PM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: 701 Valencia Cherin's Lot Proposed Plan

Hello Esmerelda,

I am writing you today in support of the proposed plan for Cherin's lot at 701 Valencia. I have lived in San Francisco for many years on the Valencia Street corridor in close proximity to the lot. I really enjoy living in the neighborhood because of all the great food, the community, and activities that occur so because of this I see the plan as only an addition to all the greatness the Mission has to offer. Especially with warmer weather on it's way, it really makes for another opportunity for more delicious food in a cool, layed back setting. I am certain that an agreement can be made between everyone on appropriate hours to enjoy this opportunity that benefits us all.

Sincerely,

Nicholas G. Hutter
(650)921-4248
nicholasghutter@gmail.com

Jardines, Esmeralda (CPC)

From: Mike Schiraldi <mike@schiraldi.org>
Sent: Friday, February 09, 2018 4:03 PM
To: Jardines, Esmeralda (CPC)
Subject: 701 Valencia

I was wondering if you could tell me the status of 2017-004489CUA for the parking lot at 18th and Valencia. I don't think it's necessary or desirable and would like an opportunity to speak out against it. Will it be coming before the Planning Commission anytime soon?

Thanks!

Jardines, Esmeralda (CPC)

From: Mike Schiraldi <mike@schiraldi.org>
Sent: Wednesday, February 14, 2018 5:10 PM
To: Jardines, Esmeralda (CPC)
Subject: Re: 701 Valencia

My correspondence is as follows:

I strongly urge the commission to **oppose** the Conditional Use for 701 Valencia. It is **neither necessary nor desirable** in 2018 San Francisco to have a parking lot with two different curb cuts

- on a 4800sqft site
- in a zoning district allowing for 55' apartment buildings
- and having no minimum parking requirements
- or density limits
- on a corner lot exempt from setback requirements
- on the 33-bus route
- a block away from the Mission Street red carpet
- a six-minute walk from BART
- with the Valencia St bike lanes going right past
- in the middle of an extremely walkable neighborhood

Please deny the CU and encourage the project sponsor to put together a plan to bring desperately-needed housing, atop neighborhood-serving ground-floor retail, instead.

Mike Schiraldi
San Francisco

Jardines, Esmeralda (CPC)

From: Mike Jacobson <mike.jacobson27@gmail.com>
Sent: Wednesday, February 07, 2018 10:54 AM
To: Jardines, Esmeralda (CPC)
Subject: 701 Valencia St; Case No. 2017-004489CUA

Good morning,

I live on the 700 block of Valencia Street and just received a notification of an upcoming public hearing that includes an item for a CU Authorization of a parking lot on the corner of Valencia and 18th St. In the project description, the parking lot is described as a "temporary conversion." Is there an idea as to how long this temporary public lot will be operating?

Thanks much- I appreciate any information you can provide,
Mike

Jardines, Esmeralda (CPC)

From: Mike Jacobson <mike.jacobson27@gmail.com>
Sent: Saturday, February 24, 2018 1:49 PM
To: Jardines, Esmeralda (CPC)
Subject: 701 Valencia St; Case No. 2017-004489CUA

Hello,

Thank you for forwarding my information to Ryen.

After discussing the project with him, I support activating the parking lot with food trucks and other vendors when it is not being used as accessory parking for Cherin's. I think care should be taken to minimize conflicts between cyclists and pedestrians with cars using the lot. This includes removing access via Valencia Street. Considering protected bike lanes are on the way to Valencia, we should take care to create the safest possible experience for cyclists on Valencia Street.

All efforts should be made to convert the space from car storage to a more active use as quickly as possible.

Thanks,
Mike

Jardines, Esmeralda (CPC)

From: Mike Jacobson <mike.jacobson27@gmail.com>
Sent: Friday, February 09, 2018 2:03 PM
To: Jardines, Esmeralda (CPC)
Subject: Re: 701 Valencia St; Case No. 2017-004489CUA

Thanks very much for the response, Ms. Jardines.

I do question why the site can't be used as a food truck area now, rather than years down the line after it has been used as a commercial parking lot, but that is more of a question for the applicant rather than the planning department. I am still concerned with a potentially heavily used commercial lot that has serious conflicts with northbound cyclists on Valencia, as well as eastbound 33 buses on 18th Street.

Thanks again,
Mike

On Thu, Feb 8, 2018 at 10:49 AM, Jardines, Esmeralda (CPC) <esmeralda.jardines@sfgov.org> wrote:

Hello Mike,

Pardon the delayed response, yesterday was rather hectic. The temporary conversion of the site into a commercial parking lot is two-fold. First, the commercial parking lot will only occupy the site when it is not being used as Cherin's Appliances accessory parking; further, the project sponsor does not intend to operate the commercial parking lot indefinitely. Eventually, the vision is to convert the vacant lot into an open food-truck outdoor activity area and community space, when not used by Cherin's.

However, I don't know the specific time frame when the project sponsor will cease the commercial parking lot operation. Attached are tentative proposed hours of operation. Lastly, because surface parking facilities are not the highest and best use for a site in SF, the Planning Department as a policy that limits these approvals to no more than three years and if the project sponsor wishes to continue the same operation, a subsequent CUA before the Planning Commission will be required.

Please let me know if you have any additional questions, comments or concerns.

Thank you,

Esmeralda Jardines, Senior Planner
Southeast Team, Current Planning Division

San Francisco Planning Department
1650 Mission Street, Suite 400 San Francisco, CA 94103
Direct: [415.575.9144](tel:415.575.9144) | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Mike Jacobson [mailto:mike.jacobson27@gmail.com]
Sent: Wednesday, February 07, 2018 10:54 AM
To: Jardines, Esmeralda (CPC)
Subject: 701 Valencia St; Case No. 2017-004489CUA

Good morning,

I live on the 700 block of Valencia Street and just received a notification of an upcoming public hearing that includes an item for a CU Authorization of a parking lot on the corner of Valencia and 18th St. In the project description, the parking lot is described as a "temporary conversion." Is there an idea as to how long this temporary public lot will be operating?

Thanks much- I appreciate any information you can provide,

Mike

Jardines, Esmeralda (CPC)

From: Miguel <mgl894@aol.com>
Sent: Monday, March 05, 2018 3:42 PM
To: Jardines, Esmeralda (CPC)
Subject: 701 Valencia Street project Proposed

Hola Esmeralda, Fue un placer conocerte el sábado pasado y tener la oportunidad de conversar contigo acerca de mi concern. Como te avía mencionado acerca del baño, sábados y domingos tienen un food truck y hemos observado que sus clientes pasan a usar nuestro baño lo cual no estamos de acuerdo, Lla que debido a eso Nuestros clientes tienen que esperar más tiempo a que esté disponible, ahora que pongan mas carros será peor y nosotros no podemos tener control y eso no es justo. Otra cosa mire que ellos van a poner toilets mobiles pienso que Eso no sería higienico. Habrá agua caliente y fría para que los clientes se laven sus manos? Espero atender al hearing el 15 de Marzo y poder expresar mi preocupación. Será posible que tú me traduzcas ? Mi inglés no es muy bueno espero tu respuesta muchas gracias.

Jardines, Esmeralda (CPC)

From: Megan Masters <meganmasters@gmail.com>
Sent: Wednesday, February 28, 2018 10:13 AM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: Support - Community Space at 18+V

Hi Esmeralda,

I hope this message finds you well.

I'm writing you today as a San Francisco resident, a Mission local (for 5+ years), and a firm believer that as a collective effort, we can continuously make the community - our community - a better place.

In line with this, I'm writing in *support* of the community space / food truck project in Cherin's lot on 18th and Valencia. Not only does this project better utilize a (rarely found) space that has the ability to host something like this, but it also allows the creative juices that make San Francisco so fantastic to shine! This proposal will continue to transform the Mission into a safe, creative, and fun neighborhood that will attract others who will, ultimately, spend money that will directly benefit San Francisco with revenue and jobs and. A more attractive and hip corner certainly doesn't hurt either!

I understand this proposal is with the planning department now, and I'd love to see this get passed.

Please feel free to reach out to me with any questions.

Regards,

Megan Masters
15th + Shotwell neighbor
646-670-6460

Jardines, Esmeralda (CPC)

From: marco jaramillo <marcojara93@yahoo.com>
Sent: Sunday, March 04, 2018 9:45 PM
To: Jardines, Esmeralda (CPC)
Subject: 701 Valencia street

Hello my name is Marco Jaramillo, my family and I been living at 3521 18th Street for the past fifteen years. We're not happy about the food trucks being so close to our street. It would bring more people over to the nearby streets and there is already a big parking problem. Also, there is an issue with noise due to the bars that are already close by. It's only going to get worse if we go forward with this project. I spoke to all the tenants in the building and they're also against the food trucks. Unfortunately they don't have emails and have a language barrier, so they don't feel comfortable expressing there opinion. Thank you for your time.

Sent from my iPhone

Jardines, Esmeralda (CPC)

From: Kristin Derby <kristin.derby@gmail.com>
Sent: Wednesday, February 28, 2018 10:31 AM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: Cherin's Lot Revitalization Project

Hi Esmeralda,

I was walking by the 18th and Valencia street parking lot and saw the posting for the upcoming project. I am incredibly excited for this project. I am a local resident and often see this parking lot sit empty and others around the city. Space in San Francisco is a hard thing to come by and when it is used as a community space it is even rarer.

I am in support of this revitalization because, how I see it, it will bring jobs particularly for small business owners and artists – those who have been hurt most by the most recent changes to the city. No one is being displaced, rather this project will beautify a corner of a very vibrant area that is sitting almost forgotten. Thank you for reading this and I am in great support of this project.

Sincerely,

Kristin Derby

Jardines, Esmeralda (CPC)

From: Jordan Herz <jordanherz@gmail.com>
Sent: Friday, March 02, 2018 9:36 AM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: 701 Valenica Street

Good Morning Esmeralda,

I noticed while walking yesterday afternoon that there was a sign posted for an up coming food truck corner at 701 Valencia I can't tell you how excited I am that this will be happening, as someone that has lived in San Francisco for over 10 years and watched the transformation of this street it is refreshing to see a new out door affordable option for my wife and I, and friends to all meet for dinner. I love the idea of being able to walk past a food truck assortment on my way home from work to see what options I might be able bring home for dinner.

This is something that Valencia Street has been missing, a common place for the neighborhood to share meals at together and meet the local business owners and otherwise people you wouldn't normally talk too.

Thank you for taking the time to read my email this morning

Best Regards,
Jordan Herz

Jardines, Esmeralda (CPC)

From: Joel Hamill <joel.hamill@gmail.com>
Sent: Friday, March 02, 2018 1:53 PM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: 701 Valencia Street

Hi Esmeralda,

I am writing in response to a negative posting I saw posted regarding a proposed use of land on [701 Valencia Street](#).

As a resident of San Francisco for the past 16 years, I've witnessed a lot of change along the Valencia corridor. And while I don't agree with all of it, a community space and food truck hub on this location would provide a much needed down home, come-as-you-are atmosphere, that could provide a place for anyone to feel welcome. This is already a bustling area with robust nightlife so the proposed use should in no way be. It would also provide a venue for up-and-coming restauranteurs who may not have the same access to funding as the other businesses in the area. Lastly, a soon-to-be Dad, safety is a huge concern for me. In the evening that lot is very dark and often an area that attracts crime. It will be a win for the neighborhood to have the lot be occupied.

Thanks,
Joel Hamill

Jardines, Esmeralda (CPC)

From: Jessica Mastors <jessica.mastors@gmail.com>
Sent: Wednesday, February 28, 2018 7:17 PM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: 18th & valencia rejuvenation

Hi Esmerelda,

I've just learned of a community-rejuvenation project (including food trucks planned for the unused lot at 18th st and Valencia, the one shared with Cherin's appliance store -- and I wanted to take 5 min to voice my support!

I see this plan as a positive boon for the community -- converting unused space into something that will bring people together AND generate revenue -- WITHOUT displacing anyone (which, i think we can all admit, is a rare feat these days).

Thank you for your role in this, and for all that you do!

Cheers,
Jessica

Jessica Mastors
Story Magic for Free Thinkers and Change Makers
<http://jessicamastors.com> // [LinkedIn](#)
Tell me, what is it you plan to do with your one wild and precious life?

Jardines, Esmeralda (CPC)

From: Hamilton-Hemmeter <hamhem@comcast.net>
Sent: Thursday, February 22, 2018 5:11 PM
To: Pha Pha (Anna) Hamilton; Jardines, Esmeralda (CPC)
Subject: Re: Fwd: Query re: 701 Valencia Street

Dear Esmeralda Jardines,

I am the owner of the building across from the Cherin's lot at 701 Valencia Street, and two of my family members live in the building. Anna Hamilton is my daughter and lives at 3498 - 18th Street with two small children.

I have looked over the materials made available by the Planning Department, and if any alcohol is allowed on the premises, and if food service continues beyond 10 p.m., I am adamantly opposed to the Conditional Use Authorization. My fear is that the area will turn into a rowdy, noisy playground for young adults and that there will be disturbances and a real loss of quality of life for the residents nearby.

If only food is served, and service stops at a decent hour, with a closure of the premises by, say, 10:30 p.m., the applicants might have a chance to try their business idea. Otherwise, it should not be permitted.

I hope to attend the 3/15/18 Public Hearing in Rm. 400. Is there anything I need to do to be on the roster of speakers? And to whom should I address a letter with my opinions?

Thank you for your help. Sincerely, Amanda M. Hamilton

On February 21, 2018 at 2:16 PM "Pha Pha (Anna) Hamilton" <ajptdh@gmail.com> wrote:

FYI - you can see the 'renderings' of what is being planned in the Cherin's parking lot again.

----- Forwarded message -----

From: Jardines, Esmeralda (CPC) <esmeralda.jardines@sfgov.org>
Date: Tue, Feb 20, 2018 at 2:26 PM
Subject: RE: Query re: 701 Valencia Street
To: "Pha Pha (Anna) Hamilton" <ajptdh@gmail.com>

Hello Anna,

Thank you for reaching out! Pardon for missing your call, I've been running around in between meetings. The project sponsor's proposed hours of operation are attached to this email. Just to clarify, the Valencia Street NCT's principally permitted hours of operation are from 6 AM to 2 AM. Because this site will be used for different uses through the day and week, each respective hours of operations are noted.

I am also attaching the site plans and graphics that have been submitted to SF Planning thus far. No new construction or new structure is part of the project scope. To my understanding, the project sponsor will utilize the existing garage structure for storage of tables and chairs. The existing site plan demonstrates the number of existing parking spaces; the proposed site plan shows the aforementioned as well as how the site is proposed to be used when not operating as a parking lot.

One final note, the project was previously scheduled for February 22nd; however, it is now scheduled for March 15, 2018. Attached please find an amended notice. Please let me know if you have any additional questions or comments. You're also welcome to contact the project sponsor directly. Do let us know how we can be of assistance.

Thank you,

Esmeralda Jardines, Senior Planner
Southeast Team, Current Planning Division

San Francisco Planning Department
1650 Mission Street, Suite 400 San Francisco, CA 94103
Direct: 415.575.9144 | www.sfplanning.org

[San Francisco Property Information Map](#)

From: Pha Pha (Anna) Hamilton [mailto:ajptdh@gmail.com]
Sent: Thursday, February 15, 2018 11:41 PM
To: Jardines, Esmeralda (CPC)
Subject: Query re: 701 Valencia Street

Dear planning department,

I am a neighbor (across the street) of 701 Valencia Street (Record number 2017-004489CUA).

I have the following questions:

- What will the hours be for a 'outdoor activity and restaurant area'? I am concerned about noise and congestion.
- The posting mentions "architectural plans" - will there actually be a structure constructed on the site and if so what do they look like?

Best,

Pha Pha Hamilton

415-652-0772

Jardines, Esmeralda (CPC)

From: daymanc@gmail.com
Sent: Friday, March 02, 2018 3:19 PM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: Email in favor of supporting the lot transition near 18th and Valencia St, SF

Hi Esmeralda,

After noticing the neighborhood notification, I would like to write a small email of support regarding the potential lot transition near 18th and Valencia. I love the idea of having a communal space in support of some of the things that makes SF so unique and great (community gathering, small business support, budding entrepreneurship, great food/food trucks, beautification, culture, etc).

For me, learning about this potential transition is exciting to know is in works as there have been a number of bigger businesses taking over the Mission area, which has always felt somewhat disconnecting for someone who has lived in Bernal Heights and Noe Valley for over 10 years and watched our city transition.

I feel many core values of this concept greatly reflects the positive values of our great city, and I would love to see it reach fruition. Please feel free to contact me anytime if you like at 650-906-7601, or via email. Thank you for your time.

Dayman Cash

Jardines, Esmeralda (CPC)

From: Christopher Nash <christopher.nash@gmail.com>
Sent: Sunday, March 04, 2018 8:21 PM
To: Jardines, Esmeralda (CPC); Ronen, Hillary; richhillissf@gmail.com; Melgar, Myrna (CPC); planning@rodneyfong.com; Koppel, Joel (CPC); Moore, Kathrin (CPC); Richards, Dennis (CPC)
Cc: Ryen Motzek
Subject: Support for 701 Valencia St Project, Record #2017-004489CUA

Hello,

I am writing to voice my FULL SUPPORT for the proposed changes to the Cherin's parking lot at 701 Valencia St. The conditional use authorization is due to be discussed by the Planning Commission on March 15, 2018.

I own the residence at 3483 18th St, which abuts the parking lot at 701 Valencia. Ours is the only residential unit in our building. My husband and I have lived in this apartment for 11 years, and I have lived in the neighborhood since 1992. We are looking forward to seeing this parking lot transformed into a community space with food trucks, tables, and planters. We expect the changes to be quite positive for our neighborhood.

We do have a few requests, which we have already discussed with the applicant, including:

- The submitted plans describe port-a-potties and a garbage enclosure to be located against our building, underneath our window. The applicant has agreed to instead locate these against the other building that abuts the lot, which has no windows overlooking the lot.
- Business hours no later than 10pm
- Please post 'no smoking' signs in the space.
- Ensure that we have a point of contact to whom we can report any problems that may arise.

I urge you all to support this project.

Thank you for your time,

-Christopher Nash

415.519.9023

Jardines, Esmeralda (CPC)

From: Christopher Nash <christopher.nash@gmail.com>
Sent: Friday, February 16, 2018 1:42 PM
To: ryen@pristineparking.com
Cc: Jardines, Esmeralda (CPC)
Subject: Plans for 701 Valencia St

Hello Ryan,

I own the condo at 3483 18th St, which abuts the parking lot at 701 Valencia St.

First, let me say that we are in full support of making this parking lot more inviting for the community to come hang out and eat food from local food trucks, when not in use by Cherin's for parking.

But I'm hoping that we can make a slight adjustment to your plans. Your drawings currently call for a trash enclosure and portable toilets directly underneath our picture window that faces Valencia St. We often keep this window open when the weather is nice, and we definitely don't want trash and porta-potties baking in the sun directly beneath this window. There are two other options that I think would work well, without sacrificing anything. These facilities could be placed against the west-facing wall of the garage, or against the north facing wall of the adjacent building on Valencia, which has no north-facing windows. See these suggestions on your drawings

here: <https://www.dropbox.com/preview/Property/3483%2018th/parking%20development/701%20Valencia%20p.2.pdf>

I'd also love to learn a little more about how the planned space will be used:

- Where will tables and chairs be stored during Cherin's business hours?
- What hours will food trucks be allowed to operate?
- Will smoking be allowed in the community space? (We would very much prefer not.)

Looking forward to hearing more about your plans,

-Christopher Nash

415.519.9023

Jardines, Esmeralda (CPC)

From: Benny Gold <ben@bennygold.com>
Sent: Friday, March 02, 2018 12:49 PM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: Support For 701 Valencia

Esmerelda,

I am writing this email in support of the community space at 701 Valencia. As a long-term Mission District resident and Mission District business owner it is nice to see an outdoor space that caters to the general community. As a parent, it's nice to see an unused and often sketchy lot beautified and restored to a safe space for children and adults. San Francisco needs more community building and I feel this project will help the much needed positive shift.

Thank you,

Benny

<http://www.bennygold.com>
<http://instagram.com/bennygold>
<http://twitter.com/bennygold>

Jardines, Esmeralda (CPC)

From: Ashley Baltazar <ashleyabaltazar@gmail.com>
Sent: Friday, February 09, 2018 10:57 PM
To: Jardines, Esmeralda (CPC)
Cc: Argun
Subject: Fwd: 701 Valencia

>
> Hi Esmeralda,
>
> We received notice of the project at 701 Valencia. I'm interested in seeing the plans for the project. Can you please forward them to me.
>
> Thanks,
>
> Ashley

Jardines, Esmeralda (CPC)

From: Hamill <asata.hamill@gmail.com>
Sent: Saturday, March 03, 2018 7:49 AM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: 701 Valencia St.

Hi Esmeralda,

I am writing in response to a neighborhood posting about the [701 Valencia Street](#) parking lot space.

This portion of the Valencia street corridor has a vibrant nightlife with many nightclubs, bars, and restaurants nearby so I am a bit surprised by the concerns regarding noise. This area also has its share of social ills, including people struggling with mental health issues, illicit drug abuse, homeless, etc. As a registered nurse, who often provides assistance and medical care to many struggling members within our San Francisco communities, I believe a vacant lot in this area provides the potential space for this illicit activity to continue to take place.

From 2010-2011 my husband and I lived in the Mission district, very close to the projected project space. Within this period of time, many women were targeted and sexually assaulted by an individual terrorizing our neighborhood. It was later reported that the assailant's first victim was assaulted on 24th and South Van Ness, blocks away from the now projected project space. I personally lived in fear of walking throughout my own neighborhood, overcome with what or who might lurked behind each dark alleyway or isolated parking lot. As a woman, I would much prefer a well-lit and bustling open community space on this corner than the alternative.

Making use of the space that promotes families and individuals to actively engage in rebuilding the sense of community is a battle I feel each and every San Francisco citizen should uphold and I passionately believe this project will aid in doing so.

Please consider my input when making this important decision.

Sincerely,

Asata Hamill
San Francisco

Jardines, Esmeralda (CPC)

From: Arthur Gradstein <gradstein@gmail.com>
Sent: Wednesday, February 28, 2018 2:38 PM
To: Jardines, Esmeralda (CPC)
Cc: Ryen Motzek
Subject: In Support of Ryen Motzek's Proposal

Hi Esmeralda,

I'm starting to see some signs up with a negative framing regarding Ryen's plans for the parking lot at 701 Valencia Street.

As a resident who lives across the street, I too was initially concerned about what would happen to that lot, so I called Ryen for more information.

After speaking with him at length, I truly believe he has the best interests of the community at heart. He seems very thoughtful, courteous, and respectful of the local residents, and his plan for the lot doesn't seem egregious in any way. 18th and Valencia is already a lively intersection, and I don't think his plan will add any more noise, or noise during extended hours, than already exists there.

I also think it will turn what is currently a poorly-utilized space that attracts a negative element into a much more valuable and welcoming community space. While I only see a positive outcome from Ryen's proposal, I know that sometimes local residents can be weary of ANY changes to the status quo, often getting prematurely emotional and inflammatory about it. I'd urge you to consider these voices with a grain of salt.

If there were any problems with noise or anything else affecting the local residents, I have no doubt Ryen would want to solve it immediately, as he doesn't seem like he wants to burden or cause hardship on anyone. I think he's the right guy to improve this space.

Sincerely,

Arthur Gradstein

Jardines, Esmeralda (CPC)

From: A R <arlene.salviejo@gmail.com>
Sent: Friday, March 02, 2018 2:51 PM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: 701 Valencia Street

Hi Esmeralda,

I am writing to you as a San Francisco native. As a proud San Franciscan, I have seen the ups and downs, of this beautiful city has gone through that I still call home. With the recent news of this pending future community space, I can only see the positive of what Ryen wholeheartedly has intentions to do with this empty lot.

This proposal will bring the community together because they have a space to do just that, be a community. This proposal will bring more revenue into the city, jobs and a better appreciation of The Mission while other larger conglomerates don't care of any of those things mentioned above.

Ryen is the opposite - I believe he wants to bring the community together and his proposal will provide that.

I truly hope all things will be considered.

Sincerely,
Arlene

Jardines, Esmeralda (CPC)

From: Amy Manidis <amymanidis@yahoo.com>
Sent: Thursday, March 01, 2018 4:55 PM
To: Jardines, Esmeralda (CPC); richhillissf@gmail.com; Melgar, Myrna (CPC);
planning@rodneyfong.com; Koppel, Joel (CPC); Moore, Kathrin (CPC); Richards, Dennis
(CPC)
Subject: Open space 18th and Valencia

To whom it may concern:

Hi,

As an east coast transplant and resident of SF for 9 years (5 in the Mission) I wanted to write in support of and share my excitement for the new open space on 18th and Valencia. This in particular, not being directly in front of a business seems to tie more in with “community” space as in for anyone and everyone. One of my favorite traits of SF, and something not seen back east, is all the open public space. I look forward to my days off from the hospital when I can escape my long dark apartment grab coffee and good book head to a park or park-let for some interaction with other SF residents or give directions to a tourist. I look forward to see the revamping of the space for the better. With all new construction in SF these days and the changing cityscape I see how others can be concern or even feel left behind but to end with my favorite quote “While all changes do not lead to improvement, all improvement requires change”. Thank you for your time.

Amy Manidis

Resident of the Mission, Lover of outdoor space.

Jardines, Esmeralda (CPC)

From: Allison Keenan <allison.a.keenan@gmail.com>
Sent: Friday, March 02, 2018 11:31 AM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: 18th Street Lot

Hi Esmeralda,

I'm writing to show my support for the 18th street proposed community space . I lived on 20th and Valencia for a few years, and walked past that lot daily -- I would love to see it become cleaned up a bit, and used as a spot for local businesses (food trucks) to generate revenue, and a place for families and friends to gather.

As food trucks tend to be less costly for customers, I think this is a great way for families to enjoy Valencia st. and their surrounding neighborhood without spending a fortune at the nearby restaurants. I would've really enjoyed this in the time I lived just two blocks away. I like the idea of the shared community tables, and revamping the area without displacing anyone or severely hurting the environment. I really don't see any negatives to this!

Best,

Allison Keenan

Jardines, Esmeralda (CPC)

From: Pha Pha (Anna) Hamilton <ajptdh@gmail.com>
Sent: Friday, March 02, 2018 7:43 AM
To: richhillissf@gmail.com; Melgar, Myrna (CPC); planning@rodneyfong.com; Koppel, Joel (CPC); Moore, Kathrin (CPC); Richards, Dennis (CPC); Jardines, Esmeralda (CPC)
Subject: 701 Valencia Street project

Dear planning department,

I am a resident who lives at the corner of 18th and Valencia Streets.

I am very concerned about the proposed project for 701 Valencia Street as it will be an expanded outdoor eating space which they hope to keep open until 10pm. My specific concerns include:

- hours of operation
- noise
- congestion
- cleanliness - trash, urination (even with porta potties people urinate in the neighborhood)

I have young children and I feel this proposed project will be detrimental to my family's sleep, health, and overall quality of life. We do not want to live across the street from a beer garden.

We hope the city will consider families and our quality of life. We feel many developments do not take into consideration residents and specifically the well-being of children.

Please prioritize the needs of families and residents over food truck/ beer gardens!

Best,
Pha Pha (Anna) Hamilton

3498 -18th Street
San Francisco, CA

415-652-0772

Jardines, Esmeralda (CPC)

From: BG <bwgarrett@gmail.com>
Sent: Wednesday, March 07, 2018 4:54 PM
To: Jardines, Esmeralda (CPC); Ronen, Hillary
Cc: ryen@pristineparking.com
Subject: 701 Valencia Community Space

Dear Esmeralda and Hillary:

I am writing to express my support of the proposed community space at 701 Valencia. I live at Liberty and Valencia and have been a member of this community since 2003. The parklets, farmers market, and outdoor dining options on Valencia have dramatically improved our neighborhood and sense of community in such a short period of time. I see this as being no exception to creating an even stronger community through food. I look at Spark Social in Mission Bay and see how impressively well received that concept has been and see no reason why this won't be the same model of success.

Thanks very much for your consideration on this matter.

Brian Garrett

Jardines, Esmeralda (CPC)

From: Vertel Jackson <vertelj@gmail.com>
Sent: Thursday, March 08, 2018 9:38 AM
To: Jardines, Esmeralda (CPC); Ronen, Hillary
Cc: ryen@pristineparking.com
Subject: 701 Valencia

Esmerelda,

I am writing this email in support of the community space at 701 Valencia. I am resident of the city and often in the Mission and favor the neighborhood. I would love to see more outdoor spaces for events, its a beautiful state we live and the weather and this city needs more community building and I feel this project will help shift towards that.

Thank you.

--

Best,
Vertel Jackson
415.316.3477

Jardines, Esmeralda (CPC)

From: Svetlozar Kachev <svetlozar92@yahoo.com>
Sent: Wednesday, March 07, 2018 6:44 PM
To: Jardines, Esmeralda (CPC); Ronen, Hillary; Ryen Motzek
Subject: In support of Ryen Motzek's proposal for 701 Valencia St.

Hello there,

I am writing this email to show my support for this project.

In beautiful city as San Francisco it's always a good to have more places to relax and have some good food and conversation with friends/strangers.

When the lot is unattended you can see only broken glass and trash. Also, it can be a dangerous place to walk at night - there's many people with struggling with mental illness, drug abuse, homeless people, etc. I believe that this project is gonna bring more light to the people that are living/visiting this area.

Thank you,

Svetlozar



Virus-free. www.avg.com

Jardines, Esmeralda (CPC)

From: Miguel <mgl894@aol.com>
Sent: Wednesday, March 07, 2018 1:47 PM
To: Jardines, Esmeralda (CPC)
Subject: Re: 701 Valencia Street project Proposed

Hola Esmeralda,

También quiero mencionar que espero y el planning department aprecie y valore los negocios de propietarios Latinos estables en la comunidad. Estos negocios estaran en riesgo de perder clientela especialmente mi negocio, ya que está a una vecindad muy proxima.

De antemano te agradezco tu tiempo al leer mis preocupaciones.

Espero escuchar de ti pronto.

sinceramente,

Miguel Echeverria

> On Mar 5, 2018, at 5:34 PM, Jardines, Esmeralda (CPC) <esmeralda.jardines@sfgov.org> wrote:

>

> Hola Miguel,

>

> Igualmente! Fue un sincero placer conocerlo a usted este Sabado pasado. Y muchas gracias por ofrecer su restaurante; deveras que no se a donde nos uvieramos ido si no fuera por su genorasicidad! Muy amable!!

>

> Muchas gracias por compartir sus preocupaciones. Lo que usted a compartido va ser encluido en mi reporte para que la Commission de Plannificaion lo considere antes de actuar en la aplicacion. Tambien quiero una respuesta de el aplicante acerca de sus preocupaciones porque son muy validas! No se si habra agua caliente o fria pero dejeme le pregunto al aplicante. Si su eschedule lo permite, si, por favor venga a City Hall para el 15 de Marzo para expresar esta preocupacion o cualqiera que usted tenga. Claro que yo estaria disponible para traducir lo que usted quiera compartir.

>

> Aqui estoy para servirle, por favor dejeme saber en que le puedo ayudar.

>

> Thank you,

>

> Esmeralda Jardines, Senior Planner

> Southeast Team, Current Planning Division San Francisco Planning

> Department

> 1650 Mission Street, Suite 400 San Francisco, CA 94103

> Direct: 415.575.9144 | www.sfplanning.org San Francisco Property

> Information Map

>

>

>

> -----Original Message-----

> From: Miguel [<mailto:mgl894@aol.com>]
> Sent: Monday, March 05, 2018 3:42 PM
> To: Jardines, Esmeralda (CPC)
> Subject: 701 Valencia Street project Proposed

>

> Hola Esmeralda, Fue un placer conocerte el sábado pasado y tener la oportunidad de
conversar contigo acerca de mi concern. Como te avía mencionado acerca del baño, sábados y domingos tienen un food
truck y hemos observado que sus clientes pasan a usar nuestro baño lo cual no estamos de acuerdo, Lla que debido a
eso Nuestros clientes tienen que esperar más tiempo a que esté disponible, ahora que pongan mas carros será peor y
nosotros no podemos tener control y eso no es justo. Otra cosa mire que ellos van a poner toilets mobiles pienso que
Eso no sería higienico. Habrá agua caliente y fría para que los clientes se laven sus manos? Espero atender al hearing el
15 de Marzo y poder expresar mi preocupación. Será posible que tú me traduzcas ? Mi inglés no es muy bueno espero
tu respuesta muchas gracias.

Jardines, Esmeralda (CPC)

From: Jesse Wall <jessewall75@gmail.com>
Sent: Wednesday, March 07, 2018 4:46 PM
To: Jardines, Esmeralda (CPC)
Cc: Ryen Motzek
Subject: 701 Valencia

Hello,

I am writing to express my support for the anticipated changes to the Cherins parking lot at 701 Valencia. I am very excited for these planned changes as I frequent the mission district often. I love to ride my bike around town and love to stop by the lot there on a nice day when they have a food truck out. I think the new additions would even further strengthen the friendly vibe of the area around Dolores Park. I would love to see it change from just a dull parking lot to a great addition to San Francisco. I hope to see some changes soon!

Thank you,
Jesse Wall

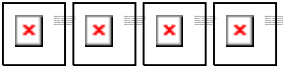
Jardines, Esmeralda (CPC)

From: Jeff Wright <jeff@thepearlsf.com>
Sent: Wednesday, March 07, 2018 4:28 PM
To: Jardines, Esmeralda (CPC); Ronen, Hillary
Cc: Ryen Motzek
Subject: 701 Valencia

Hello,

Just writing over in support of the 701 Valencia Project proposed by Ryen Motzek. I do think the area itself could benefit from having a friendly hang-out spot. I am also writing because I have done business with Ryen now for quite a long time and I think that it's worth saying that any project with him at the helm will be handled with extreme care, unwavering intelligence, and attention to detail.

Jeff Wright *Operations Manager, The Pearl*
510.500.7720 | 601 19th Street San Francisco, CA 94107
www.thepearlsf.com | [Virtual Tour](#)



Jardines, Esmeralda (CPC)

From: Jason Yim <jasonyim87@gmail.com>
Sent: Tuesday, March 06, 2018 2:53 PM
To: Jardines, Esmeralda (CPC)
Cc: ryen@pristineparking.com
Subject: Community Space at 701 Valencia

Hey Esmeralda,

Hope all is well! My name is Jason, and as a resident of the Mission district I'm writing to you in regards of Ryen opening up a community space on the corner of 18th and Valencia.

I've spoken to Ryen personally and I fully support this project. I think it would be great for the community to gather at this rarely utilized space, which would also in return support local businesses in the area. I personally don't see how this could be a negative effect on the neighborhood. Hoping that you'd reconsider!

Thank you for your time,

Best,
Jason

Jardines, Esmeralda (CPC)

From: mtnbikesf <mtnbikesf@yahoo.com>
Sent: Tuesday, March 06, 2018 10:23 AM
To: Jardines, Esmeralda (CPC)
Cc: richhillissf@gmail.com; Koppel, Joel (CPC); Richards, Dennis (CPC); Moore, Kathrin (CPC); Melgar, Myrna (CPC); planning@rodnevfong.com; Ronen, Hillary
Subject: 701 Valencia Street Project

Esmeralda:

Thank you for taking the time on Saturday morning to meet with concerned neighbors regarding the 701 Valencia Street Project (Cherin parking lot). Many concerns were raised and it was heartening to hear that the project operators (Ryan and Evan) were very 'open' to listening to our concerns. As a resident of the Valencia area for over 15 years, I am very concerned with the increase in the noise in our neighborhood. Over the past few years, with the increase in housing (not to mention that the 'Hot Valencia Corridor' is a destination for many bay area residents) has definitely increased the noise level in the area. Where I reside, there is a increased possibility that the noise level will increase with this outdoor space. I am speaking of what some may consider 'ambient' noise as one 'sits in the outdoor space', but as the sound waves travel and vibrate/ricochet off the flat walls of the Cherin buildings, the noise becomes 'amplified'. I speak from experience as I am 'awaken at all hours of the night where noise from this intersection and side streets. What I heard at this meeting, is that others voiced this concern as well. I also was surprised (though I should not have been as I type this) on how many of the attendees have filed complaints with the SFPD. (As a sidebar, I wonder if the SFPD keeps statistics on the number of noise complaints that are issued for the area). Besides families living in the neighborhood, I was glad to see a representative from the Senior Housing Complex also voicing their concern. I am not against the utilization of the outdoor space, I am concerned about the noise levels in the evening/night and the impact of these noise levels on our community. Studies have shown that people need a certain number of hours of continuous sleep/REM and that noise levels may have an adverse effect on ones' health.

Many attendees at the meeting wanted to shorten the hours of operations from 10pm to 8pm while others would prefer the space be used for something else. As I said earlier, I am not against the utilization of the space as proposed, I would also like to see shorter hours and suggest 9pm.

Kind Regards

Greg

Jardines, Esmeralda (CPC)

From: Bruce <bruce2010@yahoo.com>
Sent: Wednesday, March 07, 2018 9:02 PM
To: Jardines, Esmeralda (CPC)
Cc: Ronen, Hillary; richhillissf@gmail.com; Melgar, Myrna (CPC);
planning@rodneymfong.com; Koppel, Joel (CPC); Moore, Kathrin (CPC); Richards, Dennis (CPC); Ronen, Hillary
Subject: 701 Valencia Project

I am a 15 year homeowner along Valencia Street and am opposed to the proposal to permit a food truck beer garden in the parking lot of 701 Valencia Street at 18th Street.

The stated the purpose of the plan is to promote community. Which is a good goal. But, there is a community in this neighborhood which the proposal ignores, which is residents. My concerns are:

An outdoor drinking area brings noise. For this project to succeed, it needs to draw a lively crowd, which will be noisy. Residents nearby will not be able to open windows without having to deal with the beer garden customers. I have lived here long enough to know that people who are drinking are loud; just stand on the sidewalk at Valencia and 18th any night and you will notice this. Imagine this noise is coming into your house, whether at 4:00 pm or 6:00 pm when it will be in addition to the normal noise at this time. Or at 8:00 pm or 10:00 pm when you might currently be able to have some quiet time. In a compact area such as the Mission, noise travels.

The applicant says this project gives an affordable space to local vendors, which means food trucks. Food trucks have other means to operate on Valencia Street, or other locations in the city. And, has the idea of food trucks with no beer been considered?

Valencia Street has no shortage of beer and food options. There is no need for another one.

The applicant says this project promotes bike safety by reducing cars crossing the bike lane into the driveway. This is not worth addressing. But, what is a consideration is that the corner of 18th and Valencia is normally crowded. If people line up on the sidewalk waiting to go to the beer garden, pedestrians will be forced into the street.

At the community meeting, the applicant said he would provide a solution to the neighbors' noise complaints if noise becomes a problem. This is an after the fact solution. Who makes the determination that there is a problem? The same person responsible for the solution?

Bruce Westland



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
701 VALENCIA ST		3589/098 + 3589/099
Case No.		Permit No.
2017-004489PRJ		
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
<p>Project description for Planning Department approval. Conditional Use Authorization to permit commercial parking when lot is not being used for accessory parking by Cherin's Appliance Store. The project is also establishing principally permitted outdoor activity area and new restaurant uses.</p>		

STEP 1: EXEMPTION CLASS

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.; change of use under 10,000 sq. ft.
<input checked="" type="checkbox"/>	Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions
<input type="checkbox"/>	<p>Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p>FOR ENVIRONMENTAL PLANNING USE ONLY</p>
<input type="checkbox"/>	Class _____

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an *Environmental Evaluation Application* is required.

<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non -archeological sensitive area? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required.

If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an *Environmental Evaluation Application* is required, unless reviewed by an Environmental Planner.

Comments and Planner Signature (optional):

Though within a liquefaction zone, the proposed project is not proposing a square footage expansion exceeding 1,000 square feet outside of the existing building footprint, is not excavating more than 50 cubic yards, and is not proposing any new construction or grading.

Existing condition includes illegal commercial parking and food trucks.

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)	
<input type="checkbox"/>	Category A: Known Historical Resource. GO TO STEP 5.
<input checked="" type="checkbox"/>	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.
<input type="checkbox"/>	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.

STEP 4: PROPOSED WORK CHECKLIST
TO BE COMPLETED BY PROJECT PLANNER

Check all that apply to the project.	
<input checked="" type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input checked="" type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input checked="" type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

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

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

<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation <input type="checkbox"/> Reclassify to Category A a. Per HRER dated b. Other (specify): <input type="checkbox"/> Reclassify to Category C (attach HRER)
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.	
<input type="checkbox"/>	Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.
<input type="checkbox"/>	Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.
Comments (optional):	
Preservation Planner Signature:	

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

<input type="checkbox"/>	Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 - CEQA Impacts <input type="checkbox"/> Step 5 - Advanced Historical Review STOP! Must file an <i>Environmental Evaluation Application</i>.	
<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Commission Hearing	Signature: Esmeralda Jardines
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	03/08/2018
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
701 VALENCIA ST		3589/098 # 3589/099
Case No.	Previous Building Permit No.	New Building Permit No.
2017-004489PRJ		
Plans Dated	Previous Approval Action	New Approval Action
	Commission Hearing	
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required.	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp:



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

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

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Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion No. 20139 HEARING DATE: MARCH 15, 2018

Case No.: 2017-004489CUA
 Project Address: 701 VALENCIA STREET
 Zoning: Valencia Street Neighborhood Commercial Transit (NCT) Zoning District
 55-X Height and Bulk District
 Block/Lot: 3589/098 and 099
 Project Sponsor: Ryen Motzek
 391 29th Street #2
 San Francisco, CA 94131
 Staff Contact: Esmeralda Jardines – (415) 575-9144
esmeralda.jardines@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 762 TO LEGALIZE THE TEMPORARY CONVERSION OF AN ACCESSORY PARKING LOT TO A COMMERCIAL PARKING LOT WITHIN THE VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT ZONING DISTRICT AND A 55-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 12, 2017, Ryen Motzek (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 303 and 762 to allow the temporary conversion of an accessory parking lot to a commercial parking lot in the Valencia Street NCT Zoning District and a 55-X Height and Bulk District.

On February 22, 2018, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2017-004489CUA. At this public hearing, the Project was continued to the public hearing on March 15, 2018.

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 3 categorical exemption.

The Planning Commission Secretary is the custodian of records, located in the File for Case No. 2017-004489CUA at 1650 Mission Street, Fourth Floor, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2017-004489CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The Project is located on the east side of Valencia Street and on the south side of 18th Street on Assessor's Block 3589, Lots 098 and 099. The subject parcels cumulatively measure approximately 4,800 square feet and are improved with an approximately 450 square-foot garage with a surface parking lot providing accessory parking for the adjacent retail use (DBA Cherin's Appliances) at 711 Valencia Street. The subject property contains approximately 60 feet of frontage on Valencia Street and 80 feet of frontage on 18th Street.
3. **Surrounding Properties and Neighborhood.** The Project site is a corner lot fronting both Valencia Street and 18th Street; the block face is bounded by 18th Street and 19th Street. To the north and west are three to five-story multi-family residential mixed-use buildings. To the east is a two-story mixed-use building with a ground floor restaurant and residential above, to the south are non-residential uses and Cherin's Appliances store. The Project site is located in the Valencia Street NCT Zoning District, which consists of a variety of neighborhood-serving uses with upper-story residential uses. A mixture of food establishments, personal services, and small retail establishments define the District. The surrounding properties are located within the Valencia Street NCT (along Valencia Street), RTO-M (Residential Transit-Oriented Mission), UMU (Urban Mixed Use), and Mission Street NCT Zoning Districts.
4. **Project Description.** The proposed project includes legalization of an existing commercial parking lot, which currently also provides accessory parking for adjacent Cherin's Appliances at 711 Valencia Street. This commercial parking lot will be in operation when not in use by the adjacent store, primarily from 5:00 PM to 12:00 AM from Tuesday to Saturday and 6:00 AM to 12:00 AM Monday and Sunday. The existing parking striping and layout provides 12 standard parking stalls including 1 ADA accessible stall. The Project Sponsor (DBA Pristine Parking) will operate nine off-street parking spaces as a temporary automobile parking lot measuring 4,800 square feet, when not needed as accessory parking for Cherin's Appliances. The spaces to be utilized as automobile parking as well as ingress/egress are located on a corner surface parking lot facility and are proposed to be accessed from the existing curb cut along 18th Street.

5. **Public Comment/Community Outreach.** To date, the Department has received several public comments inquiring, opposing and supporting the project. The opposition is primarily concerned with: hours of operation, noise, congestion, cleanliness, and impacts to pedestrian and cyclists. A neighboring restaurant is concerned that the proposed portable bathrooms for the outdoor activity area and restaurant (mobile food facilities) are insufficient. The neighboring restaurant is concerned that 701 Valencia Street patrons will instead be incentivized to use their restrooms, exacerbating their limited supply, unless 701 Valencia Street provides adequate restrooms. The support is supportive of how the outdoor activity area and restaurant (mobile food facilities) will positively transform the surface parking lot. Members of the public are in support of the physical improvements that are proposed, the food options it will provide, and the local businesses it will support and accommodate space for.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Uses.** Per Planning Code Section 762, a public parking lot is conditionally permitted within the Valencia Street NCT Zoning District. As part of the project, a new outdoor activity area and restaurant (mobile food facilities) would be established; these uses are principally permitted within the Valencia NCT District.

The Project would legalize a temporary commercial parking lot when the existing parking lot is not in use by adjacent Cherin's Appliances at 711 Valencia Street.

The Commission does not find the proposed restaurant and outdoor activity area to be necessary or desirable at 701 Valencia Street given the abundance and prevalence of other nearby eating and drinking establishments. The Commission has added a condition of approval for the parking lot use, which would prohibit restaurant and limited restaurant uses on the project site, while operating as a commercial parking lot.

- B. **Off-Street Parking.** Per Planning Code Section 762, off-street parking is not required for commercial uses within the Valencia NCT District; limits are set forth per Planning Code Section 151.1.

Per Planning Code Section 151.1, 12 off-street car parking spaces are permitted as accessory for the retail sales and service use (DBA Cherin's Appliances) as one space is permitted for every 500 square feet of occupied floor area. Cherin's currently occupies approximately 5,998 square feet of occupied floor area, and the surface parking lot provides 12 off-street parking accessory spaces for this use. No additional spaces are proposed upon legalizing the commercial parking lot and the project sponsor is proposing to use nine spaces for the commercial parking lot use.

- C. **Screening and Greening of Parking and Vehicle Use Areas.** Planning Code Section 142 requires that all vehicular use areas that are greater than 25 linear feet adjacent to the public right-of-way shall provide a screening feature around the perimeter of the lot adjacent to the public right-of-way.

The project site has approximately 60 feet of frontage along Valencia Street and approximately 80 feet along 18th Street. The existing parking lot will meet this requirement with proposed rollaway landscaped planter boxes around the perimeter that will screen the parking lot from view. The screening shall add to the visual diversity of the use and will not be an opaque barrier.

- D. **Parking Lots.** Planning Code Section 156(c) requires that any parking lot for two or more automobiles which adjoins a lot in any R District, or which faces a lot in any R District across a street or alley; as well as any parking lot for ten or more vehicles shall be screened in accordance with the standards described in Section 142, Screening and Greening of Parking and Vehicle Use Areas.

The frontage along 18th Street is adjacent to and faces an RTO-M District; further, the existing parking lot provides 12 off-street parking spaces, while the proposed parking lot use would provide 9 off-street parking spaces. The proposed parking lot will provide a code-complying screening feature around the perimeter of the lot adjacent to the public right-of-way per the aforementioned requirements in Section 142.

- E. **Lighting.** Planning Code Section 156(d) requires that all lighting used to illuminate a parking lot for any number of automobiles shall be so arranged that all direct rays from such lighting fall entirely within the parking lot.

The subject parking lot already meets this requirement and is currently illuminated by spotlights that are arranged to direct all rays downward directly onto the lot. Any future lighting will also be required to demonstrate compliance with Section 156(d).

- F. **Interior Landscaping and Street Trees.** Planning Code Section 156(h) requires that all permanent parking lots are required to provide one tree per five parking spaces in a manner that is compliant with the applicable water use requirements of Administrative Code Chapter 63 and a minimum of 20 percent permeable surface.

The proposal is not a permanent parking lot; the Conditional Use Authorization is only for legalizing a temporary commercial parking lot, which will be further limited to a maximum of three years. However, the project sponsor will install planter/landscaping around the perimeter of the site and place tree boxes on the site.

- G. **Hours of Operation.** Planning Code Section 762 states that the principally permitted hours of operation in the Valencia NCT Zoning District are from 6 AM to 2 AM.

When used by Cherin's Appliances, the proposed hours of operation are Tuesday through Saturday from 8:00 AM to 5:00 PM; when operating a commercial parking lot, the proposed hours of operation are from 6:00 AM to 12:00 AM Monday and Sunday. Per Planning Code Section 762, the proposed hours of operation are code-complying.

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

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

The proposed temporary use is desirable as a shared use of an existing facility and, during the off-hours of the adjacent retail use, as it will alleviate short-term demand for on-street parking. The commercial parking lot will provide supplemental parking for patrons of the nearby retail and entertainment venue establishments. The underutilized spaces will provide a temporary use that is desirable for the neighborhood, and the existing parking lot will not be enlarged or altered to accommodate this temporary use.

The Commission has determined that a restaurant or limited restaurant use at this location would not be necessary or desirable for the surrounding community, due to the overabundance of nearby eating and drinking establishments within the vicinity of the project site. While the parking lot is in use, the Commission has added a condition of approval to prohibit restaurant and limited restaurant uses on the project site.

B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The project does not include any physical alterations to the existing garage structure. The existing parking lot will be improved with landscaped planter boxes around the perimeter of the site. The project will not add any new curb cuts that would interfere with pedestrian, vehicular or MUNI traffic. The project will benefit the surrounding neighborhood by providing off-street parking for the neighborhood commercial districts within the vicinity.

ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The existing lot is large enough to provide on-site circulation, reducing the likelihood of queueing in the street. Traffic conditions will remain substantially unaltered by this project because the proposed use provides nine existing spaces for patrons of nearby bars, restaurants and entertainment venues. The Project could potentially alleviate traffic as the existing on-street demand for parking will be reduced by providing unused spaces for the public to park their vehicles.

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

The Project utilizes existing parking spaces and will not create any additional noxious or offensive emissions such as glare, dust or odors.

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

The Project improves the existing conditions by adding new landscaped planter boxes around the perimeter along the property lines adjacent to the public right-of-ways, Valencia Street and 18th Street. Further, the project is proposing tree boxes within the parking lot facility.

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

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

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

The Project is consistent with the stated purpose of the Valencia Street NCT Zoning District, which is intended to offer a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood. The conversion of the subject accessory parking lot to a commercial parking lot provides an opportunity for city residents living in neighborhoods with limited public transportation options to visit the district.

- 8. **Planning Code Section 303(t)(3)** establishes criteria, considerations and procedures for non-accessory parking facilities in transit-oriented neighborhoods. On balance, the project does comply with said criteria in that:

- a) The rate structure of Section 155(g) shall apply.

In order to discourage long-term commuter parking, any off-street parking spaces provided for a structure or use other than residential or hotel, whether classified as an accessory or conditional use, shall maintain a rate or fee structure for their use such that the rate charge for four hours of parking duration is no more than four times the rate charge for the first hour, and the rate charge for eight or more hours of parking duration is no less than 10 times the rate charge for the first hour. Additionally, no discounted parking rate shall be permitted for weekly, monthly or similar time-specific periods. The 701 Valencia Street applicant has confirmed the aforementioned rate structure will be utilized.

- b) Project sponsor has produced a survey of the supply and utilization of all existing publicly-accessible parking facilities, both publicly and privately owned, within ½-mile of the subject

site, and has demonstrated that such facilities do not contain excess capacity, including via more efficient space management or extended operations.

The project sponsor has conducted a survey of the supply and utilization of all existing publicly-accessible parking facilities, both publicly and privately owned, within 1/2 mile of 701 Valencia Street. The sponsor has demonstrated that such facilities do not contain excess capacity. The results of the aforementioned survey are attached as an exhibit to this report.

- c) In the case of expansion of existing facilities, the facility to be expanded has already maximized capacity through use of all feasible space efficient techniques, including valet operation or mechanical stackers.

The proposal is to utilize the existing off-street parking spaces. No expansion of the existing facility is proposed. A reduction in off-street parking spaces is proposed.

- d) The proposed facility meets or exceeds all relevant urban design requirements and policies of this Code and the General Plan regarding wrapping with active uses and architectural screening, and such parking is not accessed from any frontages protected in Section 155(r).

The proposed facility will satisfy all relevant urban design requirements and policies of the Planning Code and General Plan. The proposed lot is an existing nonconforming facility. Valencia Street is a protected pedestrian, cycling and transit-oriented street frontage per Planning Code Section 155(r). Although within this vicinity, 701 Valencia Street is not a development lot for the purposes of Planning Code Section 155, since the Project does not involve new construction, an increase in existing square footage or a change in use which results in the increase in gross floor area. Pre-existing access to off-street parking and loading on development lots that violates the restrictions of this Section 155(r) may not be maintained. The proposed project at 701 Valencia Street is not considered a development lot. However, when operating any of the new proposed uses, the Valencia Street frontage should remain blocked to vehicular access because an alternative frontage, 18th Street, is available.

- e) Non-accessory parking facilities shall be permitted in new construction only if the ratio between the amount of occupied floor area of principally or conditionally-permitted non-parking uses to the amount of occupied floor area of parking is at least two to one.

New construction is not proposed as part of the Project. Currently, the subject parking lot is an accessory parking lot for the adjacent Cherin's Appliances at 711 Valencia Street. The proposal is to legalize the existing parking lot as a commercial lot when not in use by the aforementioned retail establishment as a short-term solution.

- f) The proposed facility shall dedicate no less than 5% of its spaces for short-term, transient use by car share vehicles as defined in Section 166, vanpool, rideshare, or other co-operative auto programs, and shall locate these vehicles in a convenient and priority location. These spaces shall not be used for long-term storage nor satisfy the requirement of Section 166, but rather are intended for use by short-term visitors and customers. Parking facilities intended for sole and dedicated use as long-term storage for company or government fleet vehicles, and not to be available to the public nor to any employees for commute purposes, are not subject to this requirement;

The proposed commercial parking lot with 12 existing off-street parking spaces is proposing to provide one of the aforementioned spaces for short-term, transient use by a high-occupancy vehicle.

- g) For new or expanding publicly owned non-accessory parking facilities in the C-3, RC, NCT, and RTO Districts, the following shall also apply:
- (i) Expansion or implementation of techniques to increase utilization of existing public parking facilities in the vicinity has been explored in preference to creation of new facilities, and has been demonstrated to be infeasible;
 - (ii) The City has demonstrated that all major institutions (cultural, educational, government) and employers in the area intended to be served by the proposed facility have Transportation Demand Management programs in place to encourage and facilitate use of public transit, carpooling, car sharing, bicycling, walking, and taxis;
 - (iii) The City has demonstrated that conflicts with pedestrian, cycling, and transit movement resulting from the placement of driveways and ramps, the breaking of continuity of shopping facilities along sidewalks, and the drawing of traffic through areas of heavy pedestrian concentration, have been minimized, and such impacts have been mitigated to the fullest extent possible; and
 - (iv) The proposed parking conforms to the objectives and policies of the General Plan and any applicable area plans, and is consistent with the City's transportation management, sustainability, and climate protection goals.

The proposed commercial parking lot is not publicly owned; therefore, the aforementioned requirements do not apply.

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 2:

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

The availability of existing unused parking at the subject site for use as a temporary parking lot offers relief in parking demand, thereby contributing to the economic vitality of the area.

OBJECTIVE 6:

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

The Project makes use of existing, underutilized facilities and would not displace any existing commercial activity. By limiting the approval to three years, the proposed temporary use would not preclude development of the lot for other commercial uses.

During store business hours (for 711 Valencia Street), the 701 Valencia Street parking lot will be used as accessory parking for Cherin's customers to park and load. The proposed commercial parking lot will only be used during an interim period.

TRANSPORTATION ELEMENT

Citywide Parking

Objectives and Policies

OBJECTIVE 30:

ENSURE THAT THE PROVISION OF NEW OR ENLARGED PARKING FACILITIES DOES NOT ADVERSELY AFFECT THE LIVABILITY AND DESIRABILITY OF THE CITY AND ITS VARIOUS NEIGHBORHOODS.

Policy 30.1

Assure that new or enlarged parking facilities meet need, locational and design criteria:

- There is a demonstrated demand for additional parking space in the surrounding area in relation to the supply provided or resulting from a specific development.
- This demand cannot be met by existing available facilities or more efficient use of existing facilities.
- In the case of desired accessory parking (i.e. parking customarily provided incidental to a permitted use and directly related to the activities conducted on the site of the use) its need is clearly established and not presumed.
- The location is appropriate in terms of adjacent land uses.
- Conflict between pedestrian and bicycle movements and driveways or ramps is minimized and additional auto traffic through areas of heavy pedestrian concentration is avoided.

- The design and operating policy of the facility is such that vehicles can be admitted rapidly, to avoid the use of the street as a waiting area for entrance into the facility and to avoid the situation of automobiles idling for a long period of time.
- Adequate provisions are made to accommodate parking and egress for people with mobility impairments.

The 701 Valencia Street team conducted a supply and utilization survey of all existing publicly-accessible parking facilities within a 1/2 mile radius of the subject site, as outlined in Planning Code Section 303(t)(3) and attached as an exhibit. Per the project sponsor's analysis, the survey analyzed 5 surveyed sites including: 2351 Mission Street, 606 Capp Street, 3255 21st Street, 42 Hoff Street, and 3111 17th Street. The Survey results of the supply and utilization of all existing publicly-accessible parking facilities within 1/2 mile of the subject site (701 Valencia) show that there is limited excess capacity at these facilities. They Survey also shows that there are no parking facilities on Valencia Street for patrons to utilize during the dinner hours from 5 PM to 9 PM as proposed on most days. There are restaurants on Valencia Street between 16th Street and 20th Street without parking options on Valencia Street except for public metered spaces. During the aforementioned times, there are limited public metered spaces available and providing 12 spaces at 701 Valencia is a relief for patrons and businesses in the area.

The average usage for each parking facility survey includes: 61% usage at 2351 Mission Street, 69% usage at 606 Capp Street, 74% usage at 3255 21st Street, and 57% usage at 3111 17th Street. The average usage of all five lots that were surveyed was 58% full capacity. Parking facilities were surveyed during morning and evening hours. Two of the aforementioned facilities that were surveyed, 3255 21st Street and 42 Hoff Street, include monthly permit holders only along with spaces open to the public.

Policy 30.6:

Make existing and new accessory parking available to nearby residents and the general public for use as short-term or evening parking when not being utilized by the business or institution to which it is accessory.

The Project will use existing, underutilized parking spaces to provide convenient parking for nearby residents and the general public, in addition to alleviating parking demand in order to maintain the high quality living environment of the City.

OBJECTIVE 35:

MEET SHORT-TERM PARKING NEEDS IN NEIGHBORHOOD SHOPPING DISTRICTS CONSISTENT WITH PRESERVATION OF A DESIRABLE ENVIRONMENT FOR PEDESTRIANS AND RESIDENTS.

Policy 35.2

Assure that new neighborhood shopping district parking facilities and other auto-oriented uses meet established guidelines.

In addition to the criteria for new parking facilities in Objective 30, Policy 1, the following guidelines should be considered in the review of proposed new facilities in Neighborhood Commercial Districts:

- Parking Facilities should be located to provide convenient access to desired shopping destinations. However, they should be located in such a manner that lessens the amount of traffic traveling through the district, does not disrupt the continuity of the shopping district, and that neither gives it priority over nor impedes access to destinations for persons arriving by transit, bicycle or on foot.
- Multiple use of parking structures and lots should be provided wherever feasible.
- The location and configuration of curb cuts and entrances to off-street parking should be designed to minimize safety hazards and access conflicts to pedestrians, transit operations and bicyclists, and to be sensitive to the design and scale of the urban streetscape.

The proposed commercial parking lot is conveniently located near the Mission Street and Valencia Street shopping corridors. Whilst operating as a commercial parking lot, the parking facility will only be accessible from 18th Street. Planter boxes and food trucks will block the Valencia Street frontage, diverting vehicular traffic away from the protected-bicycle and pedestrian street. Therefore, the proposed parking lot would not disrupt the continuity of the shopping district.

10. **Mission Area Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the Mission Area Plan.

BUILT FORM

OBJECTIVE 3.2:

PROMOTE AN URBAN FORM AND ARCHITECTURAL CHARACTER THAT SUPPORTS WALKING AND SUSTAINS A DIVERSE, ACTIVE AND SAFE PUBLIC REALM

Policy 3.2.3

Minimize the visual impact of parking.

Where a building has two frontages, parking entrances, loading docks, bays, and auxiliary service entrances should be accessed from secondary streets, and their visual impact on the neighborhood should be minimized.

As part of the conditional use authorization, roll-away planter/landscaping boxes will be placed around the periphery of the parking lot facility. When operating as a commercial parking lot, the Valencia Street frontage will be closed off with landscaped planter boxes and the site will be accessed from 18th Street.

TRANSPORTATION

Objectives and Policies

OBJECTIVE 4.3:

ESTABLISH PARKING POLICIES THAT IMPROVE THE QUALITY OF NEIGHBORHOODS AND REDUCE CONGESTION AND PRIVATE VEHICLE TRIPS BY ENCOURAGING TRAVEL BY NON-AUTO MODES.

Policy 4.3.4

Encourage, or require where appropriate, innovative parking arrangements that make efficient use of space, particularly where cars will not be used on a daily basis.

Allowing a commercial parking lot to operate at 701 Valencia Street while not utilized as accessory parking for the adjacent retail use at 711 Valencia Street (DBA Cherin's Appliances), permits an efficient use of space at an existing facility. Further, whilst operating as a commercial parking lot, the Valencia Street entrance will be blocked with food trucks and planter boxes, further enhancing the protected-bicycle and pedestrian Street.

Valencia and 18th Street are part of the cyclist and pedestrian high injury network and 701 Valencia is within the Vision Zero High Injury Network; the latter of which aims for zero traffic deaths in San Francisco by 2024.

The temporary entrance closure of Valencia Street is rather significant as it will reduce potential cyclist and pedestrian collisions with vehicular traffic and further enhance the protected-bicycle and pedestrian street frontage.

11. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The Project will assist in alleviating on-street parking demand. To assist in preserving existing neighborhood-serving retail uses, the Commission has added a condition of approval to prohibit a restaurant or limited restaurant use, while the project site is used for a commercial parking lot. Thereafter, the site will activate a surface parking lot by providing additional food establishments to support the retail uses within the district.

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

The commercial parking lot will utilize an existing parking facility. It will also remove three parking spaces. Therefore, the Project will not have any effect on the cultural or economic diversity of the neighborhood but instead will enhance it.

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

The Project would not have any effect on the City's supply of affordable housing. No housing exists on the project site.

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

The Project will not impede MUNI services or overburden streets or neighborhood parking. Rather, the Project will reduce the neighborhood's parking scarcity by using an existing underutilized parking facility temporarily. Currently, there is an existing curb cut along 18th Street that will remain. The 33 MUNI bus route runs along 18th Street and will continue operating accordingly without any impediment to MUNI services.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project will not displace any service or industry establishment. The Project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.

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

This Project will not affect the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The Project does propose any alterations to the existing garage structure on the site; thus, neither landmarks nor historic buildings will be affected.

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

The Project will have no negative effect on existing parks and open spaces.

12. The project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
13. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2017-004489CUA**, pursuant to Planning Code Sections 303 and 762, for the temporary conversion of an accessory parking lot to a commercial parking lot within the Valencia Street NCT Zoning District and a 55-X Height and Bulk District.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 20139. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94012.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on March 15, 2018.



Christine L. Silva
Acting Commission Secretary

AYES: Fong, Hillis, Johnson, Koppel, Melgar and Richards

ABSENT: Moore

ADOPTED: March 15, 2018

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the temporary conversion of an accessory parking lot to a commercial parking lot (DBA Pristine Parking) located at 701 Valencia Street, Block 3589, Lot 098 and Lot 099, pursuant to Planning Code Sections 303 and 762, within the Valencia Street NCT Zoning District and a 55-X Height and Bulk District; in general conformance with plans, stamped "EXHIBIT B" included in the docket for Case No. 2017-004489CUA and subject to conditions of approval reviewed and approved by the Commission on March 15, 2018 under Motion No. 20139. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on March 15, 2018 under Motion No. 20139.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 20139 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 and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. 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. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

DESIGN

2. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

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

3. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.

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

4. **Landscaping, Screening of Parking and Vehicular Use Areas.** Pursuant to Planning Code Section 142, the Project Sponsor shall submit a site plan to the Planning Department prior to Planning approval of the building permit application indicating the screening of parking and vehicle use areas not within a building. The design and location of the screening and design of any fencing shall be as approved by the Planning Department. The size and species of plant materials shall be as approved by the Department of Public Works. Landscaping shall be maintained and replaced as necessary.

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

PARKING AND TRAFFIC

5. **Parking Maximum.** Pursuant to Planning Code Section 151.1, the Project shall provide no more than **nine (9)** off-street parking spaces for use as part of the commercial parking lot.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

MONITORING

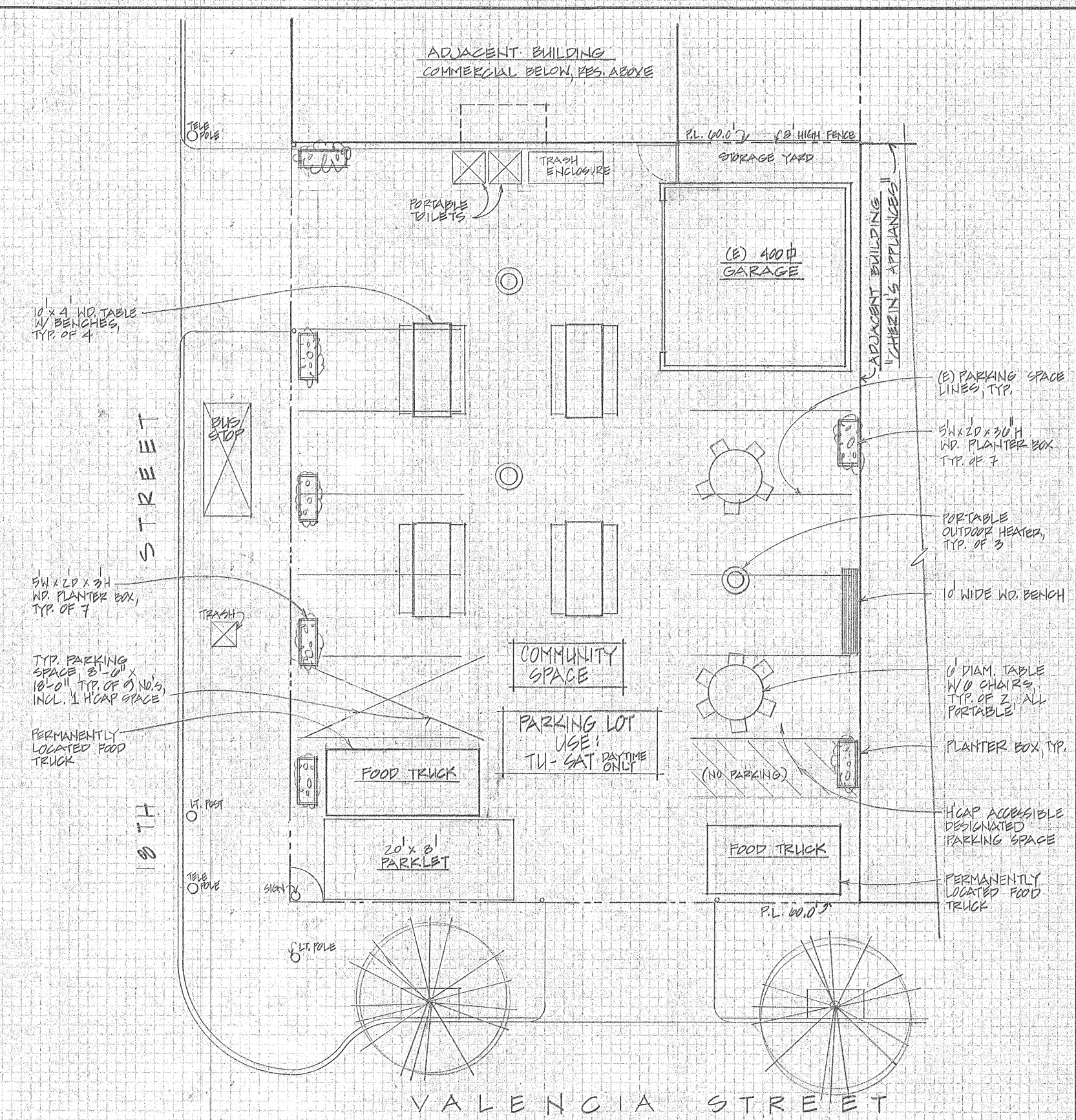
6. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
7. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

8. **Prohibition of Limited Restaurant and Restaurant Uses.** While operating as a commercial parking lot, the project site at 701 Valencia Street shall be prohibited from establishing Limited Restaurant or Restaurant uses; this shall include a prohibition on accessory or temporary uses and/or mobile food facilities on the project site.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
9. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the site and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>*
10. **Temporary Parking Lot.** The authorization to operate this temporary automobile parking lot is limited to the 9 existing spaces located on Assessor's Lot 098 and Lot 099 in Block 3589 and is valid for a period not to exceed three years from the date of approval of this Conditional Use Motion. To continue this use beyond the three years, a new Conditional Use Authorization from the Planning Commission shall be required.

11. **18th Street Frontage Site Access.** The vehicular access to operate this temporary automobile parking lot is limited to the existing street frontage access along 18th Street. The Valencia Street frontage must remain closed via landscaped planter boxes prohibiting vehicular access from Valencia Street.
12. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
13. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
14. **Hours of Operation.** The subject establishment is limited to the following hours of operation as accessory parking to the adjacent retail use at 711 Valencia Street: Tuesday through Saturday from 8:00 AM to 5:00 PM.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
15. **Hours of Operation.** The subject establishment is limited to the following hours of operation as a commercial parking lot: Monday and Sunday from 6:00 AM to 12:00 AM; as well as Tuesday through Saturday from 5:00 PM to 12:00 AM.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
16. **Noise.** The subject establishment is limited to the noise permitted per the City and County of San Francisco Police Code's Noise Ordinance, Article 29, Section 2909. *For information about compliance with the requirements for noise limits contact the Police Department at 415-553-0123, www.sf-police.org.*

REVISIONS	BY



PROPOSED PLOT PLAN

COMMUNITY SPACE &
 CHERIN'S PARKING LOT
 701 VALENCIA STREET
 SAN FRANCISCO, CA 94110
 APPLICANT: RYEN MOTIEK (415) 743-0133

NOTE: EXISTING PARKING LOT WILL BE USED FOR PARKING TUES THRU SAT. DURING DAYTIME HOURS ONLY, AND INCLUDES 9 NO.'S (8'-0" X 18'-0") PARKING SPACES, INCL. HCAP SPACE.

PROPOSED PLOT PLAN: COMMUNITY SPACE / PARKING LOT

1/8" = 1'-0"



Date	DEC 2017
Scale	1/8" = 1'-0"
Drawn	DL
Job	
Sheet	A2
Of	2 Sheets

LAW OFFICES OF
THOMAS J. LALANNE

400 HARBOR DRIVE
SAUSALITO, CALIFORNIA 94965

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2018 APR 16 PM 2:11

TELEPHONE (415) 434-1122

FAX (415) 434-1125

April 16, 2018

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102

Re: 701 Valencia Street Conditional Use Authorization Appeal
Case No.: 2017-004489CUA
Planning Commission Motion No. 20139
Project Sponsor: Ryen Motzek
Our File No. 1127

Gentlepeople:

I write on behalf of my client, project sponsor Ryen Motzek. Mr. Motzek was granted a conditional use authorization ("CUA") by the San Francisco Planning Commission on March 15, 2018 allowing the temporary conversion of an accessory parking lot located at 701 Valencia Street to a commercial parking lot. However, the CUA contained a condition that prohibits use of the lot for restaurant or limited restaurant uses, including a prohibition on accessory or temporary uses and/or mobile food facilities. The project sponsor appeals the imposition of the aforementioned condition.

Parts of Decision the Appeal is Taken From

Condition of approval contained in Exhibit A to Planning Commission Motion, ¶ 8:

Prohibition of Limited Restaurant and Restaurant Uses. While operating as a commercial parking lot, the project site at 701 Valencia Street shall be prohibited from establishing Limited Restaurant or Restaurant uses; this shall include a prohibition on accessory or temporary uses and/or mobile food facilities in the project site.

Reasons in Support of Appeal

In addition to seeking legalization of an existing commercial parking lot, the project sponsor sought approval of a principally permitted outdoor activity area and restaurant with tables and chairs for approximately 20 - 25 patrons. The restaurant was to be operated in conjunction with a mobile food truck owned and operated by Señor Sisiq, a purveyor of Filipino fusion food. As originally planned, the site was also be used for service of beer and wine.

LAW OFFICES OF
THOMAS J. LALANNE

Board of Supervisors
April 16, 2018
Page 2

The project sponsor sought and received a Letter of Determination from the Planning Department, which stated that the uses proposed, including the conversion of the lot to a restaurant with on-premises beer and wine sales and an indoor/outdoor eating and drinking area were principally permitted uses under the Planning Code. The project was also thoroughly reviewed by the San Francisco Planning Staff, which found the project to be a necessary and desirable addition to the neighborhood. The Planning Staff recommended approval of the project as proposed, with conditions. However, the conditions discussed between the staff and the project sponsor had to do with limitations on hours of operation, and limitations on noise, lighting and odor. The project sponsor has agreed to conditions which meet or exceed those proposed by the staff.

At the March 15, 2018 public hearing before the Planning Commission, concerns were raised by members of the public about noise, late hours of operation, alcohol sales and how Latino serving businesses in the surrounding area would be impacted. In particular, an employee of a nearby taqueria was concerned that their profits would suffer if food trucks were allowed to operate nearby. Unfortunately, this project was scheduled last on the Commission's agenda, and numerous supporters of the project who had wanted to speak had left the hearing by the time this matter was heard. The project sponsor replied to the neighbor's concerns on his own, assuring them that he has been and remains willing to limit operations to meet the needs of the neighborhood.

The Planning Commission discussed mitigation measures, including limiting hours of operation to 9:00 p.m. on weekdays, prohibiting the use of generators for power, and even prohibition of alcohol sales. The project sponsor indicated a willingness to abide by all of those guidelines, but to no avail. Ultimately, the Commission found that the proposed restaurant and outdoor activity area was not necessary or desirable for this location "given the abundance and prevalence of other nearby eating and drinking establishments." The result was that the Commission approved the conditional use of the site as a parking lot, but prohibited its use as a restaurant or limited restaurant, including as a site for mobile food facilities.

Despite the comments of Commission members that there were already too many eating and drinking establishments in this neighborhood, the project sponsor believes the proposed restaurant use for this site would be a welcome addition to the neighborhood. Contrary to concerns that the sponsor's proposed use would be competing with traditional Mexican restaurants in the area, Filipino fusion cuisine is considerably different. Since this cuisine is not prevalent in the area, the project would also promote diversity. Additionally, and this point was considered ever so briefly by the Commission, the food served by this proposed operation would be affordable, a commodity that is becoming less and less available in the Valencia Street neighborhood. Finally, the project sponsor has expressed a willingness to abide by restrictions, including that no alcohol would be served, that can be enforced by members of the neighborhood.

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Board of Supervisors
April 16, 2018
Page 3

In sum the project was thoroughly reviewed by the Planning Staff in the enclosed Executive Summary, and recommended for approval as a necessary and desirable addition to the neighborhood. The project sponsor urges that the Board of Supervisors follow the recommendations of the Planning Staff, and overturn the imposition of the prohibition of restaurant uses.

Request for Continuance of Hearing Date

The project sponsor requests continuance of what would be the normally scheduled hearing date for this appeal for a period no longer than 90 days as specified under the San Francisco Planning Code, §308.1(c).

Very truly yours,



THOMAS J. LALANNE

TJL/jdl
Enclosures

**NOTICE TO BOARD OF SUPERVISORS OF APPEAL
FROM ACTION OF THE CITY PLANNING COMMISSION**

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2018 APR 16 PM 2:11

BY _____



Notice is hereby given of an appeal to the Board of Supervisors from the following action of the City Planning Commission.

The property is located at 701 Valencia St., San Francisco, CA.

March 15, 2018

Date of City Planning Commission Action
(Attach a Copy of Planning Commission's Decision)

April 16, 2018

Appeal Filing Date

_____ The Planning Commission disapproved in whole or in part an application for reclassification of property, Case No. _____.

_____ The Planning Commission disapproved in whole or in part an application for establishment, abolition or modification of a set-back line, Case No. _____.

X _____ The Planning Commission approved in whole or in part an application for conditional use authorization, Case No. 2017-004489CUA.

_____ The Planning Commission disapproved in whole or in part an application for conditional use authorization, Case No. _____.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

Statement of Appeal:

a) Set forth the part(s) of the decision the appeal is taken from: 2018 APR 16 PM 2:11

BY 

See attached.

b) Set forth the reasons in support of your appeal:

See attached.

Person to Whom
Notices Shall Be Mailed

Name and Address of Person Filing Appeal:

Thomas J. LaLanne

Ryen Motzek

Name

Name

400 Harbor Drive
Sausalito, CA 94965

391 29th St.
San Francisco, CA 94131

Address

Address

(415) 434-1122

(650) 743-0133

Telephone Number

Telephone Number



Signature of Appellant or
Authorized Agent